

The Washington Merry-Go-Round

THE WASHINGTON POST

Tuesday, April 2, 1974

B15

Watergate Forces Retirement at CIA

Jack Anderson

The Watergate has claimed a major victim in the Central Intelligence Agency with the forced retirement of its dedicated director of security, Howard Osborn.

A veteran of 26 years at the cloak-and-dagger complex, the 56-year-old Osborn was caught up in the suppression of a mysterious CIA memo that described how documents were burned at the home of Waterbugger James McCord, an ex-CIA agent.

The secret memo was based on information supplied by a former FBI inspector, Lee Pennington, then with the CIA as a paid "consultant." Pennington, an old family friend of the McCords', had visited Mrs. McCord after her husband was arrested inside Democratic National Committee headquarters in June, 1972. He found her burning papers and documents. Earlier, she had burned typewriter ribbons.

Pennington loyally reported the episode to his CIA bosses, and the CIA wrote it up in memo form. For more than a year and a half, it lay in the CIA files like a paper bomb.

Meanwhile, FBI sleuths were asking embarrassing questions about whether the CIA knew of destroyed documents from among McCord's papers, and were getting persistent denials from the CIA.

Finally, Senate Watergate committee vice chairman Howard H. Baker Jr. (R-Tenn.) began snooping into the CIA role in the cover-up, and a middle-level CIA employee who knew of the hidden memo threatened to blow the whistle.

After some debate, CIA Director William Colby was told of the suppressed memo and he quickly contacted Rep. Lucien Nedzi (D-Mich.), chairman of a House intelligence subcommittee. They agreed that the best course was to let all congressional committees involved in the Watergate probe, as well as Leon Jaworski's special prosecutors, know about the memo.

Nedzi, after full hearings with Pennington, McCord and CIA officials including Osborn, concluded that the CIA had not dispatched Pennington to burn the papers, as the memo seemed to suggest. Osborn claimed that he had not even known of the memo. Nevertheless, Nedzi and Colby were both worried about the cover-up.

"It led to the early retirement of Osborn," Nedzi told us. When we reached the ex-CIA security boss at his home near the agency he had served so long, he clung to his oath of secrecy.

"I had planned for over a year to retire in June," Osborn insisted. "I realized there was no financial benefit to staying and decided to retire."

Navy Blues—A defense contractor has charged that a boy-

hood friend of Sen. Russell B. Long (D-La.) offered the senator's services for \$150,000 to settle the contractor's dispute with the Navy.

Long, chairman of the powerful Senate Finance Committee, knew nothing of any such offer, according to his office, nor has our investigation showed that Long ever authorized one. J. Roy Becnel, who is accused of making the offer, swore to us: "I never asked for a dime. I never expected anything."

But the contractor, Lewis Malnak of Cherry Hill, N.J., has told Internal Revenue Service investigators that Becnel sought cash for his services.

Malnak, president of Lew Malnak Associates, went to Becnel in 1972 for help in settling a \$750,000 contract claim with the Navy. Malnak says he had heard that Becnel knew Long and that Becnel identified himself as a "bag man" for the Louisiana senator.

Malnak swears that Becnel asked for \$50,000 in cash "to get the claim settled immediately" through Long's office. When Malnak protested that he lacked such a large sum, Becnel suggested that he boost his claim above \$1 million and pay \$150,000 if Becnel's efforts were successful, according to Malnak.

Malnak, with no important contacts in Washington, had tried several times unsuccessfully to see Long's top aide, Bob Hunter. Once Becnel became in-

involved in the case, the barriers fell quickly.

"They walked Becnel in like he was a member of the staff," Malnak recalls. He claims Hunter promised to "look into (the case) because Becnel asked him to." Malnak's logs show he met with Hunter three times in 1972.

At the last meeting, Malnak says, he felt that Hunter had lost interest. Malnak says he never promised nor paid Becnel a commission, nor ever talked money with Hunter.

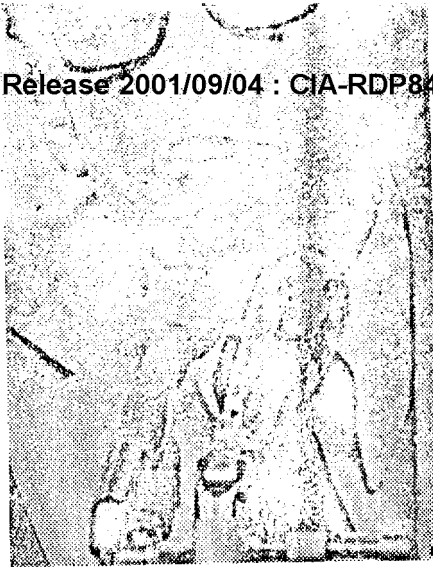
In commenting on the case, Hunter says he has known Becnel for years, as has Long. Hunter recalls meeting with Malnak at Becnel's request, but says he did nothing to help Malnak.

Becnel, a former justice of the peace and drainage contractor, hotly contests Malnak's story. "I'm not a satchel man," he steamed. "I never knew Russell Long" to take a dime. "I'll get hold of Malnak and break his neck."

Footnote: Malnak's interest is in getting his claim settled. He charges that he was "blackmailed" after his detection equipment discovered that the Navy had bought faulty distress-warning devices for Polaris subs. Reps. Edwin Forsythe (R-N.J.) and Les Aspin (D-Wis.) have asked for a complete Justice Department probe of the Navy's handling of the case.

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SEN. HOWARD H. BAKER JR.
... probes CIA involvement

Baker to Say CIA Helped Hunt Get Job

By Laurence Stern
Washington Post Staff Writer

Testimony indicating that a Central Intelligence Agency official recommended the employment of Watergate conspirator E. Howard Hunt Jr. by a Washington public relations firm which has served as a CIA "cover" will be released today by Sen. Howard H. Baker Jr. (R-Tenn.).

The public relations firm is Robert Mullen & Co., whose relationship with the CIA forms a central theme of the Baker report cleared by the CIA for release last weekend.

Hunt was recommended to the Mullen firm at the time of his retirement from the agency in 1970 by a CIA official identified as Frank O'Malley. There have been unsubstantiated allegations in the case that Hunt was recommended to Mullen by former CIA Director Richard M. Helms.

Both the CIA and officials of the Mullen company have acknowledged their mutual ties, which included providing a corporate cover for CIA operatives in Mullen & Co. offices in Singapore and Amsterdam.

Sources who have examined the report say it provides no conclusive links between the CIA and the original Watergate break-in such as have been hinted by former White House aide Charles Colson and by Baker.

However, it includes documentation in the form of three CIA memoranda

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Baker to Issue Report

CIA, Watergate Tie Probed

BAKER, From A1

which point to covert efforts by officials of the agency to minimize its involvement in the Watergate investigation.

There is also some evidence that Robert F. Bennett, president of Mullen and son of Sen. Wallace F. Bennet (R-Utah), was tipped off prior to the Watergate burglary that a White House break-in team was targeting McGovern campaign headquarters for a political intelligence raid.

Bennett has privately acknowledged that he was given advance knowledge of the operations of the burglary team. But it was unknown whether he passed this information on to the CIA.

The memos upon which Baker drew in the preparation of his report were drafted by Eric W. Eisenstadt, chief of the central cover staff for the CIA's clandestine directorate; Martin J. Lukasky, Bennett's "case officer" within the agency, and subordinates of former CIA security director Howard Osborn, who recently took an early retirement from the CIA.

The Eisenstadt and Lukasky memos recount the CIA's relationships with Mullen & Co. and recount claims by Bennett that he planted unfavorable stories in Newsweek and The Washing-

ton Post dealing with White House aides, including Colson. The object of these stories, the Baker report will indicate, was to draw attention away from CIA involvement in the Watergate case.

The Osborn material, as presented by Baker, suggests that the former CIA security director provided misleading information to the FBI on the identity of a former federal investigator who helped Watergate burglar James W. McCord Jr.'s wife destroy CIA records at their home immediately after her husband's arrest in the Watergate break-in case.

Osborn's retirement, according to one official familiar with the handling of the case, was an outgrowth of the internal memorandum prepared in Osborn's office which resulted in the transmission of misleading information to the FBI.

Rep. Lucien N. Nedzi (D-Mich.), who has reviewed a draft of the Baker report, said Sunday on the CBS program "Face the Nation" (WTOP) that it contained "no bombshells." Nedzi, chairman of the House Armed Service Intelligence Subcommittee, has taken testimony from CIA officials on a number of allegations made in the

draft version of Baker's report.

The Michigan Democrat is said to be in contact with the CIA's congressional liaison office on an almost day-to-day basis as new allegations have arisen suggesting new involvements by the agency in the Watergate scandal.

Some of Baker's colleagues on the Senate Watergate committee, of which he served as co-chairman, have charged that Baker has sought to implicate the CIA in the scandal to divert attention from the White House role in the break-in and ensuing cover-up.

The report also questions why photographs found in the CIA file taken by members of the White House "plumbers" team during the Ellsberg break-in were not turned over to the FBI, even though agency officials were aware of their evidentiary significance.

By and large, the Baker report reaches no definite conclusions but it suggests continued investigation of the relationships between the CIA and Watergate and names prospective witnesses to be examined.

The Senate Watergate committee has gone out of existence but will issue its final report next week.

AND DREARY — Cloudy cool today, chance of ers this afternoon and ht. High today in 60s, tonight near 50. Today's high, 65 at 1:30 Today's low, 45 at 12:30 Details: Page A-2.

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Caulfield Denies Naming Nixon

ADMITS MAKING CLEMENCY OFFER

By BARRY KALB and MARTHA ANGLE

Star-News Staff Writers

The Senate Watergate investigation appears headed for a major conflict in testimony between two of its star witnesses, James W. McCord Jr. and John J. Caulfield, the man who admits he transmitted offers of executive clemency from the White House to McCord.

McCord told the committee yesterday that during meetings in January, Caulfield promised him clemency, money for his family and other inducements to plead guilty at the Watergate trial then under way. McCord said Caulfield told him President Nixon was personally aware of the offers.

Caulfield, The Star-News has learned, has already admitted to the Watergate grand jury that he made the offers to McCord as McCord said. But Caulfield also told the grand jury, according to informed sources, that he never mentioned the name of Nixon or anybody else in connection with the offers.

FOLLOWING McCord's nationally televised statements yesterday, presidential press secretary Ronald L. Ziegler said at the White House that the President "at no time authorized anyone" to make such offers.

Ziegler repeated previous statements that the President never participated in or knew of the



JOHN J. CAULFIELD



JAMES McCORD JR.

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President never participated in or knew of the cover-up. He also denied that Nixon has any intention, because of the Watergate scandal, of resigning before his second term is up.

The discrepancy between McCord's and Caulfield's versions of their meetings, plus matters such as a secret letter which sources say McCord mailed to Caulfield in December but has never mentioned in testimony anywhere, raises doubts about some of McCord's testimony.

Caulfield has told the grand jury that he made the offers to McCord on orders of his former boss, then White House counsel John W. Dean III.

THIS CONFESSION, and Caulfield's corroboration of the fact that the offers were made, provide some of the firmest evidence to date that White House officials were deeply involved in the Watergate cover-up.

Caulfield could not be reached personally for comment, but did read this statement for television cameras:

"I have briefly reviewed Mr. McCord's statement before the Senate Select Committee, and while it does not fully reflect my best recollection of the events which took place between he and I during January of this year, it is true that I met with Mr. McCord on three occasions in January and conveyed to him certain messages from a high White House official."

Caulfield then said that he had "fully disclosed" the pertinent information to the grand jury, and has been questioned on two occasions by the Senate committee staff. He is due to testify publicly before the committee on Tuesday, after McCord finishes, and reportedly plans to invoke neither executive privileges nor his 5th Amendment right against self-incrimination.

Caulfield, according to The Star-News' sources, realizes he could face criminal prosecution for aiding in an obstruction of justice, but has chosen to testify freely anyway.

THE PROSECUTORS, however, reportedly are more interested in his testimony than in prosecuting him, and therefore do not plan at the moment to indict him. The same strategy was used during the Watergate trial with Alfred C. Baldwin III, who told of operating the wiretap placed clandestinely inside Democratic National Committee headquarters last spring.

See McCORD, Page A-11

Hill Calls Hunt on CIA

By Fred Barnes
Star-News Staff Writer

A House Armed Services subcommittee has subpoenaed Watergate conspirator E. Howard Hunt Jr. to testify about how he gained access to the Central Intelligence Agency in 1971.

When Hunt appears on Thursday, it will be his first testimony before any of the congressional committees that are looking into aspects of the Watergate scandal. He is slated to testify later before the special Senate Watergate committee.

A former CIA agent, Hunt is now serving a 35-year prison term for his part in the break-in a year ago at the Democratic party's headquarters at the Watergate.

The House subcommittee wants to question Hunt in regard to his activity in 1971 as a member of a special White House team, known as "the plumbers," that was assigned to track down leaks of national security information.

HUNT MADE contact with CIA officials in July 1971 and was given burglary equipment that was used in the break-in at the office of Daniel Ellsberg's psychiatrist in Los Angeles.

In addition, Hunt was able to query a top CIA operative, Lt. Col. Lucien Concin, about Ellsberg and the Pentagon Papers, the 47-volume secret study of the war in Vietnam which Ellsberg released to the press.

According to testimony of Gen. Robert Cushman, the CIA's deputy director in 1971, White House aide John Ehrlichman phoned him to clear the way for Hunt to get in touch with CIA offi-

cial. Ehrlichman has denied this.

The House subcommittee, which is headed by Rep. Lucian Nedzi, D-Mich., is seeking Hunt's version of how he got into CIA headquarters on repeated occasions, which officials he dealt with and what assistance he received.

AMONG OTHER things, the subcommittee is interested in finding out if Hunt got CIA aid in forging cables that implicated the Kennedy administration in the assassination of President Ngo Dinh Diem of South Vietnam.

At a closed-door subcommittee hearing yesterday, convicted Watergate burglar James J. McCord Jr. confirmed that he wrote

five letters to the CIA between July 1972 and January 1973, warning officials that an effort was underway to have the agency take the rap for the Watergate affair.

One of the letters was to then-director Richard Helms and the others were to Paul Gaynor, a CIA official with whom McCord was acquainted.

According to Nedzi, the letters said that Gerald Alch, McCord's attorney at the time, had urged him to implicate the CIA in the Watergate break-in. Alch has denied this.

MCCORD SAID the letters were designed to "alert" the CIA "that a major effort was being undertaken to lay the Watergate affair off on the CIA."

He said that he still felt "loyalty" and "respect" for the CIA because of the years he worked for the agency. If the CIA were blamed for the Watergate mess, McCord told reporters, "I felt it would take years to recover."

McCord also said his account of the Watergate scandal, entitled "Watergate Sanctions," will be published in August. He said he hasn't "deliberately withheld" any information so that it could be revealed first in the book.

Nedzi said that the subcommittee, which is exploring CIA involvement in domestic affairs, will hear testimony next week from Alch and former White House aide Charles Colson, in addition to Hunt.

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C.I.A. MEMOS SHOW POLITICAL FEARS OVER WATERGATE

TIMES
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Indicate Officials Doubt Inquiry Concerned National Security

By SEYMOUR M. HERSH
Special to The New York Times

WASHINGTON, June 3—The Federal Bureau of Investigation, the Central Intelligence Agency and high White House officials viewed the investigation in the weeks after the Watergate bugging in June, 1972, as a potential political bombshell and not as a legitimate matter of national security, according to a series of high-level C.I.A. memorandums.

The memorandums were submitted last month to a Senate subcommittee by Lieut. Gen. Vernon A. Walters, deputy director of the C.I.A., and James B. Schlesinger, Director of Central Intelligence.

According to the documents, President Nixon's top White House aides repeatedly warned that the on-going F.B.I. investigation into the Watergate episode could lead to high political figures.

Copies of the documents, whose contents had not previously been disclosed, were examined and transcribed by The New York Times.

Nixon Order to F.B.I.

President Nixon, in his 4,000-word statement on May 22 about the Watergate affair, said that he had forbidden the F.B.I. to interfere either with on-going covert C.I.A. operations or with matters of national security that had been handled by a special investigations unit set up in 1971 to investigate the publication of the Pentagon papers on the war in Vietnam and other matters.

The President, without fully explaining the circumstances, said in his statement that "elements of the early post-Watergate reports led me to suspect, incorrectly, that the C.I.A. had he had requested his two chief aides, H. R. Haldeman and John

D. Ehrlichman, "to insure that the F.B.I. would not carry its investigation into areas that might compromise these covert national security areas or those of the C.I.A."

End to Inquiry Sought

Subsequent testimony last month before a Senate Appropriations Subcommittee on Intelligence, headed by Senator John L. McClellan, Democrat of Arkansas, brought allegations that Mr. Haldeman and Mr. Ehrlichman had urged General Walters to seek a halt to the F.B.I. investigation of a Mexican money-laundering operation that had provided more than \$100,000 in operating funds for the Watergate break-in team.

The nine Walters memorandums and one submitted by Mr. Schlesinger also provided these disclosures:

¶ John W. Dean 3d, the former White House counsel, expressed the belief on June 26 that Bernard L. Barker, a member of the Watergate team, "had been involved in a clandestine entry into the Chilean Embassy." There has been no official confirmation that the White House, the Committee for the Re-election of the President or the Watergate conspirators had any connection with a May, 1972, break-in at the Chilean Embassy.

¶ L. Patrick Gray 3d, then acting F.B.I. director, had been urged by some high level officials to force Harold H. Titus Jr., the United States Attorney for the District of Columbia, to stop his attempts to subpoena the financial records of the Republican re-election committee as part of the on-going investigation of the Watergate team. General Wal-

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Memos of C.I.A. Disclose Political Fears

Continued From Page 1, Col. 8

ters quoted Mr. Gray as saying: "He could not [stop the subpoena]. Whoever wanted this done should talk to the Attorney General and see if there was any legal way to do this. He [Mr. Gray] could not."

Mr. Dean telephoned Mr. Schlesinger at the C.I.A. on Feb. 9, 1973, to seek advice about a pending Senate Foreign Relations Committee investigation into the International Telephone and Telegraph Corporation in connection with "the Chilean problem." Mr. Schlesinger quoted Mr. Dean as saying that "this investigation could be rather explosive." Similar concern was expressed by Mr. Dean about the Foreign Relations Committee's interest in the Chilean Embassy burglary.

Richard Helms, then the Director of Central Intelligence, told a meeting of top White House aides on June 23 that he had told Mr. Gray by telephone the day before that the C.I.A. had nothing to do with the manipulation or handling of cash inside Mexico. General Walters quoted Mr. Helms as flatly declaring: "None of the suspects [in the Watergate break-in] were working for it nor had worked for the agency in the last two years."

The general further quoted Mr. Helms as saying that "he had told Gray that none of his investigations was touching any covert projects of the agency, current or ongoing." Mr. Halderman then replied, according to the Walters memorandum, that the general "could tell Gray

that I had talked to the White House and suggested that the investigation not be pushed further." General Walters did as requested, according to his own memorandums.

The White House refused to amplify President Nixon's May 22 statement.

In statements issued after appearances before the Senate Appropriations subcommittee, both Mr. Halderman and Mr. Ehrlichman have denied accusations that they acted improperly. The former White House aides suggested that any wrongdoing had been initiated by Mr. Dean.

Without mentioning the disclaimer of any C.I.A. involvement that was provided by Mr. Helms last June, Mr. Halderman declares in a statement issued Thursday that the White House request for a review of the F.B.I. investigation "was done with no intent or desire to impede or to cover up any aspect of the Watergate investigation itself." Any such activities, he said, were taken without his knowledge.

Mr. Ehrlichman, in his statement, quoted General Walters as being unable to provide assurances to the White House about the possible infringement on C.I.A. activities that would result from an extensive F.B.I. inquiry into the Mexican money trafficking Mr. Ehrlichman also quoted Mr. Nixon as declaring, in July, 1972, after receiving further assurances that no C.I.A. activities would be compromised, that he still "feared" the harmful effects of the F.B.I. investigation.

The Walters memorandums provided a strikingly different

image of those first meetings in late June about the on-going F.B.I. investigation. The general quoted Mr. Halderman as saying on June 23 that the "whole affair was getting embarrassing and it was the President's wish that Walters call on the acting director [of the F.B.I.] and suggest to him that, since the five [Watergate] suspects had been arrested, this should be sufficient and that it was not advantageous to have the inquiry pushed."

General Walters quoted Mr. Gray as declaring in a subsequent meeting on the same day that "this was a most awkward matter to come up during an election year and he would see what he could do."

Three days later, according to the general's memorandums, he met privately with Mr. Dean — after first getting approval from Mr. Ehrlichman — and was told by Mr. Dean that "some of the accused were getting scared and 'wobbling'."

At another meeting on June 28, Mr. Dean was quoted by General Walters as declaring that "the problem was how to stop the F.B.I. investigation beyond the five suspects... Dean then asked hopefully whether I could do anything or had any suggestions."

The general's reply, as he candidly wrote in his memorandum, was "that the affair already had a strong Cuban flavor" and that the Cubans had "a plausible motive for attempting this amateurish job which any skilled technician would deplore. This might be costly but it would be plausible."

WASHINGTON POST
31 MAY 1973

Justice to Abolish Intelligence Panel

By Sanford J. Ungar
Washington Post Staff Writer

The Justice Department is taking steps to abolish the Intelligence Evaluation Committee, a secret domestic intelligence unit established in December, 1970, which is now under investigation by the Senate select committee looking into the Watergate affair.

Although the IEC was headquartered in the Justice Department, its existence was unknown to many top officials at Justice until President Nixon referred to it in a public statement on Watergate last week.

As described by Mr. Nixon, the IEC membership included representatives of the White House, Central Intelligence Agency, Federal Bureau of Investigation, National Security Agency, Secret Service and

the Departments of Justice, Treasury and Defense.

He said it was established to "help remedy" the situation created when the late J. Edgar Hoover, then director of the FBI, broke off liaison with all agencies except the White House.

Justice Department sources said yesterday that Assistant Attorney General Henry E. Petersen, chief of the department's Criminal Division, learned of the IEC's existence—through inquiries from the Senate committee—only a few days before the President's statement.

So carefully was it concealed that until then, Petersen was apparently unaware that he had inherited the IEC's small staff in late March, when Attorney General Richard G. Kleindienst abolished the department's Internal Security Division and transferred its responsibilities to a new section of the Criminal Division.

The sources said that Petersen immediately called for copies of the IEC's classified reports, on such subjects as

foreign influence in the peace movement, and found them "worthless."

On checking with the IEC's member agencies, Petersen discovered that "they didn't care" whether the committee continued to exist, the sources added.

As a result, Petersen is drafting an order dismantling the IEC and assigning its employees to other jobs.

The sources said, however, that Petersen has decided to retain "on a standby basis" the Inter-Divisional Information Unit (IDIU), a related group originally established by Ramsey Clark, President Johnson's last Attorney General, and kept by the Nixon administration, to monitor the potential for domestic civil disturbances.

There was apparently considerable overlap between the two intelligence units, and sources close to the Senate investigation say that the IDIU may have been used to help conceal the IEC.

The IEC originally drew the attention of Senate investigators when they learned that convicted Watergate conspirator James W. McCord Jr. had received copies of IEC reports while working as security director for the Committee for the Re-election of the President.

Sen. Lowell P. Weicker Jr. (R-Conn.), the Watergate committee member who has pressed the investigation of the IEC, said yesterday that the reports apparently went only to Mr. Nixon's re-election committee, under a special arrangement, and were not distributed on a bipartisan basis.

Several sources in the Justice Department and on Capitol Hill yesterday confirmed a department spokes-

man's insistence that the IEC "has never been an operational unit," but merely collated data collected by its member agencies. The group collected no information of its own, they said.

The former FBI agent who now heads the IEC, Bernard A. Wells Jr., declined to discuss its functions with a reporter, but other Justice Department officials said that the IEC concentrated on "writing papers" at the specific request of the White House and other government agencies.

It was created in December, 1970, they said, at the suggestion of close presidential aides, including former chief White House domestic adviser John D. Ehrlichman, and brought into the Internal Security Division while Robert C. Mardian was assistant attorney general in charge there.

(Mardian left Justice last year to join the Nixon campaign and has since returned to his family's construction business in Phoenix. He has been questioned by the Watergate grand jury here and will meet privately with Senate investigators Friday.)

The IEC is housed on the sixth floor of the Federal Triangle Building on 9th

Street NW under strict security arrangements.

According to the Justice Department sources, the IEC sought, among other things, to predict the size of public demonstrations and to measure their potential for violence—as part of the development of the government's response to them.

But on some occasions, they added, the IEC may have dabbled in foreign intelligence matters and may have contributed information for use in the Justice Department's prosecution of cases with political overtones, such as the Pentagon Papers trial of Daniel Ellsberg and Anthony J. Russo Jr.

Senate sources suggested that the IEC grew out of an intense concern for national security on the part of some Nixon administration officials and that its reports could have been used to develop and justify the work of the White House "plumbers," who included convicted Watergate conspirators E. Howard Hunt Jr. and G. Gordon Liddy.

Weicker said he is puzzled about why, if the IEC's work was as simple as has been described, it was considered necessary to "camouflage" the unit.

HS/HC- 858

25 MAY 1973

CIA Failed to Tell Chief of

By JEFFREY ANTEVI

Washington, May 24 (NEWS Bureau)—Central Intelligence Agency officials did not tell Director James R. Schlesinger until two days ago that Watergate conspirator James W. McCord Jr. had written a series of letters over the last 10 months warning of efforts to blame the CIA for the 1972 campaign scandal, chairman Lucien N. Nedzi of the House intelligence subcommittee disclosed today.

Emerging from a closed meeting with three CIA employes, Nedzi refused to characterize the delay as "a coverup." He told reporters that the Watergate affair had done "serious damage" to the CIA and that some "changes in personnel" should be made at the agency.

Nedzi would not describe the contents of the letters—one signed "Jim" and the others unsigned—which McCord wrote to former CIA Director Richard M. Helms and Paul Gaynor, a security man at the agency, between last July and January of this year.

Letters Called "Disjointed"

But Rep. William G. Bray (R-Ind.), another member of the subcommittee, confirmed that McCord, a retired CIA employe, wrote the letters to alert his former colleagues of an attempt to shift the blame for Watergate to the agency. Bray said the letters did not specify who was responsible for this effort.

Bray said the letters were "disjointed" and apparently were "written by a confused person." He said McCord wrote them "to protect himself" in the spreading scandal and because "he had a great dedication to the CIA," where he had been employed in the security division for 19 years.

Gaynor, CIA Chief of Security Howard Osborn, and William Breaux, the agency's inspector general, testified before Nedzi's panel for more than three hours.

Nedzi was asked later if the delay in showing the letters to Schlesinger, who succeeded Helms as director early in February, was a result of a deliberate coverup by CIA employes. "Everybody denies that there was a coverup," Nedzi replied.

Some CIA Men 'Forgot'

He said some of those asked about the matter replied "with the familiar phrase, 'I forgot,'" while others said they had not acted because they assumed someone else already had done so.

The letters surfaced, Nedzi said, as part of an intensive review ordered by Schlesinger following recent disclosures that top White House aides made a series of attempts to implicate the CIA in the Watergate affair.

As a result of these disclosures, Nedzi said, "serious damage has been done to the agency." The conduct of individual employes does not seem to warrant "outright dismissals," he added, but personnel changes are needed.

McCord's Letters

HS/HC-858

WASHINGTON STAR
25 MAY 1973

Cushman Says Demands Snapped CIA, Hunt Link

By JEREMIAH O'LEARY
Star-News Staff Writer

When E. Howard Hunt demanded that the CIA transfer a secretary stationed in Paris to work for him in the United States, that was the last straw as far as the agency was concerned.

In an interview, Gen. Robert E. Cushman Jr., now commandant of the Marine Corps but deputy director of the CIA from 1969 through 1971, said it was the burgeoning of Hunt's demands, not any suspicion of illegality, that prompted the CIA to sever connections.

Cushman first got a call from presidential aide John D. Ehrlichman on July 7, 1971 identifying Hunt as a White House security consultant and asking that the CIA give Hunt a hand.

"Hunt came to see me on July 22, the only time I ever saw him and talked for about half an hour," Cushman recalled. His impression was that Hunt was a "little pushy." But, said Cushman, "He said he had a one-time interview to conduct and needed some disguise materials. There was no mention of his mission and I could not get any details about it from him."

"BECAUSE of his endorsement from Ehrlichman, our technical serv-

ices division, on my instructions, fitted him with a wig, a voice altering device something like a kazoo and some manufactured identification cards, Cushman said."

"With the wisdom of hindsight, you wonder why he went to all the trouble of getting from the CIA things he could have gotten anywhere in downtown Washington in a shop ... If I had known what his ultimate mission was, he would never have gotten in the front door."

Cushman said CIA technicians became suspicious in August 1971, when Hunt kept coming back for more and more help. They did not suspect Hunt was involved in an illegal domestic burglary, only that he was going far beyond the original, one-shot operation he had described.

"First he wanted a camera and a tape recorder," Cushman said. "Then he asked for an office and a telephone monitoring service and finally for a particular secretary. Even then we might have given him secretarial help but we weren't about to transfer a secretary from France to the United States.

"ONCE, he brought a man around with him, a man who turned out to be G. Gordon Liddy, but that name meant nothing to us then."

Cushman said the growing demands of Hunt were too much.

On August 27, Cushman called Ehrlichman and told him he questioned Hunt's judgement and was breaking connections with him. He said Ehrlichman did not argue about the CIA decision but said he would restrain Hunt.

A week later the office of Daniel Ellsberg's psychiatrist in Los Angeles was broken into by Hunt and others of the Watergate burglary gang. Cushman said he did not learn of Hunt's use of the CIA disguise material in the Los Angeles burglary until three weeks ago.

Cushman indicated no guilt complex about being conned by Hunt and Ehrlichman. "I felt I had gotten a legal order and there was no onus of scandal attached to Ehrlichman in the summer of 1971. That was a year before the Watergate burglary," he said.

His main concern was that even his peripheral role in the Watergate might disillusion or besmirch the Marine Corps, but he is now reassured that his Leathernecks have not been humiliated or have not lost faith in him.

"I'm a little bloody but unbowed," Cushman said.

HS/HC- 858

The CIA entangled

Washington, DC

The Central Intelligence Agency has never been totally uninvolved in domestic affairs. Not many years ago it was financing American student bodies. Earlier this year it was revealed to be training local police forces. Still, when Senator William Proxmire uttered a warning on April 10th against the CIA "engaging in Watergate-type activity to downgrade our democratic system," he can hardly have realised how soon his fear would take on substance. What has come out since concerns the co-operation which the CIA provided for the men who burgled the office of Dr Ellsberg's psychiatrist in 1971.

Testimony by Mr Howard Hunt, one of the burglars, was read on May 4th to the Los Angeles court where the Pentagon papers trial is being conducted. Mr Hunt said that the CIA had provided cameras, disguises and false papers for the burglary. He also described meeting CIA agents in "safe houses" in Washington and being given a "sterile"—that is, unlisted and unbilled—telephone number to maintain contact for further assistance. The burglary itself failed to produce anything of value to the White House plumbers. A psychiatric profile constructed for them by the CIA's own psychiatric unit proved, according to Mr Krogh's affidavit, to be of no use either.

Who authorised all this? On the White House side Mr Egil Krogh has admitted that he gave approval to the burglary mission, believing that such a thing fell within his competence. Had not the President personally told him to get on with the investigation, and in the presence of Mr Ehrlichman? An affidavit by Mr Krogh also states that Mr Ehrlichman gave approval for "covert activity"—a vague phrase—to look into Dr Ellsberg's psychiatrist, Dr Fielding. The special counsel to the President, Mr Charles Colson, furnished the expense money but did not ask what it was for.

Thus, when preparations for the expedition to Los Angeles reached a point where technical help was needed, it was with every assurance of authoritative backing that first Mr Hunt and then Mr Krogh turned to the Central Intelligence Agency for help. But their requests did not do the trick, and a personal word on the telephone was needed from Mr Ehrlichman to General Robert Cushman, then the deputy director of the agency and now Commandant of the Marine Corps, a man who enjoys President Nixon's patronage and to some extent his friendship. This telephone call is not in Mr Krogh's affidavit, but has been reported from other sources. Mr Ehrlichman may still be able to claim that when he asked for co-operation he was not thinking of burglary.

At all events, as the agency has confirmed, General Cushman met Mr Hunt on July 22, 1971, and authorised him to be given what assistance he wanted. Five weeks later, when it dawned on the CIA that it was abetting "a domestic clandestine operation," the help was discontinued. This may account for the odd fact that when the plumbers returned the agency's camera with some exposed film inadvertently left in it, the CIA sent the film not to the White House but to the Justice Department.

The CIA realised, in fact, that it had gone beyond the limits of what it is supposed to do. The 1947 act setting up the CIA expressly states that the agency "shall have no police, subpoena, or law enforcement power or internal security functions."

Counter-intelligence and counter-espionage within the United States belong to the Federal Bureau of Investigation. It is true that the CIA is authorised to protect "intelligence sources and methods from unauthorised disclosure." But this has always been understood to be confined to protecting the foreign intelligence activities of the United States. The fact that the Pentagon papers are about foreign policy and that foreign powers found them interesting does not make them a foreign intelligence matter in the sense intended by the act: or so, evidently, the CIA itself concluded.

General Cushman and his former chief, Mr Richard Helms, will both have questions to answer. The man who had to carry the immediate burden, Mr James Schlesinger, was chosen on Thursday by President Nixon as his new Secretary of Defence. Before the task of ascertaining the extent of the agency's involvement in the White House scandals fell on him, Mr Schlesinger was already engaged in a reorganisation of the agency which involves fairly extensive staff cuts, for reasons arising out of the debate about the proper functions of the intelligence agencies which has been long in progress. The reorganisation is not made any easier by two changes of director within a few weeks. If the CIA cannot clean its own house, Congress is bracing itself to try to do the job for it. Three subcommittees in the House and the Senate which have in the past been lax about their duties of overseeing the CIA have announced hearings, and Senator McClellan's subcommittee on intelligence operations made a quick start by summoning Mr Schlesinger on Wednesday. After the hearing, which was closed, Mr Schlesinger said he was stiffening the agency's regulations to make sure that what had happened did not happen again. Now he has a new job.

15 MAY 1973

Kissinger Says He Knew, But Didn't Order Taps

BY GEORGE SHERMAN
and FRED BARNES
Star-News Staff Writers

Henry A. Kissinger has acknowledged that he knew his aides were being electronically monitored by FBI agents between 1969 and 1971 and that he actually read some summaries of their wiretapped telephone conversations.

But Kissinger, who is national security adviser to President Nixon, denied in an interview yesterday that the surveillance was begun at his order.

"No, I did not institute the wiretaps," he said.

Kissinger confirmed, however, that he met with FBI director J. Edgar Hoover in the spring of 1969 and discussed leaks of national security information, among other things.

IT WAS THIS meeting at FBI headquarters, declared acting FBI Director William Ruckelshaus at a press conference yesterday, that prompted the bureau to place wiretaps on four newsmen and 13 government officials, including at least two aides to Kissinger.

There were these other developments related to the wiretapping-leaks episode:

● Ruckelshaus disclosed that the official FBI logs of the wiretapped conversations between 1969 and 1971, missing from the bureau for two years, were found Saturday evening in the White House safe of John Ehrlichman, resigned presidential aide.

The acting FBI chief said that he and an FBI agent had to "arm-wrestle" the documents away from Secret Service agents in order to carry them away from the White House and return them to FBI files.

(Jack Warner, Secret Service spokesman, said Ruckelshaus' account of the "arm-wrestling" incident "is absolutely false," United Press International reported. Warner said the acting FBI director and an FBI agent were in an Executive Office Building office "for a total of four minutes and we gave them the files they requested," UPI reported.)

● Sources revealed that one of the newsmen put under electronic surveillance was Joseph Kraft, syndicated columnist who sometimes writes about national security matters.

Earlier published reports had identified three of the tapped newsmen as William Beecher and Hedrick Smith of The New York Times and Henry Brandon of the Sunday Times of London.

● Ruckelshaus confirmed that President Nixon sent a personal letter to Hoover in 1971 urging the FBI chief to aid the White House in tracking down security leaks.

Hoover responded with a letter to the effect that he would provide the White House with whatever relevant information the FBI uncovered, Ruckelshaus said.

In the interview, Kissinger said that his conference with Hoover stemmed from his White House role as protector of "the most sensitive information in the government."

"I DEAL ONLY with established agencies through their directors, through established procedures inherited from previous administrations," Kissinger said. "I did not determine the methods of their investigations."

According to sources close to Kissinger, he and Hoover discussed not only security leaks bothering the White House, but also the kinds of intelligence information which the FBI might funnel to the National Security Council, which

Kissinger heads.

Summaries of the wiretapped conversations — at least some from taps on private residences — were passed on to Kissinger in 1969 and 1970, the sources said.

He read them and sent the summaries along to H. R. Haldeman, then the chief of the White House staff, for the President to read, the sources said.

"SOMETIME in 1970" Kissinger stopped receiving the summaries because he determined the information in them did not pertain to national security, according to the sources close to him.

For this reason, the sources said, Kissinger is unsure how many of the 13 officials wiretapped were actually on his staff. But he read the summaries of private conversations of at least Morton Halperin and one other of his aides.

Halperin was a key Kissinger aide until 1971. He emerged into prominence again this year as a member of the defense team at the trial of Daniel Ellsberg. The trial judge dismissed all charges against Ellsberg last week in connection with the release of the top-secret Pentagon Papers.

The sources close to Kissinger said they believe, though are not totally sure, that three instances of press reports in 1969 originally caused alarm in the White House over security leaks.

ONE WAS a story on National Security Council discussions on how to handle the shooting down of the ED 121 electronics spy plane over North Korea on April 15, 1969.

Another involved dislo-

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continued

sure in the press of a National Security Council paper on the Middle East. The third concerned the President's planning for the first withdrawals of U.S. troops from South Vietnam.

Kissinger emphasized in the interview that he knew of no illegal procedure used by those investigating security leak. At his instruction, Kissinger said, his office cooperated with the FBI in the wire-taps.

Ruckelshaus stressed at his press briefing that the wiretaps were fully legal. It wasn't until June 1972, he noted, that the Supreme Court outlawed the electronic surveillance of "domestic subversives" without a federal judge's prior consent.

WHEN KISSINGER took over his White House job, sources said, he inherited an FBI man, A. Russell Ash, who was responsible for security. Ash left Kissinger's staff last month, sources said.

According to other sources, Ash was the liaison man for the FBI in 1969 and would contact the Kissinger office to find out which members of his staff had access to pertinent files when a security lead was discovered.

While President Nixon also sent copies of the summaries of the bugged conversations, Ruckelshaus said he is unsure if the President read any of them.

Ruckelshaus said the official FBI logs of the wiretapped talks were removed from the bureau in the summer of 1971 by William C. Sullivan, then an aide to Hoover, and given to Asst. Atty. Gen. Robert Mardian for transfer to the White House.

"According to Mr. Mardian," said Ruckelshaus, "the recommendation was made on the claim by Mr. Sullivan that Mr. Hoover might use the records in some manner against the attorney general or the President. Mr. Sullivan does not affirm Mr. Mardian's claim."

SULLIVAN was quoted today by Jack Nelson of the Los Angeles Times as saying that the logs were kept from Hoover because the FBI chief was "not of sound mind."

Sullivan said he turned them over to Mardian because Hoover couldn't be trusted to keep the materials in the logs confidential, according to Nelson.

FBI records revealed that when the logs were discovered to be missing, Hoover was told by then Atty. Gen. John N. Mitchell that the logs had been destroyed.

"It should be noted that Mr. Mitchell has denied making such a statement to Mr. Hoover," Ruckelshaus said. "This conflict cannot be resolved because of Mr. Hoover's death. Mr. Mitchell, however, confirmed that the records were moved to the White House."

EHRlichman told newsmen yesterday that he knew the logs were in his safe.

15 MAY 1973

Ruckelshaus Statement on Wiretaps

Special to The New York Times

WASHINGTON, May 14—*Following is a statement of William D. Ruckelshaus, acting director of the Federal Bureau of Investigation on the results of an inquiry about missing records relating to electronic surveillance on certain individuals:*

Shortly after assuming this job, my attention was drawn to several newspaper and periodical accounts of electronic surveillances—wiretaps—having been placed on telephones of Government employes and newsmen in an effort to stem the leaks of information related to highly sensitive foreign policy issues. Upon inquiry, I was informed by F.B.I. employes that these surveillances had been performed and that the records relating to them were missing from the F.B.I. files. Also the question had been raised in the Ellsberg trial whether information from these alleged taps had been used by the prosecution in any way and thus tainted the evidence.

As a result of this information, I immediately ordered an investigation into the facts surrounding the taps and the missing records. This investigation was started Friday, May 4, 1973, and was conducted under my personal supervision by highly skilled F.B.I. personnel at headquarters. Forty-two separate interviews were conducted, all by headquarters personnel, and included travel to Phoenix, Ariz.; Tampa, Fla.; Savannah, Ga.; New York City, and Stamford, Conn.

The investigation revealed that from May, 1969, to February, 1971, based on consultations between the director of the F.B.I. and the White House, certain wiretaps were instituted in an effort to pinpoint responsibility for leaks of highly sensitive and classified information, which, in the opinion of those charged with conducting our foreign policy, were compromising the nation's effectiveness in negotiations and other dealings with foreign powers.

Length of Taps Varied

There was a total of 17 wiretaps placed for this purpose. Four were placed on newsmen as the potential recipients of leaks and 13 on Government employes as the potential sources. The taps

were on for varying lengths of time during the period in question; two for as little as 30 days and one for as long as 21 months.

These requests were handled in the same way as other requests involving national security for a number of years and in prior Administrations. When a Government agency or the White House requests surveillance, the request is studied by the senior officials of the F.B.I., and if the director approves, authority is then requested from the Attorney General. If he approves, as was done in this case, the surveillance commences, summaries are prepared from the logs, which are transmitted to the interested agency, or as in this case, the White House.

Because of the sensitivity of these particular surveillances, the records were very closely held; first in the director's office and then on the director's orders under the custody of Mr. W. C. Sullivan, who was an assistant to the director.

Transferral Recommended

The investigation indicates that sometime in the summer of 1971, after the taps were all taken off, Mr. Sullivan contacted Mr. Robert Mardian, who was then Assistant Attorney General in charge of the Internal Security Division, and informed him of the nature of these records and recommended that they be transferred to the White House.

According to Mr. Mardian, the recommendation was made on the claim by Mr. Sullivan that Mr. [J. Edgar] Hoover might use the records in some manner against the Attorney General of the President. Mr. Sullivan does not affirm Mr. Mardian's claim. There is certainly no proof that Mr. Hoover had such intention but the charge had its desired effect. According to Mr. Mardian, he informed Mr. [John] Mitchell [then Attorney General], who in turn informed the White House. The records were taken from the files by Mr. Sullivan, who ordered them given to Mr. Mardian, who delivered them to the White House.

When the F.B.I. discovered the records were missing

Upon Mr. Sullivan's retirement in the fall of 1971, it commenced an inquiry which ended when Mr. Hoover was informed by Dr. Mitchell that the records had been destroyed. It should be noted that Mr. Mitchell has denied making such a statement to Mr. Hoover. This conflict cannot be resolved because of Mr. Hoover's death. Mr. Mitchell, however, confirmed that the records were moved to the White House.

Records Are Located

In any event, the F.B.I. accepted the premise that the records had been destroyed, and when I assumed my present position, I also had no reason to believe that the records were still intact. It was not until last Thursday night that our investigation revealed, during an interview with Mr. Mardian in Phoenix, that the records possibly still existed and might be in the White House.

The next day the records were located in the White House having been filed in a safe in Mr. John D. Ehrlichman's outer office.

Unfortunately, the records were not located in time to respond to Judge [William Matthew] Byrne's inquiries about the potential taint of evidence in the Ellsberg trial. The interceptions of Ellsberg's conversations all occurred when he was either a guest of Morton Halperin, [former employe of the] National Security Council, or conversing with him. It was one of these conversations of Mr. Ellsberg which I had informed the judge on Wednesday, May 9, 1973, had been remembered by one of our employes, who had monitored the tape. Of course, whether the location of the records would have had any effect on the judge's decision is not for me to say.

On Saturday, an F.B.I. agent and I went to the White House, identified and retrieved the records. They now rest in the F.B.I. files.

The investigation was conducted with skill, speed and effectiveness by the F.B.I. and resulted in the full retrieval of the records. I believe it is in the public interest to reveal these facts so that this story can be put in proper perspective.

HS/HC- FVF

Kissinger's NSC Staff Caught in Web

By Murrey Marder
Washington Post Staff Writer

Henry A. Kissinger's proud National Security Council staff became enmeshed in the use of wiretaps as a test of its own loyalty, informed sources indicated yesterday.

Until the official confirmation by Acting FBI Director William D. Ruckelshaus that wiretaps were used on the NSC staff and on telephones of four newsmen, Kissinger was relatively free of taint in the Watergate syndrome.

Kissinger drew an emphatic distinction yesterday between the decision to use wiretaps, and his obligation for "safeguarding classified information." He carried the security problem to the FBI, Kissinger agreed, but he insisted that the methods used to cope with it were not his "initiative."

The extent to which Kissinger, nevertheless, may be tainted for acquiescence in the wiretapping process caused him evident dismay yesterday, his brief, taut, public comment showed.

According to insiders, what has been revealed so far is only a portion of a subtle process of internal and external loyalty testing that has operated in the Nixon administration.

In this process, the willingness of department chiefs to consent to the use of wiretaps and lie detectors on their employees reportedly became, in effect, a "purity" gauge of its own.

Some department chiefs agreed to the use of telephone taps, but balked at subjecting their employees to lie detectors. Others apparently agreed to both

practices in their departments. Kissinger reportedly refused to permit polygraphs, or lie detectors, on

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his National Security Council staff, while accepting the wiretaps.

The implication is left that a refusal of a department chief to agree to either practice could have put in jeopardy his own loyalty rating inside the administration.

No official yesterday would discuss openly this subtle, double use of wiretaps and lie detectors. Bureaucratic veterans often have discussed among themselves this double-edged game, sometimes described as "putting the fear of God into the bureaucracy." Ac-

knowledging the existence of the practice, however, has itself been considered an act of disloyalty.

Kissinger's NSC staff is described as having been especially exposed to internal suspicion from superloyalists in the White House since the outset of the Nixon administration.

Many of the original staff members recruited by Kissinger, including Morton Halperin, were holdovers from other agencies in the Kennedy-Johnson administrations. To key officials such as John Ehrlichman and H. R. Haldeman, these staffers were from "enemy" ranks.

As a result, insiders now say, when news leaks on sensitive international issues first appeared in the Nixon administration (as

they do in every administration), the loyalty of Kissinger's staff faced special challenge from the Haldeman-Ehrlichman branch of the White House.

At that initial point in May, 1969, the primary concern is said to have been leaks on administration strategy about Vietnam, the Middle East and Korean policy. Later, the dominant alarm about leaks centered on the strategic arms limitation talks (SALT) with the Soviet Union.

Neither Kissinger nor anyone else in the White House would discuss yesterday exactly what happened internally. But Kissinger is portrayed as having gone to the late FBI Director J. Edgar Hoover to request help in safeguarding information

for the double purpose: not just to block the leakage of information, but to obtain proof of the loyalty of his staff and to help defend his entire operation.

Kissinger's staff is said to have come out "clean" of suspicion of any security disloyalty in the wiretap surveillance of their telephone calls. It is also claimed that neither Kissinger nor his staff was responsible in any way for the wiretaps on newsmen's telephones. So far there is no independent means for verifying any of these specifics.

The public record shows that subsequently, on Sept. 3, 1971, Secretary of State William P. Rogers acknowledged and defended the use of lie detectors to check on a news leak in a SALT story published June 23, 1971.

HS/HC-fj

Vast GOP Undercover Operation Originated in 1969

By Carl Bernstein and Bob Woodward
Washington Post Staff Writers

The Watergate bugging and the break-in into the office of Daniel Ellsberg's psychiatrist were part of an elaborate, continuous campaign of illegal and quasi-legal undercover operations conducted by the Nixon administration since 1969, according to highly placed sources in the executive branch.

There are more instances of political burglaries, buggings, spying and sabotage conducted under White House auspices that have not yet been publicly revealed, according to the sources.

Although the undercover operations became most intense during the 1972 presidential campaign, such activities as the Watergate bugging and the break-in in the Ellsberg case, which previously had appeared to be isolated, were regarded in the White House as components of a continuing program of covert activity, according to the sources.

The clandestine operations, the sources said, were at various times aimed at radical leaders, student demonstrators, news reporters, Democratic candidates for President and Vice President and the Congress, and Nixon administration aides suspected of leaking information to the press.

The sources said that many of the covert activities, although political in purpose, were conducted under the guise of "national security," and that some of the records relating to them are believed to have been destroyed. Some of the activities were conducted by the FBI, the Secret Service and special teams working for the White House and Justice Department, according to the sources.

Most of the activities were carried out under the direct supervision of members of President Nixon's innermost circle, among them former White House deputies H. R. (Bob) Haldeman, John D. Ehrlichman and John W. Dean III; former Attorney General John N. Mitchell, and former Assistant Attorney General Robert C. Mardian, the sources said.

Although most of the clandestine operations are still shrouded in secrecy, they are known to include:

- The use of the Secret Service to obtain information on the private life of at least one Democratic presidential candidate in 1972.
- The possession of Sen. Thomas Eagleton's confidential health records by Ehrlichman, former White House domestic affairs chief, several weeks before the information was leaked to the news media.
- The use of paid provocateurs to encourage violence at antiwar demonstrations early in the first Nixon administration, and again in the 1972 presidential campaign.
- Undercover political activities against persons regarded as opponents of the Nixon administration conducted by "suicide squads" in the FBI. The term is a bureau euphemism for teams of agents engaged in sensitive missions which, if revealed, would be disavowed by the FBI and the White House.
- The use of paid-for-hire "vigilante squads" by the

White House and Justice Department to conduct illegal wiretapping, infiltrate radical organizations for purposes of provocation and engage in political sabotage.

The "vigilante squads" included professional wiretappers and ex-CIA and ex-FBI agents.

One such "vigilante squad," under the supervision of former White House aides E. Howard Hunt Jr. and G. Gordon Liddy, conducted the Watergate bugging in 1972 and the break-in at the office of Daniel Ellsberg's psychiatrist in 1971. The Watergate grand jury reportedly is examining other undercover activities by the squad, including another burglary that the team is suspected of committing.

According to one highly placed source in the executive branch, undercover operations by the Hunt-Liddy squad were transferred from the White House to the Committee for the Re-election of the President under an arrangement worked out by Haldeman, then chief of the White House staff, and John N. Mitchell, then Attorney General.

The transfer of the squad from the White House to the re-election committee in late 1971 and early 1972 was made to gear up for the upcoming presidential campaign in which "dirty tricks," spying and deceptions represented a basic campaign strategy.

Two persons occupying high positions in the Nixon administration have told The Washington Post that other "vigilante squads" were established by the White House and Justice Department to conduct supersecret political operations long before the Watergate bugging.

Some records relating to the Nixon administration's broad program of covert activities are believed to have been destroyed in the immediate wake of the Watergate bugging arrests last June 17.

Other records were destroyed last month, when it became apparent that some of the activities might come to light in the renewed grand jury investigation of the bugging and related matters, according to one source.

To prevent further disclosure of the activities, the sources reported, the White House has promulgated "national security" guidelines for use in the Watergate investigation that are designed, at least in part, to prevent testimony about the undercover operations by those with knowledge of them.

Haldeman and Ehrlichman, the President's two principal deputies until April 30, when they resigned, invoked both executive privilege and "national security" considerations in refusing to answer certain questions before the federal grand jury investigating the Watergate and related matters, according to a reliable source.

Their actions, the source reported, amounted to a claim that the questions involved confidential White

House business or national security matters that are beyond the grand jury's power to investigate.

Some sources who have previously supplied details on the Watergate scandal to The Washington Post have recently refused to discuss certain "potentially illegal" activities they say they have knowledge of, on grounds that to do so might violate "national security" regulations.

Two sources said that some of the White House documents submitted to the Watergate trial judge by former presidential counsel John Dean provide information about previously unreported covert political activities, conducted under the guise of "national security" by the Nixon administration.

Several sources described

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the political espionage and sabotage conducted by the President's re-election committee, including the Watergate bugging, as the logical extension of covert operations established long before by the Nixon administration.

"Watergate was a natural action that came from long-existing circumstances," one high-level participant in many of the undercover activities observed. He added: "It grew out of an atmosphere. This way of life was not new . . . There have been fairly broad (illegal and quasilegal) activities from the beginning of the administration. I didn't know where 'national security' ended and political espionage started."

According to this source, the activities were aimed at whatever individual or groups the White House perceived as a threat at any given moment. "First it was radicals," he said, "then it was reporters and leaking White House aides, then the Democrats. They all got the same treatment: bugging, infiltration, burglary, spying, etcetera."

As one example, this source cited the 1971 FBI investigation into the background of CBS News correspondent Daniel Schorr. The investigation, the source said, was personally ordered by Haldeman.

At the time that it was publicly revealed that the correspondent was under investigation, the White House said that Schorr was being considered for a job in the administration—an assertion that administration officials have since conceded was untrue.

In addition to the use of the FBI for such intelligence-gathering purposes, the White House used the Secret Service in the 1972 campaign to investigate the private life of at least one Democratic presidential candidate, according to reliable sources.

The sources reported that the Secret Service—or perhaps a single agent acting alone—provided the White House with regular reports on private activity of the candidate.

In addition to receiving Secret Service reports on such matters, the White House twice considered leaking stories to the news media about the activity, the sources said.

White House special counsel Charles W. Colson has acknowledged that Colson received such information on a candidate's private life but denied that the data came from the Secret Service.

The Secret Service's role in collecting such information represents the second time that agency has been reported to have engaged in intelligence-gathering against political opponents of the White House.

On Nov. 4, The New York Times reported that Nixon campaign aides and the White House received information about confidential meetings held by Sen.

George McGovern with potential financial backers.

Jack Warner, spokesman for the Secret Service, said last week that an investigation last year concluded that there was no evidence to support The Times report.

"If you have new information," Warner said, "let us have it and we will reopen our investigation. This type of activity would be unprecedented, and if at any time an investigation reveals that a Secret Service agent was identified with this activity, he would be judged unsuitable for the Secret Service."

Seven investigative sources and Nixon administration officials have told The Washington Post recently that Colson and Haldeman were the prime movers behind the extensive undercover campaign mounted on behalf of President Nixon's 1972 re-election, although other high officials were also involved.

Much of that secret campaign of spying, sabotage, deception and other "dirty tricks" was designed to help secure the Democratic presidential nomination for Sen. McGovern, considered by the White House to be President Nixon's least formidable opponent.

One former high official in the Nixon administration said: "It was a campaign that went astray and lost its sense of fair play. Secrecy and an obsession with the covert became part of nearly every action. It all turned to mud, and I'm sorry to have been a part of it."

As examples of the other secret, but apparently legal, tactics employed in the Nixon campaign, sources in the White House, the Com-

the President and investigative agencies have the following:

• Well before they were leaked to the news media, former presidential adviser Ehrlichman obtained copies of Sen. Thomas Eagleton's health records. It could not be determined how Ehrlichman obtained the records, which Eagleton, as Democratic vice presidential candidate, refused to supply even to his running mate, Sen. McGovern.

According to The Post's sources, Ehrlichman had received copies of the records which showed that Eagleton had received electric shock treatment for nervous exhaustion in 1960, 1964 and 1966.

(Former Attorney General Ramsey Clark has said that Eagleton's health records were in the FBI files, and reliable sources said that material from the FBI files was provided to White House and Nixon campaign aides during last year's election campaign by former Assistant Attorney General Mardian.)

• Fred V. Malek, a former White House aide and deputy manager of the Nixon re-election committee, ordered establishment of a network of persons to gather information in nearly all of 50 states on the campaign of Sen. McGovern.

Field operatives in the project had a code-word contact—the name "Viola Smith"—at the Nixon committee for transmitting the information by telephone to a group at Nixon campaign headquarters known as the "McGovern Watch." In addition, written reports would be mailed to the Nixon committee on forms marked "confidential" and containing space for details about staff changes, speeches and polls in the McGovern campaign.

Malek acknowledged he wrote a memorandum on "Intelligence on Future Appearances of McGovern and Shriver" but denied that the memo was intended to set any covert activities into motion. The memo, obtained by The Washington Post, advises persons in the field to call "Viola Smith at 202-333-7220 to advise her of information that you learn of."

DeVan L. Shumway, a spokesman for the Committee for the Re-election of the President, acknowledged yesterday that he requested two reporters to

supply information about McGovern's campaign schedule to the Nixon committee.

Shumway said that the two reporters, whom he declined to identify, turned down the request because "most of my friends in the news business are honorable." He said he approached the reporters under orders from Jeb Stuart Magruder, the former deputy Nixon campaign director.

• Colson organized at least 30 groups of Nixon supporters to "attack" network news correspondents through write-in, telephone and telegram campaigns to their local stations, according to Tom Girard, a former Nixon committee press aide.

Girard, now a correspondent for Westinghouse Broadcasting, Inc., said he quit the Nixon committee last May because he was "appalled" at Colson's proposal, made during an election strategy meeting on May 3, 1972. Republican sources in two states said they actually participated in a phone-in campaign to complain about an ABC commentary that was critical of President Nixon.

• One Democratic presidential contender sought legal advice after he established that members of his family were being investigated and followed. A former official in President Nixon's campaign acknowledged that the Committee for the Re-election of the President was responsible for ordering the surveillance.

• Watergate conspirator Hunt had phony flyers printed advertising a free-beer rally for New York City Mayor John Lindsay, a Democratic presidential candidate during the Florida primary election last March. The flyers were distributed in the black neighborhoods in Florida. Hunt also had reprints made of a Newsweek article critical of Sen. Edmund Muskie's wife. The reprints were distributed in New Hampshire before the primary there.

• Former Assistant Attorney General Mardian, who became political coordinator of the Nixon campaign, had two spies in the McGovern campaign who reported directly to him, according to other campaign officials. In addition, two

Nixon campaign aides on loan from the Republican National Committee posed regularly as newsmen to obtain routine data about McGovern trips and speeches.

- Ken W. Clawson, deputy director of communications for the White House, assisted a reporter in locating the alcoholic brother of one of the Democratic presidential candidates — for a news story that apparently never was published.

- Magruder, the deputy Nixon campaign manager, offered from \$5,000 to \$10,000 to several writers in an attempt to persuade them to assemble a critical book about Sen. McGovern's early life in South Dakota. The project was eventually abandoned, according to several sources.

- William Rhatican, a former assistant to Colson, said that he is "sure" telegrams of support were sent by the Nixon committee to the White House after Dr. Henry A. Kissinger's Oct. 26 "peace at hand" speech declaring that the Vietnam war was virtually over.

Rhatican, now an aide to White House press secretary Ronald L. Ziegler, said he also understood that Col-

son used campaign funds to set up Vietnam veteran groups to support the President. The groups had the appearance of being volunteer organizations. Mel Stevens, a consultant to the Veterans Administration, was lent to Colson to set up a pro-Nixon veterans group that also used government money, according to White House and Veterans Administration officials.

What has been described by Nixon committee sources as an "obsession" with secrecy and manipulation apparently extended even to the minutest details of the campaign. "Nothing was left to chance," one former White House aide observed.

As an example, several Nixon campaign officials cited White House orchestration of the Republican National Convention last August.

"We couldn't control what the (television) networks did completely," one official said, "but we came close. When they weren't paying attention to what was going on at the speaker's platform, we'd shut off the lights in the convention hall to force the cameras to the podium."

Accent on Intelligence

By Lyman B. Kirkpatrick Jr.

PROVIDENCE, R. I.—For the many who have served their nation in the Central Intelligence Agency, and have faithfully observed their oath to uphold and defend the Constitution of the United States both during and after their Government service, the Watergate affair is not only repugnant but disappointing and saddening.

The bill of particulars is damning. Two former staff officers and four other ex-employees of the C.I.A. were among those involved in the Watergate break-in. The agency, upon a request from the White House, helped in an operation against Daniel Ellsberg. The State Department, also on a request from the White House, provided classified cables to E. Howard Hunt Jr., convicted Watergate conspirator, who used them as background in an effort to smear President Kennedy. The persistent innuendos that the Watergate was actually a C.I.A. operation has rekindled fears that the "department of dirty tricks" was used to subvert domestic institutions.

In fairness to C.I.A. and other departments involved, the role of the White House staff should not be underestimated. It is not the custom of the bureaucracy to question a call from the executive offices. It is assumed that the President's people know what they are doing. While they may not inform the President of all details, it is usually believed they are operating under approved policy guidelines.

Traditionally, Americans have worried about a Federal bureaucracy cloaked in secrecy acting with impunity to enforce the wishes of an all-powerful executive. To many, the C.I.A. had become the epitome of this evil following the Bay of Pigs and accounts of operations involving the National Student Association and other United States-based foundations. Thus to some the C.I.A. is solely the President's personal action arm.

Confidence in the C.I.A. is not enhanced when most of what one reads about it is bad. Presidential and Congressional statements about the agency usually are confined to cryptic expressions of confidence or reports of committee hearings in executive session.

Perhaps it all could be summed up in the question: if the C.I.A. trains its operatives to overthrow the governments of other nations, is it not possible that these same people might attempt to overthrow the Government of the United States when they disagree with its policies?

The presumption is that the C.I.A. is engaged in a continual process of deposing governments unpopular with the United States. This is hardly true today. Evidence is accumulating that United States policy is maturing to accept other forms of government even though they might not conform to our criteria. While it has been acknowledged that the United States did succeed in changing a government in Guatemala, and failed in a similar effort at the Bay of Pigs, there is a growing conviction that such efforts are counterproductive in the long run and serve more to defeat than enhance United States policy.

An implied assumption to the question is that the C.I.A. decides what governments to overthrow. This is not, and never has been, the case.

The C.I.A.'s covert operations are undertaken only after approval by "higher authority." What is true is that C.I.A. operatives in the field and officers in Washington have influenced policy, and on occasion have acted independently abroad. The first instance reflects poorly on the policy level at State, Defense and the White House, and is obviously not the case today. When C.I.A. men in the field have acted too independently, the United States ambassadors sent them home.

The question assumes that the C.I.A. is training a breed of experts in subversion who will seek employment in the same field upon leaving the agency: an assumption seemingly confirmed by the Watergate affair.

Actually only a small and rapidly diminishing fraction of the C.I.A. personnel are engaged in political warfare, a dying remnant of cold war operations. Most C.I.A. personnel are in intelligence work: collecting, analyzing, estimating, supporting; and it is their unheralded efforts that are sullied and obscured.

The sordid mess of the Watergate re-emphasizes the necessity for tight controls over and persistent and critical review of all intelligence activities by the appropriate committees of the Congress. In my opinion the Congress has done a good job of checking on C.I.A. activities. But if the impression has been created that the C.I.A. is solely the action arm of the executive, then the legislature must assure us this is not so. In fairness to the nation, the President and the Central Intelligence Agency, the public must be confident that the C.I.A. serves the nation and serves it well.

Lyman B. Kirkpatrick Jr., professor of political science at Brown University, was a high-ranking C.I.A. official from 1947 to 1965.

HS/HC-558

MAY 8 1973

E - 237,647

McCord: White House wanted to blame CIA

BY DAN K. THOMASSON

Scripps-Howard Staff Writer

WASHINGTON: James W. McCord Jr. has alleged to federal investigators that the White House late last year tried to place responsibility for the Watergate break-in and bugging on the Central Intelligence Agency (CIA).

McCord made the charges in a memorandum he recently sent to Federal District Judge John J. Sirica, to a Senate investigating committee and to others officially involved in the Watergate inquiry.

SOURCES CLOSE to the investigation said McCord alleges in his memorandum that there is a strong indication the White House last December planned to blame the CIA in an effort to take the heat off presidential aides and permit the White House to gain firmer control of the super-secret spy agency.

McCord states in the memorandum, the sources said, that last December his attorney, Gerald Alch, came to him and said he should make CIA authorization for the Watergate mission part of his defense.

He said in the memo that Alch had just returned from a meeting with an attorney for one of the six other original Watergate defendants.

The sources said McCord surmised that the White House was behind the effort to blame the CIA, and that Alch left him with the impression all seven defendants had been asked to do the same.

A source close to McCord confirmed the memorandum last night and said McCord refused to co-operate. He said the other defendants had agreed to go along, but couldn't when McCord declined.

This source said some sort of deal was to be worked out if the defendants had taken up the CIA story.

McCord SEVERAL weeks ago told the Senate committee that executive clemency and promises to pay off the seven defendants for their crimes had been offered.

It has been confirmed by federal investigators that a sizable amount of Nixon campaign funds was used to pay "expenses and legal fees" of the Watergate defendants. Investigators also have determined that Nixon campaign money went to some members of the defendants' families.

One former Nixon campaign official, Herbert L. Porter, has told Senate investigators that he was informed by his former campaign boss, Jeb Stuart Magruder, that G. Gordon Liddy, one of the defendants, had secreted more than \$135,000 in campaign funds.

THERE WERE reports yesterday that four of the defendants, all Cuban-Americans, were recruited for the Watergate mission on the grounds that it was a CIA-sanctioned operation. E. Howard Hunt Jr., another defendant, and McCord both were long-time CIA operatives before retiring. At least three of the Cubans had participated in one or more CIA operations against Castro's Cuba.

Sources said the men were told their services were needed by the CIA because a large amount of money from pro-Castro sources was being dumped into the campaigns of Democratic presidential candidates.

The four Cubans indicated at their trial—before pleading guilty to all charges against them—that they believed they were acting for the U.S. Government in a patriotic way.

It has been disclosed in the last few days that the CIA took part in an effort to stop leaks of sensitive material, including the Pentagon Papers. At the request of John D. Ehrlichman, former chief domestic affairs adviser for Nixon, the CIA apparently helped prepare Hunt and Liddy to break into the Los Angeles offices of a psychiatrist treating Dr. Daniel Ellsberg, who leaked the Pentagon Papers to the press.

IN OTHER DEVELOPMENTS reported by United Press International.

- The Florida White House denied that President Nixon was aware before last March of the extent of the Watergate scandal or of efforts to cover it up. Gerald L. Warren, deputy press secretary, made the statement in response to published reports that former presidential counsel John W. Dean was prepared to testify that the President knew of high-level efforts to cover up the bugging.

- A subpoena was issued today for Dean to testify under oath before the Senate's special Watergate committee. The question of immunity for Dean remained undecided.

- A former official of President Nixon's re-election committee, Robert C. Odle Jr., was abruptly dropped from an Agriculture Department post yesterday, less than a week after he was hired, officials said. Agriculture Secretary Earl L. Butz ordered him fired.

Odle, 29, has not been linked to the Watergate bugging. But he served as director of administration in the Committee to Re-elect the President and has been named in a General Accounting Office report as one of several men who handled "unrecorded" campaign funds. In Odle's case, that amounted to \$3000 to \$4000 used to help pay for a public demonstration in support of Nixon's Vietnam policies.

Before joining the Nixon committee in 1971, Odle had worked for two years as an aide to Herbert Klein, White House communications director.

- Chief U.S. District Judge John J. Sirica granted Hunt immunity from further prosecution and ordered him to testify before the Senate committee investigating the case.

Sirica's order was filed April 27 but was not made public until yesterday by reporters checking voluminous legal documents connected with the case.

- The Senate Watergate committee also asked for immunity for Magruder and the four Cuban members of the original "Watergate Seven."

- Former Assistant Attorney General Robert C. Mardian, who conducted a Watergate investigation for the Re-election Committee, appeared before the federal grand jury.

E - 592,616
S - 827,086
MAY 8 1973

CIA confirms general's role in burglary

By RICHARD A. RYAN
News Washington Bureau

WASHINGTON — CIA Director James R. Schlesinger has confirmed that a former deputy director of the agency authorized the furnishing of materials to convicted Watergate bugger E. Howard Hunt that were subsequently used in the burglary of a California psychiatrist's office, a Michigan congressman says.

Confirmation of the role played by the former deputy director, now Marine Corps commandant Gen. Robert E. Cushman Jr., in providing Hunt with the materials came yesterday in a telephone conversation between Schlesinger and Rep. Lucien W. Nedzi, Detroit, Nedzi said.

As chairman of a special intelligence subcommittee of the House Armed Services Committee, Nedzi is charged with investigating the activities of the defense intelligence agencies.

Nedzi said his committee will begin hearings this week in an effort to determine the exact role of the CIA in the Los Angeles burglary and who may have ordered Cushman to issue Hunt the special equipment.

Nedzi said Schlesinger told him that Hunt was provided with a camera, a recorder, various disguises and false identification papers.

Hunt, along with fellow Watergate conspirator G. Gordon Liddy, is accused of burglarizing the office of Dr. Lewis Fielding, the former psychiatrist of Dr. Daniel Ellsberg, now on trial for taking and releasing the Pentagon Papers.

At the time of the burglary, Hunt and Liddy were on the White House payroll. They were involved, according to the FBI, in an "in-depth investigation of Ellsberg to determine his habits, mental attitudes, motives, etc."

The two were part of a team, headed by John D. Ehrlichman, the former chief domestic adviser to the President, in investigating the leak of the Pentagon Papers. Other members of the team were Egil Krogh, then a White House assistant and David Young, then a member of the National Security Agency.

Following his conversation with Schlesinger, Nedzi said, it is still unclear who instructed Cushman to provide the materials to Hunt.

The congressman said, however, that it would be a "reasonable assumption" that the order to the CIA deputy director came from

someone in the White House "at a higher level than Hunt."

The New York Times reported yesterday that its sources said the order came from Ehrlichman.

Cushman, who has been unavailable for comment, may eventually be requested to appear before his committee, Nedzi said.

There is still a question of whether or not Cushman was actually aware of the intended purpose of the materials he made available to Hunt, Nedzi added.

Schlesinger, according to Nedzi, promised that he would conduct a thorough review of the CIA involvement in the case and report his findings both to the committee and, if warranted, to the Justice Department for possible prosecution.

"I'm convinced that Schlesinger is anxious to disclose any role that the CIA may have played in this affair," Nedzi said. "I think he is on the level. He has been completely candid with me."

Nedzi said that there was nothing in his conversation with Schlesinger that would indicate former CIA Director Richard Helms was involved in the furnishing of the materials. Helms, who was head of the CIA at the time, is now ambassador to Iran.

The congressman said there is a "serious question" that the CIA violated the law by furnishing equipment that was used in a domestic operation, "illegal or otherwise."

By statute the CIA is prohibited from taking part in domestic affairs.

"On the surface," Nedzi said, "it certainly appears the CIA's action was wrong."

Joseph Alsop

Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2

The Price Of Paralysis In the Senate

Now that the Watergate investigating committee has graciously recessed, it may interest a few people that the U.S. government is remarkably close to grinding to a halt. The ultimate cause is Watergate—intoxication in the Senate, so you can blame the President if you choose. But the Senate is still the body that has chosen to halt the government in many vital ways.

To get an idea of what is happening, you need only glance at a single area where even the dilatory Senate used to be capable of reasonably swift decisions. In the bad old days—which some are beginning to regard as the good old days—the Senate cherished two principles in dealing with vacancies in really major government posts.

First, the President, as head of the executive branch, was considered to have a right to fill major posts with men of his choice—unless they could be shown to have really grave deficiencies. Second, it was also considered improper to leave posts like the secretaryship of defense, or the directorship of the Central Intelligence Agency, in a kind of empty limbo for undue periods of time.

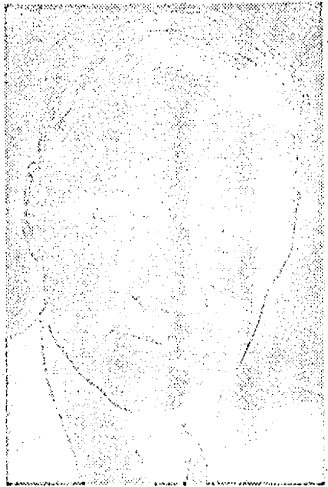
Today, however, we have had no Secretary of Defense since the President transferred Elliot Richardson to the Justice Department. The CIA has also been leader-less since the President decided to give the Defense Department to his new CIA director, Dr. James Schlesinger, and to promote the able CIA professional, William Colby, to the directorship. Schlesinger has abandoned.

No senator on the Armed Services Committee can need to know much more about Dr. Schlesinger, since exhaustive hearings were held before he was confirmed for the CIA directorship. As to Colby, no one anywhere has so much as whispered that this was not a good choice by President Nixon. Officially, to be sure, the hearings on Schlesinger were delayed because of his need to attend a NATO meeting in Europe. In reality, in view of the hearings just held, there was no apparent need to question Schlesinger further.

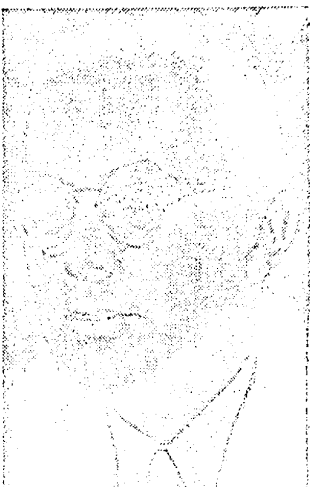
Presumably, the Defense Department and the CIA will now cease to be headless in a few days' time. But this is only because of the forceful intervention from his hospital bed of that relic of the more national-minded past, the chairman of the Senate Armed Forces Committee, Sen. John C. Stennis. Until Stennis intervened, the acting chairman, Sen. Stuart Symington, meant to deal with Dr. Schlesinger's nomination concurrently with the vast, complex and controversial military procurement bill which will demand weeks of hearings!

This kind of senatorial ego-trip is merely frivolous. As to what Sen. J. William Fulbright is currently doing in the Senate Foreign Relations Committee, uglier adjectives might well be used. Here the problem has been the President's choice of four distinguished Foreign Service veterans for high posts here and abroad.

Because of their past service in Southeast Asia, the four veterans were



James Schlesinger



William Colby

all subject to Senator Fulbright's angry veto. They were adjudged to be guilty men, and confirmation was initially refused to all four. Under heavy pressure from the senior Republican on his committee, Sen. George Aiken, Fulbright then gave way on the nomination of the former ambassador to Thailand and Italy, Graham A. Martin, to be the new U.S. ambassador to South Vietnam.

The argument used was the need to have an ambassador to deal with President Nguyen Van Thieu at this tricky juncture. All kinds of ego-massage, not just for Fulbright, but also for other committee members like Sen. Jacob Javits, was further demanded and provided, before the confirmation of Graham Martin was reluctantly conceded.

Meanwhile, there are William H. Sullivan, named for the Philippines; J. McMurtrie Godley, nominated assistant secretary of state for East Asian affairs; and Charles Whitehouse, for

ambassador to Laos. All are men of impeccable character. Whitehouse is perhaps the Foreign Service's most admired member of his rank and age. The charge against all of them is, solely and simply, that they faithfully carried out their instructions while on duty in Southeast Asia.

This makes you almost homesick for the awful McCarthy-time. After all, Sen. Joseph McCarthy so implacably and successfully pursued John Davies, John Stewart Service and their colleagues, on the unique ground of their individual "bad judgment." What Senator Fulbright is doing is in fact much worse.

He is making it a proof of fatally "bad judgment" for Foreign Service officers to execute their own government's policy decisions. So what are Foreign Service officers to do in the future, if the Fulbright elaboration on the late McCarthy is generally accepted?

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MAY 19 1973

The CIA's Link to Watergate

Spy Agency's Connection With Burglaries Grows

Clearer, Reviving Worries About Its Domestic Role

By William J. Lanouette

Ever since it was discovered, in the predawn hours last June 17, the Watergate burglary and bugging raid on the Democrats' national headquarters had a *Mission: Impossible* flavor to it.

The job was financed with bundles of \$100 bills. The burglars used phony names and forged documents. They wore rubber gloves, and they whispered instructions through walkie-talkies. They toted burglary tools, electronic eavesdropping gear, and document-copying cameras.

And, in the best traditions of real and fictional spy thrillers, none of the seven men eventually convicted in the conspiracy would reveal the nature of his mission or the names of his superiors.

Two Career Employees

The Central Intelligence Agency (CIA) was mentioned in connection with the affair right away, in part because of the nature of the predawn operation, and, more directly, because six of the seven conspirators had once worked for the agency. Indeed, two of them were career CIA employees: James W. McCord, Jr., security co-ordinator for the Nixon re-election committee, and E. Howard Hunt, a former White House aide.

After their trial in January, McCord emphasized that the Watergate raid was not a CIA operation, although three of the participants had been led to believe it was. Then last week the murky relationships between the CIA and the Watergate Seven became a little clearer with two revelations:

McCord said that his lawyer was prepared to argue that the raid was a CIA job, and that the agency's director, James Schlesinger, would corroborate this under oath. McCord's lawyer, Gerald Alch, and director Schlesinger have denied McCord's sworn testimony. But McCord, who retired from the CIA after 19 years, said his lawyer had told him that his CIA records could be altered to show he had resumed active duty.

E. Howard Hunt said in sworn testimony before the reconvened Watergate grand jury that he and coconspirator G. Gordon Liddy were given equipment and assistance by the CIA while planning a burglary raid on the office of Pentagon Papers defendant Daniel Ellsberg's psychiatrist. This raid was planned and carried out in 1971, while the two were working as White House aides under the direction of former Presidential

assistant John D. Ehrlichman. Schlesinger corroborated Hunt's testimony and said the CIA action was ill-advised.

These revelations were surprising enough in themselves, giving added dimension to the widening scandal that has come to be known as the Watergate affair. But even more, they call into question the role of the CIA in domestic affairs, a role that it is expressly forbidden to have by law. It is not the first time in recent history that the agency has been involved in covert domestic affairs.

Ever since the CIA was organized in 1947, its principal task has been to gather and disseminate information that might be useful to officials in shaping America's foreign policy. The National Security Act of that year, which established the CIA, said "the agency shall have no police, subpoena, law-enforcement powers, or internal-security functions." Yet some CIA officials now point to another section of the act to justify their involvement in the Ellsberg raid: "The director shall be responsible for protecting intelligence sources and methods from unauthorized disclosure."

CIA director Schlesinger testified before a congressional committee last week that Hunt visited the deputy director of the CIA, Gen. Robert E. Cushman, Jr., now Marine Corps commandant, at CIA headquarters on July 22, 1971, to ask help in "a highly sensitive mission by the White House to visit and elicit information from an individual whose ideology he was not entirely sure of. . . ." In the course of their interview, Schlesinger said, "Mr. Hunt referred to Mr. Ehrlichman by name, and General Cushman acknowledged an earlier call from Mr. Ehrlichman to him."

'Technical Service'

Cushman subsequently ordered that "appropriate technical service" be given to Hunt for a burglary raid on the Beverly Hills office of Dr. Lewis Fielding. On July 23 Hunt received a Social Security card, driver's license, and several association-membership cards in the name of Edward Joseph Warren (Hunt's alias), a wig, glasses, and a speech-alteration device. Later, Schlesinger told the committee, the CIA gave Hunt a tape recorder in a typewriter case, a camera disguised in a tobacco pouch, and still later a disguise and documents for Liddy. The agency also developed film

cal analysis of Ellsberg based on a compilation of secondary sources.

In addition the agency allowed Liddy and Hunt to use at least two "safehouses" in the Washington area to pick up their equipment and to plan their raid. A "safehouse," Hunt told a Federal grand jury, is "an area of one sort or another where people on clandestine business are able to meet and transact their business without fear of interruption, of being identified, or being overheard." The CIA maintains dozens of these locations in the Washington area, and Hunt remembers one of the two he used being located across the street from the National Cathedral, near the capital's "Embassy Row."

The raid itself, which was made on the night of Sept. 3, 1971, involved Hunt, Liddy, and three hirelings from Miami: Bernard Barker, Eugenio Martinez, and Felipe Di Diago. Barker and Martinez were convicted in January, with Hunt, Liddy, and three others, in the Watergate break-in.

Before resigning as director of the CIA last week, James Schlesinger told a Senate committee that his agency's involvement in the raid was "an ill-advised act." He promised that "regulations will be changed to preclude such happenings" in clandestine operations within the United States again.

Closer Scrutiny

Several congressional subcommittees have announced they will hold hearings on the CIA's involvement with the Ellsberg case. And Rep. Edward Koch of New York last week asked Democratic Rep. Lucien Nedzi of Michigan, who is chairman of the Intelligence subcommittee of the House Armed Services Committee, to explore the limits of CIA authority. It was one of many demands on Capitol Hill for closer congressional scrutiny of the CIA.

Among the agency's recent activities within the United States are these:

The CIA gave special training to local law-enforcement officers in at least 12 agencies throughout the country in the past two years, Koch said last week. He says he is upset that despite Schlesinger's assurance that domestic covert activities

Between 1952 and 1966 the National Students Association (NSA) received more than \$3 million from more than 30 phony organizations set up by the CIA. The money was used for "broad programs of international affairs which worked with other unions of students," NSA President Wayne Groves said in 1967.

A Federal judge was also upset at how the Government investigated the bombing of a CIA office in Ann Arbor, Mich., in 1968. He criticized their actions by saying that "an idea which seems to permeate much of the Government's argument [to use wire taps without court approval] is that a dissident domestic organization is akin to an unfriendly foreign power that must be dealt with in the same fashion."

As Schlesinger prepared to leave the CIA following his nomination as Secretary of Defense, Nixon last week named as his successor William E. Colby, an intelligence officer since 1943. While Colby shares Schlesinger's views on the need for reorganizing and redefining the CIA's operations, it is too early to know if his approach to the job will assure that covert domestic activities can be avoided in the future. President Nixon made Colby's task of conducting a house cleaning easier last week by signing into law a bill that increases to 2,100 from 800 the number of CIA employees who can retire during the next year.

Koch said last week that he thought the revealed cases in which the CIA was involved domestically "are the tiniest tip of the iceberg," a viewpoint that many on Capitol Hill are reluctantly beginning to share.

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MAY 6 1973

Watergate-Ellsberg figures linked to CIA's Cuba desk

By Richard M. Weintraub
Globe Staff

E. Howard Hunt, Bernard Barker and several other men who have been implicated both in the Watergate break-in and the break-in at the office of Daniel Ellsberg's psychiatrist have close ties going back many years when they operated together within the Central Intelligence Agency.

While none of those so far implicated are believed to have been employed by the CIA when the incidents occurred, it was revealed in testimony by Hunt at the Pentagon Papers trial in Los Angeles last week that CIA men provided a camera and disguises for the September 1971 break-in and that Hunt received, at his request, a psychiatric profile of Ellsberg from the CIA.

There is an "old school tie" between the men who have been implicated in the Ellsberg affair and the Watergate break-in and the Central Intelligence Agency, according to Dr. Barton Whaley, a research affiliate at MIT and an expert on intelligence organizations.

The main link is the connection of many of the men involved with a group within the CIA known as the Cuba Plans Desk.

This desk formed around Hunt, who was in charge of field operations for the Bay of Pigs invasion and contained a number of people, both American citizens and Cuban exiles, who were rabidly opposed to Cuban Premier Fidel Castro.

"There are few places you would go if you were looking for a single group of people who could perform

all the 'dirty tricks' from forgery to safecracking to you-name-it. The Cuba desk was such a place," Whaley said.

"They operated throughout the '60s as a very tight-knit, closed group within the agency and their independence was resented and distrusted by many others in the CIA. This is very well known among CIA watchers."

Hunt quit the CIA in 1970, but

was hired in 1971 by the White House as part of the counter intelligence unit known as the Plumbers Group to investigate the Pentagon Papers leak. He apparently over a period of time brought in a number of others who had at one point or another worked closely together on the Cuba desk in the CIA.

These men could get assistance from some sections within the CIA in connection with the Ellsberg psychiatrist office break-in without going through agency channels is entirely possible, Whaley said in an interview yesterday.

"In the CIA, they are used to doing things without asking questions, especially if the person or persons who asks to get something done is well known to them in connection with CIA work," Whaley said.

Whaley's interest in intelligence work stems from his own involvement in psychological warfare intelligence during the Korean war. He has published two books and a large number of articles, all dealing with aspects of intelligence work, guerrilla warfare and deception operations.

Whaley has drawn up a rough chronology of publicly-reported events in connection with the reelection effort of Mr. Nixon and Pentagon Papers incidents in which he has noted the participation of former Cuba desk personnel.

In almost all cases, Whaley is careful to point out that the people involved apparently no longer were employed by the CIA. He says, however, that the Cuba group was so close that there likely remained personal and informal ties with people still in the agency.

The incidents he noted, all of which have been reported in the press and often in grand jury testimony, are:

—The reported compilation by Hunt in 1971 of a dossier on the incident at Chappiquiddick involving Sen. Edward M. Kennedy, reported by former presidential aide Charles W. Colson.

—The reported cover-up of news items relating to the assassination of President Diem of South Vietnam

during President Kennedy's term. Hunt is known to have tried to give the forged documents relating to Diem to Life magazine.

The break-in at Ellsberg's psychiatrist's office in September 1971, in which Hunt and Barker were involved as well as two Cubans who Hunt reportedly has testified were hired to do the actual break-in.

— The reported wiretap in the fall of 1971 on the telephones of two New York Times reporters connected with the Pentagon Papers leak. Hunt and G. Gordon Liddy, former FBI agent and head of the White House counter-intelligence unit, reportedly were involved in this incident.

Hunt allegedly aided Liddy in December 1971 in setting up a spy network in Miami in connection with the Democratic National Convention. This has been mentioned several times in "leaked" testimony before the grand jury. Hunt reportedly utilized the placement bureau at the CIA to get names of "reliable people" to aid in the operations.

To this point, Hunt and Barker had been working for the White House counter-intelligence unit (the Plumbers' group). This group was disbanded and Hunt, Barker and Liddy went to work for the Committee to Re-elect the President.

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— In early 1972, Hunt reportedly mentioned that he had heard there were documents in the safe of a

Las Vegas newspaper Sen. Edmund S. Muskie, at that time the leading candidate for Democratic presidential nomination. Hunt reportedly proposed attempting to get the documents, but apparently the plan never got underway.

— Liddy's secretary reportedly has testified that in early 1972 she typed reports from sources within Sen. Kennedy's office known as "Ruby I, Ruby II and Crystal." While it is not known what these names represent, Whaley believes from the code names used that they were electronic surveillance units.

— Hunt has been implicated in the hiring in early 1972 of 30 to 40 informers to infiltrate the headquarters of Sen. Hubert H. Humphrey, George McGovern and Henry Jackson, all contenders for the Democratic nomination.

— In March 1972, Hunt allegedly recruited Cubans in Miami in connection with Sen. Muskie's campaign in the Florida primary.

— In early March 1972, Hunt is known to have gone to Denver to interview ITT lobbyist Dita Beard at her hospital. Shortly after this visit, Mrs. Beard repudiated as a forgery her memo dealing with ITT contributions to the Republican National Convention, then planned for San Diego.

— In May, 1972, nine Cubans disrupted a talk by Ellsberg on the steps of the Capitol. Barker has been implicated in the hiring of these Cubans in Miami and their transportation to Washington. Two of those nine reportedly were involved either in the Ellsberg psychiatrist's office break-in or the Watergate break-in, or both.

— May 25. First Watergate break-in.

— May 27, an attempt by five men — Barker, the two Cubans, Frank A. Sturgis, former close col-

league of Barker" in the McCord Jr., former CIA security officer but never connected to the Hunt-Barker group in the agency — to break into the McGovern headquarters was foiled.

— June 17, 1972. Watergate break-in discovered and group caught.

McCord, Liddy, Hunt, Barker, Sturgis, Eugenio R. Martinez and Virgilio R. Gonzalez all were convicted in relation to the Watergate break-in.

However, John W. Dean 3d, the former White House counsel, and McCord are known to have expressed concern for their safety because others who might have been involved in various phases of these operations are still free. Who these people are and their relation to the above activities remains an unanswered question in the bizarre affair.

"In their search for the big fish in the White House, I hope the many investigators do not lose sight of those much farther down the line who also were involved," Whaley said.

18 MAY 1973

Kissinger's Ex-Aides Say He

By Kenneth J. Freed

Associated Press

Some former staff members of the National Security Council say Henry A. Kissinger ordered phone taps on aides and newsmen when Kissinger himself was the prime source of leaks.

Kissinger denied newsmen on at least two occasions that he initiated the electronic surveillance of members of his staff or newsmen, but he acknowledged talking about leaks and ways to stop them with then FBI Director J. Edgar Hoover.

However, the sources, who served on the NSC both during and after the 1969-70 period in which the phone taps were used, say Kissinger himself provided the names of the men he wanted checked.

One of the former NSC staffers said at least two of the newsmen whose phone conversations were listened to had direct and frequent access to Kissinger and much of their reporting was based on what he told them.

The newsmen were CBS diplomatic correspondent Marvin Kalb and London Sunday Times correspondent Henry Brandon. The sources say Kalb particularly was given sensitive information by Kissinger dealing with Vietnam, the Mideast and other areas they say involved national security.

Among the NSC staffers who were eavesdropped on was Winston Lord, a key aide to Kissinger, Helmut Sonnenfeldt recently nominated as undersecretary of the treasury, and Morton Halperin, an agency consultant who left in 1970.

The bug on Halperin is the only one publicly acknowledged by the Nixon administration, with Kis-

Was No. 1 News 'Leak'

singer saying the surveillance showed nothing to indicate his former aide had ever been indiscreet or leaked classified information.

Other newsmen whose phones were tapped in their homes and, sometimes, offices included New York Times reporters Hedrick Smith and William Beecher.

However, the former NSC aides said they did not know if Kissinger requested and approved the taps on any newsmen other than Kalb and Brandon.

According to these sources, the taps were placed on these newsmen and NSC aides at Kissinger's request in 1969 and 1970. They also claim there were other taps made after the February 1971 date on which Kissinger said he stopped receiving reports from such surveillance.

The sources said Kissinger's actions could be explained in several ways: First, that in the case of his aides he wanted to check that they were following the Nixon administration position and, second, to insure that they were personally loyal to him.

One former aide said Kissinger would accept political dissent but was outraged if he suspected any of his employes of personal disloyalty or even discontent over working conditions.

As to the newsmen, the sources say even though Kissinger himself gave reporters much sensitive information, he was not satisfied their stories always reflected the view he wanted expressed.

Therefore, if the reporters indicated they had obtained information independently

or disagreed with administration policies, Kissinger wanted to know about it, the sources said. The former NSC staffers actually laughed when told that some Nixon administration sources defended Kissinger's actions as designed to clear his aides of suspicion.

Another administration source who has seen some of the reports from the wire-taps says none ever indicated any disclosure of vital information that could have compromised national security.

There was some indication of newsmen picking up guid-

ance as to government policy, he said, "but most of what went on between Kissinger's people and reporters was an exercise in egotism—the newsman swelling up over his inside information and the tipster trying to be impressive with how inside he was."

But, according to the former Kissinger workers it was their former boss who gave out important material to newsmen dealing with American military and negotiating tactics for Vietnam and for the strategic arms limitation talks (SALT) with the Russians.

HS/HC-8JF

'National Security' Used as Muzzle, Dean Says

Former White House counsel John W. Dean III says he believes that the Nixon administration is inveighing national security to force him to give "very limited testimony" in Watergate investigations.

Associates of Dean, who was fired by President Nixon after becoming deeply implicated in the Watergate scandal, have offered further details behind his statement yesterday charging an "ongoing effort" to see that he does not tell all he knows to a grand jury or to the Senate.

His complaint in that statement that someone was trying to put "restrictions" on his testimony was meant as a reference to restraints in the name of national security as well as claims of privileged communications with the President, his associates said.

These sources said that the stationing of FBI and Secret Service guards to watch over Dean's files at his White House office was behind his complaint that he was being kept from "obtaining relevant information and records."

DEAN'S STATEMENT yesterday also said there were attempts to influence how federal prosecutors handled his testimony — a reference, associates said, to what Dean considers to be pressure to deny him immunity from prosecution.

In discussing Dean's suggestion that efforts were being made to "discredit me" or to "get me," associates cited a statement broadcast by CBS News that Dean did not want to go to prison principally because he was fearful of being molested sexually.

That is "a lie spread by his enemies," one associate said.

The argument that "national security"

siderations dictated that data relating to the Watergate affair should not be given to investigators was used by Dean himself, another former White House aide, Charles W. Colson, has declared.

In an interview with FBI agents, made public yesterday during the Pentagon Papers trial in Los Angeles, Colson said that the issue had come up at a meeting with Dean when they were discussing what he would say about FBI questioning of him on the Watergate affair.

COLSON SAID that he asked what he would do if the agents quizzed him about a burglary that was related to government attempts to probe the leak of the Pentagon Papers to the newspapers. That burglary, of a psychiatrist's office in Los Angeles in 1971, has been related to the Watergate scandal because it was carried out by some of the same men convicted of the Watergate break-in.

Dean advised him "that if asked, he was not to discuss the matter inasmuch as it was a national security matter of the highest classification," Colson said.

According to Colson's testimony, he received the same instructions from Ehrlichman in March or April of this year.

Meanwhile, there were these other developments in the Watergate affair:

- Former Nixon campaign treasurer Hugh W. Sloan Jr., in sworn testimony released yesterday, said that a number of high Nixon campaign and administration officials were aware — or had reason to be aware — last summer that the scandal might reach higher in the government than was being publicly acknowledged.

- Gen. Robert E. Cushman, former top CIA aide, who has been cited as the



—Associated Press

JAMES R. SCHLESINGER

source of authority for the CIA to help equip the men taking part in the psychiatrist's office burglary, was preparing an affidavit on his role. Cushman was scheduled to appear soon before two Senate committees probing CIA involvement, perhaps later today. Aides to the general have been indicating the general did not know what the men in the burglary were planning.

- A CIA psychiatrist told senators yesterday that the personality profile he

HS/HC-858

Daniel Ellsberg, accused of stealing the Pentagon Papers, was the first of its kind ever made on an American citizen. The profile was prepared as part of the same Pentagon Papers leak-plugging effort which involved the burglary of the office of Ellsberg's psychiatrist. Former CIA Director Richard Helms is scheduled to appear early next week to tell what, if anything, he knows about the CIA role in the burglary episode.

Nixon campaign aide Sloan, in his sworn testimony made public yesterday, indicated that Maurice H. Stans, chief fund-

raiser of the Nixon campaign in 1972, had some inkling of the bugging scandal last summer.

Sloan recounted how he became suspicious of the large amount of money being given Watergate conspirator G. Gordon Liddy, and asked Stans if deputy campaign director Jeb Stuart Magruder had the authority to approve such disbursements.

Stans checked with campaign director John N. Mitchell — also indicted in the New York case yesterday — who said Magruder did have the authority, Sloan said.

HE SAID, "I believe I expressed concern generally (to Stans) about the fact that the totals were mounting up without any knowledge on our part of what, in fact, had happened to our money."

Stans replied, Sloan said, "I don't want to know, and you don't want to know."

Sloan also said that following the June 17 arrests, Magruder asked Sloan to perjure himself at any forthcoming trial regarding how much money Sloan had given Liddy.

Sloan said he refused to perjure himself — and did not do so — and said he

began attempting to alert higher-ups in the Nixon Administration about what apparently was going on.

But Dwight Chapin, then the President's appointments secretary, brushed him off by saying:

"... (1) you are overwrought, and (2) the important thing is to protect the President, and (3) you ought to take a vacation."

He then went to John D. Ehrlichman, then head of the President's domestic counsel and one of the top presidential advisors, he said.

"I think I got as far as saying there were funds that I did not know where they went, and there might be a connection with the situation. He told me to go no further, that he didn't want any of the details, if I had any personal problems I had a special relationship with the White House and they would be glad to arrange an attorney."

"I said, 'That isn't my concern. I just want you to know there is a problem over there,' and he said his position was that he would have to take executive privilege until after the election in any case."

Kissinger And Helms

By James Reston

WASHINGTON, May 17—The more you analyze the testimony in the Watergate scandals, the more you have to wonder about the closed atmosphere or "don't call me" system around the White House in which all these extraordinary events occurred.

Messrs. Haldeman and Ehrlichman were victims of it, both of them described by the President as exemplary public servants, which in his mind they undoubtedly were. But now even Henry Kissinger is charged with dubious conduct, because he too is apparently involved in cooperating too much with the White House closed-circuit system.

How could Mr. Kissinger agree to bugging his own friends and colleagues on the National Security Council staff in the White House, it is asked. And how could Richard Helms, former head of the C.I.A., allow the agency to be used in a domestic conspiracy, without challenging the White House staff and expressing his doubts and objections directly to the President?

Probably the simplest part of the answer is that the best of men love power and position, and do things or fail to do things that keep them in power even when they have their own moral doubts. The men around President Johnson in the White House had a phrase for it: At the end of tiresome arguments about whether Johnson's policies in Vietnam were right or wrong, they would argue that "we have only one client—the President of the United States."

This, of course, was precisely the fatal assumption of men like Haldeman and Ehrlichman, only they didn't put it into such a tidy and vulnerable phrase. But Kissinger and Helms were never in such close personal relationships with Mr. Nixon. They never had such ties of loyalty over so many years, and yet somehow they went

WASHINGTON

along with ambiguous and dubious things that troubled them morally, and they now find themselves in a very awkward position.

One has to be very careful with this discussion of power, ambition, loyalty and morality. It involves delicate motives and private philosophies and calculations no outsider can possibly know. For example, before he left Washington for Paris to try to save the Vietnam peace agreement, Mr. Kissinger made clear to General Haig and others in the White House—one source says also to the President personally—that if his moral authority was in question as a result of his part in the telephone bugs of his own staff, then he would resign at once.

It is hard to see how this would improve any part of this dismal business. Things are bad enough as they are with the critical Brezhnev meeting, the arms control and SALT talks, and the European conference coming up. The atmosphere of the Nixon system is really at the bottom of this whole thing, and it has to be understood.

According to F.B.I. sources, the White House, worried about leaks of security information in the newspapers, and even suspicious about Kissinger, who was known to have friends in the press, authorized the taps on the reporters and on Kissinger's staff and then asked him to cooperate in the operation, and talked to the late J. Edgar Hoover about the importance of making the Government's communications secure.

Mr. Kissinger went along with this. Some reports say he took the lead in it; but either way, in the atmosphere of doubt, suspicion and even hostility on the Haldeman-Ehrlichman side of the White House, he either had to oppose the bugging, in which case he would have been suspected of trying to cover up his own people, or he had to go along with it, or oppose it on moral grounds and get out.

Maybe he should have got out, at least after he had negotiated the ceasefire in Paris, and maybe Dick Helms should have gone to the President when the President's men were getting the C.I.A. involved in improper and even illegal activities; but the point is that the Nixon personality and the

Nixon staff system don't encourage candor. They require loyalty and obedience, not doubts, questions or criticisms. The Nixon system is to work through the staff. The staff is suspicious of anybody who questions what the President is doing. There are no rules that say Kissinger and Helms cannot defy the system and insist on confronting the President, but it is hard to remember a man around Washington in the last generation who walked into the Oval Room of the White House and challenged the President, his policies and his staff.

Staff officers, no matter who they are, don't put their careers on the line. Cabinet members from John Gardner under Johnson to George Romney under Nixon, tend to swallow their differences with Presidents and go away in silence.

It takes a bold man to tell the President and his staff the truth, no matter how much it hurts. And this Mr. Nixon has discouraged from the time he walked into the White House.

C.I.A. Doctors Say Ellsberg Is First American Given 'Personality Assessment' Project Made 2 'Apprehensive'

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, May 10—Two medical officials of the Central Intelligence Agency told a Senate subcommittee today that a "personality assessment" made on Dr. Daniel Ellsberg was the first that the agency had ever made on an American citizen.

The agency has been conducting such personality studies for many years, the officials said, but only of foreign leaders.

The testimony was given by Dr. John R. Tietjen, director of medical services for the C.I.A., and Dr. Bernard Malloy, chief of the agency's psychiatric division, at a closed meeting of a Senate Appropriations subcommittee inquiring into the involvement of the agency in the burglary at the office of Dr. Ellsberg's former psychiatrist.

The doctors, questioned as they emerged from the meeting, said that so far as they had been able to determine, the Ellsberg personality assessment was the only one the agency had ever made on an American.

They declined to answer further questions posed by newsmen. No transcript of their testimony was made available.

However, Senator John L. McClellan, chairman of the Senate Appropriations Committee and of the subcommittee conducting the inquiry, said later that the agency's doctors had testified that "they were apprehensive throughout the project" and had mentioned these doubts to their superiors, including the Director and Deputy Director of the C.I.A.

Said to Have Had Doubts

Richard M. Helms, now Ambassador to Iran, was the agency's director at the time of the Ellsberg personality assessment in the summer and fall of 1971, and Gen. Robert E. Cushman Jr., now commandant of the Marine Corps, was the Deputy Director.

Senator McClellan, Democrat of Arkansas, said that the committee considered it essential to hear from both Mr. Helms and General Cushman "at the earliest time possible."

General Cushman has cut short a European tour and is expected to testify tomorrow before a Senate Armed Serv-

ices subcommittee, headed by Senator Stuart Symington, Democrat of Missouri. That committee is also inquiring into C.I.A. involvement in the Pentagon papers case.

Senator McClellan said that he had asked the State Department to contact Ambassador Helms about appearing "and we hope to hear his testimony next week—early next week, I might add."

The chairman had indicated earlier that the subcommittee might also want to question John D. Ehrlichman, who resigned as President Nixon's chief domestic adviser last week as disclosures of White House involvement in the Watergate scandal were unfolding.

White House involvement in the preparation of the Ellsberg personality assessment was officially confirmed yesterday by the C.I.A. director, James R. Schlesinger. He told the McClellan subcommittee that David R. Young, Jr., a White House aide at the time, had asked the agency to prepare such a report on Dr. Ellsberg in the latter part of July, 1971.

Dr. Ellsberg is on trial in Los Angeles on Federal charges of theft, espionage and conspiracy involving the copying and alter disclosure of the Pentagon papers on United States involvement in Vietnam.

Helms' Approval Reported

Mr. Schlesinger testified that Mr. Helms, then the C.I.A. director, had instructed officials of the agency to work with Mr. Young and that the agency's decision to prepare the Ellsberg study "apparently was approved by Mr. Helms."

Mr. Schlesinger said that two profiles on Dr. Ellsberg were prepared and sent to the White House. He said that the first had been compiled from "raw material" such as newspaper and magazine articles and Government documents supplied by Mr. Young. This material, he said, "was judged insufficient" by the White House.

Additional material, including classified information from the Justice and State Departments, was given to the agency, according to Mr. Schlesinger, and the final document was delivered to the White House by Dr. Malloy on Nov. 12, 1971.

"Agency records indicate that Mr. Helms had previously

indicating he had read both reports," Mr. Schlesinger testified.

'A Serious Impropriety'

The intelligence agency has admitted furnishings disguises and other materials used by E. Howard Hunt Jr., a former White House aide who has confessed a role in the burglary of the psychiatrist's office in the fall of 1971.

Asked today if he felt that the agency had violated the law, Senator McClellan replied: "I would not make a final decision on that. But it was, to say the least, a serious impropriety."

The C.I.A.'s charter, the National Security Act of 1947, stipulates that the agency "shall have no police, subpoena, law-enforcement powers or internal security functions." Internal security, espionage and sabotage are under the jurisdiction of the Justice Department.

HS/HC-858

/ Bill Anderson

How Cushman told Ehrlichman 'no'

WASHINGTON—The commandant of the United States Marine Corps., Gen. Robert E. Cushman Jr., is expected to be in Los Angeles today to testify before a grand jury about what the Central Intelligence Agency did and didn't do in the burglary of the office of the former psychiatrist of Daniel Ellsberg.

The record in this case has unfolded in bits and pieces. The first disclosure on May 7 of CIA involvement was displayed in a sensational manner throughout much of the country. There was one garbled account [quoting "sources"] that seemed to implicate Cushman [a former deputy director of the CIA] in the illegal act.

This column's research into the matter shows that Cushman is as "clean as a hound's tooth"—and actually displayed a great deal of executive courage in saying "no" to John Ehrlichman, President Nixon's ex-chief of domestic affairs. The general also displayed his responsibility to the Congress, which has a "watchdog" committee overseeing the activities of the CIA.

From our own perspective, we would like to note that Gen. Cushman has known President Nixon for many years [as it was reported here Feb. 5, 1973]. When Mr. Nixon was Vice President, Cushman, then a colonel, went through some very interesting and hard times with the Nixon staff as the Pentagon's liaison officer for international security affairs.

However, as a result of that close

association with Nixon, some people, including a few Marines, complained, that it was friendship rather than merit that took Cushman to the top of the corps. The facts are otherwise because Cushman actually rose in rank to command posts [including assignments in Viet Nam combat] in two other administrations. Senior marine officers told this column at the time of Cushman's appointment that it was a very professional and good choice.

And there now comes testimony to show that Cushman refused "to go along to get along" when he was deputy director of the CIA. From an undisputed affidavit, we can report here that Ehrlichman called Cushman on April 7, 1971, and directed Cushman to give E. Howard Hunt [a former CIA agent] assistance.

Ehrlichman had been designated White House coordinator to investigate and stop security leaks. He identified Hunt to Cushman as a "consultant" on security matters. The 1947 law establishing the CIA makes the agency responsible to both Congress and the President. Cushman properly recognized the call as a command and as a result later directed the CIA's technical services division to furnish Hunt with false papers and disguises.

All that Hunt would tell Cushman in a brief interview on July 22 was that the equipment was needed for a "one-time" operation "for a good purpose in the interests of the country." Cushman,

tho, had the good sense to insert the interview at the time into the CIA's log [which would be available to Congress] and report the matter to his then superior, Richard Helms, director of the CIA.

And very quickly Cushman began to smell a rat after his own employes at the working level of the CIA began to tell of strange additional requests which Hunt was making without going to Cushman. Once, Hunt asked for a secretary in Paris. Altho none of Hunt's real activities were known to Cushman then, the general blew the whistle on him in less than a month.

Cushman ordered all subordinates in the CIA to break off the connection with Hunt and then called Ehrlichman on Aug. 27, 1971. The general told Ehrlichman [who was in effect an official superior of Cushman] that the assistance was being stopped "because it might possibly be construed as involving the agency in illegal activities." [The burglary in Los Angeles took place Sept. 3, 1971—seven days later.]

The general's sworn testimony also said, "I also advised him [Ehrlichman] that in my opinion Mr. Hunt was of questionable judgment. He should know better than to even ask for such support."

Our reason for presenting this column today is a belief that some of the initial, fragmented stories were excessively unfair to Gen. Cushman—and indirectly to the Marine Corps he represents.

SPREADING STAIN: JUSTICE... FBI... CIA... STATE... SEC

The spreading stain of Watergate has dealt a punishing blow to the prestige and authority of the White House, but it has tarnished other agencies of the government as well. The damage so far:

■ **DEPARTMENT OF JUSTICE:** Former Attorney General John Mitchell conducted strategy sessions in his office at which G. Gordon Liddy reportedly proposed "mugging, bugging, kidnaping, and even a prostitution squad," and James McCord Jr. says Liddy told him that Mitchell specifically approved the Watergate break-in. Robert Mardian, Mitchell's protégé formerly in charge of the department's Internal Security Division, is said to have opened the department's files to Liddy and E. Howard Hunt a year before the break-in. McCord says he received daily reports on the comings and goings of Democratic Presidential candidates from Mardian's unit. Mitchell was indicted in the Vesco influence-peddling case. His successor, Richard Kleindienst, who has managed somehow to stay clear of the taint so far, was forced nonetheless to resign on April 30 after learning

how many of his close associates had been implicated.

■ **THE FBI:** Former acting director L. Patrick Gray III has admitted giving White House counselor John W. Dean III free access to Watergate files, even after he began to suspect Dean and others of manipulating the FBI and the CIA in the cover-up. Gray accepted and destroyed two files from burglar E. Howard Hunt's White House safe, given to him by John Ehrlichman and Dean. Gray also allowed Ehrlichman to cancel a meeting he had arranged with CIA director Richard Helms to compare notes on the cover-up—and he never scheduled another.

■ **THE CIA:** Two Watergate burglars, McCord and Hunt, were ex-CIA men who had served nineteen and 21 years with the agency. The CIA provided Hunt and Liddy with wigs, voice distorters, false papers and a special camera to use in the Ellsberg burglary. Former CIA director Richard Helms agreed to give the White House "plumbers" a psychiatric profile of Ellsberg assembled

from CIA files, but later refused further aid. Deputy CIA director Vernon A. Walters, under orders from Presidential aides H.R. Haldeman, Ehrlichman and Dean, helped to stall an FBI investigation of the financing of the Watergate mission. There was a concerted White House effort to pin the bugging on the CIA, but Helms never protested to Mr. Nixon or reported these activities to the CIA's Congressional watchdogs.

■ **DEPARTMENT OF STATE:** Under orders from the White House, Hunt was given access to 240 secret State Department cables from which he falsified documents linking John F. Kennedy to the assassination of South Vietnamese President Ngo Dinh Diem.

■ **THE SEC:** After a New York grand jury reported that he had improperly handled an SEC complaint against indicted financier Robert Vesco, SEC chairman G. Bradford Cook resigned. His predecessor, William J. Casey, now an Under Secretary of State, was also under fire last week for SEC decisions involving Vesco and ITT.

HS/HC-858

General Says He Warned About Hunt

LOS ANGELES, May 29 (UPI)—Marine Corps Gen. Robert Cushman said today that convicted Watergate conspirator E. Howard Hunt was "like a bull in a China shop" while preparing for the Ellsberg burglary. He said he warned the White House that he thought Hunt was "questionable."

Cushman made the remarks to newsmen after his testimony before a county grand jury probing the CIA role in the burglary.

Cushman, now Marine commandant, was deputy director of the CIA at the time of the 1971 break-in of the office of Daniel Ellsberg's psychiatrist.

Cushman was asked by presidential aide John Ehrlichman to provide a disguise and false identification to Hunt, who directed the burglary and was convicted in the Watergate bugging affair.

Cushman would not discuss specifics of his testimony before the county grand jury. "I told them everything I knew. Whether it would be helpful, I couldn't say."

Cushman, asked whether he felt his "trust" was violated, said he believed that Hunt did so but "I have no way of telling" if Ehrlichman did. "I certainly think I was put upon," the general said.

Cushman said he called Ehrlichman and told him Hunt was of "questionable justice" and then cut off all CIA assistance.

HS/HC-858

Cushman Says Hunt 'Violated Trust'

Special to The New York Times

LOS ANGELES, May 29 —

Gen. Robert E. Cushman Jr., former deputy director of Central Intelligence, told a Los Angeles grand jury today that E. Howard Hunt Jr. had "violated" his "trust" by involving the C.I.A. in the burglary of the office of Dr. Daniel Ellsberg's psychiatrist.

General Cushman, now commandant of the Marine Corps, was the opening witness before the grand jury, which is investigating the break-in of Dr. Lewis Fielding's office on Sept. 3, 1971. Hunt has admitted having a role in the burglary while acting as a White House consultant.

At a news conference after his testimony today, General Cushman said John D. Ehrlichman, then President Nixon's chief domestic adviser, had called him in July, 1971, and asked him to aid Hunt.

Hunt, General Cushman said, told him that he had a "very

sensitive interview" to conduct and needed such things as false identification papers and a wig. General Cushman said he had agreed to the requests, but subsequently became suspicious when Hunt began asking for further help including an office and a secretary.

General Cushman said he had then called Mr. Ehrlichman and told him that the agency could no longer aid Hunt, and that he considered the former agent to have "questionable" judgment. Several days later the break-in occurred at Dr. Ellsberg's psychiatrist's in Beverly Hills.

Asked how he felt after learning about the burglary, General Cushman said, "I certainly think I was put upon" by Hunt. Asked if he felt the same way about Mr. Ehrlichman, the general declined to comment, saying he did not know how much Mr. Ehrlichman knew about Hunt's activities.

When reporters asked Gen-

eral Cushman's reaction to the fact that Hunt had continued to work for the White House after Mr. Ehrlichman had been told that Hunt had questionable judgment, the general said: "I wish they had taken my advice."

In June, 1972, Hunt was involved in the Watergate break-in, for which he was subsequently convicted.

The grand jury investigation here will focus on Mr. Ehrlichman and his former deputy, Egil Krogh Jr. Mr. Ehrlichman had over-all supervision of a group called the "plumbers," including Hunt, who were charged with plugging security leaks. Mr. Krogh was in direct command of the group and has reportedly approved the break-in of the office of Dr. Ellsberg's psychiatrist.

The New York Times reported on Sunday that Federal investigators in Washington consid-

ered the break-in here, and subsequent attempts to cover it up, as central to their case against Mr. Ehrlichman and H. R. Haldeman, President Nixon's former chief of staff.

Aides to District Attorney Joseph P. Busch of Los Angeles County do not believe that the two investigations will conflict. One source said today that the Federal injury would probably focus on such crimes as obstruction of justice, while the local investigation would confine itself to the break-in, and those who might have planned it.

General Cushman testified today because he will be unavailable when the grand jury hears the rest of the case beginning on June 5. Hunt and his accomplices in the burglary have been granted immunity to testify here. Mr. Ehrlichman, Mr. Krogh, and a former White House counsel, Charles Colson, are other prospective witnesses.

RS/BC-818

Marine Chief Hits Ruse Used to Get CIA Items for Break-in

Would Not Have Permitted Use for Illegal Project, Ex-Agency Official Says

BY WILLIAM FARR
Times Staff Writer

"I certainly feel I was put upon," Marine Corps Commandant Robert Cushman Jr. said Tuesday about the deception used in getting him to issue CIA equipment to persons involved in the break-in at the office of Daniel Ellsberg's psychiatrist.

The 58-year-old former deputy director of the CIA made the remark to newsmen after emerging from a half-hour appearance before the Los Angeles County Grand Jury.

Cushman's comment about being "put upon" specifically referred to E. Howard Hunt, who was a White House consultant at the time he sought help from the CIA in the summer of 1971.

The four-star general stopped short of being similarly critical of former presidential adviser John D. Ehrlichman, who called him July 7, 1971, and asked him to "give a hand" to Hunt on a national security matter.

Request for CIA Assistance

Cushman said he had "no way of telling" whether Ehrlichman knew that Hunt had an illegal project in mind when he requested the CIA equipment.

"I took them at their word," he added.

He said he never would have authorized issuance of the equipment to Hunt had he known it would be used in connection with the break-in.

Asked if Ehrlichman mentioned the President during the July 7 conversation, Cushman replied, "I knew his (Ehrlichman's) position. He didn't have to mention anything."

As to whether Mr. Nixon approved the request for CIA assistance, the general said, "I would have no idea whether he OK'd it or even if he knew about it."

Cushman said Hunt came to his

office 15 days after Ehrlichman's call and requested "papers and a disguise so he could conduct a very sensitive interview and not reveal his identity."

Hunt was given a false driver's license, eye glasses, a wig and a speech alteration device at Cushman's direction, and later was issued a camera and small tape recorder.

"A puzzling aspect of this case is why he wanted that stuff. You would think he would have requested lock picks," Cushman said.

Asked if he would have issued lock picks had they been requested, Cushman said, "Oh Lord no."

Hunt has admitted planning the break-in along with another convicted Watergate co-conspirator, G. Gordon Liddy, but the actual entry into the Beverly Hills office of Dr. Lewis J. Fielding was made by three Cubans.

Cushman said that he learned that Liddy also had obtained a disguise from the CIA, even though it had

not been specifically authorized.

Cushman said he became concerned about Hunt's "questionable judgment" by late August of 1971. The general said Hunt's request for conditional CIA assistance in opening an office and establishing a telephone monitoring system made him suspect "that it was more than a one-time interview he was engaged in."

He called Ehrlichman to complain about Hunt's "escalation" of involvement with the CIA, the general said, adding Ehrlichman responded by saying, "OK, I'll restrain him."

"This let us off the hook," Cushman said.

Had Ehrlichman insisted on continuing CIA help for Hunt, Cushman said he would have had two alternatives, "I could go along or I could resign."

He said he heard no further about Hunt until the latter was arrested inside the Democratic headquarters at Watergate.

"For all I knew, he had dropped off the face of the earth," Cushman said.

It was not until Hunt's involvement in the Fielding break-in was revealed at the Pentagon Papers trial here that Cushman learned the CIA equipment was used in connection with the attempt to get Ellsberg's psychiatric files.

Cushman was allowed to testify a week before full grand jury hearings on the break-in are scheduled. The early appearance was arranged by Dist. Atty. Joseph Busch to allow Cushman to keep his scheduled military commitments.

Even CIA wouldn't go for Brownie points Watergate a 'covert action' folly

By DONALD R. MORRIS
Post News Analyst



In the intelligence community there is a precise term which covers the entire range of activities carried out by the Watergate suspects. It is "covert action", and it refers to clandestine (and usually illegal) efforts to influence the course of political events abroad.

The CIA is charged (through various National Security Council Intelligence Directives) with the conduct of covert action abroad, and it is thoroughly familiar with the entire gamut of such operations, as well as with the means and techniques of mounting them.

The United States has mounted such operations in the past, and will no doubt mount them again, but for several reasons they are far less common than one might suspect.

To begin with, the best of them are hardly more than pin-pricks which can only rarely swing elections or appreciably dent public opinion trends. (Had all the political sabotage generated by the Watergate crew been conducted by the Democrats against the Republicans, the 1972 election figures would hardly have differed.)

The CIA, which has other fish to fry, does not like to waste time and money collecting the minor Brownie points that are the only gain to be milked from most forays into covert action.

An even greater bar to covert action is its horrendous, flap potential — as Watergate makes all too clear. No intelligence official in his right mind (and the overwhelming majority of them are in their right minds) would dream of approving unnecessary covert action unless the need were imperative and the risk of attribution minimal.

"Mission Impossible" to the contrary, pro-

fessional intelligence activity is predicated on minimal risk.

Then, too, most of the CIA's expertise in covert action comes not from mounting such operations itself, but from countering Soviet ones. In almost two decades of service, for every covert action operation I know of, I was involved in coping with at least 20 Soviet capers.

Watergate started with the establishment in the White House staff of what was in effect a CIA-type Field Station to conduct domestic covert action.

The genesis is not yet clear, but in December 1971 Jeb Magruder (Haldeman's aide) and Herbert Porter asked Gordon Liddy to develop such a unit. The professional intelligence background arrived with Howard Hunt, an ex-CIA official, and McCord (also ex-Agency and a technical services expert) and Segretti were soon in business.

These four men were the equivalent of the "case officers" responsible for recruiting subordinates and implementing the operations they themselves or their superiors suggested.

Apparently there were several "branch chiefs" who could approve the various operations or authorize their funding. Liddy and Hunt both reported to Egil Krogh (Ehrlichman's aide), although Hunt reported primarily to Charles Colson (who was a Special Counsel to the President). Segretti reported to Dwight Chapin, who with Gordon Strachan had hired him. And both Chapin and Strachan were assistants to Haldeman.

The extravagant flurry of names, of titles, of missing files and transferred funds still tends to blur the outlines of this covert action "Station." The case officers are known, as are the branch chiefs.

Still unidentified are the equivalents of the "Chief of Operations" and the "Chief of Station" — the COS professional parlance — himself. Functionally, they must have existed. And on their identification hangs the fate of an administration.

HS/HC-858

CIA Official Felt Aide Spoke for Nixon

By Laurence Stern

Washington Post Staff Writer

Gen. Robert H. Cushman Jr. said yesterday he assumed it was on President Nixon's behalf that former White House aide John D. Ehrlichman asked him to give Central Intelligence Agency undercover assistance to Watergate conspirator E. Howard Hunt.

The CIA paraphernalia—cameras, hidden tape recorders and wigs—was later used by Hunt in the burglary of Pentagon Papers defendant Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding of Beverly Hills, in September, 1971.

Cushman, who was the CIA's deputy director at the time, said that when Ehrlichman called him and requested the aid for Hunt, "I knew that he . . . spoke with the authority of the President's name."

"I had known Mr. Ehrlichman for a good 10 to 12 years and respected him highly as a man of complete honesty and devotion to

duty," the four-star Marine general said of the former Presidential aide.

Cushman, who now serves as Marine Corps commandant, interrupted a European tour to present his testimony to a Senate Appropriations Subcommittee on intelligence.

Afterward, subcommittee chairman John L. McClellan (D-Ark.) commented to newsmen: "I don't think he (Cushman) would do it again."

Cushman gave this explanation of how a White House call in July, 1971, triggered immediate and extraordinary cooperation from the CIA.

"Ehrlichman had been named within the White House as the man in charge of stopping security leaks and over-hauling the security regulations. The Central Intelligence Agency is charged with safeguarding intelligence sources and methods.

"From these facts, I then drew the conclusion which I believe any reasonable man would have reached, namely that Howard Hunt had been hired by the White House to act in the security field and that the Central Intelligence Agency was being ordered to assist him," Cushman asserted.

Outgoing CIA director James R. Schelesinger has condemned the assistance to

Hunt, provided before he assumed control of the agency from Richard M. Helms, as "ill-advised."

Immediate senatorial reaction was that although the CIA assistance to Hunt was improper, the fault lay with Ehrlichman, who resigned under fire two weeks ago from his job as President Nixon's domestic counselor.

"When a man is in the position of Ehrlichman, the first deputy to the commander-in-chief," said Sen. Stuart Symington (D-Mo.), acting Armed Services Committee chairman, "there are not many military officers who would not jump."

Under the CIA's charter, the National Security Act of 1947, the CIA is proscribed from dealing with any internal security matters. That is the province of the FBI.

Cushman said that when Hunt called upon him on July 22, 1974, he "stated that he had a very sensitive one-time interview that the White House wanted him to hold with a person whose ideology he was not sure of and that he dare not reveal his, Hunt's, true identity."

He noted that "it must be recalled that Mr. Howard Hunt was a highly respected and honorably retired CIA employee of 20 years' service."

Nonetheless, said Cushman, White House wanted him to "I was not able to elicit any details of the interview which he stated that he had

to conduct and he said that on White House orders he was not to reveal the nature and scope of this interview nor the fact that he worked for the White House.

"He did assure me, however, that he was working to a good purpose in the interests of the country."

After the spy gear was issued to Hunt by the CIA's Technical Services Division, Cushman reported the matter to then-director Helms, according to his affidavit.

The decision to cut off the aid came, he said, because "Mr. Hunt was becoming more and more unreasonable and demanding and was attempting to go far beyond the scope of the original instructions which I had given and which related to his statement that he had a one-time interview operation to conduct."

He ordered all relationships with Hunt discontinued, Cushman related, and informed Ehrlichman on August 27, 1971, that the assistance could be construed as improper for the CIA.

"I also advised him (Ehrlichman) that in my opinion Mr. Hunt was of questionable judgment. He should know better than to ask for such support," Cushman asserted. "Therefore, I made this recommendation to Mr. Ehrlichman for him to do with as he deemed proper."

HS/HC-858

Senators Blame Ehrlichman, Not CIA

BY JEREMIAH O'LEARY
Star-News Staff Writer

Former Presidential aide John D. Ehrlichman has been accused by two Democratic senators of committing "illegal and unethical" acts in requesting Gen. Robert E. Cushman Jr. to provide CIA technical assistance for E. Howard Hunt Jr. for a domestic security operation.

The charges were leveled at Ehrlichman yesterday by Sens. Stuart Symington of Missouri and Henry Jackson of Washington after Cushman testified on his connection with Hunt before a closed session of a Senate Armed Services subcommittee.

Cushman appeared before three separate subcommittees of Congress yesterday and is scheduled for additional appearances today and Monday.

Cushman, now the commandant of the Marine Corps, presented a sworn affidavit to all three subcommittees dealing with the circumstances under which he approved CIA technical assistance for Hunt in 1971 to do an un-

specified "interview" connected with national security.

After Cushman's affidavit and intensive questioning of him by the Senate Armed Services subcommittee late yesterday, there were indications that the legislators were holding Cushman blameless for complying with what he regarded as White House orders to help Hunt.

SYMINGTON told reporters the subcommittee would question Cushman again at 10 a.m. Monday but declared on the basis of what the commandant had already revealed "I could not criticize Gen. Cushman for the actions he took in the beginning and what he did later."

Cushman's sworn affidavit said that Ehrlichman called him at the CIA on July 7, 1971, and told him Hunt was a White House "bona fide" employe assigned to security matters. Hunt, according to the Ehrlichman phone call, would come to Cushman and "request assistance which Mr. Ehrlichman requested that I give."

Cushman said he knew Ehrlichman was one of President Nixon's three chiefs of staff and "that he spoke with the authority of the President's name." Cushman said he drew the conclusion that Hunt had been hired by the White House to act in the security field and that CIA was being ordered to assist him.

Hunt came to see Cushman on July 22, 1971, and said he had a "very sensitive one-time interview that the White House wanted him to hold with a person whose ideology he was not sure of and that he dare not reveal his, Hunt's, true identity." When Hunt asked for false papers and disguises for his mission, Cushman said he ordered CIA's Technical Services Division to provide them.

"I WAS NOT able to elicit any details of the interview which he stated he had to conduct and he said that on White House orders he was not to reveal the nature and scope of this interview," Cushman said.

Congressman told reporters that Cushman testified he did not learn the nature of Hunt's mission or the fact that it involved an American within the United States until he read of the robbery of Ellsberg's psychiatrist in recent weeks.

Sen. Jackson said Cushman violated no law because he did not know the purpose for which Hunt wanted the espionage equipment from the CIA. But Ehrlichman violated the 1947 Security Act by requesting Cushman's help for Hunt, Jackson said. That law, he added, bars the CIA from undertaking any activity within the U.S.

CUSHMAN SAID it was in late August 1971 that he was advised by CIA members that Hunt was becoming unreasonable and demanding, far beyond the scope of the original instructions. He said he immediately stopped all relationships with Hunt and called Ehrlichman on Aug. 27, 1971, to tell him he could no longer help Hunt or have anything further to do with him.

Cushman acknowledged that he did not use normal caution in dealing with Hunt because of the Ehrlichman endorsement of the ex-CIA agent. And he told a Senate Appropriations subcommittee he would not be likely to go along with a similar case another time. Cushman told members of the House Armed Services subcommittee the Ehrlichman request was not routine but rather was the only such case he had ever encountered while at CIA.

HS/HC-858

Ex-CIA director linked to Hunt aid

By STEPHEN E. NORDLINGER
Washington Bureau of The Sun

Washington—Gen. Robert E. Cushman, Jr. disclosed yesterday that Richard M. Helms, former director of central intelligence, had "assented" to supplying materials to E. Howard Hunt, Jr., who was later involved in burglarizing the office of Daniel Ellsberg's former psychiatrist.

In a sworn affidavit submitted to three congressional committees during the day, General Cushman, former deputy director of the CIA and now Marine Corps commandant, admitted that he had authorized the disguises, false identification papers and other CIA materials supplied to Hunt, a convicted Watergate burglar.

But General Cushman maintained that he was acting under orders from John D. Ehrlichman, who recently resigned as President Nixon's chief domestic adviser, to cooperate with Hunt, a 20-year veteran CIA agent and later a White House aide.

The 53-year-old four-star general, who appeared in uniform for the closed-door hearings, conceded in the affidavit that he had failed to determine how the materials were to be used.

But he said that he terminated CIA aid to Hunt about two months after the initial request when Hunt made "unreasonable" demands beyond the scope of the "original instructions."

General Cushman said that after he authorized the supplies he had informed Mr. Helms, now ambassador to Iran.

"To the best of my recollection, I reported this [authorization] a few days later to the

director of central intelligence, Mr. Richard Helms, and he assented to what I had done," said General Cushman, who broke off a tour of European military bases to testify on Capitol Hill on CIA involvement in the Ellsberg case.

The three-page affidavit, prepared at the direction of the Defense Department, provided the first indication that Mr. Helms had approved turning over CIA materials and equipment to Hunt in the summer of 1971.

Three days ago, a statement by James R. Schlesinger, the present director of central intelligence, said that Mr. Helms had "apparently approved" the preparation of a psychological profile of Dr. Ellsberg for the White House.

Mr. Helms, who took up his post earlier this year, has been summoned home to testify before several congressional committees.

Raises question

General Cushman's statement raised some question about whether Mr. Helms had been completely forthcoming in closed-door testimony before the Senate Foreign Relations Committee early in March.

Senator J.W. Fulbright (D., Ark.), the committee chairman, asked him specifically whether the CIA had been involved in the Watergate burglary and bugging. Last night in a television interview, Mr. Fulbright said that Mr. Helms said that the CIA had not been involved.

However, in early March Hunt had been convicted at the Watergate trial, but Mr. Helms said nothing to the committee about the CIA materials that had been given to him. At that time the break-in at the Dr. Ellsberg's psychiatrist's office was not publicly known.

"Do you think that he [Mr. Helms] was lying to you?" asked Elizabeth Drew, the TV interviewer.

"I don't know"

"I don't know, I'm just telling you what he said (to the committee)," Senator Fulbright replied. "It's possible he did not know about it, I don't know." Senator Fulbright was not available for comment yesterday.

In his sworn statement, General Cushman said that after he had cancelled all aid to Hunt, he informed Mr. Ehrlichman August 27, 1971, that Hunt was of "questionable judgment" and "should know better than to even ask" for some of the materials he requested.

Despite this warning, Mr. Ehrlichman apparently took no action to curb Hunt's activities. A week after this conversation Hunt was involved in the break-in at the office of Dr. Lewis Fielding, Dr. Ellsberg's former psychiatrist. Later he took part in a forgery and impersonation and the Watergate-break-in.

General Cushman, who served as President Nixon's military aide when he was vice president, said he had known Mr. Ehrlichman "for a good 10 to 12 years and respected him highly as a man of complete honesty and devotion to duty."

He also said in his affidavit that Hunt informed him that he needed the CIA assistance for a "very sensitive one-time

interview that the White House wanted him to hold with a person whose ideology he was not too sure of and that he dare not reveal his, Hunt's, true identity."

Although he declined to be specific, Hunt "did assure me, however, that he was working to a good purpose in the interests of the country," General Cushman said.

He appeared before the House Armed Services subcommittee on intelligence operations, the Senate Appropriations subcommittee on intelligence operations and the Senate Armed Services Committee.

1 2 MAY 1973

Cushman: Warned White House on Hunt

By JEROME CAHILL and JEFFREY ANTEVIL

Washington, May 10 (NEWS Bureau)—A week before E. Howard Hunt Jr. engineered the burglary of the office of Daniel Ellsberg's psychiatrist in 1971, the Central Intelligence Agency warned the White House that the since-convicted Watergate conspirator was "of questionable judgment," congressional investigators were told today.

Marine Gan. Robert E. Cushman Jr., deputy director of the CIA at the time said in an affidavit submitted to House and Senate Armed Services Committees that he conveyed the warning to presidential adviser John D. Ehrlichman on Aug. 27, 1971, but got "no reaction" from Ehrlichman. Seven days later, a burglary squad recruited by Hunt broke into the Los Angeles office of Dr. Lewis Fielding, looking for Ellsberg's psychiatric files.

Had Second Thoughts

Cushman testified that he authorized the CIA to assist Hunt in what appeared to be a legitimate investigation into security leaks after receiving a telephone call for cooperation from Ehrlichman on July 7, 1971. Soon,

the former CIA deputy said, he was having second thoughts as to the true nature of the investigation.

"Toward the latter part of August 1971, it was reported to me that Mr. Hunt was becoming more and more unreasonable and and was attempting to go far beyond the scope or the original instructions which I had given related to his

statement that he had a one-time interview operation to conduct," Cushman said in the affidavit.

"I therefore immediately stopped all relationships with Mr. Hunt and gave instructions to that effect to the agency. I called Mr. Ehrlichman on that matter on 27 August 1971, and

AI said that we cannot give such assistance because it might possibly be construed as involving the agency in improper activities.

'Of Questionable Judgment'

"I then explained the constraints on the agency and finally advised Ehrlichman that the agency would not have anything further to do with Hunt. I also advised him that in my opinion Hunt was of questionable judgment. He should know better than to even ask for such support."

Before the CIA called a halt to its assistance to Hunt, it provided him with a wig, fake eyeglasses, doctored driver's license, social security card and bogus membership cards, a tape recorder concealed in a typewriter case,

and a camera disguised as a tobacco pouch.

But the spy agency drew the line when Hunt demand the services of a CIA secretary plus New York mail drop and telephone answering service, and a credit card. The demands suggested to the CIA that Hunt was embarked on a long-term domestic clandestine operation. The agency, whose operations are limited to overseas locales by law, then pulled out, sources

Cushman told the lawmakers "unequivocally" that he had no knowledge "before or after the fact of any illegal or unethical acts."

In his affidavit, Cushman said he originally cooperated with Ehrlichman because he knew the White House aide had been assigned by President Nixon to the task of reviewing U.S. security procedures following the theft and publication of the so-called Pentagon Papers. Ellsberg, a former Pentagon employe, is on trial in Los Angeles in connection with the documents case.

"Sensitive Onetime Interview"

Cushman testified that on July 22, 1971, Hunt came to CIA headquarters and told him that "he had a very sensitive onetime interview that the White House wanted him to hold with a person whose ideology he was not too sure of, and that he dare not reveal his, Hunt's true identity."

Cushman said, "I was not able to elicit any details of the interview" from Hunt, but was assured by the undercover man that "he was working to a good purpose in the interest of the country."

Rep. Lucien N. Nedzi (D-Mich.), chairman of the House Intelligence subcommittee, said the "critical thing" in Cushman's testimony was the fact that Ehrlichman kept Hunt on the Ellsberg security case and the White House payroll despite the adverse CIA report on his judgment.

1 2 MAY 1973

CUSHMAN ACCOUNT

General Says Helms
'Assented' to Aid to
Hunt for Break-In

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, May 11—Gen. Robert E. Cushman Jr. said today that Richard Helms, his superior at the Central Intelligence Agency in 1971, had "assented" to agency assistance to E. Howard Hunt Jr., one of the conspirators in the Watergate case.

Mr. Helms, now Ambassador to Iran, was Director of Central Intelligence at the time the agency, in the summer of 1971, provided disguises and equipment to Hunt, upon the request of the White House.

The materials supplied to Hunt were used for the break-in at the office of Dr. Daniel Ellsberg's psychiatrist on Sept. 3, 1971, in Beverly Hills, Calif.

General Cushman, now commandant of the Marine Corps, confirmed today that as Deputy Director of Central Intelligence, he had ordered agency materials made available to Hunt.

But he said that a few days after doing so, he reported his actions to Mr. Helms and "he assented to what I had done."

The general's account of C.I.A. involvement with Hunt was made in a three-page sworn affidavit that he personally presented today to three separate Congressional committees. He cut short a European tour to appear before the committees.

Helms's Rule Widened

His comments about having informed his superior of what he had done would appear to indicate that Mr. Helms was more fully aware of agency involvement in the Watergate and Pentagon papers cases than had previously been suggested.

Earlier this week, current C.I.A. officials disclosed that agency preparation of a personality assessment of Dr. Ellsberg, a defendant in the Water-

gate papers trial, had been made with the approval of Mr. Helms.

But, until today, it had been widely assumed that Mr. Helms may have been unaware that General Cushman had agreed to a request by John D. Ehrlichman, at that time a key White House aide, for C.I.A. assistance to Mr. Hunt.

Senator J. W. Fulbright, in a television interview sponsored last night by the National Public Affairs Center, said that Mr. Helms had assured him earlier this spring that the agency had not had anything to do with the Watergate affair.

The Arkansas Democrat said that when Mr. Helms appeared before the committee for confirmation hearings on his appointment as Ambassador, "I asked him specifically during his examination, did the C.I.A. have anything to do with any of this Watergate, and he said not."

It is understood that the secret transcript of the Senate Foreign Relations Committee on the Helms confirmation hearing confirms Senator Fulbright's comment.

Hunt pleaded guilty last Jan. 10 to having taken part in the bugging of Democratic headquarters in the Watergate complex last year. He received a provisional 35-year prison term. The sentence could be reduced later if Hunt is found to have cooperated in the current Watergate investigations. He has also admitted taking part in the office burglary of Dr. Ellsberg's former psychiatrist in Los Angeles.

General Cushman, resplendent in full uniform with row upon row of battle ribbons and a sharpshooter's medal, marched from one Congressional committee to another for what turned out to be day-long interrogations.

He appeared first before a House Armed Services Subcommittee, headed by Lucien N. Nedzi, Democrat of Michigan; then before a Senate appropriations subcommittee, headed by John L. McClellan, Democrat of Arkansas; and finally before the Senate Armed Services Committee, of which Stuart Symington, Democrat of Missouri, is temporary chairman.

Domestic Moves Studied

All three committees are inquiring into the issue of whether the C.I.A. exceeded its authority by becoming involved in domestic undercover opera-

tions. The agency's charter precludes it from internal security functions.

The committee meetings were closed, but the general's sworn affidavit was made public after each session.

Senator McClellan said that his appropriations subcommittee hoped to hear testimony next week from Mr. Helms, who is in Iran.

Senator Henry M. Jackson, Democrat of Washington, after hearing the Cushman testimony before the Armed Services Committee, said, "I don't think the C.I.A. violated the law. I think the White House violated the law."

Senator Symington, too, indicated that he believed that the White House request for the agency's assistance was improper.

In his affidavit, General Cushman said that on July 7, 1971, Mr. Ehrlichman called him from the White House and said that Hunt had been made a consultant on security matters. He said that Mr. Ehrlichman asked that the agency give Hunt some assistance.

General Cushman also noted that Hunt was "a highly respected and honorably retired C.I.A. employe of 20 years' service."

The general said that he was unable to discover any details of the plan. He said Hunt told him that he was under White House orders not to reveal the nature or scope of the planned interview and not to reveal the fact that he even worked for the White House.

"He did assure me, however, the general said, "that he was working to be a good purpose in the interests of the country."

About a month after giving Hunt a wig and other disguise materials and various equipment and alias identification papers, the general said, he found that Hunt "was becoming more and more unreasonable and demanding" and going far beyond what seemed necessary for "a one-time interview."

At that point, the general said, he stopped "all relationships" with Hunt and so informed Mr. Ehrlichman.

He said he also told Mr. Ehrlichman "that in my opinion, Mr. Hunt was of questionable judgment" and with that left Mr. Ehrlichman to do "as he deemed proper."

General Cushman, a military aide to President Nixon when Mr. Nixon was Vice President, said that he has known Mr. Ehrlichman for 10 or 12 years and respected him highly.

"I also knew that he [Mr. Ehrlichman] was one of the three chiefs of staff, as it were, to the President and that therefore he spoke with the authority of the President's name," General Cushman said.

The general said he was aware that leaks of intelligence information were of great concern within the government at that time and that Mr. Ehrlichman had been named "within the White House as the man in charge of stopping security leaks and overhauling the security regulations."

Orders for Interview

In view of that, the general continued, he concluded that Hunt had been hired by the White House to act in the security field and that the C.I.A. was being ordered to assist him.

He said that Hunt appeared in his office on July 22, 1971, and said that he had "a very sensitive one-time interview that the White House wanted him to hold" but that he dared not reveal his identity.

HS/HC-806

Nixon friend 'gave go-ahead for CIA part in break-in'

By RICHARD BEESTON in Washington

GENERAL ROBERT CUSHMAN, a close friend and protégé of President Nixon, was reported yesterday to have sanctioned Central Intelligence Agency assistance for a burglary committed by two convicted Watergate conspirators when he was deputy director of the CIA.

Gen. Cushman is a Marine Corps commandant and a member of the Joint Chiefs of Staff.

The *New York Times* claimed yesterday that Gen. Cushman authorised the use of CIA material and assistance for the break-in of Daniel Ellsberg's psychiatrist's office, had been questioned by the Federal Bureau of Investigation and had accepted full responsibility for his decision.

The allegation was made before yesterday's denial by the White House that President Nixon knew in advance of the Watergate bugging, that he agreed to any cover-up or agreed to offer clemency to any of the convicted defendants in return for silence at their trial.

Chief adviser

According to the *New York Times* report, Gen. Cushman acted at the request of Mr Nixon's chief domestic affairs adviser, John Ehrlichman, who resigned last week.

Gen. Cushman was for four years chief adviser to Mr Nixon on national security when Mr Nixon was vice-president. When Mr. Nixon became President, he appointed Gen. Cushman deputy director of the CIA, later making him a four-star General and Commandant of the Marine Corps.

In a Grand Jury testimony, Howard Hunt, one of the Watergate conspirators, said he had used CIA disguises, fake identification papers and a CIA "safe house" in Washington to prepare for the operation.

The allegations concerning Gen. Cushman raised the possibility that both he and the for-

Hoover "blackmail"

Time magazine claimed yesterday that the late Mr J. Edgar Hoover, who was director of the FBI, had used records of wiretaps allegedly ordered by President Nixon to "blackmail" the White House into abandoning attempts to have him removed from office.

The magazine said that Mr Nixon had asked the FBI early in 1969 to tap the telephones of two *New York Times* reporters and that Mr Hoover demanded and received written authorisation from Mr John Mitchell, the former Attorney-General.

In 1971, the Administration decided to pressure the "irascible" Mr Hoover out of his post. Angered, Mr Hoover called Richard Kleindienst, then Mr Mitchell's deputy, and threatened to reveal the "embarrassing taps."

No further move against Mr Hoover was made, but, in the late spring of 1971, he discovered all his records of the wiretaps on reporters had disappeared.

mer director of the CIA, Mr Richard Helms, now American Ambassador to Iran, will be called to testify before the Senate Watergate investigation committee.

A possible defence of the alleged CIA rôle in the burglary of the psychiatrist's office is a section of the National Security Act which authorises the agency to protect "intelligence sources and methods from unauthorised disclosure."

The Government prosecution in the Ellsberg case which has become to be known as the Pentagon Papers trial, claims that Ellsberg carried out an illegal theft and publication of a secret Pentagon study of the Vietnam war.

Howard Hunt has stated that a former member of the White House staff, Mr Egil Krogh, was put in charge of a White House team of "plumbers" to stop leaks of information after publication of the Pentagon papers.

Cushman Admits Lack of Caution

BY JEREMIAH O'LEARY
Star-News Staff Writer

Gen. Robert E. Cushman Jr. admitted today he did not use normal caution in permitting the Central Intelligence Agency to assist E. Howard Hunt Jr. in a mission which led to a burglary.

Because the assistance was sought by White House aide John Ehrlichman, and because Cushman said he assumed Ehrlichman was speaking for President Nixon, he said he did not use the caution he would have in other circumstances.

Cushman, now Marine Corps commandant, was deputy director of the CIA at the time Ehrlichman sought help on a mission Hunt was performing for the White House in following up the leak of the secret Pentagon Papers.

IN A SWORN affidavit given to a House Armed Services subcommittee today, Cushman said Ehrlichman's first telephone call to him about Hunt was on July 7, 1971. At the time, the general said, he regarded Ehrlichman as speaking for the President. The general insisted he never learned any details of Hunt's mission.

The mission resulted in the burglary in September, 1971, of the Los Angeles offices of a psychiatrist who had been advising Dr. Daniel Ellsberg, accused of stealing the Pentagon Papers.

Cushman told the subcommittee he never knew Hunt intended to use CIA technical assistance for a domestic operation and did not learn about the burglary until reading about it in recent newspaper stories.

HOWEVER, Cushman told the subcommittee he did eventually consider Hunt to be of "questionable judgment" based on information given to him by CIA officials he had assigned to assist Hunt.

Cushman's affidavit said, "As soon as I found out that the individual involved, Mr. Howard Hunt, was not exercising proper judgment and was exceeding what I consider proper, I so reported it to his superior in the White House and to Mr. Helms (then CIA director Richard Helms). This stopped all further dealings with Mr. Hunt."

Gen. Cushman also appeared before a subcommittee of the Senate Appropriations Committee. After the closed hearing, Sen. John L. McClelland, D-Ark., the committee chairman, told reporters: "I don't think that this was a function that the CIA should have performed."

Cushman, he said, told the senators that he would never do such a thing again.

The House subcommittee, headed by Rep. Lucien Nedzi, D-Mich., also questioned CIA director James Schlesinger, newly nominated to be secretary of Defense, and CIA veteran William E. Colby, chosen to become CIA director.

Cushman's affidavit declared that the CIA broke off all connection with Hunt on Aug. 27, 1971.

THE AFFIDAVIT, sworn before a notary public in Fairfax County this morning, declared:

"I wish to state unequivocally that I had no knowledge before or after the

fact of any illegal or unethical acts. About July 7, 1971, Mr. John Ehrlichman of the White House called me and stated that Howard Hunt was a bona fide employee, a consultant on security matters, and that Hunt would come to

see me and request assistance which Mr. Ehrlichman requested that I give.

"I wish to explain here that the CIA comes under the authority of and works for the National Security Council which is, of course, the President himself, advised by such assistants as are named in the National Security Act of 1947. I had known Mr. Ehrlichman for a good 10 to 12 years and respected him highly as a man of complete honesty and devotion to duty. I also knew that he was one of the three chiefs of staff, as it were, to the President and that therefore he spoke with the authority of the President's name."

CUSHMAN'S affidavit said the national security aspects of intelligence leaks were of great concern at the time and that Ehrlichman was the White House man in charge of stopping security leaks and overhauling security regulations.

"From these facts," Cushman declared, "I then drew the following conclusion, which I believe any reasonable man would have reached, namely, that Howard Hunt had been hired by the White House to act in the security field and that the CIA was being ordered to assist him."

Cushman said Hunt visited him in his CIA office on July 22, 1971 and stated

HS/HC- JJS

he had a very sensitive one-time interview that the White House wanted him to hold with a person whose ideology he was not too sure of and that he dare not reveal his (Hunt's) true identity.

"The White House therefore wanted assistance from our technical services in providing him with an identity which would be other than his own."

Cushman's sworn statement continued, "I was not able to elicit any details of the interview which he stated he had to conduct and he said that on White House orders he was not to reveal the nature and scope of this interview nor the fact that he worked for the White House."

HUNT ASSURED Cushman, according to the affidavit, that he was working in the interest of the country.

"Upon his assurance that this was, in his words, a 'one-time operation — in and out,'" Cushman declared, "I authorized the Technical Services Division to give him the necessary papers and disguise to enable him to conduct this interview so that he would not be known nor could he be recognized later.

"To the best of my recollection, I reported this a few days later to Mr. Helms, and he assented to what I had done."

But Cushman said late in August 1971 he was told that Hunt was "becoming more and more unreasonable and demanding and was attempting to go far beyond the scope of the original instruction." I therefore immediately stopped all relationships with Mr. Hunt and gave instructions to that effect to the agency.

"I called Mr. Ehrlichman on that matter on Aug. 27, 1971, and I said that we cannot give such assistance because it might possibly be construed as involving the agency in improper activities. I then explained the constraints on the agency and finally advised Ehr-

lichman that the agency would not have anything further to do with Hunt. I also advised him that in my opinion Hunt was of questionable judgement. He should know better than to even ask for such support. Therefore I made this recommendation to Mr. Ehrlichman for him to do with as he deemed proper."

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The Evening Star and The Washington Daily News

STILL CHANCY — Partly cloudy tonight with possibility of showers. Low tonight near 60. Yesterday's high, 85 at 2 p.m. Today's low, 62 at 3:10 a.m. Details: Page B-6.

121st Year. No. 150 x WASHINGTON, D.C., WEDNESDAY, MAY 30, 1973—88 PAGES

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SAYS NIXON REQUESTED MEETING

Ehrlichman Tells of Cl

By OSWALD JOHNSTON
Star-News Staff Writer

The high-level White House meeting six days after the Watergate break-in last summer at which CIA officials were told to curb an FBI investigation "was held at the President's request" former White House aide John D. Ehrlichman said today.

Ehrlichman, speaking to reporters

after giving Senate testimony, insisted that the meeting was held to make sure that national security would not be compromised by a "vigorous" FBI investigation.

Ehrlichman did not link President Nixon directly with an order given at that meeting that the FBI be requested to hold up a probe of campaign funds "laundered" in Mexico City.

Recapitulating nearly three hours of closed-door testimony before the Senate Appropriations subcommittee on intelligence operations, Nixon's former domestic policy chief made these additional points:

He denied that he or White House aide H. R. Haldeman had made any "improper suggestions" to CIA officials that would lead former Acting

FBI Director Pat Nixon the men were seeking "cover" President by covering incident.

Ehrlichman stressed that former White House W. Dean III was the referring to, but refused details. Ehrlichman denied a

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Evening Star and The Washington Daily News

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FINAL

x WASHINGTON, D.C., WEDNESDAY, MAY 30, 1973—88 PAGES

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PARLEY TELLS OF CIA MEETING REQUESTED BY NIXON

Parley

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FBI Director L. Patrick Gray III to warn Nixon that members of his staff were seeking "to mortally wound" the President by covering up Watergate incident.

Ehrlichman strongly suggested that former White House counsel John W. Dean III was the man Gray was referring to, but refused to give any details.

Ehrlichman denied any recollection

of having urged former CIA deputy director Gen. Robert E. Cushman to help out Watergate conspirator E. Howard Hunt Jr. during the summer of 1971. Cushman has filed a sworn affidavit naming Ehrlichman as the man who smoothed the way for CIA assistance to Hunt, who was preparing for a break-in of the office of Daniel Ellsberg's psychiatrist.

WATERGATE AND THE CIA

One of the great mysteries arising out of the tangled Watergate scandal is this:

How was the Central Intelligence Agency drawn into a web of domestic political intrigue?

The massive espionage apparatus of the CIA was set up to discover and counter foreign threats to U. S. security. By law, the supersecret agency is barred from internal-security functions.

Yet sworn testimony before Senate committees has included allegations that:

- White House officials attempted to get CIA co-operation in concealment of one aspect of the Watergate case.
- A White House aide tried unsuccessfully to persuade the CIA to put up bail and salary money for the seven men

pose unrelated covert activities of the CIA or of a special White House investigative unit.

"It now appears," the President added, "that there were persons who may have gone beyond my directives, and sought to expand on my efforts to protect the national-security operations in order to cover up any involvement they or certain others might have had in Watergate."

FBI investigation. Before the President issued his statement, this testimony had been developed on Capitol Hill:

Testifying before the Senate Armed Services Committee, Lt. Gen. Vernon A. Walters, Deputy Director of the CIA, said that at a White House meeting on

the Senate Foreign Relations Committee that he had attended the June 23 meeting along with General Walters.

Mr. Helms quoted Mr. Haldeman as saying it was "decided at the White House" that General Walters should go to L. Patrick Gray III, who was then acting Director of the FBI, and tell him that continued investigation of the Mexican financial angle might jeopardize CIA operations in that country.

General Walters said he carried the White House message to Mr. Gray. But, he continued, after he and Mr. Helms had determined that no CIA operation in Mexico would be endangered by the FBI probe, he gave that information to Mr. Gray.

Both Mr. Helms and General Walters testified that the CIA rejected a request by John W. Dean III, then White House counsel, that the spy agency pay bail and salaries for the Watergate conspirators.

Pressure alleged. On May 22, convicted conspirator James W. McCord, Jr., told the Senate investigating committee that he had been subjected to intense pressure to agree to what he called a "ruthless" attempt by the White House to pin blame on the CIA.

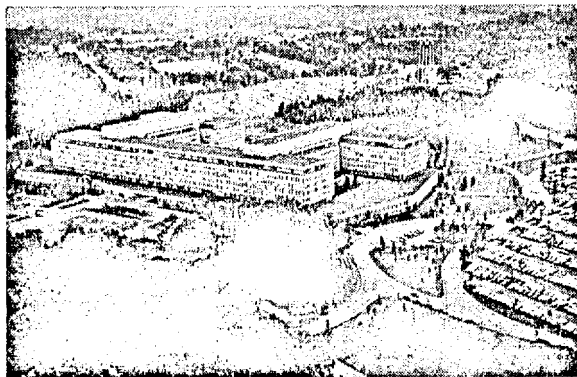
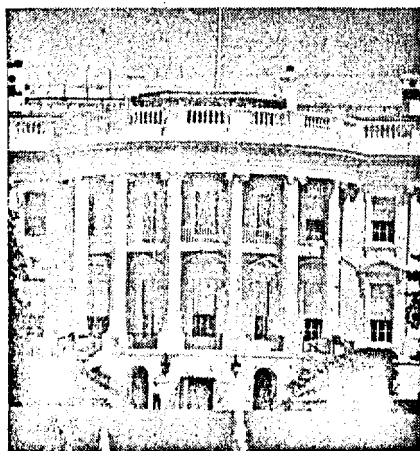
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would "go along" with the scheme. Mr. Alch denied such a statement. Mr. Schlesinger said, "No one ever made any such suggestion to me."

When he testified before the Foreign Relations Committee, Mr. Helms was asked whether his refusal to co-operate in a Watergate cover-up cost him his CIA job. He replied: "I don't know."

Mr. Helms was asked why the CIA had supplied equipment used by a White House investigative team—which included Watergate conspirators E. Howard Hunt and G. Gordon Liddy—in the 1971 burglary of the office of a psychiatrist who had treated Daniel Ellsberg, a defendant in the Pentagon Papers case.

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—USN&WR Photos

White House aides intervened in Watergate inquiry, according to officials at CIA headquarters, above.

arrested for the break-in and bugging of Democratic national headquarters in Washington's Watergate complex on June 17, 1972.

Also, a convicted conspirator has testified that he was pressured to agree to a plan to blame the CIA for the Watergate plot.

White House position. President Nixon, in the statement he issued on May 22, cast some light on matters affecting the CIA.

The President said that within a few days of the Watergate break-in, "I was advised that there was a possibility of CIA involvement in some way." He did not divulge the source.

Mr. Nixon also said that he instructed his top aides, H. R. Haldeman and John D. Ehrlichman—who quit their White House jobs on April 30—to insure that the Watergate investigation did not ex-

pose unrelated covert activities of the CIA or of a special White House investigative unit.

Senator Stuart Symington (Dem.), of Missouri, acting chairman of the Committee, made public a memo written by General Walters after the June 23 meeting, which quoted Mr. Haldeman as saying "it is the President's wish" that the Mexican probe be blocked.

Later, however, General Walters told a House Armed Services subcommittee that he was not sure he had been told "it is the President's wish," but that he had put it in the memo because "the thought was implicit in my mind."

Mr. Helms's testimony. Richard Helms, CIA Director until last December and now Ambassador to Iran, told

WHERE WATERGATE STANDS NOW

In charges made—and charges denied—the issues are drawn. The test ahead: Who is telling the truth—who is really to blame for the Watergate mess?



James McCord said he was told high officials approved Watergate "bugging."



John Caulfield relayed clemency offer he thought came from President himself.



—Photos: USN&WR, Wide World, UPI
Bernard L. Barker testified he thought he was acting for "national security."

The complex—and often confusing—issues in the Watergate case are starting to come into clearer focus, after two weeks of Senate hearings and a statement by the President that is virtually unprecedented in American history.

Insinuations of direct complicity by President Nixon in the Watergate scandal have been made by several witnesses under oath at the Senate hearings.

The President, in his statement of May 22, denied any prior knowledge of the break-in and bugging of Democratic Party headquarters last June 17 or any part in a subsequent cover-up. But he admitted:

"With hindsight, it is apparent that I should have given more heed to the warning signals I received along the way about a Watergate cover-up and less to the reassurances. . . .

"I should have been more vigilant."

Charges have also been made, under oath, that involve high officials in the Nixon Administration.

Where the buck stops. Still to be decided is where final responsibility is to be fixed for the worst governmental scandal in decades.

Many more weeks of Senate committee hearings lie ahead. A federal grand jury, under leadership of a new special prosecutor, is pushing ahead with its separate inquiry.

U. S. Attorney Harold H. Titus, Jr., announced on May 24 that indictments are expected in 60 to 90 days.

As the investigations widen, serious conflicts in testimony have developed. Some charges made by some witnesses under oath have been denied by others under oath.

Senator Howard H. Baker, Jr. (Rep.), of Tennessee, vice chairman of the seven-Senator investigating committee, described the committee's dilemma on May 24 in these words:

"We're not judges, and we're not a jury.

"But we most assuredly are after the facts, the truth, and it's now apparent that we're going to have to try to reconcile differences in testimony . . . to try to find where the truth lies."

Here, as they emerged in various

phases of the wide-ranging investigations, are key questions:

• What was the role of President Richard Nixon in this affair?

Any testimony about his personal involvement is, so far, second hand, often fuzzy in nature.

Witnesses have testified that someone in the White House tried to block effective investigation of the bugging.

John J. Caulfield, a former White House aide, told Senate investigators on May 22 that he offered executive clemency to convicted Watergate conspirator James W. McCord at the direction of John W. Dean III, who at that time was the President's legal counsel.

This offer of clemency, Mr. McCord testified earlier, was dependent upon his



John Dean was quoted as saying clemency offer came from "the top."

agreement to plead guilty and remain silent about involvement of higher-ups.

In describing his conversation with Mr. Dean about the clemency offer, Mr Caulfield testified:

"I said, 'Do you want me to tell him [Mr. McCord] it comes from the President?' He [Mr. Dean] said words to the effect, 'No, don't do that, say that it comes from way up at the top.'"

Mr. McCord had testified earlier that Mr. Caulfield told him "the President of the United States" knew about their

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NIXON: SEVEN ANSWERS TO WATERGATE CHARGES

Text of an official statement by President Nixon, released by the White House on May 22, 1973:

Recent news accounts growing out of testimony in the Watergate investigations have given grossly misleading impressions of many of the facts, as they relate both to my own role and to certain unrelated activities involving national security.

Already, on the basis of second and third-hand hearsay testimony by persons either convicted or themselves under investigation in the case, I have found myself accused of involvement in activities I never heard of until I read about them in news accounts.

These impressions could also lead to a serious misunderstanding of those national-security activities which, though totally unrelated to Watergate, have become entangled in the case. They could lead to further compromise of sensitive national-security information.

I will not abandon my responsibilities. I will continue to do the job I was elected to do.

In the accompanying statement, I have set forth the facts as I know them as they relate to my own role.

With regard to the specific allegations that have been made, I can and do state categorically:

1. I had no prior knowledge of the Watergate operation.
2. I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate.

3. At no time did I authorize any offer of executive clemency for the Watergate defendants, nor did I know of any such offer.
4. I did not know, until the time of my own investigation, of any effort to provide the Watergate defendants with funds.
5. At no time did I attempt, or did I authorize others to attempt, to implicate the CIA in the Watergate matter.
6. It was not until the time of my own investigation that I learned of the break-in at the office of Mr. Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne.
7. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct, in the matters under investigation. I want the public to learn the truth about Watergate, and those guilty of any illegal actions brought to justice.

The President's accompanying statement appears, in full text, on pages 96-99.

meeting and that "at a future meeting there would likely be a personal message from the President himself."

Mr. Caulfield insisted, however, that he did not recall "saying anything about the President." He testified:

"I specifically never spoke to the President of the United States and have no knowledge of my own as to whether he personally had endorsed this offer or, indeed, whether anyone had ever discussed it with him."

On May 23, under close questioning by members of the investigating committee, Mr. Caulfield was asked what was in his mind when Mr. Dean told him the clemency offer came "from way up at the top."

"Well, sir, in my mind I believed that he was talking about the President," Mr. Caulfield replied. "In my mind, I felt that the President probably did know about it."

Mr. Nixon's specific denials appear on this page. His full statement explaining his actions throughout the Watergate affair begins on page 96.

• Did some of President Nixon's highest appointees and closest advisers approve and abet the Watergate raid?

Mr. McCord testified he was told by fellow conspirators that the bugging had the approval of: John N. Mitchell, who resigned March 1, 1972, as Attorney

General to become director of the Nixon re-election campaign; Jeb Stuart Magruder, who was deputy campaign director, and John Dean, who was then legal counsel to the President.

Senate committee witnesses also have insinuated that H. R. Haldeman and John D. Ehrlichman—who until recently were top White House aides—were involved in the Watergate cover-up.

All these men have denied guilt. All except Mr. Dean have testified before the federal grand jury which has been



Jeb Magruder. Named as one of those who approved the break-in.

investigating the case for more than two months, and all are expected to be called before the Senate committee.

• Was there a White House plot to lay the blame for Watergate on the nation's supersecret spy organization, the Central Intelligence Agency?

Mr. McCord, in his sensational testimony at the Senate hearings, charged that there was such a plot and that he refused to go along with it.

"There was no indication that this was a CIA operation," he testified.

L. Patrick Gray III, former acting Director of the Federal Bureau of Investigation, in his testimony before a Senate appropriations subcommittee on May 24, suggested another role of White House aides involving the CIA.

As quoted by the subcommittee chairman, Mr. Gray warned President Nixon last July 6 that:

"I feel that people on your staff are trying to mortally wound you by using the CIA and FBI and by confusing the question of CIA interest in, or not in, people the FBI wishes to interview."

In previously disclosed testimony, it had been related that White House aides tried to get the FBI to call off some of its investigations because they would prejudice secret operations of the CIA in Mexico. After listening to Mr. Gray's
(continued on next page)

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warning, Mr. Gray reported, Mr. Nixon only paused, then replied: "Pat, you just continue to conduct your aggressive and thorough investigation." After that, however, Mr. Gray was quoted as saying the harassment of his investigations ceased.

• Was Watergate only the "tip of an iceberg"—the visible part of wide-scale, undercover operations by Nixon campaign workers?

Senator Sam J. Ervin, Jr. (Dem.), of North Carolina, has promised that the Senate committee he heads will get into that question in considerable depth before its long hearings are ended. Already, there have been published reports

\$199,000, Mr. Sloan related, was given to G. Gordon Liddy, one of the seven

Mr. Sloan, who was on the White House staff before becoming treasurer of the campaign finance committee, resigned from that latter post last July—in protest, he said, against some of the things he was asked to do.

From all this, it is clear how far afield from the Watergate itself the investigations eventually will go.

Bay of Pigs men. On the Watergate break-in itself, the Senate committee drew details from one of those caught in the Democratic headquarters on June 17—Bernard L. Barker.

Mr. Barker, a Cuban-born American citizen, testified on May 24 that he took

national security, of high sensitivity, involving a traitor who had given information—that of the Soviet Union.

Mr. Barker was followed to the witness stand on May 24 by Alfred C. Baldwin III, a former Central Intelligence Agency agent who told of monitoring the Watergate wiretap from a room in a nearby motel.

Mr. Baldwin refused, however, to disclose what he had monitored—relying on a federal law which forbids disclosures of such wiretap information.

Related actions. While the Ervin committee ground on with its hearings, there were developments on other Watergate fronts.

The Senate, on May 23, confirmed by a vote of 82 to 3 the President's nomination of Elliot Richardson to become the new Attorney General.

That cleared the way for Archibald Cox—Mr. Richardson's choice—to take over as special prosecutor of the Watergate investigation that is now unfolding before the grand jury.

The Senate acted after assurances by Mr. Richardson that Mr. Cox would have "full authority" to conduct an independent investigation.

It was announced the next day that the team of federal prosecutors who have been conducting the grand-jury investigation will stay on the job—at least for a while—under the direction of Mr. Cox.

In predicting indictments within 60 to 90 days, U. S. Attorney Harold H. Titus, Jr., also announced that one key figure in the Watergate scandal will plead guilty and testify without immunity for the prosecution. He did not identify that person.

The Senate hearings at times have become enmeshed in a tangle of contradictory testimony on what appeared to be side issues.

There were conflicts between lawyer Gerald Alch and his former client, Mr. McCord, as to what Mr. Alch had advised on the nature of the trial defense.

Another conflict developed between Mr. Alch and Bernard Fensterwald, who succeeded him as Mr. McCord's attorney.

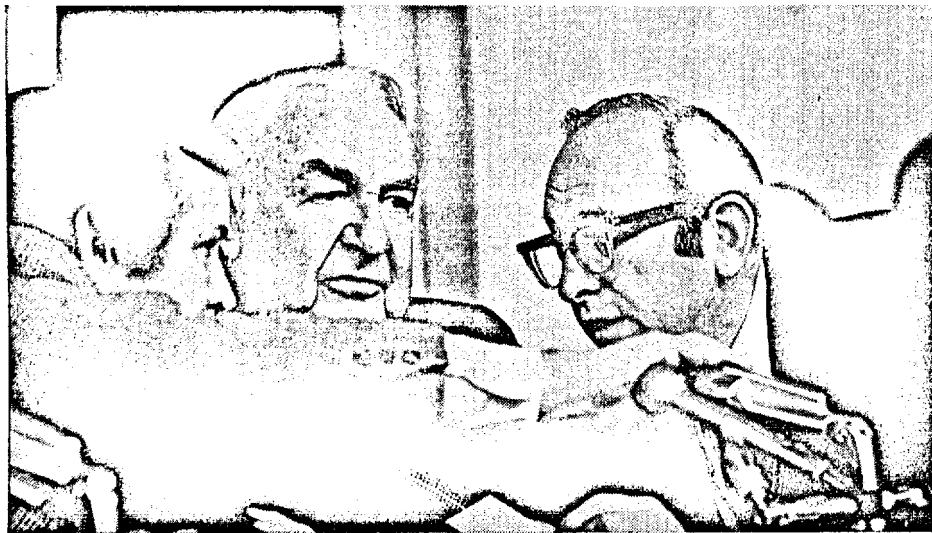
But the committee refused—for the present at least—to give Mr. Fensterwald a chance to testify in rebuttal to Mr. Alch.

"The committee does not intend to get bogged down with a controversy between lawyers," said Senator Ervin.

The Ervin committee, like the grand jury, is after more important things:

Who is telling the truth about the Watergate incident itself—and who is really to blame for that scandal which has rocked the U. S. Government?

At the rate things were going, it was likely to be many months before those questions were fully answered.



—USN&WR Photo

Senate investigators. Vice Chairman Baker, Chairman Ervin, Chief Counsel Samuel Dash confer as committee runs into a problem in its hearings on Watergate case.

of "dirty tricks" against Democratic candidates, allegedly financed by Nixon campaign funds.

The General Accounting Office—an investigating agency of Congress—has charged that large amounts of money contributions have not been reported by the Nixon re-election committee, as required by law.

Hugh W. Sloan, Jr., former treasurer of the re-election committee, has testified in a civil-suit deposition that he gave \$250,000 to Herbert W. Kalmbach, Mr. Nixon's personal lawyer. Mr. Kalmbach, according to published reports, has told the Federal Bureau of Investigation that he gave nearly \$40,000 of that to Donald H. Segretti, a California lawyer who is alleged to have played a key role in various acts of political espionage and sabotage against the Democrats in last year's campaign.

Another \$350,000, according to Mr. Sloan, went to Gordon Strachan, who last year was political liaison for White

part in the raid because he believed it was "a matter of national security." He said he understood the raiders were looking for evidence that the Democratic Party was receiving contributions from leftist organizations bent on violence or from the Communist Cuban Government of Fidel Castro. No such evidence was found, he said.

Mr. Barker and three Cuban-Americans caught with him were all veterans of the Bay of Pigs invasion of Cuba in 1961.

Asked if they had participated in the Watergate raid in hopes of obtaining "later assistance for Cuban liberation," Mr. Barker answered: "To us, this was our prime motivation."

Mr. Barker admitted he also took part in a 1971 break-in of a California psychiatrist's office, seeking treatment records of Daniel Ellsberg. That incident contributed to a judge's dismissal of all charges against Mr. Ellsberg in the Pentagon-papers case.

"I was told," Mr. Barker related, that

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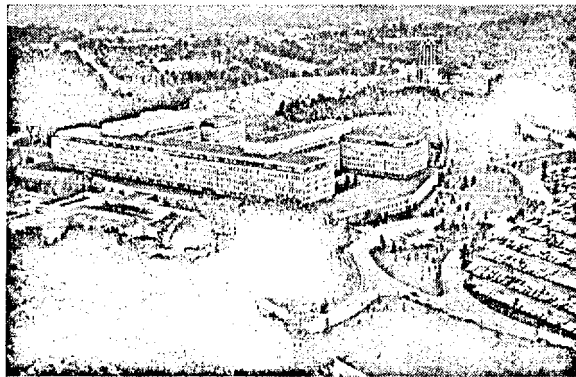
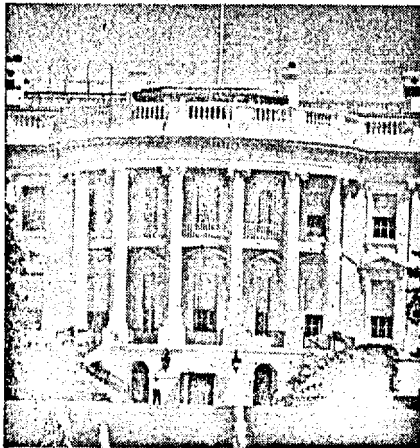
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Mr. Helms's testimony. Richard Helms, CIA Director until last December and now Ambassador to Iran, told

SPYING AT WHITE HOUSE ORDERS

When It Started and Why

OUT OF THE Watergate scandal—almost daily—comes a steady torrent of fresh revelations about spying, burglary and wiretapping ordered by men in the White House.

It was President Nixon, starting in 1969, who personally ordered certain kinds of espionage inside the U. S. because of what he called the overriding need to safeguard national security.

These orders, testimony makes clear, were interpreted in various ways by subordinates, leading to wiretaps of Government officials and private citizens, burglarizing of offices—and eventually, as an offshoot, to the Watergate bugging and break-in itself on June 17, 1972.

Mr. Nixon, in a statement of May 22, said he could understand that the emphasis he put on "the crucial importance of protecting the national security" could have caused "highly motivated individuals" to do things he would have disapproved had he known about them.

The President's critics assert that the domestic spy system developed by the White House to protect secrets was illegally put to political uses—for which blame is still to be fixed.

Big surprise. Upshot of it all: Now unfolding and coming into perspective a wide range of extraordinary domestic-intelligence operations that have come as a big surprise to many Americans.

Senator Sam J. Ervin, Jr., head of the Senate's Watergate inquiry, declared May 31 that the nation would be "shocked" if all details of a White House plan to "spy on Americans" were made public. He said that secret documents which he had seen reveal a "Gepo mentality" at top levels of the Nixon Administration, outlining "an interagency operation to spy on Americans, especially those who disagreed with the Administration."

Some in Congress are accusing the White House of adopting "police state" methods and of pulling a national security blanket over illegal deeds.

if not all—of the activity as necessary. They insist that the President's intentions were in the nation's best interests, in view of the "climate" of the time.

The focus is on three national-security activities originating in the White House. In chronological sequence, they were:

1. A program of wiretapping, begun in 1969, carried out by the Federal

This plan evolved at a time when antiwar riots and other violence were erupting on hundreds of campuses.

The plan was approved by Mr. Nixon but was shelved when the Director of the FBI, the late J. Edgar Hoover, opposed it.

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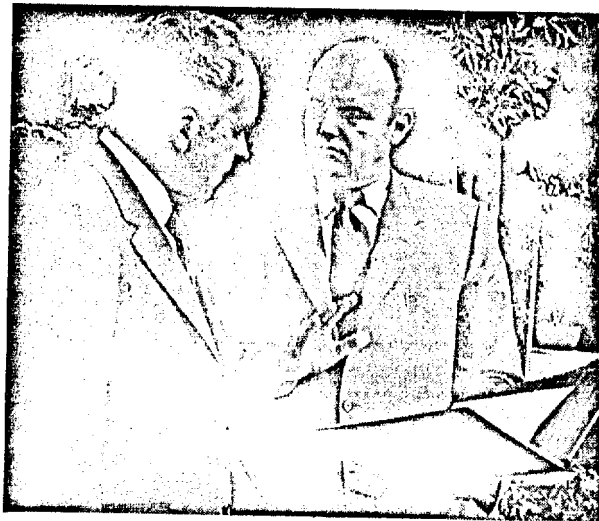
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SPYING

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Said the former official:

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FBI overseas. Insiders say that presidential dissatisfaction with CIA reports was the reason FBI offices were opened in 20 foreign countries—to pursue further the search for links abroad with violence at home.

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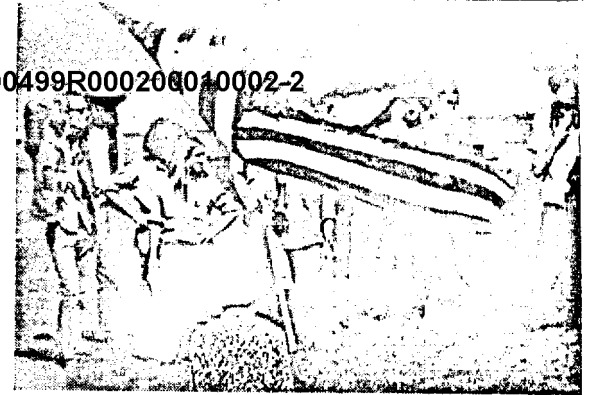
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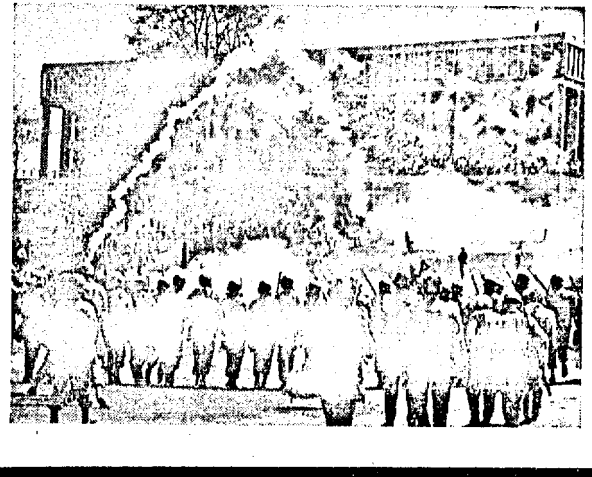
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The action that he took was creating the White House special-investigations unit—"the plumbers"—under the supervision of John D. Ehrlichman, then Mr. Nixon's top aide for domestic affairs. In immediate command was Mr. Ehrlichman's assistant, Egil Krogh. The two main sleuths were E. Howard Hunt, formerly of the CIA, and G. Gordon Liddy, once an agent of the FBI.

The President said he told Mr. Krogh that in pursuing leads on the Pentagon Papers leak, "as a matter of first priority, the unit should find out all it could about Mr. Ellsberg's associates and motives." This led to preparation by the CIA, at White House request, of a psychiatric profile on Mr. Ellsberg.

It also led to the burglary—admittedly authorized by Mr. Krogh—of the office of Mr. Ellsberg's psychiatrist in Beverly Hills, Calif. The fruitless break-in, carried out—according to grand-jury testimony—under supervision of Mr. Hunt and Mr. Liddy, involved use of equipment supplied by the CIA.

Referring to the Ellsberg probe, Mr. Nixon said on May 22:

"Because of the extreme gravity of

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A record of violence and lawlessness—starting before he took office—was cited by President Nixon as his reason for ordering steps to protect "national security." Part of that record:

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The April 4 assassination of the Rev. Dr. Martin Luther King, Jr., set off rioting in scores of cities that killed 46 persons, burned hundreds of city blocks, forced the use of 20,000 federal troops and 34,000 National Guardsmen.

On June 5, Senator Robert F. Kennedy was slain while campaigning for the Democratic presidential nomination. The assassin was identified as a Jordanian Arab. The tragedy temporarily disrupted the primary campaign.

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At President Nixon's inauguration January 20, hundreds of antiwar demonstrators hurled rocks, bottles and obscenities at his car in the biggest inaugural disruption ever.

A series of massive antiwar demonstrations in many cities produced repeated outbreaks of violence among crowds ranging up to 250,000 people.

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FBI Director J. Edgar Hoover warned of "foreign influences" in "black extremist groups—particularly the Black Panthers"—and reported plans for "urban guerrilla warfare" by the militant Weatherman organization, an offshoot of the Students for a Democratic Society.

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In another kind of act that disturbed the White House: On June 13, "The New York Times" began publishing a series of documents classified "secret"—known as the Pentagon Papers—on U. S. policy in the Vietnam war.

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Senate hearings on the Watergate burglary have brought out that two former New York City policemen, John J. Caulfield and Anthony T. Ulasewicz, were part of a White House network gathering political information about leading Democrats.

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Mr. Nixon himself appears to expect this. The President says: "As more information is developed, I have no doubt that more questions will be raised."

SPYING AT WHITE HOUSE ORDERS

When It Started and Why

OUT OF THE Watergate scandal—almost daily—comes a steady torrent of fresh revelations about spying, burglary and wiretapping ordered by men in the White House.

It was President Nixon, starting in 1969, who personally ordered certain kinds of espionage inside the U.S. because of what he called the overriding need to safeguard national security.

These orders, testimony makes clear, were interpreted in various ways by subordinates, leading to wiretaps of Government officials and private citizens, burglarizing of offices—and eventually, as an offshoot, to the Watergate bugging and break-in itself on June 17, 1972.

Mr. Nixon, in a statement of May 22, said he could understand that the emphasis he put on “the crucial importance of protecting the national security” could have caused “highly motivated individuals” to do things he would have disapproved had he known about them.

The President’s critics assert that the domestic spy system developed by the White House to protect secrets was illegally put to political uses—for which blame is still to be fixed.

Big surprise. Upshot of it all: Now unfolding and coming into perspective a wide range of extraordinary domestic-intelligence operations that have come as a big surprise to many Americans.

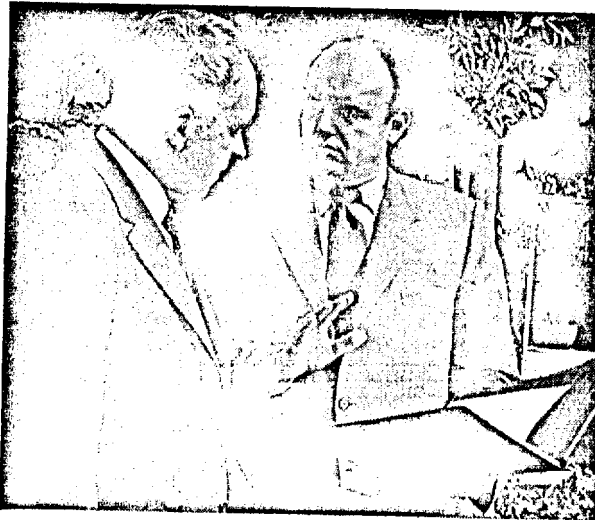
Senator Sam J. Ervin, Jr., head of the Senate’s Watergate inquiry, declared on May 31 that the nation would be “hooked” if all details of a White House plan to “spy on Americans” were made public. He said that secret documents which he had seen reveal a “Gepo mentality” at top levels of the Nixon Administration, outlining “an interagency operation to spy on Americans, especially those who disagreed with the Administration.”

Some in Congress are accusing the White House of adopting “police state” methods and of polling a national security blanket over official deeds.

if not all—of the activity as necessary. They insist that the President’s intentions were in the nation’s best interests, in view of the “climate” of the time.

The focus is on three national-security activities originating in the White House. In chronological sequence, they were:

1. A program of wiretapping, begun in 1969, carried out by the Federal



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Bureau of Investigation. It was directed against 13 officials of the Nixon Administration, including members of the National Security Council staff, and four newsmen. That much has come to light.

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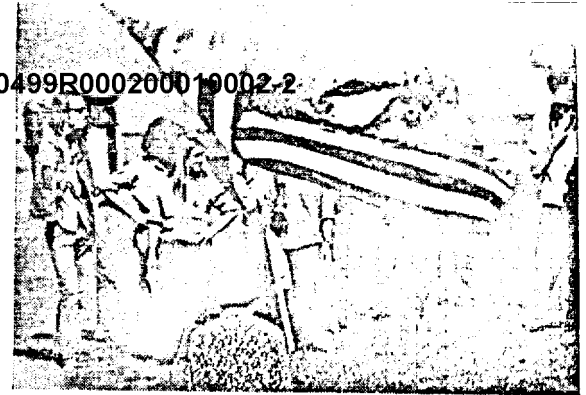
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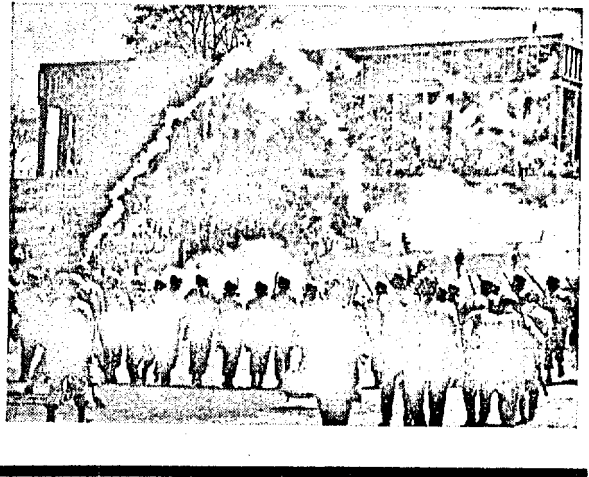
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22 MAY 1973

Warning Against Blaming C.I.A. Is Laid to McCord

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, May 21—James W. McCord Jr. sent John J. Caulfield, a former White House aide, an unsigned letter shortly before the Watergate trial warning that if the Nixon Administration persisted in an attempt to depict the bugging operations as inspired by the Central Intelligence Agency, he would "bring the house down," sources close to the case said today.

"He wanted to make it clear," a McCord associate said, "that if they wanted to put this off on the C.I.A., he was going to blow their story clear out of the water."

McCord's alleged letter, which the former C.I.A. security official did not mention during his televised testimony before the Senate Watergate committee last Friday, was mailed in late December.

Called 2 Embassies

The sources said that McCord, a convicted Watergate burglar and conspirator, then made a token telephone calls to the Israeli and Chilean Embassies in Washington, which he knew from his days as a C.I.A. official to be wiretapped by the Federal Bureau of Investigation, and, they said, he later demanded that White House officials prevail on Federal prosecutors to concede that he had been overheard on an illegal wiretap and dismiss the charges against him.

"He wanted the Government to come in and say it had overheard him," one source said. "He told Caulfield that's the way he wanted it done."

Mr. Caulfield, a former New York City undercover police man who joined the White House staff in April, 1969, took McCord's demand to John W. Dean 3d, then the White House counsel, the source said. "Dean wanted to do it that way, too," the source added, "but the F.B.I. conducted a search and couldn't find anything."

During the first weeks of the trial, McCord's attorney, Gerald Alch of Boston, made two motions for the disclosure

of the Government to concede that he had been overheard calling the embassies.

Tainted Case Feared

An associate of Mr. Alch said that was believed "that the Government would not come forward with a wiretap that we knew they had, thereby tainting the whole case."

McCord, in his Senate testimony, named Mr. Alch as among those who had urged him to describe the Watergate bugging as a C.I.A. operation. Mr. Alch, the sources said, filed a motion last week seeking to withdraw from the suit.

The Alch associate said that McCord did not provide any evidence to prove that he had been overheard. "He indicated that he was meeting with someone about this and it was none of Alch's business" the associate said.

After the Government denied the existence of any relevant wiretap logs, the Alch associate said, McCord decided not to press the issue further and instead urged that is defense be based — as it was — on the argument that he conducted the illegal bugging operation to protect the United States from radicals, and therefore had no criminal intent.

Intelligence officials confirmed the existence of wiretaps on the Israeli Embassy today. One Government source said the top-secret F.B.I. wiretap program was known by the code name "Scope" when it was initiated during the Johnson Administration.

"I remember that the reports were hand-carried around of the political sensitivity of our bugging of an ally," the source added. He specifically recalled reading the transcript of a conversation involving Golda Meir, the Israeli Premier, and Lieut. Gen. Yitzhak Rabin, Israel's Ambassador to the United States, during the Mideast crisis of 1970. "Mrs. Meir was discussing Secretary of State [William P.] Rogers," the source recalled. At the time, the United States was seeking a peace agreement in the Mideast.

Copies of the "Scope" material were routinely distributed by the F.B.I. to the offices of Henry A. Kissinger, President Nixon's national security adviser, and to the C.I.A. and National Security Agency, the intelligence official said.

Limited to Foreign Affairs

He added that intelligence offices in the Government only saw material relating to foreign affairs, and did not get to view transcripts of conversations between the embassy and Congressmen or other transcripts relating to domestic affairs.

One legal expert, asked about McCord's alleged attempt to force the Government to either reveal the wiretap or drop its case, described it today as "a cute idea."

The expert, Herman Schwarz of the University of Buffalo Law School, noted that the Federal Government had been "struggling" with a Supreme Court ruling that national security wiretaps for domestic purposes were illegal if they were obtained without a court order and therefore, must be disclosed.

of wiretap information but the Federal prosecutors reported that a search of all relevant wiretap logs proved negative.

McCord, who served 19 years with the C.I.A. before joining the President's re-election committee early in 1972 as a security co-ordinator, will testify again tomorrow before the Senate Watergate committee. His initial appearance Friday was televised nationwide.

One Government source noted, however, that McCord had refused to discuss the involvements of higher-ups during the Federal inquiry into the Watergate affair last fall, and continued to do so even when provided with two chances for reduced charges.

This source suggested that McCord's threatening letter to Mr. Caulfield may have been a factor behind Mr. Caulfield's reported subsequent offer of executive clemency for McCord in exchange for silence. Mr. Caulfield also is scheduled to testify before the Senate Committee tomorrow.

In his testimony Friday, McCord related how Mr. Caulfield offered him clemency, financial aid and a job if he continued not to cooperate with the Federal prosecutors. McCord said the offer from Mr. Caulfield—whom he quoted as invoking the name of President Nixon—was first conveyed during the opening week of the Watergate trial early last January. That would have been about two weeks after McCord's letter was mailed.

During his testimony, McCord told of eventually refusing Mr. Caulfield's offer and said he had repeatedly complained to him that "the Government had lied in denying electronic interception of my phone calls from my residence." McCord added that he had provided Mr. Caulfield "with a memorandum on the dates of the two calls of mine in September, 1972, and October, 1972, that I was sure had been intercepted."

Government investigators said today that McCord was referring to his calls to the Chilean and Israeli Embassies. What McCord did not tell the Senate committee, one source added, was the he had told Mr. Caulfield that he

HS/HC-858

There are other probes into Watergate break-in

WASHINGTON, May 18 (AP)—The Senate committee probing the Watergate affair, which opened hearings yesterday, is directing only one of a series of investigations that began with the break-in last June 17 at Democratic National Committee headquarters.

A brief rundown of investigations into the Watergate break-in and similar matters:

FEDERAL Grand Jury, Washington—Convened shortly after the break-in, it returned indictments against the seven original Watergate defendants, all of whom were convicted in January.

FEDERAL Grand Jury, New York—Began an investigation in January of an unreported \$200,000 cash contribution to President Nixon's campaign by financier Robert Vesco and returned indictments last week against Vesco, former Atty. Gen. John Mitchell, former Commerce Secretary Maurice Stans, and Harry Sears, New Jersey chairman of the Nixon campaign.

FEDERAL Grand Jury, Houston—Began an investigation last week of \$35,000 in contributions to the Nixon campaign that were traced to one of the men captured inside the Watergate. The money was part of a \$100,000 contribution by Robert Allen, president of Gulf Resources & Chemical Corp.

FEDERAL Grand Jury, Orlando, Fla.—Indicted Nixon campaign operative Donald Segretti and accountant George Hearing in connection with a bogus letter on Sen. Edmund Muskie's stationery, accusing Senators Hubert Humphrey and Henry Jackson of sexual misbehavior. Hearing has pleaded guilty.

LOS ANGELES County Grand Jury—Expected to convene next month to investigate the burglary attempt at the office of the psychiatrist of former Pentagon Papers defendant Daniel Ellsberg.

CENTRAL Intelligence Agency—Being probed by the Senate Appropriations and House Armed Services committees in connection with Ellsberg burglary and the White House Watergate cover-up. It has been disclosed that Presidential aides tried to order CIA interference with a Watergate-related Federal Bureau of Investigation probe.

JUSTICE Department—Outgoing Atty. Gen. Richard Kleindienst promised that the department's Watergate investigation would be the most thorough since that concerning the assassination of President Kennedy.

GENERAL Accounting Office—Five apparent violations by the Nixon committee of the 1972 campaign-spending law

have been taken to the Justice Department by the General Accounting office, the congressional watchdog agency. The committee pleaded no contest and was fined \$8,000 in one case.

WHITE HOUSE—President Nixon announced last August that an internal investigation by former Presidential Counsel John W. Dean III cleared all staff members of involvement. The White House now says there were inadequacies in a report relayed orally to Nixon. Dean has denied conducting such an investigation.

CIVIL SUITE—By Common Cause, to force disclosure of pre-April 7, 1972, campaign contributions, and by the Democratic National Committee have resulted in sworn depositions which have shed light on the Watergate case.

KENNEDY—Sen. Edward Kennedy's subcommittee on administrative practice began a Watergate investigation last fall but recommended it be taken over by a committee with greater resources.

PATMAN—The House Banking and Currency Committee, under Chairman Wright Patman (D., Tex.), began an investigation of matters relating to Watergate in August but halted its probe after members refused to vote the committee subpoena powers in October.

HS/HC-858

The Price Of Paralysis In the Senate

Now that the Watergate investigating committee has generously recessed, it may interest a few people that the U.S. government is remarkably close to grinding to a halt. The ultimate cause is Watergate—intoxication in the Senate, so you can blame the President if you choose. But the Senate is still the body that has chosen to halt the government in many vital ways.

To get an idea of what is happening, you need only glance at a single area where even the dilatory Senate used to be capable of reasonably swift decisions. In the bad old days—which some are beginning to regard as the good old days—the Senate cherished two principles in dealing with vacancies in really major government posts.

First, the President, as head of the executive branch, was considered to have a right to fill major posts with men of his choice—unless they could be shown to have really grave deficiencies. Second, it was also considered improper to leave posts like the secretaryship of defense, or the directorship of the Central Intelligence Agency, in a kind of empty limbo for undue periods of time.

Today, however, we have had no Secretary of Defense since the President transferred Elliot Richardson to the Justice Department. The CIA has also been leaderless since the President decided to give the Defense Department to his new CIA director, Dr. James Schlesinger, and to promote the able CIA professional, William Colby, to the directorship. Schlesinger has abandoned.

No senator on the Armed Services Committee can need to know much more about Dr. Schlesinger, since exhaustive hearings were held before he was confirmed for the CIA directorship. As to Colby, no one anywhere has so much as whispered that this was not a good choice by President Nixon. Officially, to be sure, the hearings on Schlesinger were delayed because of his need to attend a NATO meeting in Europe. In reality, in view of the hearings just held, there was no apparent need to question Schlesinger further.

Presumably, the Defense Department and the CIA will now cease to be headless in a few days' time. But this is only because of the forceful intervention from his hospital bed of that relic of the more national-minded past, the chairman of the Senate Armed Forces Committee, Sen. John C. Stennis. Until Stennis intervened, the acting chairman, Sen. Stuart Symington, meant to deal with Dr. Schlesinger's nomination concurrently with the vast, complex and controversial military procurement bill which will demand weeks of hearings!

This kind of senatorial ego-trip is merely frivolous. As to what Sen. J. William Fulbright is currently doing in the Senate Foreign Relations Committee, uglier adjectives might well be used. Here the problem has been the President's choice of four distinguished Foreign Service veterans for high posts here and abroad.

Because of their past service in Southeast Asia, the four veterans were



James Schlesinger



William Colby

all subject to Senator Fulbright's angry veto. They were adjudged to be guilty men, and confirmation was initially refused to all four. Under heavy pressure from the senior Republican on his committee, Sen. George Aiken, Fulbright then gave way on the nomination of the former ambassador to Thailand and Italy, Graham A. Martin, to be the new U.S. ambassador to South Vietnam.

The argument used was the need to have an ambassador to deal with President Nguyen Van Thieu at this tricky juncture. All kinds of ego-massage, not just for Fulbright, but also for other committee members like Sen. Jacob Javits, was further demanded and provided, before the confirmation of Graham Martin was reluctantly conceded.

Meanwhile, there are William H. Sullivan, named for the Philippines; J. McMurtrie Godley, nominated assistant secretary of state for East Asian affairs; and Charles Whitehouse, for

ambassador to Laos. All are men of impeccable character. Whitehouse is perhaps the Foreign Service's most admired member of his rank and age. The charge against all of them is, solely and simply, that they faithfully carried out their instructions while on duty in Southeast Asia.

This makes you almost homesick for the awful McCarthy-time. After all, Sen. Joseph McCarthy so implacably and successfully pursued John Davies, John Stewart Service and their colleagues, on the unique ground of their individual "bad judgment." What Senator Fulbright is doing is in fact much worse.

He is making it a proof of fatally "bad judgment" for Foreign Service officers to execute their own government's policy decisions. So what are Foreign Service officers to do in the future, if the Fulbright elaboration on the late McCarthy is generally accepted?

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HS/HC-558

A-4

THE EVENING STAR and DAILY NEWS
Washington, D. C., Friday, June 22, 1973

Curb Urged On Private CIA Funds

By Jeremiah O'Leary
Star-News Staff Writer

The Senate Foreign Relations subcommittee on multinational corporations, reporting on its ITT-Chile hearings, today called for a congressional review of the process by which CIA clandestine operations are authorized and conducted.

The subcommittee, headed by Sen. Frank Church, D-Idaho, said the hearings in March raised questions about the so-called "Forty Committee," an interdepartmental group under presidential national security adviser Henry Kissinger which reviews CIA clandestine operations.

The report said unanswered questions include how much detail the Forty Committee communicates to the CIA; whether CIA tells the Forty Committee the means it intends to use in carrying out assignments; and whether the committee knew CIA would discuss with a U.S. corporation efforts to influence the Chilean political situation.

"I'm distressed by what happened but I can find nothing illegal about it," Church told a press conference. "That's why we need a law to bar this incestuous relationship between government and private corporations."

CHURCH ANNOUNCED the subcommittee has unanimously approved recommending legislation that would make it a criminal offense for American citizens to offer or provide funds to U.S. government agencies for the purpose of interfering in foreign elections. The bill, which will be introduced by the Foreign Relations Committee, also prohibits U.S. employees from accepting such funds.

The penalties described in the bill would be a fine of not more than \$10,000 or imprisonment for not more than five years, or both.

Church said the record on the ITT-Chile case would be sent to both the Justice Department and to special Watergate prosecutor Archibald Cox but he said the subcommittee does not now see any indication of perjury because of amended testimony.

Church and the proposed congressional inquiry of CIA operations is necessary.

Church said, because existing oversight committees of Congress have "done very little overseeing."

THE SUBCOMMITTEE hearings brought out great detail about discussions among ITT, the CIA and State Department officials about the Chilean situation, including an ITT offer of money up to seven figures to set up a campaign fund for a rival of Marxist Salvador Allende.

The CIA in turn suggested a plan to create economic chaos in Chile. None of these discussions resulted in any action because the CIA rejected the ITT money offer and ITT did not think the CIA proposal was workable.

In 1971, nearly a year after his election and months before the ITT-CIA discussions were made public, Allende expropriated ITT holdings in Chile.

"It is clear from this case," the subcommittee reported, "that there were significant adverse consequences for U.S. corporations which arose out of the decision to use ITT in the way it was used — willing as ITT may have been — and that it was not in the best interests of the U.S. business community for the CIA to attempt to use a U.S. corporation to influence a political situation in Chile."

THE SUBCOMMITTEE asked whether the Forty Committee considered the possibility of bloodshed and civil war in discussing interference and whether it thought about the consequences if the plan to accelerate economic chaos in Chile had been successful.

The record of the hearings calls into question the administration's stated policy of dealing with governments as they are in Latin America, the subcommittee said.

The subcommittee said it is understandable that ITT wanted the assessment of the U.S. government on the Chilean presidential election. "But what is not to be condoned," it said, "is that the highest officials of ITT sought to engage the CIA in a plan to covertly manipulate the outcome of the elec-

ny overstepped the line of acceptable corporate behavior."

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Watergate Upheaval—

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ON THE RECORD: CLAIMS OF WHITE HOUSE "PAYOFF"



—USN&WR Photo

It was James W. McCord, Jr. (arrow), who gave bombshell testimony in Watergate hearing.

It didn't take long for the Senate hearings to get right to the point: Who ordered the Watergate buggings—and the subsequent cover-up?

The Senate hearings on the Watergate case had barely begun before it became clear where the investigation was heading: straight toward the White House.

From the opening gavel, the questions asked by the select committee of seven Senators bored in on the roles played by onetime aides of President Richard Nixon and former members of his Administration.

On May 18, the hearings' second day, the Senators began to get the sensational kind of testimony that they—and millions of American citizens—had been led to expect.

It came from James W. McCord, Jr., one of the seven men convicted of the break-in and bugging of the Democratic Party headquarters in the Watergate complex in Washington, last June 17.

It was Mr. McCord who first broke

the silence of the Watergate conspirators on March 23 and opened the way for the massive investigation that is now in process.

Clemency offered? These were the highlights of his testimony before the Senate committee:

- Mr. McCord said he was told by fellow conspirators that the burglary and bugging had been approved by John N. Mitchell, former Attorney General and later Nixon campaign director; by John W. Dean III, who was fired recently as White House legal counsel; and by Jeb Stuart Magruder, who was deputy director of the Nixon re-election campaign and recently resigned from Government.

- After his arrest, Mr. McCord said, a former White House assistant repeatedly offered him "executive clemency" and financial aid if he would plead guilty and keep silent about the involvement of others.

- These offers, Mr. McCord said he was told, came "from the very highest levels of the White House."

"I was further told," he testified, "that the President of the United States was aware" of one meeting at which a clemency offer was made, "that the re-

to the President, and that at a future meeting there would likely be a personal message from the President himself."

Not yet "evidence." It was repeatedly pointed out by Senate-committee members that all this was hearsay evidence that would not be acceptable in a court of law.

"It is not evidence against the President at this stage," said the committee chairman, Senator Sam J. Ervin, Jr. (Dem.), of North Carolina. Nor, he cautioned, would the McCord testimony be admissible in court "to show any connection with this matter by John Mitchell or John Dean or Jeb Magruder."

"But," the Senator added, "the testimony which Mr. McCord has given is relevant to show the motives which prompted Mr. McCord to participate in the matter."

Senator Ervin served notice at the start of the hearings on May 17 that:

"My colleagues on the committee and I are determined to uncover all the relevant facts . . . and to spare no one, whatever his station in life. . . ."

The historic hearings, televised nationwide, began in the same Senate caucus room where the Teapot Dome scandal

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[continued from page 22]

Sworn testimony of James W. McCord, Jr., linked John N. Mitchell, John W. Dean III, and Jeb Stuart Magruder to Watergate break-in and bugging case.



Former Attorney General Mitchell



Former White House Counsel Dean



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—Wide World Photos

Re-election campaign aide Magruder

was aired 50 years ago and the Army-McCarthy hearings were held in 1954.

It was the first time—after months of secret investigations and frequently second-hand reports—that the American public had a chance to start getting the full story of the Watergate scandal at first hand, under oath.

The mandate given the committee by the Senate was broad—extending far beyond Watergate itself—and Senator Ervin made plain his panel would go into campaign skulduggery in any form.

Although "the first phase of the committee's investigation will probe the planning and execution of the wiretapping and break-in of the Democratic National Committee's headquarters at the Watergate complex and the alleged cover-up that followed," Senator Ervin said:

"Subsequent phases will focus on allegations of campaign espionage and subversion and allegations of extensive violations of campaign financing laws."

Goal: "unvarnished truth." The investigating committee is under Democratic control—with four Democratic and three Republican members. But Senator Howard H. Baker, Jr. (Rep.), of Tennessee, the vice chairman of the committee, said in his opening statement:

"Any doubts that I might have had about the fairness and impartiality of this investigation have been swept away during the last few weeks. . . .

"This is not in any way a partisan undertaking, but, rather, it is a bipartisan search for the unvarnished truth."

Other members of the committee are: Democratic Senators Herman E. Talmadge of Georgia, Joseph M. Montoya of New Mexico and Daniel K. Inouye of Hawaii; Republican Senators Edward J. Gurney of Florida and Lowell P. Weicker, Jr., of Connecticut.

Each party has its own counsel. Samuel Dash, a law professor, represents the Democratic majority, and Fred D. Thompson, a former assistant U. S. attorney, represents the Republicans.

While the Ervin committee did its work in public, four grand juries worked in secret, investigating various phases of scandals spun off by ramifications of the Watergate probe.

One federal grand jury, in Washington, D. C., was expected soon to hand down indictments of several former figures in the Nixon official family or in his election campaign.

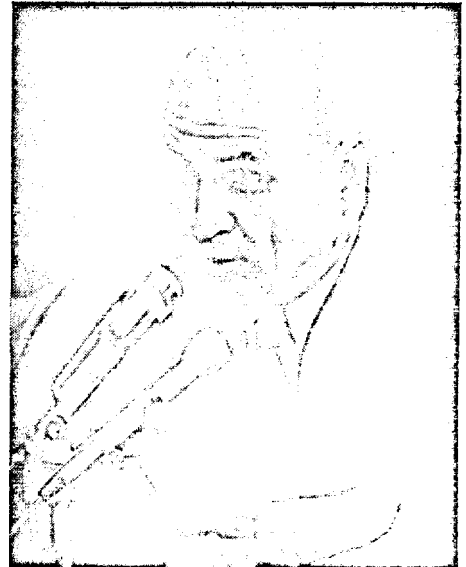
Other congressional committees were also busy investigating alleged misdeeds by federal officials. One was looking into the involvement of the Central Intelligence Agency in aspects of the Pentagon Papers trial.

It was the Ervin committee, however, that held the national spotlight.

A dramatic story. In the first two days of testimony by six witnesses, Mr. McCord's story was easily the most dramatic. He admitted roles in not only the June 17 Watergate break-in but also in an earlier break-in at the same place on May 30 and also to futile attempts to "bug" the headquarters of the Democratic candidate, Senator George McGovern of South Dakota.

Asked why—after an unblemished record of service with the Central Intelligence Agency and Federal Bureau of Investigation—he agreed to take part in such proceedings, Mr. McCord testified:

"There were a number of reasons. . . . One of the reasons—and a very impor-



—USN&WR Photo

Convicted Watergate conspirator McCord said he was offered executive clemency.

tant reason to me—was the fact that the Attorney General himself, Mr. John Mitchell, at his offices, had considered and approved the operation, according to Mr. Liddy [G. Gordon Liddy was convicted as one of the planners of the Watergate bugging.]

"Secondly, that the counsel for the President, Mr. John Dean, had participated in those decisions with him; that one was the top legal officer for the United States in the Department of Justice and the second gentleman was a top legal officer in the White House."

Under questioning of the members of the Senate unit, Mr. McCord explained that he was told of Mr. Dean's participation by Mr. Liddy and by E. Howard Hunt, another of the convicted conspirators.

Following, from the record, are other (continued on next page)

[continued from preceding page]

highlights of Mr. McCord's testimony before the committee—

On CIA involvement:

Q Now, did you have any knowledge—direct or indirect—that would lead you to believe or have information that the CIA was involved in this plan?

A I had just the contrary—that there was no indication, no evidence, no statements to me that this was a CIA operation, that, quite the contrary, that it was an operation which involved the Attorney General of the United States—at that point in time.

On "hush" money he received:

Q Now, after your arrest, did you receive any money?

A Yes, I did.

Q And from whom did you receive that money?

A The wife of E. Howard Hunt, Mrs. Hunt.

Q Can you tell us how much money you did receive?

A Yes, I received legal fees of \$25,000 for the payment of lawyers, and I received a continuance of salary from July through January at the rate of \$3,000 a month—which the others were receiving as well.

Q Did you have any knowledge, information or belief as to where this money came from?

A I was told that it came from the Committee to Re-elect the President—by Mrs. Hunt.

Details on "clemency." On the offers of clemency, Mr. McCord testified that as early as the autumn of 1972:

"Mr. Hunt stated that the defendants were going to be provided with or given executive clemency after a period of time in prison if they pled guilty or if sentenced in a plea of not guilty, that they were going to be given financial support while in prison—that is, their families would be—and that rehabilitation, not specified, but rehabilitation and perhaps a job would be provided for the men, after the release from prison."

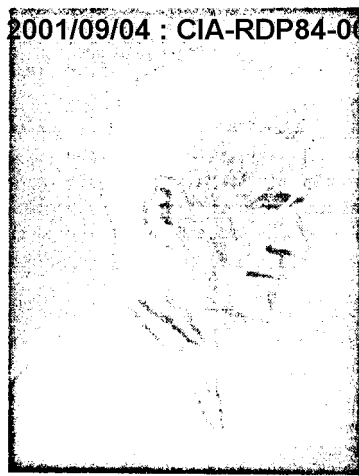
Later, the witness said:

"Political pressure from the White House was conveyed to me in January, 1973, by John Caulfield to remain silent, take executive clemency by going off to prison quietly."

Mr. Caulfield at that time was working in the Treasury Department. Later he joined the White House staff.

After Mr. McCord's testimony, White House Press Secretary Ronald Ziegler told reporters:

"The President did not participate or have any knowledge of activities relating to cover-up, and the President at no time



ARCHIBALD COX, former U. S. Solicitor General, was named on May 18 as special prosecutor to take over the Government's investigation of the Watergate case.

Announcing the appointment, Elliot L. Richardson, Attorney General designate, described Mr. Cox as a "lawyer of courage, independence and integrity," used to handling "explosive situations."

Mr. Cox, 61, is a member of the Harvard law school faculty. A Democrat, he was appointed Solicitor General in 1961 and served in that post under Presidents Kennedy and Johnson.

authorized anyone to represent him in offering executive clemency."

Like a spy "thriller." Parts of the McCord testimony sounded like chapters from a spy "thriller." He told of secret meetings in autos on Potomac River overlooks near Washington, of being directed to a telephone booth to receive a phone call, and of using a code name—"Mr. Watson"—in his dealings with Mr. Caulfield. Some of his phone callers, he said, were men whom he could not at that time identify.

Describing a meeting in a lawyer's office on Jan. 8, 1973, Mr. McCord said he was asked "whose word I would trust regarding a White House offer of executive clemency." He went on:

"I had no intention of accepting executive clemency, but I did want to find out what was going on and by whom and exactly what the White House was doing now."

Conversation in a car. Following is Mr. McCord's account of a conversation in a car on a Potomac River overlook with Mr. Caulfield:

"Caulfield stated that he was carrying the message of executive clemency to me from the very highest levels of the White House. He stated that . . . the President had been told of the forthcoming meeting with me, and would be immediately told of the results of the meeting."

Senator Ervin interjected:

"This evidence is competent to show what, if anything, John Caulfield did to induce Mr. McCord to plead guilty and keep silent. It is not any evidence in its present state of the hearings that connects, that makes any connection whatever, has any relevancy to the President."

Mr. McCord: "Precisely. He further stated that 'I may have a message to you at our next meeting from the President himself.'"

On what Mr. McCord knew personally

ly about Mr. Mitchell's involvement, the following exchange took place:

Q Now you've also implicated the former Attorney General, Mr. Mitchell, in your testimony as approving and perhaps helping plan—at least being an accessory before the fact—on the Watergate bugging. Did you ever have any conversations with Mr. Mitchell yourself about that operation?

A No, sir.

Q Neither about Watergate nor any other espionage activities?

A No, sir.

First day: Mr. Odle. Compared with Mr. McCord's day on the witness stand, the first day of the hearing was relatively uneventful. Its main witness was Robert C. Odle, Jr., director of personnel and administration for the Committee for Re-election of the President (CRP).

It was this committee, operating independently of the Republican National Committee, which ran the Nixon campaign—and employed two of the seven men convicted last January of participation in the Watergate bugging.

Highlights of his testimony were that:

- Mr. Mitchell began making key decisions on campaign strategy while he was still Attorney General, many months before he left the Justice Department to become the Nixon campaign manager.
- High White House officials were active in campaign planning, filling key posts on the Re-election Committee with former presidential aides and sitting in—by proxy—on strategy sessions.
- Unidentified documents were removed from the desk of deputy campaign manager Magruder hours after the Watergate arrests and taken to private homes for "security." Other papers—contents also unidentified—were taken to a shredding machine.

The hearings are expected to last for weeks, with a long parade of witnesses yet to come.

Transcripts of Excerpts From the C.I.A. Memorandums About the Watergate Case

WASHINGTON, June 3—Following are excerpts from nine memorandums and a cover memorandum by Lieutenant Vernon A. Walters, deputy director of the Central Intelligence Agency, and a memorandum by James R. Schlesinger, Director of Central Intelligence, which were supplied last month to a Senate Appropriations subcommittee in connection with its investigation of the Watergate case. The excerpts are from the original documents. The first is a covering note apparently provided to the subcommittee prior to the release of the other documents. The excerpts appear in chronological order.

COVERING NOTE Dated May 18, 1973

The attached memoranda were never intended to be a full or verbatim account of the meetings they covered. These were notes to refresh my memory if I should need it. Originally, only the copy was held in my personal files. Present inconsistency between my testimony that the President's name was not used by Haldeman in our June 23 conversation and a memo that he had said that

—I wrote this note five days after the talk. When I showed it to Mr. [Richard] Helms, [Director of Central Intelligence at the time], he pointed out that Haldeman had not actually used the expression, "It was the President's wish." Obviously the thought was implicit in my mind. I did not, however, correct the memo since it was for my own use only. The fact that I agreed with Helms is shown by my saying to L. Patrick Gray [Acting Director of the F.B.I.] on 5 July that it was "implicit" and in several other talks, both with Gray and John W.J. Dean [President Nixon's counsel], following clearly that I did not believe the President knew

of the matter. In my talk with Dean on 28 June, I said, "those who were not touched by the matter would be so" if I were to do what Dean wanted. The fifth paragraph of my memo on my talk with him on 28 June covers this. My whole talk with Gray on 6 July also makes this very clear. Paragraph 5 of my memo of 28 June conversation with Gray also reflects this view. With regard to the reference to the Cuban in my notes on my talks with Dean on 28 June, he had expressed the view that there were three hypotheses on the bugging: 1) The Committee to Re-elect the President; 2) The C.I.A.; 3) Some other group. He never admitted any participation by the first group. I told Dean C.I.A. was not involved.

MEMO DATED
JUNE 28, 1972

June 28 at 10 A.M. I received a phone call from Mr. Dean at the White House. He said he wished to see me about the matter that John Ehrlichman and Robert Haldeman had discussed with me on the 23d of June. I could check out with them if I wished.

I agreed to call on him at his office in Room 108 [of the] Executive Office Building, 1146 at that time. Immediately after hanging up, I called Ehrlichman to find out if he had any more to say after some pleasantness on my part. He said I could talk freely to Dean. At 1146 I called at Dean's office and saw him alone. He said that the investigation of the Watergate "bugging" case was extremely important and that there were a lot of leads to important people and that was the F.B.I., which was investigating the matter, was working on three theories: 1) It was organized by the Republican National Committee; 2) It was organized by some other party.

I said that I had discussed this with Director Helms and that the agency was not in any way involved and I knew that the director wished to distance himself and the agency from the matter. Dean then asked whether I was sure the agency was not involved. He believed that Barker had been involved in a clandestine entry into the Chilean Embassy, if I was sure none of his investigators was touching any covert projects of the agency, current or ongoing.

Haldeman then stated that I could tell Gray that I had talked to the White House and suggested that the investigation not be pursued further. Gray [w/voice] replied as he had before for guidance in the matter.

The director repeated that the agency was not connected with the matter. I then agreed to talk to Gray, as directed, Ehrlichman replied that I should do this and I said that I would try to do it today.

Upon leaving the White House I discussed the matter briefly with the director. Upon returning to the office, I called Gray (and he appreciated that this was a matter of some urgency, and he agreed to see me at 1430 [2:30 P.M.] that day.

MEMO DATED
JUNE 28, 1972

At 1430 on 28 June I called on the acting director

and pay salaries, this would become known sooner or later. The "bugging" atmosphere of Washington and that at that point, the investigation was ten times greater, as such action could only be done upon direct orders from the President and that those who were not directly involved in the matter would not be touched.

Dean seemed at first taken aback, but then very much impressed by this argument and said that it was certainly very great, that it would have to be weighed. I repeated that the present affair would be small points compared to what would happen if he did what he wanted and it leaked. He nodded gravely.

I said that, in addition, the agency would be completely discredited with the public and the Congress and would lose all value to the President and the Administration. Again he nodded gravely.

He then asked if I could think of any way we could discuss the matter with the directors and would be in the matter. He felt that I was fully cognizant of the director's feelings in the matter. He thanked me and I left.

MEMO DATED
JUNE 29, 1972

On 28 June, at 1130, John Dean asked me to see him at his office in the Executive Office Building. I found him alone.

He said that the director's meeting with L. Patrick Gray, F.B.I. director, was canceled and that John Ehrlichman had suggested that Gray deal with the matter. He said that the problem was how to stop the F.B.I. investigation of the matter. He said that a letter from people like Ken Dahlberg, and a copy of this letter, would be sent to the White House and that Dahlberg was refusing to answer questions. He said that he was not sure whether I could do anything or have any suggestions.

I repeated that the deputy director, I had no independent authority, I was not in the chain of command and had no authority other than that given me by the director. The idea that I act independently had no basis in fact. Dean then said that what might be done and I said that I had a tough problem, but if there were agency involvement, it could be dealt with.

MEMO DATED
JUNE 29, 1972

risks that were concomitant with the matter. I presented it as a high explosive bomb but intervention such as he suggested could be made by the megaton hydrogen bomb. The present caper was awkward and unless the director was prepared to be elected, morally if it became known and the chance of keeping it secret if the election was almost lost.

I noted that the candidates had a short life in Washington and that they would be replaced. I urged him not to become involved in the matter.

He then asked if I had any ideas and I said that this affair already had strong Cuban flavor and that everyone knew that the Cubans were conspirators and anxious to know what the policies of both parties were toward Castro. They, therefore, had a plausible motive for attempting this amateurish job which any skilled technician would deplore.

This might be costly but it would be plausible. Dean said he agreed that this was the best tack for the future. He also agreed (for the second time) that the risks of agency involvement were unacceptable.

After a moment's thought, he said that he felt that Gray's cancellation of the appointment with Director Helms might well be reversed within the next few hours.

MEMO DATED
JULY 5, 1972

MEMO FOR THE RECORD
On July 5, '72 at 5:50 P.M. I received a phone call from the acting director of the F.B.I., L. Patrick Gray. He said that the pressures on him to continue the investigation were great. Unless he was freed from me to do the job, the effect that their (F.B.I.) investigation was endangering the lives of some of the men who had to go ahead with the investigation of Dahlberg and Daguerra. He wanted me again for my frankness and confidence and repeated that he did not believe that he could sit on this matter and that the facts would be out eventually. He walked me to the door.

MEMO DATED
JULY 6, 1972

At 10:05 on 6 July I saw the acting director, L. Patrick Gray at his office. We were alone during our conversation. I handed him the memorandum which is attached and which covers the entire relationship between the Watergate suspects and the agency. In all honesty I could not tell him to cease future in-

vestigations on the grounds that it would compromise the security interests of the United States. Even less so could I write him a letter to the effect that he had fully understood this. He himself had told Ehrlichman and Haldeman that he would hold the investigation of this matter.

When the F.B.I. there were leaks. He had called in the composition of his field office in Washington. It was for the purpose of tracking down security leaks in the Government.

I said that the only basis on which he and I could deal was absolute frankness and I wished to recount my impressions in that regard. I had been called by the White House with Director Helms and had two senior staff assistants (I specifically did not name Haldeman and Gray) who had frustrated the aircraft hijacking in San Francisco.

He had talked to me about the hijacking. Gray replied that he had. The President then asked what the President's reaction was on the matter. Gray had replied that the case could not be covered up and would lead quite high and he felt that the President should get rid of the people that were involved. Any attempt to cover up the matter would be a mortal wound.

Subsequently he had seen Mr. Dean, the White House counsel, and told him that whatever the current and present implications of the matter were, that to implicate the agency but not serve the President would be a mortal wound. He had a long association with the President and as desirous as anyone of becoming a cabinet member. He believed that a letter from people like Ken Dahlberg, and a copy of this letter, would be sent to the White House and that Dahlberg was refusing to answer questions.

Such a letter in the current atmosphere in Washington would become known prior to the election. What was a minor wound, I said, would be a mortal wound. I said quite frankly that I would write such a letter.

Gray thanked me for my frankness and said that this opened the way for fruitful cooperation between us. He would be frank with me, too. He could not suppress this investigation with the F.B.I. He had told Kleindienst this. He would not let his own neck for resign, but his resignation appeared to me to be untenable. Conditions that would be detrimental to the President's interest.

He did not see why he or I should jeopardize the integrity of our organizations to protect some mid-level White House and unless the director was prepared to be elected, morally if it became known and the chance of keeping it secret if the election was almost lost.

I noted that the candidates had a short life in Washington and that they would be replaced. I urged him not to become involved in the matter.

He then asked if I had any ideas and I said that this affair already had strong Cuban flavor and that everyone knew that the Cubans were conspirators and anxious to know what the policies of both parties were toward Castro. They, therefore, had a plausible motive for attempting this amateurish job which any skilled technician would deplore.

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MEMO DATED
JULY 13, 1972

On 12 July at 14:50 I called on acting director L. Patrick Gray at his office and saw him alone. I told him that shortly after I had seen him the last time, we terminated our assistance to him and had no further contact with him subsequent to 31 August 1971.

He was grateful for this information.

Gray asked me if the President had called me on this matter and I replied that he had not. Gray then said a lot of pressure had been brought on him on this matter but he had not yielded.

I told him that I intended to terminate the 985-8088 number (the C.I.A.'s sterile phone and the modulated. Then he said, "This is a hell of a thing to happen to us at the outset of our tenure with our respective offices." I agreed heartily.

MEMO DATED
MAY 11, 1973

MEMORANDUM OF CONVERSATION OF
FEB. 21, 1973

At the request of the director, Dr. Schlesinger, I called on Mr. John Dean at his office at the White House at 1230.

I explained to him that, in connection with his request that the agency seek the Department of Justice to return a package of material that had been sent to them in connection with the Watergate investigation, it was quite impossible for us to request the return of this material if the Department of Justice files that the material had been sent back to the agency, and I inquired what Dean had been asked to do to destroy any material in any way related to the case.

I again told him that there was no agency involvement in this case, and that any attempt to involve the agency could only be harmful to the United States. He seemed disappointed. I then left.

MEMO DATED
JULY 28, 1972

On Friday, July 28, 1972, at 11 A.M. I called on the acting director of the F.B.I., L. Patrick Gray, at his office in the F.B.I. building. He saw me alone. I said I had come to him with a memorandum which I had given him in reply to inquiries from Mr. Fitzhugh "Cleo" [?].

I said that "Cleo" was Mr. Cleo [?], an electronics engineer who was in contact with Mr. Hunt during August of 1971. Mr. [?], supplied a recorder pursuant to Mr. Hunt's request and had assisted him to get it in shape for use in overt, not clandestine, recordings of meetings with agents. There was no attempt to make the recorder useful for clandestine activities.

Mr. [?] had two additional meetings, generated by a phone call to the above number (a sterile telephone in one of the offices). I straightened out some difficulties that had arisen with respect to the microphones. We never recovered the recorder, and from the above contact with respect to the recorder, there were contacts with Mr. Hunt with respect to false documents and disguises for himself and an associate. He was also loaned a clandestine camera, which we developed. We developed one roll of film for Mr. Hunt, of which we have copies showing some unidentified places, possibly the Rand Corporation. We had no contact whatsoever with Mr. Hunt subsequent to 31 August 1971.

He thanked me for this information. I added that when Hunt requested had escalated, we terminated our assistance to him and had no further contact with him subsequent to 31 August 1971.

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ing C.I.A. official, who indicated that Sturges had not been on the payroll for a number of years and that whatever the allegations about the Chilean Embassy, the agency had no connection at all.

We also agreed that he would discuss the question of the package relative to the Watergate investigation with the appropriate agencies and that discussion would be made with regard to the appropriate action.

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Julie Watches Hearings



JULIE EISENHOWER

Julie Nixon Eisenhower says the Watergate hearings "affect anyone close to my father who thinks he's done a great job as President. They overshadow his achievements. I have faith that it will all work out . . . and he can move on to other things."

She said she would like to reserve judgment on the hearings, which she has been watching. "I'm just completely mystified," she said. "These are good men. I'm just waiting until everything comes to light . . . It's a very difficult time . . . a lot of men are good friends and dedicated Americans who have been called into question."

MRS. EISENHOWER also said:
● Her father went through a difficult time reorganizing his staff recently, when he was also trying to make decisions about Leonid Brezhnev's visit and disarmament.
● Her father "feels confident." People forget he's 60 because he looks young, and are surprised sometimes when he appears tired. "I've been kidding him about a few gray hairs lately — but I think they make him look distinguished."
● When she feels criticism is unfair, "it really gets me down," but I talk to my husband . . . "I don't worry my father."
● Not all the coverage of the Watergate has been "completely balanced." There has been much "hearsay and second sources." She cited the resignation of Young Republican Ken Rietz as having nothing to do with

Clare Crawford

the Watergate affair. We must "be careful not to try these people in the newspapers."

SHE SAID her father would not resign. "He really loves his country . . . he's a dedicated man. The country needs his programs. When the going gets rough, I don't think he'd ever bug out, so to speak."

Mrs. Eisenhower made her remarks on Dimension Washington, which will be seen on WRNC-TV tomorrow at 11:30 a.m.

Mrs. Eisenhower also discussed the coming dinner for prisoners of war at the White House Thursday.

She said the honor guard will use the homemade American flag from the Hanoi Hilton, the name the men gave to their prison camp.

The event will be similar to state dinners, except the "Hanoi Hilton" chaplain will give a blessing and the POWs will sing the song they sang each morning in prison.

Much of the dinner has been donated — from wine to flowers — and people have written in asking to serve as waiters or help with the dinner.

Mrs. Eisenhower said she didn't feel the

Watergate would overshadow the POW dinner, which was planned in February.

"FOR ONE NIGHT, the whole country will focus on these men and . . . the courage it took to survive." The President, she said, has asked Bob Hope, Sammy Davis Jr., John Wayne and other entertainers for the dinner to come to Washington a day early to entertain wounded veterans at Walter Reed and Bethesda.

Mrs. Eisenhower said her husband's sports writing job is only part-time and that he is doing free lance articles, including one for a magazine on the Middle East. She said his first column was about whether baseball was for the young or the old and questioned the use of such things as partyhouse nights at the ball park. He will write general sports columns, rather than just cover the Philadelphia team.

She said he has applied to several law schools here for the September semester.

"I think he's interested in politics, and I wouldn't rule that out for the future."

MRS. EISENHOWER said she was enjoying traveling and representing her parents and probably would not return to teaching until after her father leaves the White House.

She endorsed politics as a career. "If you're a firm believer in what you are doing and you really think you can make a contribution and a difference . . . then you can stand the other side effects."

The Evening Star AND The News portfolio

WASHINGTON, D.C., SATURDAY, MAY 19, 1973

A-12

EGG-SHAPED 'ROC' Corcoran Gift

By RUTH DEAN
Star News Staff Writer

An egg-shaped laminated pine sculpture entitled "Roc," by sculptress Jennie Leo Knight, won out in the competition with the works of two other sculptors last night as the Friends of the Corcoran's 1973 gift to the Corcoran Gallery of Art.

The 150-member group, founded 11 years ago to augment the gallery's contemporary art collection, cast the deciding vote following their annual dinner in the Gallery's Mantel Room.

But there were undercurrents of dissension, voiced at the pre-dinner reception and following the dinner vote, over the choice of artists by the Acquisitions Committee and gallery director Roy Slade's final selections of one individual work each for the finalists.

IN ADDITION to Miss Knight, the other finalists

were Robert Stackhouse and Ed Love. All are local artists. Several guests liked Stackhouse's 12-foot long redwood sculpture that looked like a Viking boat or Hawaiian outrigger. It also served as a handy bar for drinks until watchful gallery officials asked their removal.

The third sculpture, "Helmet" by black artist Ed Love, demonstrated the artist's ingenuity at translating auto parts into a primitive African mask. "It's all politics," said one disgruntled woman who wished to be nameless. "I didn't vote. I felt like I was back in the last election — nobody to vote for."

A more outspoken friend, black artist Harold Smith, called the gallery selection "a pile of garbage — I wish they'd given us a choice." Even before it was voted the winning selection, "Roc" was the favorite of three discerning Friends.

ISABEL A. BURGESS, member of the National Transportation Safety Board, said she thought the Knight sculpture's "tactile quality is great."

And Sam and Helen Greenbaum, both collectors of contemporary art themselves, praised its subtlety and grace. "We're going to Rome and Florence next week to look at the contemporary art there; we love it," he said.

At the dinner, Dr. Thomas A. Mathews, president of the Friends, announced this year's gift would be a memorial to Gallery patron Miss Edith Cook, a Labor Department attorney who died earlier this year.

In his talk, Mathews also indicated there'd been some dissent among the Friends.

"Questions have been raised," he said, "why a sculpture? And why haven't the Friends purchased a major work of art this year?"

Defending the Acquisitions Committee's choice, he said "I think any work we buy for the Corcoran is a significant work of art."

"The reason why we're not spending a lot of mon-

ey this year (average price of the sculpture selections was in the \$1,000 range) is so our treasury can build itself up, so that if we are in a position to be offered a major work of art, we can buy it. We also

want to increase membership."

EARLIER at the reception, Slade expressed hope that the Gallery's board of trustees will find a new director "before summer, so decisions can get under

way for the fall collections."

He said the search committee, headed by David Lloyd Kresger, has been meeting twice a week interviewing "people from the Midwest and West."

If he is the final choice, Slade said he "would be willing to carry on and has so indicated." After four gallery directors in five years, he said what the Corcoran needs now "is continuity and stability."



"Roc" by Jennie Leo Knight

Star News Photographer Ken Lundy



Margaret's First In Line

Margaret Truman Daniel bought the first sheet of Truman 8-cent stamps issued this month to commemorate the 89th birthday of her father, former President Harry Truman. Edgar Hinde, postmaster in Independence, Mo., hands them to Mrs. Daniel, wife of newspaperman Clifton Daniel.

Radio TV Notes

Lori Frott, the 25-year-old Wheaton housewife and mother of two who won WRNC-Radio's "Fantasy" contest jackpot prize of \$25,000—she wrote that she'd give \$20,000 to the muscular dystrophy campaign—talked via long distance Thursday with comedian Jerry Lewis. She's been invited to appear on the next Labor Day telethon by Lewis. The NBC station has worked out the tax angle in regard to the contest: Mrs. Frott will get a check for \$5,000 only.

Jack Rowzie WCTN-AM (at 930), the new religiously oriented station, now hopes to be on the air on Monday, beginning at 6 a.m. Technical difficulties led to postponement of its premiere.

Montgomery County residents will get a chance to look at their school system in a series of six programs on WETA-28 beginning at 7 p.m. Monday. The opening show will feature the departments of information, research, human relations, association relations and the ombudsman. The series is currently being aired at 3:30 p.m. on Tuesdays, and the prime-time reruns should give the programs wider circulation. —BERNIE HARRISON



PRE-AUCTION EXHIBIT

Two portraits by Joshua Johnston, including this one of Mrs. Barbara Baker Murphy (above), are on view through Monday in a pre-auction exhibition of art and decorative objects at Adam A. Weschler & Son, 905-9 E St. NW. Johnston, who painted in Baltimore early in the 1800s, is one of two 19th-century black artists in the exhibit. The other is Robert S. Dunconson, a landscape painter from Cincinnati. Other 19th-century American artists in the show are William Merritt Chase, Eastman Johnson and William Rimmer. The four-day estate auction begins Thursday.

The Evening Star

and
The News

JOHN H. KAUFFMANN, *President*NEWBOLD NOYES, *Editor*

A-16 *

WEDNESDAY, MAY 23, 1973

MARY McGRORY

McCord Creates a Desert

By MARY McGRORY
Star-News Staff Writer

Point of View

In an anonymous letter sent to his only pal in the White House in December, James McCord wrote prophetically, "Every tree in the forest will fall."

When McCord, the amiable old spook, left the stand of the Ervin committee, he left a ravaged landscape behind him. So gripping, outlandish and unshakeable had been his tales of life in the Nixon campaign committee that the President at the end of the day popped out with a statement warning all investigators to have a care for "national security."

In his accusations about the President's sinister grand design to turn the CIA into a cloak for the Watergate operation, McCord had been corroborated by no less a personage than the agency's deputy director, Lt. Gen. Vernon A. Walters.

And when McCord finally wound down, his buddy — a New York cop named John J. Caulfield, brought into the White House to "provide private investigative support" for God knows what other schemes — advanced to the witness table to corroborate McCord's charges of political pressure from the White House to accept executive clemency in all details save for the mention of the President's name.

McCord dropped his big bombs last week, but he had a few grand grenades in his final hour. He mentioned casually, when discussing the deep-laid plot for the lay-off of Watergate on the CIA that James Schlesinger, the short-lived director, now Defense secretary-designate, "would go along." Nobody took him up on it.

By now everyone is wary. Pull off a splinter on Watergate and a wall falls in.

Fred Thompson, the husky, phlegmatic minority counsel asked about the only question that anyone dared put to McCord after the spate of specifics had flooded a million living rooms across the nation. Why hadn't he sung sooner?

Obviously, burglary had not bothered him. He had made a formal act of contrition, but 19 years in the conscience sufficiently to don the blue surgical gloves — and besides he

had the blessing of the then attorney general.

AND SURELY although a pleasant man in other respects, he was at one with his leaders about the perilous state of the republic, menaced as it was by enemies from within. He gave the usual litany of bombings and threats, glided over the the chilling information that the McGovern people had a "a pipeline" in CREEP, and as the clincher, cited the report that the Vietnam Veterans Against the War had an office in the Democratic National Committee.

The VVAW, a touching band numbering a thousand at full strength, staged a pathetic demonstration on the Mall in 1970 and gave the Republican National Convention in Miami its only honest moment when they marched in total silence to the Fountainbeau.

It was actually after the break-in that McCord learned of their firebase at the Watergate, which makes the break-in history's first pre-emptive or perhaps retroactive protective reaction raid.

What then, had impelled him finally to raise his voice and blast the forests of Richard Nixon? Well, two things, it seems. One was that it was not done in

the style of the CIA, the agency he loves.

HE TOLD his friend, Jack Caulfield, that in the CIA the rule, if caught, was for everyone to go together. While he was meeting Caulfield on the second overlook of George Washington Parkway Job Stuart Magruder who he says knew all about it, was feasting with his family and acting as master of the inaugural revels.

He left the impression that he might have swallowed his sentence as he would have swallowed a death pill on a foreign mission, had the conspiracy taken the group rate to the slammer.

He waited until Judge John H. Sirica, after "a sham trial," had urged them all to come forward and tell all they knew. The Senate committee had provided the only forum where McCord could tell all his secrets.

On the only occasion his light voice rose and his tired face turned dark with emotion, McCord said, "I am fully convinced this was the right decision."

CAULFIELD, a distraught, pop-eyed, bumpy-nosed upwardly mobile Bronx native, came on afterwards and said that 99 and 44/100 percent of what McCord had spilled was true. Caulfield was another interesting case. A man eaten alive by ambition, he was ever on the watch for advancement in administration espionage circles and his ego was wounded by John Mitchell who treated him as "only a bodyguards."

Caulfield slightly lauded McCord's version of what he had told him during one of their rendezvous: McCord said Caulfield arned him, "You know if the administration gets its back to the wall it will have to take steps to defend itself."

Caulfield scrubbed it up a bit to read: "Jim, I have worked with these people and I know them to be as tough-minded as you and itself."

Caulfield scrubbed it up a bit to read: mim, I have worked with these people and I know them to be as tough-minded as you and I."

They weren't saints, either of them, but they are believable. And Richard Sirica, in the hands of people like McCord and Caulfield, because that is where he has set himself.

HS/HC-888

The Evening Star

and

The Washington News

CROSBY N. BOYD, *Chairman of the Board*

JOHN H. KAUFFMANN, *President*

NEWBOLD NOYES, *Editor*

A-14 **

TUESDAY, MAY 22, 1973

The CIA in a Better Light

Enough new information has come out of the Watergate-Pentagon Papers investigation so that accounts can be better squared on the involvement of one key department, the Central Intelligence Agency.

The CIA looked bad in the wake of disclosures that at White House request it had provided assistance to the burglars of the office of Daniel Ellsberg's psychiatrist, and that it cooperated in compiling a psychological profile of Ellsberg. We said at the time that this involvement compromised and discredited the CIA.

Since then, there has come some rather remarkable testimony from General Robert E. Cushman, former deputy director of the agency, General Vernon Walters, currently deputy director, and Richard M. Helms, who was director of CIA in the period covering both the Ellsberg and the Watergate episodes. Although CIA does not emerge blame-free, the new disclosures do afford a better perspective, and do place the agency's role in a more favorable light.

To recapitulate: General Cushman used bad judgment in helping burglars E. Howard Hunt and Gordon Liddy, though it is fairly clear he did not know their mission, and though CIA assistance to them was halted even before the burglary took place. Helms used similar bad judgment in acquiescing on the Ellsberg profile. So

much for the Ellsberg-Pentagon Papers period in 1971.

In the 1972 period following the arrest of the Watergate burglars, high White House officials evidently attempted on several occasions to unload major responsibility on CIA for what happened, and to get the agency to help scuttle the FBI's investigation. Helms and General Walters deserve great credit for refusing to go along with the White House suggestions, which Senator McClellan described as "beyond impropriety."

Should Helms and Walters have gone to the President, or Congress, with that information? Perhaps so. In retrospect, it is understandable that they did not. Lyman Kirkpatrick, a former CIA official, wrote recently in the New York Times:

"In fairness to CIA and other departments involved, the role of the White House staff should not be underestimated. It is not the custom of the bureaucracy to question a call from the executive offices. It is assumed that the President's people know what they are doing. While they may not inform the President of all details, it is usually believed they are operating under approved policy guidelines."

The point is worth remembering. It is one thing to have been marginally compromised. It is another to have used the power and authority of the White House to plot the compromising.

C-858

WILLIAM SAFIRE

Admission of Error, Not Guilt

In one of the most remarkable statements ever issued by the White House, the President made these confessions:

1. A bureaucratic civil war took place in the intelligence community in 1970, pitting J. Edgar Hoover's FBI against our foreign intelligence agencies on the issue of whether to resume authority, ended in 1966, permitting U.S. agents to burglarize for national security reasons. Hoover, who did not want his men involved in this kind of operation, won. Cooperation between agencies bogged down and our intelligence "deteriorated."

2. The President stated "I approved" the creation of the unit called "the plumbers" to investigate national security leaks after the publication of the Pentagon papers, and "I told Mr. Krogh that as a matter of first priority, this unit should find out all it could about Mr. Ellsberg's associates and his motives." The picture this calls to mind of a U.S. president acting as angry spy-master is disheartening.

3. The President asserted he told Asst. Atty. Gen. Petersen to "confine his investigation to Watergate and stay out of national security matters." That means the President obstructed the investigation to the extent he felt necessary to protect national security. If his accusers want to say that makes him part of a cover-up, so be it, which also applies to the next point:

4. The President said "I instructed Mr. Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation or the activities of the White House investigations unit."

5. "It is clear that unethical, as well as illegal, activities took place in the course of that 1972 campaign. None of these took place with my specific approval or knowledge."

The President is a lawyer, and is advised by men who are careful about every word in a written statement; the addition of the word "specific" before "approval or knowledge" is probably the greatest single confession of error in the document.

The President's confessions — and these are only a handful of those made in the statement — are confessions of error, not of guilt. He says he misjudged; he did not intend; he "should have been more vigilant." But in terms of the commission of a crime, he admits nothing.

Since the statement seems to raise more questions than it answers, why did the President issue it?

It enables the men he mentions — Haldeman, Ehrlichman, Krogh, deputy CIA chief Walters—to testify truthfully without seeming disloyal to the President.

It puts information out in a big bucket — not drop by drop, as in the cartoon of water torture inflicted on the Republican party in the post-Harding era.

It reminds the fair-minded of the context of the times; now that Vietnam is over, we tend to forget the fury of the opposition to the war and the real domestic threats some of the protesters posed.

It tries to separate dirty politics, which is unconscionable, from the dirty, but somewhat more conscionable business of stretching or breaking laws on behalf of national security.

It lays the basis for a

news conference in which the President can speak like a lawyer in court, making references to a detailed brief, and not like a defendant telling the story for the first time.

Most important, the statement focuses attention on the dilemma that drew the Nixon administration into the supersnoop business in the first place: At what point does the defense of our system corrupt our system?

It is satisfying to say, "An obsession with security leads to political paranoia, and the overreaction to dissent turns leaders into would-be dictators." Or, in regard to association with people you have degraded by requiring them to do the dirty work, to apply the adage, "When you lie down with dogs, you get up with fleas."

There is much truth in that, but how far are we willing to take the argument? How do we protect our secrets? Is it such a good idea to try to uncover another country's secrets? Do we need a covert operation in CIA at all anymore?

The President, after two months, has decided upon a strategy to deal with Watergate: To admit error rather than guilt, and to change the battleground from "was the President involved in these sleazy political shenanigans?" to a loftier "what liberties are we prepared to give up for national security?"

For a man with his back to the wall, it is a daring strategy, but it is risky, too — for one of the fruits of the detente Nixon brought about is a long-awaited lessening of the lust for spying, and another is a growing reluctance to subvert the law in the name of national security.

HS/HC-818

The Washington Post
and
The News

CROSBY N. BOYD, *Chairman of the Board*

JOHN H. KAUFFMANN, *President*

NEWBOLD NOYES, *Editor*

A-14 **

TUESDAY, MAY 22, 1973

CROSBY S. NOYES

What Ervin and Co. Can Do for America

One of the sadder aspects of the Watergate affair is the reaction of those very sincere people who insist on minimizing its significance.

As every newspaper in the country is well aware by this time, one of the major themes of these protesters is that the newspapers themselves are the real culprits in blowing up the story out of all proportion to its real importance. Another is that what happened is par for the course in American politics. As one reader wrote *The Star-News*:

"The Watergate case, as an instance of political espionage and misuse of campaign funds, is surely not the heinous crime the media make of it. American politics has been corrupt, venal and self-centered as far back as memory permits."

Maybe so. Yet this widely held attitude reflects a cynicism that is, in fact, something new in American political life. And it is also, perhaps, a measure of how far the Watergate affair itself has undermined public confidence — not only in the performance of this administration

— but in government as a whole.

It is a reaction to be expected in foreign countries. In China and the Soviet Union, where such goings on are indeed routine stuff, virtually no mention of Watergate has appeared in the press. Western Europeans, who know something about political scandals, are more impressed by the intensity of American reaction than by the affair itself. The South Vietnamese are reported to be secretly delighted to find another government apparently as corrupt as their own.

Still, it is not excessively naive to say that Watergate is very far from being par for the course in American politics. Charges of criminal conspiracy reaching into the heart of the White House and the top levels of the federal administration are anything but routine. The idea that politics — and by extension politicians and the government itself — are inherently corrupt and venal, if not downright crooked, amounts to a considerable injustice to a great many perfectly hon-

est and dedicated men and women.

This, it seems to me, is a growing misconception that can cause real injury if left unchecked. And it is perhaps in this area that the hearings presided over by Sen. Sam Ervin, D-N.C., can make their greatest contribution in neutralizing the poisons generated by the Watergate case.

There are problems, of course, in holding hearings in public while grand juries still are hearing evidence and handing down indictments on specific criminal charges connected with the case. It is quite true that the problem of granting immunity from prosecution to some witnesses before the committee is a delicate one which could complicate the work of the grand juries. It is possible that the evidence presented to the Senate committee may to some degree prejudice the judicial machinery.

It also is possible that the Senate hearings may result — at least for the short run — in a further decline of public confidence in the administration. The announced purpose of the committee is to educate the public and to

determine what new laws may be needed to correct the abuses of the past, and that may be a painful process.

Yet no less important, quite certainly, than the process of determining criminal responsibility and punishing guilty individuals. By itself, the judicial process is unlikely to provide the public with a clear perception of where we have been in this affair and where we must go from here. As the committee vice chairman, Sen. Howard Baker, R-Tenn., put it:

"Although juries will eventually determine the guilt or innocence of persons who have been and may be indicted for specific violations of the law, it is the American people who must be the final judge of Watergate."

And, if the committee does its job, that judgment certainly will not be that the government as a whole is corrupted and unworthy of the confidence of the American people. Quite on the contrary, the real lesson that will be learned is that the Watergate affair was a grotesque aberration engineered by people with precious little knowledge of the American political system and the permissible limits of political conduct.

The essential job of the committee, in short, is to restore the confidence of the people in the system of government in this country and the integrity of the vast majority of those who serve the system. And that is a far more important objective than sending a few scoundrels off to jail.

The Evening Star

and The News

CROSBY N. BOYD, *Chairman of the Board*

JOHN H. KAUFFMANN, *President*

NEWBOLD NOYES, *Editor*

A-14 **

TUESDAY, MAY 22, 1973

RUSSELL BAKER

Suggestions for Improvement

It is not too early in the Watergate business to start drawing lessons and thinking about reform. Following are a few of the more obvious things that might be done to improve the quality of government.

1. Abolish the FBI and CIA. Both have become intensely bureaucratized agencies with too many activities — electronic eavesdropping, keeping secret dossiers on citizens and members of government, collecting intelligence for domestic political manipulation — characteristic of secret-police functions in a totalitarian state.



Entrenched police bureaucracies are not only unattractive in an open society but also dangerous. With their blackmail powers over political leaders and their ability to harass their enemies, they become small states within the state.

The best way to dispose of their threat is to dissolve such bureaucracies periodically — every 10 years perhaps — and empower Congress to create such new national police bureaus as may from time to time seem necessary.

This might even improve police and intelligence performance, since new government agencies tend to be dynamic and effective while aged ones become absorbed in internal politics and wasteful, possibly dangerous plots for expanding their own power.

Needless to say, Congress should be cautious about permitting personnel carryover when abolishing one set of police agencies and establishing its successor. Amateurism at the police station is always preferable to the efficiency of a Gestapo or KGB.

2. Get the President off Mt. Olympus. The important thing is to restore his contact with American life. At present he is treated like a live mummy, wrapped tightly in his own highly peculiar work problems and sealed off from the living world in the famous Oval Tomb.

Periodically, Presidents ought to be compelled to drive their cars in a rush hour, catch a taxi in the rain, and wait their turn for a drugstore-counter lunch. Since this is probably impossible — because of our hundreds of thousands of armed maniacs — we may have to be satisfied with more modest inroads upon his grandeur. His emperor's fleet of transport vehicles, for example, can mostly be disposed of. His assistants can surely make do with taxi or bus.



He should be placed under some inexplicit compulsion to maintain modest contact with the public. Once a month, perhaps, he might be required to sit in front of TV cameras and talk to us about what is going on. Regular news conferences might be held without television cameras — they might

discourse between man and group, encourage posturing and place corrupting importance on show-business skills or lack of them in politicians.

3. Get the President out of show business. The present grotesque importance accorded "Charisma" among presidential politicians reflects the disagreeable tendency in American life to look upon the President as a superstar, complete with fan clubs to deluge him in postcards and letters whenever he appears on camera to call the faithful to composition.



4. Cut presidential campaigns to eight weeks. Outlaw political advertising. Provide limited amounts of free TV, radio, newspaper and billboard space for major candidates.

Make the Internal Revenue Service start enforcing the gift-tax law on big contributions to politicians. And why not, as long as we are discussing the impossible, change the President's term from four years to three? Four years is too long to wait for a referendum on presidential performance.

Considering the volatility of the times, three years is probably too generous. The faster turnover in Presidents which would result from the three-year term would probably tend to make them more commonplace and, therefore, less regal. It would compel them to keep in mind that a President is, after all, only a President.

HS/HC-858

70s. Yesterday's high, 73 at 3:30 p.m. Today's low, 50 at 4:25 p.m. Details: Page B-6.

THE WASHINGTON DAILY NEWS

WASHINGTON, D.C., TUESDAY, MAY 22, 1973—56 PAGES

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REFUSED TO TURN ON CIA

McCord Cites White House 'Play'

By MARTHA ANGLE and JAMES DOYLE

Star-News Staff Writers

Convicted conspirator James W. McCord Jr. today told a Senate Committee that defendants in the Watergate case were subjected to White House pressure to blame the operation on the Central Intelligence Agency and he alone resisted the pressure.

McCord said that his co-defendants and his own attorneys tried last December to get him to go along with the story that the CIA had been behind the Watergate break-in and bugging.

"I refused to do so," he said, reading from a detailed memorandum he submitted to the Senate Watergate Committee on May 7.

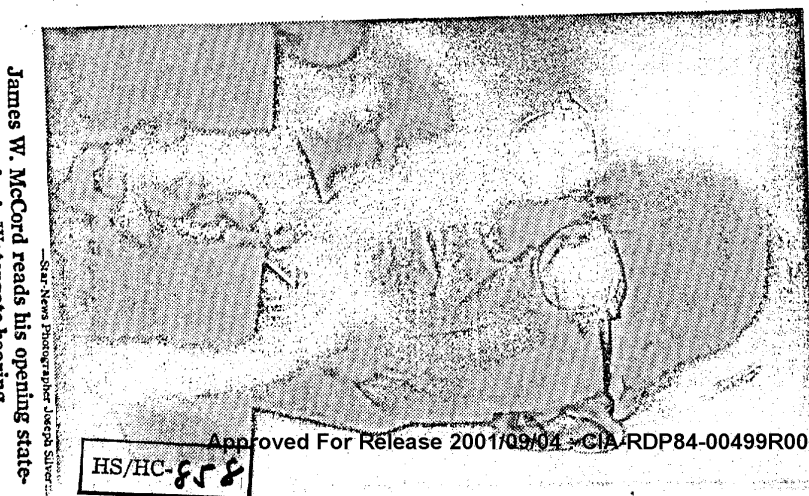
AT ONE POINT, McCord said, he told Gerald Aich, one of his attorneys, that "even if it meant my freedom, I would not turn on the organization that had employed me for 19 years and wrongly deal such a damaging blow that it would take years for it to recover."

By late December, McCord testified, "I was completely convinced that the White House was behind the... play... and would do whatever was politically expedient at any one particular point in time to accomplish its ends."

During Christmas week, he said, he sent an unsigned letter to John J. Caulfield, a former White House aide who had first recruited McCord to handle security for the Republican National Committee and who then was employed at the Treasury Department.



Sen. Howard Baker, Sen. Sam Ervin (from left) and counsel Sam Dash confer at today's hearings.



James W. McCord reads his opening statement at today's Watergate hearing.

HS/HC-858

By late December, McCord testified, "I was completely convinced that the White House was behind the . . . plot, and I would do whatever was politically expedient at any one particular point in time to accomplish its ends."

During Christmas week, he said, he sent an unsigned letter to John J. Caulfield, a former White House aide who had first recruited McCord to handle security for the Republican National Committee and who then was employed at the Treasury Department.

THE LETTER, HE said, was designed to head off the alleged White House attempt to blame Watergate on the CIA. In substance, it said:

"Dear Jack: I am sorry to have to write you this letter. If (CIA Director Richard) Helms goes and the Watergate operation is laid at CIA's feet where it does not belong, every tree in the forest will fall. It will be a scorched desert.

"The whole matter is at the precipice right now. Pass the message that if they want it to blow, they are on exactly the right course. I'm sorry that you will get hurt in the fallout."

THE LETTER, McCord said, contained no request that the White House contact him. If he had wanted to talk with Caulfield, McCord said, he could have telephoned him easily.

McCord last Friday testified that Caulfield met with him three times in January of this year to transmit White House offers of executive clemency, monetary payments and a future job if he would remain silent about the Watergate case.

McCord also said he was "convinced" that Helms was fired as CIA chief last year so that the White House could replace him with its own man and blame Watergate on the CIA.

McCord said he considered it part of a continuing plot in the White House to effect "political control" over the agency.

Reading from a previously prepared memo, McCord said he had been told that James R. Schlesinger, who replaced Helms as CIA chief, "would go along" with the White House plot to blame Watergate on the CIA. Schlesinger has since been nominated to be Secretary of Defense. See HEARINGS, Page A-4

MAN WHO CALLED McCORD

A Multi-Purpose Agent

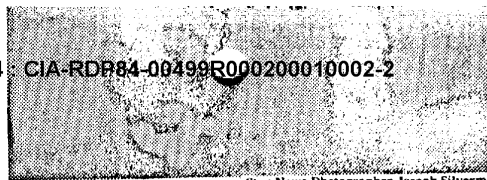
A former New York policeman was hired by presidential adviser John D. Ehrlichman in 1969 to conduct political spying operations under Ehrlichman's direction and was paid secretly by President Nixon's personal attorney, according to informed sources.

The sources said Anthony T. Ulasewicz carried out a series of assignments from Ehrlichman that ranged from a probe of Sen. Edward M. Kennedy's Chappaquiddick accident to an investigation of a teacher reportedly harassing Julie Nixon Eisenhower in Florida.

Ulasewicz has acknowledged he was the man with a New York accent who made a telephone call to James W. McCord Jr., offering him executive clemency if he would plead guilty and remain silent at his Watergate burglary trial. McCord, who described the clemency offer on Friday, was to resume his Senate testimony today.

Acting under orders from Ehrlichman, it was learned, Ulasewicz at various times investigated alleged ties between Sen. Edmund S. Muskie, D-Maine, and corporate polluters, checked on reported harassment of the President's daughter, probed the finances of Sen. Hubert Humphrey's campaign, and investigated a Georgetown incident of unspecified nature involving House Speaker Carl Albert.

Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2
See SPY, Page A-4



—Star-News Photographer Joseph Silverman

James W. McCord reads his opening statement at today's Watergate hearing.

Watergate At a Glance

Political spying operations for the White House were carried out by a former New York City policeman under John D. Ehrlichman's direction starting in 1969, sources said. Page A-1.

Senate action on Elliot L. Richardson's nomination as attorney general may come by tonight, following what is expected to be favorable action by the Judiciary Committee today. Page A-7.

Richardson owes his confirmation to the committee's confidence in the independence of his old Harvard Law School professor, Archibald Cox, as special Watergate prosecutor, Mary McGrory writes. Page A-9.

James W. McCord today told a Senate committee that he alone of the Watergate defendants resisted White House pressure to blame the burglary on the Central Intelligence Agency. Page A-1.

An effort to persuade CIA officials to intervene and call off FBI probing of aspects of Watergate case came less than a week after the break-in and was represented as "the President's wish," a CIA memo made public yesterday disclosed. Page A-6.

A White House plan for widespread domestic espionage following the 1970 Cambodian invasion is under investigation by congressional committees. Page A-2.



ANTHONY ULASEWICZ

Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2 Press International

HEARINGS

McCord Reports Cover-up 'Ploy'

Continued From Page A-1

McCord's former attorney, Alch, flew to Washington from Boston today to demand an opportunity to testify before the Senate committee tomorrow on McCord's accusations against him. Representatives of his law firm said Alch has a 5 p.m. appointment with committee counsel to demand rebuttal time for the charges made by McCord last Friday against his former lawyer.

Alch associates said the Boston attorney came here because he has documents to back up his story and because he "thinks the committee might not put him on the stand."

Under close questioning by the committee members, McCord was unable to say the offers for executive clemency, money and a job after prison came directly from any official at the Committee to Re-Elect the President or the White House. And, he said, the suggestion that he use as a defense that the Watergate break-in was a CIA operation came from his lawyer, Gerald Alch, and not from any government or campaign official.

McCord mentioned conversations with fellow conspirator E. Howard Hunt and his late wife, with another convicted conspirator, Bernard Barker, and with Caulfield.

Sen. Herman Talmadge, D-Ga., said at one point to McCord, "You have not connected it with the White House or the Committee to Re-Elect the President" directly. McCord did not counter this statement, although in testimony Friday he said Caulfield told him President Nixon was aware of their meetings.

ON ANOTHER subject, McCord told the Senate committee that in January or February 1972 one of his co-conspirators, G. Gordon Liddy, told him he was going to Las Vegas to "case" the office of Hank Greenspun, editor of the Las Vegas Sun.

Liddy told him Attorney General John N. Mitchell had indicated that Greenspun had "blackmail" information linking a Democratic presidential candidate with racketeering elements.

McCord said he personally tends to "disbelieve" any such information ever existed.

Liddy, he said, made two trips to Las Vegas — in February and again in April 1972 — to plan "for an entry operation into Greenspun's safe."

McCord, in response to questions from committee members said that to the best of his knowledge there never was an actual break-in at Greenspun's office.

After the April trip, he said, Liddy told him of plans for the "entry team" to go from Greenspun's office to the Las Vegas airport "where a Howard Hughes plane would be standing by to fly the team to a Central American country."

At one point in his testimony, McCord said that among the reasons he had to believe that the Republican campaign was endangered was that he had received information that Vietnam Veterans Against the War had an office within the DNC at the Watergate.

But in answer to a question from Sen. Lowell Weicker, Jr., R-Conn., McCord said he did not get that information before June 17, the day of the break-in. He could not recall the source.

It was at about this time, McCord said, that another co-defendant, E. Howard Hunt "gold me he was in touch with a Hughes company that might need my services after the election."

Both Hunt and Liddy told him they had handled a Howard Hughes contribution to the Nixon re-election campaign, McCord testified.

McCord today also elaborated on the factors which persuaded him to participate in the Watergate bugging venture in the first place.

First and foremost, he repeated, was the "sanction" given the operation by Mitchell and John W. Dean III, counsel to the President—sanction relayed by Liddy.

In addition, McCord said, as security director for Nixon's re-election

committee, he was anxious regarding possible violence against the committee and the Republican party.

In February 1972, pipe bombs exploded at a police station in Manchester, N.H. One of those arrested was carrying letters saying, "We have just bombed the offices of the Committee to Re-elect the President in New Hampshire." McCord said a bomb attack on committee offices in Manchester was obviously planned after the police station effort.

A few days later, he said another bomb exploded at Republican county headquarters in Oakland, Calif.

There were numerous threats, McCord said, against Mitchell and his wife, Martha.

McCord said he was anxious to learn what groups were fomenting violence, who was funding them or encouraging them and what they were planning next.

He said he had "no indication whatever" that Democratic party chairman Lawrence O'Brien or Sen. George McGovern had any knowledge of such groups and their plans, but thought it possible that staff members "might be working behind their backs to quietly encourage" certain radical groups.

"I felt the Watergate operation might produce some leads answering some of these questions," McCord told the committee.

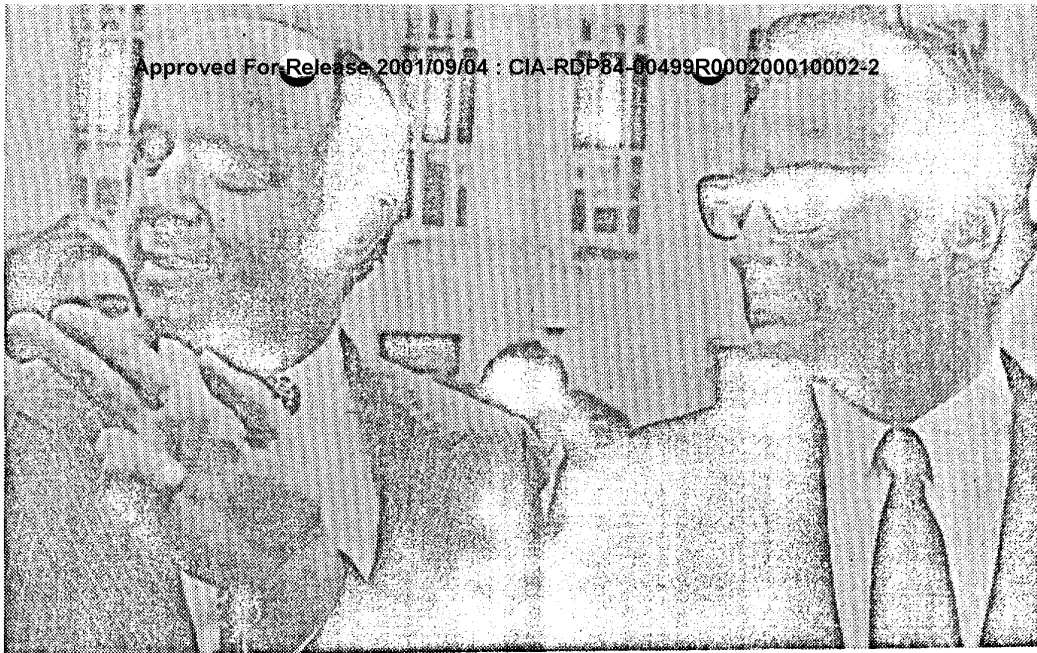
"In hindsight, I do not believe that the operation should have been sanctioned or executed. However, you asked me about my motivations at the time."

McCord testified today he pressed his old friend Caulfield to ascertain whether — as McCord believed — his telephone calls were being intercepted by the government.

HE CONCEDED that he had deliberately made two telephone calls to foreign embassies in Washington in an attempt to be overheard on government wiretaps. But he denied that this was a ploy to undermine the government's case against him.

McCord said he made the calls to test the government's honesty. He was convinced his own telephone had been illegally wiretapped, he said, but believed the government would probably deny it if asked about it in court.

He said he tried to be overheard on other taps on embassy telephones to see if the government would admit overhearing him there. He said it didn't. News reports today identified the embassies as those of Israel and Chile.



—Associated Press

Egil Krogh Jr. (right) talks with his lawyer, Steven Shulman, as they leave U.S.

District Court here after Krogh met with Watergate prosecutors.

Spy: Multi-Purpose Agent

Continued From Page A-1

Sources said he also conducted a background check on Rep. Mario Biaggi, D-N.Y., candidate for mayor in New York, and looked into the possibility that the brother of one possible Democratic presidential contender had been involved in a homosexual incident in New York.

SO WIDE was the net cast by Ulasewicz, sources said, that at one juncture, he was assigned to investigate the activities of a "Donald Simmons" in the 1972 Wisconsin primary, only to discover that "Simmons" was actually Donald Segretti, alleged GOP saboteur indicted in Orlando, Fla., May 4 on charges of distributing a phony letter on Muskie stationery accusing Humphrey and Sen. Henry M. Jackson of sexual misconduct.

From 1969 to 1971, the sources said, Ulasewicz was carried on the law office payroll of Herbert W. Kalmbach, President Nixon's personal attorney. Beginning in September 1971, he received lump-sum cash payments from Kalmbach that in one instance totaled \$30,000, it was reported.

Ulasewicz has been identified in earlier news reports as the agent whom Kalmbach used in contacting one or more of the seven convicted Watergate conspirators in regard to payments of "hush" money in exchange for their silence about the involvement of high White House officials in the Watergate operation.

worked out with Kalmbach, sources said.

McCord, who is expected to conclude his Senate testimony today, told the panel Friday that former White House aide John J. Caulfield in January transmitted offers of money, executive clemency and a future job in exchange for silence about the Watergate incident.

During that same time, McCord testified, he had received telephone messages from an unidentified caller arranging the meetings with Caulfield. Press reports have identified Ulasewicz as the anonymous caller.

It was Caulfield, sources said, who recommended Ulasewicz to Ehrlichman shortly after he himself was hired in March 1969, to supervise legitimate "discreet investigations" and maintain liaison with federal law enforcement agencies. Caulfield and Ulasewicz were former colleagues on the New York police force.

Caulfield is expected to appear before the Senate committee later today or tomorrow.

SOURCES said Caulfield and Ehrlichman first interviewed Ulasewicz at the American Airlines terminal at LaGuardia

Airport in New York in the spring of 1969, and Ulasewicz began his "investigative" work in July of that year. Chappaquiddick was his first assignment, it was learned.

Ulasewicz was told to use code names, avoid any mention of his White House connection and report verbally to Caulfield, sources said.

In a related development, the Scripps-Howard News Service reported that Ulasewicz has led Senate investigators on a tour of locations in the Washington area where he hid money for eventual distribution to the original Watergate defendants.

That "hush money," allegedly given to the defendants in return for willingness not to implicate higher officials in the conspiracy, was transmitted from Kalmbach to Ulasewicz and then to the late Mrs. Dorothy Hunt, wife of one of the defendants.

WASHINGTON'S National Airport was a major "drop point" for delivery of cash to Mrs. Hunt, and one of Ulasewicz's favorite locations, according to the story written by Scripps-Howard staff writer Dan Thomasson.

His account said large

sums of money were stashed in a locker at the airport for pickup by Mrs. Hunt, who would gain access to the locker by retrieving a key Ulasewicz had taped in a hidden place in a telephone booth near the Eastern or American Airlines ticket counters.

Mrs. Hunt was killed in a Chicago plane crash in December, and at the time of her death she has \$10,000 in cash in her purse. The amount which she and others distributed to the defendants was more than \$300,000, according to the Scripps-Howard story.

The story also said some of the "hush money" was left in "some of the most public places imaginable," and usually was composed of \$100 bills left in plain manila envelopes.

CITING the case of one middle-man who allegedly took \$1,000 of the payoff money for "expenses," Thomasson's story said investigators believed some of the funds were "skimmed" by those who handled them.

The Senate committee is expected to summon Ulasewicz sometime after it has heard the testimony of McCord and Caulfield.

'Nixon's Wish' Cited for Cover

By OSWALD JOHNSTON
Star-News Staff Writer

Six days after the Watergate break-in last June, federal prosecutor Earl J. Silbert revealed at a routine bond hearing involving the burglars that a bank draft of \$89,000 linked to Bernard L. Barker, one of the suspects, had been traced to a bank in Mexico City.

That same day, June 23, 1972, according to recent testimony before three congressional committees, White House aides H. R. Haldeman and John D. Ehrlichman tried to enlist CIA cooperation in blocking an FBI investigation of an ill-defined Mexico City finance operation.

According to a memo by CIA deputy director Lt. Gen. Vernon A. Walters which was prepared a few days later but revealed only yesterday, heading off the FBI probe was deemed so urgent that Haldeman told CIA officials that day "it is the President's wish" that Walters go to FBI acting director L. Patrick Gray III to call the FBI investigation off.

In the annals of the complex Watergate affair, the details of the tortuous financial trial that led from a Houston mining company, through Mexico City, to Barker and then to GOP fundraiser Maurice Stans' safe did not surface for many weeks.

TO WALTERS and to former CIA director Richard M. Helms, who testified yesterday in an open session of the Senate Foreign Relations committee, the connection was totally obscure last June.

As Helms recalls it, he was summoned by telephone to be at the White House at 1 p.m. June 23 to discuss an unidentified subject and to come with Walters, a former aide to President Nixon who barely six weeks before had been sworn in as CIA deputy.

Once in Ehrlichman's office, Helms recalled, Haldeman told the men there was a danger the Watergate incident might be capitalized upon by the "opposition." Apparently some danger to the national security likewise was invoked, as Helms recalls it, because "Haldeman also mentioned the Bay of Pigs, in an incoherent statement I didn't understand."

THEN HALDEMAN gave his order: "It was decided at the White House," Helms testified yesterday, that Walters should go to Gray and tell him that continued investigation of the Mexican finance might jeopardize CIA cooperation there.



Star-News Photographer Joseph Silverman

Richard Helms testifies.

Walters, in a confidential memorandum of the same conversation, which Sen. Stuart Symington (D-Mo.) in part revealed at yesterday's hearing, put it more bluntly. "It is the President's wish that you go to Mr. Gray..." is the way he heard Haldeman's order.

Helms yesterday insisted that he had no recollection of the phrase "it is the President's wish." But he left no doubt that he regarded an order from Haldeman as issuing from the top. "When the President's chief of staff speaks to you," he noted, "you assume he speaks with authority."

Haldeman told the New York Times yesterday that the President was not in any way involved in the Watergate cover-up.

Helms revealed yesterday that the CIA immediately checked the only conceivable link between the Mexican money transfer and its own operations in Mexico. This was Manuel Ogarrio Daguerre, an attorney to whom had received a \$100,000 transfer from Gulf Resources and Chemical Corp. of Houston as a bill payment April 3, 1972.

OGARRIO, Helms told the committee, "had no relation to the agency," and by June 26 the CIA director and his deputy, were trying to tell White House aides they could not invoke CIA operations to block the FBI probe.

Ogarrio, as the investigation eventually was to reveal, bought \$89,000 in bank drafts from Banco Internacional in Mexico City April 4, 1972.

The next day the drafts, plus \$11,000 in cash, were flown to Nixon fund-raisers in Houston. The money was flown immediately to

Washington. The drafts were cashed through Barker's Miami bank account before the money went back into a campaign safe used, in part, to finance Watergate spying.

Some of these connections between Watergate and the GOP campaign might never have been made had Haldeman's order of June 23, been carried out, and the Mexico City bank transaction, which Watergate prosecutor Silbert revealed that day, might never have been developed. The full details of the Mexican transaction are still under investigation by a federal grand jury in Houston.

Helms, looking back yesterday on that early stage of the Watergate scandal, stressed the seeming innocence of what Haldeman seemed to be asking him to do, even after it had been revealed that the reason offered for blocking the FBI probe — CIA operations in Mexico — was spurious.

Whether or not Haldeman spoke at "the President's wish," Helms made it plain, "assistance to the President hasn't been considered a crime until recently."

HE EXPLAINED: It was only six days after Watergate when Haldeman spoke, the full import of Watergate was unknown, he could not understand what a Mexican bank transaction had to do with the incident.

Later, as the scope of the case began to widen, Helms said, "My total preoccupation was to keep the CIA uninvolved in the whole matter — and I succeeded in so doing."

In late November, a few weeks after Nixon's landslide victory, Helms was summoned to Camp David and told he was resigning as CIA director, some six months before reaching retirement age, and being reassigned as ambassador to Iran. Haldeman was present at that meeting with the President, Helms recalled yesterday.

Asked by several senators whether his removal was related to his refusal to let the CIA be used by the White House in the Watergate case, Helms had one reply: "I honestly don't know."

STILL ANOTHER of Walters's "memorandums of conversation" — written last year but disclosed yesterday to the New York Times by other congressional sources — quotes Gray as saying that the President, during a telephone conversation, had inquired about "the case," an apparent reference to the Watergate inquiry.

This memorandum quotes Gray as telling the President that the Watergate case could not be covered up and that he thought that Nixon should get rid of those involved.

The memorandum, prepared by July 13, is said to be Walter's recollection of a conversation held just a day earlier with Gray.

The document quotes

Gray as saying that President Nixon had called him a week earlier to congratulate him on FBI action frustrating an airplane hijacking in San Francisco.

"Toward the end of the conversation," according to the Walters memorandum, "the President asked him (Gray) if he had talked to me (Walters) about the case. Gray replied that he had. The President then asked him what his recommendation was in this case.

The memorandum then continued:

Gray had replied that

the case could not be covered up and it would lead quite high and he felt that the President should get rid of the people that were involved. Any attempt to involve the FBI or the CIA in this case could only prove a mortal wound and would achieve nothing.

"The President then said, 'Then I should get rid of whoever is involved, no matter how high up?' Gray replied that was his recommendation.

"The President then asked what I thought and Gray said my views were the same as his. The President said 'I think it well and thanked him.'"

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GOOD START—Clear tonight, low in 50s. Sunny tomorrow, high in mid-70s. Yesterday's high, 66 at 4:30 p.m. Today's low, 57 at 2:30 a.m. Details: Page D-4.

The Evening Star

WASHINGTON DAILY NEWS

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'It Is the President's Wish,' CIA Memo Quotes Haldemann

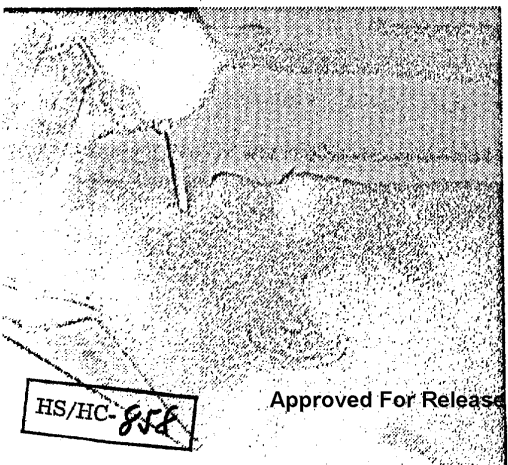
By OSWALD JOHNSTON

Star News Staff Writer

CIA Deputy Director Lt. Gen. Vernon A. Walters, in a memorandum prepared last June, said he was ordered by White House chief of staff H. R. Haldemann to interfere with an FBI investigation of the Watergate case and was told "it is the President's wish" that he carry out the order.

The memo was written a few days after a June 23 White House meeting in which the order was relayed to Walters in the presence of then-CIA director Richard M. Helms and presidential domestic adviser John D. Ehrlichman.

The substance of the memo was revealed today in a hearing before the Senate Foreign Relations Committee. Helms, testifying to the committee, said he had no recollection that the President's name was invoked on the June 23



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Pressed by committee members, Helms declined to say "categorically" that Nixon's name did not come up at the meeting. But he stressed he had no independent recollection that would back up what Walters wrote.

DURING MORE than two hours of an open hearing, at the conclusion of which Helms was roundly praised by committee members for refusing to yield to White House pressure, Helms stressed that he gave orders after Watergate that the agency was under no circumstances to be linked with the widening scandal.

Much of the testimony merely confirmed earlier disclosures of the campaign by White House aides Haldeman, John D. Ehrlichman and John W. Dean III to use the CIA to hinder investigation of Watergate and too provide a cover for the five Watergate burglars.

Helms made it plain, however, that his perplexity was extreme in the face of evidence that top-ranking White House aides, invoking presidential authority, were seeking to involve the agency in illegal activities.

See CIA, Page A-2

Watergate At a Glance

H. R. Haldeman told CIA officials "it is the President's wish" that the agency tell the FBI to limit its Watergate investigation, according to testimony on Capitol Hill today. Page A-1.

Investigators are tracing the movements of the Nixon re-election campaign's undercover operator, Donald H. Segretti, to Pittsburgh, San Diego, San Francisco, Milwaukee and Portland. Page A-1.

Former Atty. Gen. John N. Mitchell and former Commerce Secretary Maurice Stans plead not guilty to perjury and conspiracy charges at their arraignment in New York. Page A-8.

Nixon campaign advisers were reported to have given hush money to Watergate defendants as recently as five weeks ago. Page A-8.



Star News Photographer Joseph Silverman

Former CIA Director Richard Helms prepares to testify before the Senate Foreign Relations Committee.

CIA

'President's Wish,' Haldeman Quoted

Continued From Page A-1

Asked why he did not go personally to Nixon with his misgivings, Helms replied: "My interest was to keep the agency out of this case under all circumstances, and I wanted to stay as head of the agency to keep it out.

"I though I would be more successful doing this than someone who came along later," Helms said.

At another point in the hearing Helms was asked about the CIA role in the burglary of the Beverly Hills offices of Daniel Ellsberg's psychiatrist.

Helms indicated disgust over White House requests of the agency he formerly headed.

He said the CIA went along with requests for the assistance because "assistance of the President has not been a crime until fairly recently."

TWO WEEKS AFTER the November election, Helms was informed by Nixon that he would be removed as CIA director and reassigned as ambassador to Iran. Helms has refused to discuss his conversation with Nixon, on the reasons for his removal.

But in the face of wide-

spread speculation in the wake of the most recent Watergate revelations that Helms' departure was related to his refusal to involve the CIA in the cover-up, Helms today only pleaded ignorance when asked directly if that was the reason for his forced resignation.

The senators also pressed hard on the fact that Walters, Helms' deputy who was specifically chosen to do the White House bidding, was a former interpreter for Nixon and had been the White House choice to be CIA deputy.

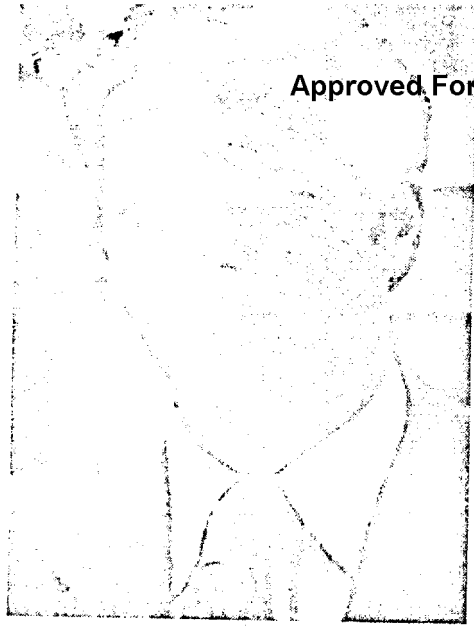
Helms admitted today, "I would have preferred to have an agency man put in the job."

WHEN ASKED further by Sen. Charles H. Percy, R-Ill., why Haldeman and the other White House aides concentrated their attention on a White House appointee, Helms conceded, "I thought it very odd at the time."

Committee members, Percy included, hastened to stress they meant no criticism of Walters, who in the face of the White House pressure, obeyed Helms' directive and refused to cooperate.

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Magruder: The man who turned

President's accounting, during the spring and summer of 1970—a time of proliferating campus riots, terrorist bombings and open warfare between "guerrilla-style groups" and the police. Intelligence gathering, Mr. Nixon said, was in trouble at the time because the FBI had abandoned "certain types of undercover operations"—including burglaries—and because the aging Hoover was in the process of breaking off relations with every other agency in the field.

Breaking and Entering

The President convened a crisis meeting of the major intelligence agencies in June; they returned a report calling, among other things, for "surreptitious entry—breaking and entering, in effect—on specified categories of targets" in the national-security field. The President approved the plans in July but called them off five days later on Hoover's protests, and they were never implemented (box). Still, said Mr. Nixon, some of the plans involved foreign intelligence matters, and the documents describing them—the John Dean papers—remain "extremely sensitive" to this day.

The vacuum in intelligence gathering continued, Mr. Nixon said, and he moved the White House into it, first trying to ramrod the established agencies with a special Intelligence Evaluation Committee—and later, in 1971, organizing the secret in-house gumshoe squad known formally as the Special Investigation Unit and informally as the "plumbers."

The unit, headed by Egil Krogh and staffed by Waterbuggers-to-be G. Gordon Liddy and E. Howard Hunt, was first assigned to the leak of the Pentagon papers by Daniel Ellsberg to The New York Times. It looked at the time, Mr. Nixon said, like a "security leak of unprecedented proportion"; he directed

...about Mr. Ellsberg's associates and his motives"—and the burglary at the office of Ellsberg's psychiatrist followed. Mr. Nixon insisted he did not authorize the break-in and in fact had it reported to the judge in the Ellsberg trial after learning about it this spring. But he added that, given the stress he put on national security, he could "understand how highly motivated individuals could have felt justified in engaging in specific activities I would have disapproved."

When the political scandals of 1972 broke, Mr. Nixon said, his single fear was not that the truth of Watergate might out but that the inquiry might blunder into covert national-security operations. His fears were quickened by the involvement of one of his plumbers, Hunt, in the Waterbugging, and by a report to the President—he didn't say from whom—"that there was a possibility of CIA involvement in some way." He accordingly told his two top hands, H.R. Haldeman and John Ehrlichman, to see that the investigation was restricted to Watergate and prevented from exposing either CIA or plumber operations. Four weeks ago, in his TV speech on the scandals, Mr. Nixon embraced Haldeman and Ehrlichman even as he bade them farewell; now, naming no names, he said some of his people "may have gone beyond my directives . . . in order to cover up any involvement they or certain others might have had in Watergate."

When the Shouting Stops

The first audience for the statement was the White House press corps, a body now almost at open war with the Administration's front men—and the newsmen received it with almost unprecedented ferocity. Garment and the President's newly appointed special counsel on Watergate, J. Fred Buzhardt, took turns not answering questions about the 1970 breaking-and-entering plans. "I have no authority to declassify the document," Buzhardt finally protested. "Classified or otherwise," one reporter shouted back, "do you realize you are leaving unanswered the question of whether or not the President of the United States

(Continued on Page 20)



F. Brenton with apologies to Charles Schultz

BLUEPRINT FOR A SUPER SECRET POLICE

In the low-key, bureaucratic language used by the President last week, they were "specific options for expanded intelligence operations." What that really amounted to, however, was the most wide-ranging secret police operation ever authorized—however briefly—in the peacetime United States. It called for an unprecedented cooperative effort by the nation's most powerful intelligence agencies: the FBI, CIA, National Security Agency and Defense Intelligence Agency. And it paved the way for bug-ging, burglary, perhaps even blackmail by government agents against American citizens—among them Federal employees, antiwar activists, campus radicals and militant Black Panthers—as well as foreign students and diplomats.

The plan was operational for only five days in the summer of 1970, and the Administration says it was never implemented. But the potential was striking. "When you read it," predicted a Congressional source, "it will send chills up and down your spine." More chilling still, there was mounting evidence last week that the plan had helped spawn Watergate, the break-in at Daniel Ellsberg's psychiatrist's office—and a string of other burglaries by clandestine operatives of the Nixon Administration.

Risks: Under the original plan, the FBI was authorized to take on foreign intelligence assignments inside the U.S. (embassy break-ins, for example), while the CIA got a green light to run its own domestic operations—including, NEWSWEEK learned, spying on high U.S. officials who were suspected of being security risks. One of the proposals would have created a new cadre of "super CIA agents" for domestic missions, operatives who could not be traced to the agency and whose identity and assignments would be concealed from all but the highest agency officials. "The whole purpose," said one source familiar with the document, "was to try to get information on matters the Administration felt endangered national security by whatever means were considered necessary. But a lot of what was proposed didn't deal with national security at all. In many ways it seems like just an excuse for domestic spying."

Similar activities had been carried out routinely by the FBI against foreign agents from World War II through the mid-60s. What made the new strategy so significant was the way it broadened the target to include domestic radicals and other citizens whose direct ties to foreign governments were questionable

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best. It also brought the overseas-oriented CIA, DIA and NSA into a far more comprehensive domestic partnership with the FBI, in the process crasing many of the carefully drawn limits by which these agencies had previously been bound—at least on the record.

The background of the plan, sketched last week in the President's Watergate statement and amplified by several intelligence experts, was as fascinating as the document itself. At the time it was prepared, in June of 1970, FBI boss J. Edgar Hoover, then 75, seemed to many high government officials to be losing his grip. More important, the bureau seemed paralyzed in terms of its own intelligence work—and cut off from other agencies.

Secret lawbreaking had been part of the FBI repertoire since 1941. With the formal or tacit approval of each succeeding Administration—sometimes just a

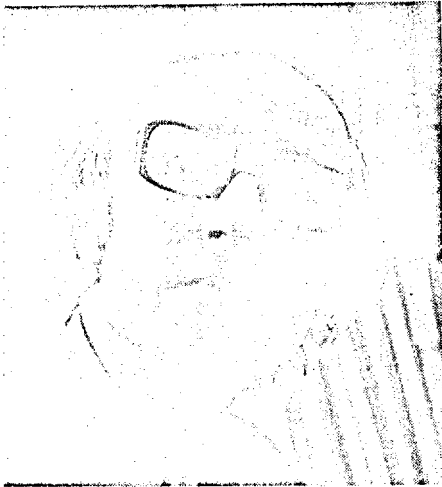
effectiveness. But there is solid evidence that Hoover had not kept up with changing styles of radical activity, and that he had largely ended liaison between his men and other investigative agencies. "We read about the Columbia University riot in the papers," one veteran agent recalled. "Hell, we were getting half our information from the newspapers."

By the summer of 1970, the White House was seriously concerned over the wave of domestic unrest apparently fomented by radicals and ghetto militants. By one accounting there were 1,792 campus demonstrations in the 1969-70 school year alone—plus 274 cases of arson, fourteen bombings, eight deaths and 7,500 arrests. More than 200 cops were attacked in racial incidents between January and November of 1970—with 173 wounded and 23 killed. Specifically, there was concern about such

might have prompted the wide-spread repression of civil liberties.

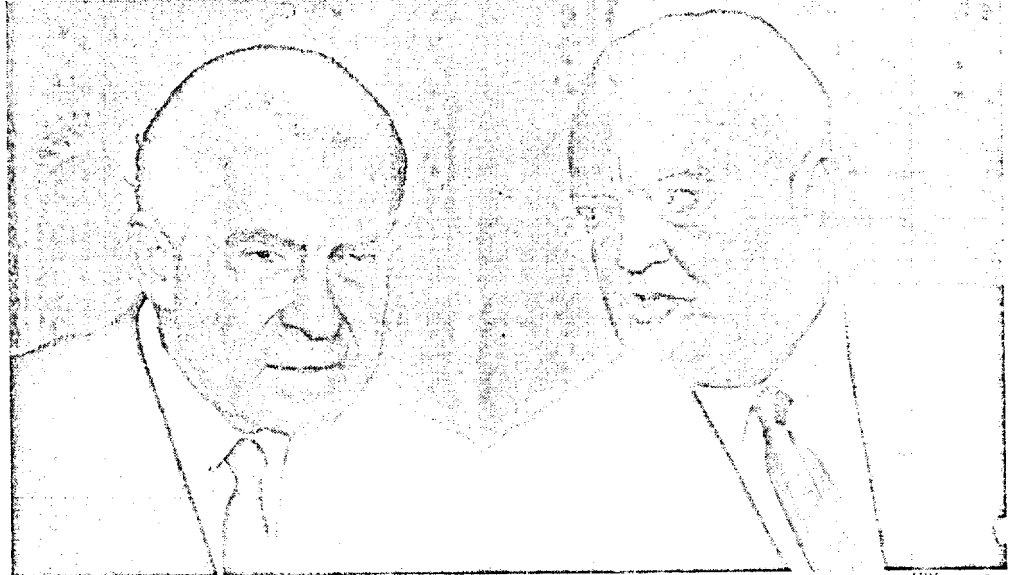
The result, NEWSWEEK learned, was that a plan for traditional counterintelligence aimed at foreign agents soon metamorphosed into a new scheme in which "heavy methods" would also be focused on Panthers, the Berrigan brothers, SDS and other leftist groups, draft dodgers and deserters. It proposed opening radicals' mail and harassing them with tax audits. "It is a totally far-right view," said one Congressional source. "It frequently brings up the question of legality and concludes that the problem is too great to consider legal niceties."

Pigeonholed: On July 23, 1970, the plan was approved by Mr. Nixon. But the approval was withdrawn five days later, after Hoover refused to go along. The FBI boss had scrawled objections on almost every page; he may also have



John May—New York Times

A question of intelligence: Huston (above), Hoover with the President



UPI

wink or nod—Hoover mounted a broad array of illegal "special programs." Agents tapped telephones, bugged rooms and traced mail to and from subjects under investigation. "We had a virtually free hand," recalled one bureau veteran. The boys would do what they had to do. And if they got caught, Hoover would disavow them." The free hand included the "surreptitious entry" (breaking and entering) mentioned last week by the President, infiltration of suspect groups and the blackmailing of foreign diplomats—studying their personalities, then luring them into compromising situations to get information.

Spy Rings: Following a 1965 White House order, Hoover dropped the dirtiest of those tricks. The nation that once applauded their use against Nazi saboteurs and Communist spy rings was now less enthusiastic about counterespionage techniques turned against college kids and antiwar matrons.

Some former FBI officials argue that one of this interfered with the FBI's

groups as Weatherman and the Panthers (were they receiving funds from countries in North Africa and the Caribbean?) and suspicion that Arab students in the U.S. might be plotting to sabotage Mideast peace talks at the U.N. "What the hell were we to do?" demanded former White House aide Tom Charles Huston last week. "Wait until people got killed? The President did not believe he had adequate information to deal with the magnitude of this problem."

Mr. Nixon's solution was a joint meeting with Hoover, CIA boss Richard Helms, Lt. Gen. Donald V. Bennett of the DIA and Vice Adm. Noel Gayler of NSA. Out of this session grew the idea for unifying and expanding critical intelligence activities. Perhaps the key figure, however, was young (then 29) Huston, who was assigned by the White House to help draft the plan and who seemed obsessed by the threat of domestic radicals. A former campus conservative leader, he still stresses his concern that continued unrest at the time

been loath to share the bureau's sole responsibility for domestic operations. In any event, Hoover protested to Attorney General John Mitchell, who backed Hoover's case. Some six months after the plan was officially pigeonholed, however, copies were distributed within an interdepartmental intelligence unit set up by Assistant Attorney General Robert Mardian—later a top Nixon campaign aide.

The plan was dead but its spirit apparently lingered on. Over the next two years, NEWSWEEK learned, undercover agents for the Administration made surreptitious entries to undermine the defense in at least three cases against radicals: the Panthers, the Berrigans and the Chicago Seven. White House counsel John Dean, who had worked with Mardian's group, obviously considered his copy of the plan worth filing. Also working with Mardian, as a Treasury representative, was ex-FBI man G. Gordon Liddy, who went on to the White House plumbers, the Ellsberg burglary and the plot now known as Watergate.

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BIG DEALS IN SAN CLEMENTE

As if Watergate weren't enough, yet another embarrassment bobbed up last week to haunt President Nixon—the curious story of how he came to be lord of the manor at La Casa Pacifica, his palmy, 29-acre estate in San Clemente, Calif. Questions about the deal had been bobbing up ever since Mr. Nixon bought the mansion that

is now the Western White House in 1969 for \$1.5 million. Two weeks ago the Santa Ana Register reported that Nixon dealt with money left over from his 1968 presidential campaign. The report brought an angry denial from the White House.

But when the details were finally released last week, the story got curiouser and curiouser. As the White House told it, the original down payment was financed by a \$625,000 loan to the President from his friend Robert C. Abplanalp, the millionaire machinist who perfected the aerosol spray valve. The deal was handled by Mr. Nixon's former personal lawyer, Herbert Kalmbach, the man who ran the \$1.7 million campaign fund that was tapped in 1972 to pay the Watergate burglars.

Originally, Mr. Nixon had hoped to sell all but 5.9 acres of the property to a "suitable buyer"—perhaps the trustees of a proposed Nixon Presidential library. But as the White House told it last week, Abplanalp himself bought the land nearly two and a half years ago, for \$1,249,000. Oddly enough, no deed was recorded.

Whatever questions remained, the President could boast of a notable deal. After all the intricacies were netted out, he owned one of the choicest homes in California for a total investment of \$374,514—and thus far he had actually paid just \$33,500.

(Continued from Page 18)

approved felonies?" Jeered another: "You certainly know enough about law to know that, Fred." At yet another point, a reporter demanded furiously when the President was going to submit to questioning himself; the answer, leaked informally later, was, not until the press stops shouting at his people.

The scene was ill-tempered, but the statement looked little better on second reading. It pledged at the outset not to put "a national security cover" on Watergate—and proceeded to put one on parts of the Watergate cover-up and most of the collateral scandals as well. It moderated the President's position only enough to accommodate damaging evidence that had already come out and to keep other embarrassments—notably the Dean papers—bottled up.

What He Didn't Say

Otherwise, the statement pleaded Mr. Nixon's innocence of everything. It referred only glancingly or not at all to the related fast practices Watergate has come to stand for—the political dirty tricks, the under-the-table funding, the shredding and burnbagging of evidence, the influence-peddling case that brought a former Attorney General and a former Commerce Secretary under indictment. And it refused to acknowledge the clear linkages between the 1969-71 secret-police operations sanctioned by the President and the 1972 political marauding that he says caught him by surprise. They had "no connection," said Mr. Nixon. But they did, in style, zeal, method, personnel—and soul.

The statement was vulnerable as well on point after specific point:

■ **The Hoover Problem:** The passage in the statement about the low estate of American intelligence gathering in the last days of J. Edgar Hoover amounted

to a confession by the President that he couldn't control or fire the man he held responsible. "If the FBI under J. Edgar Hoover wasn't dependable," one GOP senator asked, "why keep him on?" One well-wired source offered *NEWSWEEK* a reason: Hoover had in his files some materials regarded by the Administration as "very, very damaging to persons on the White House staff," and he was not above using them to insure his tenure in office. He served, in any case, until his death a year ago; his most private files were thereafter removed to his home by his deputy and lifelong friend Clyde Tolson and have never surfaced.

■ **The Ellsberg Break-in:** The President's apparent inability to cope with Hoover led in turn, by his own narrative, to the creation of his own security-police unit when the Pentagon papers broke. The available evidence suggested that he overreacted—that the publication of the papers was far more an embarrassment than a threat to national security and that the FBI in any event had known for more than a year that Ellsberg had been copying the documents. Mr. Nixon nevertheless put his plumbers on the case; his protest that he would never have approved a burglary in *this* national-security case sorted oddly with his admission that he had said yes to a whole run of them—at least in theory—the year before. His defense, indeed, rested on the odd proposition that he had been concerned enough about intelligence leaks to create a covert-operations unit, but not enough to ask thereafter what it was doing.

Mr. Nixon did not even mention that his black squad had drawn the CIA into the caper in a support role, in plain violation of the laws barring it from domestic operations. The agency's former director, Richard Helms, now in less-than-happy exile as ambassador to

Iran, and its surviving deputy director, Lt. Gen. Vernon Walters, toured Capitol Hill last week trying—apparently successfully—to persuade the agency's friends there that they went along reluctantly under White House pressure and even then were unaware that it was a burglary they were supporting. *NEWSWEEK* learned that the agency had in fact bugged one of its own offices the day plumber Hunt came to pick up his disguise, faked papers and other paraphernalia; the logs suggest that Hunt ducked questions about what he was up to and answered only that it was a high-level White House mission.

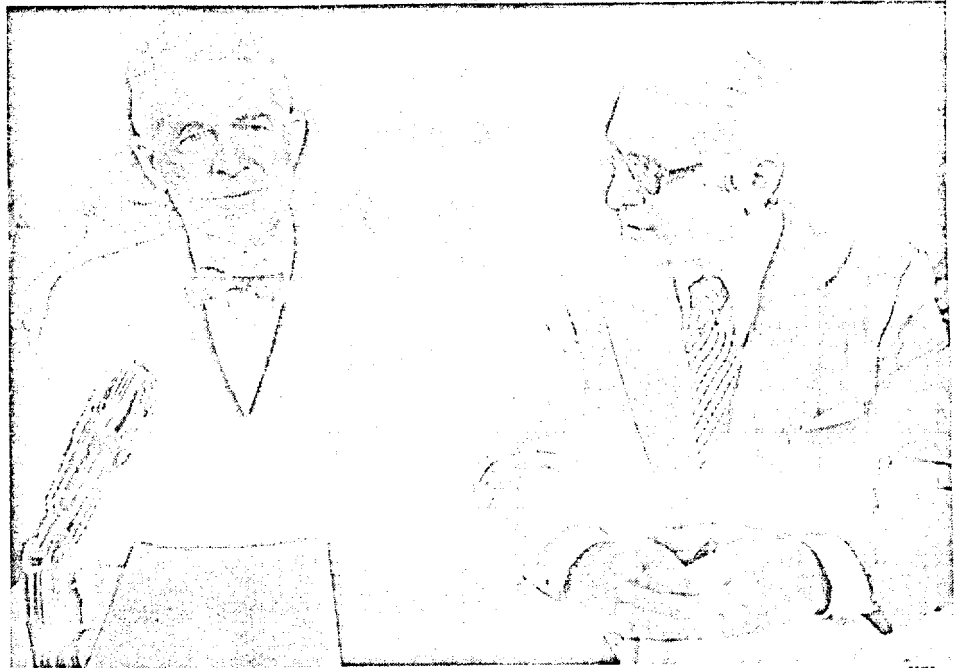
■ **The Ellsberg Cover-up:** Mr. Nixon did a fast semantic two-step suggesting that, far from trying to cover up the burglary, he had in fact ordered on April 25 that it be reported "immediately" to the Ellsberg trial judge, W. Matthew Byrne. But new evidence indicated that he had in fact been sitting on the information for a month—a silence that put a more damning cast than ever on the affair and on the President's credibility. The agent of his embarrassment was his new Attorney General, Elliot Richardson, who testified at his confirmation hearing that the President himself had mentioned having heard about the break-in from Dean in late March. At that time, the White House insisted, his information was still fragmentary. But the fact remained that the President had at least an inkling of the burglary when his man Ehrlichman twice offered the FBI directorship to Judge Byrne in early April—and when he himself chatted with the judge at one of the two trysts.

■ **The CIA Connection:** The President defended his having limited the Watergate investigation in part by citing his unattributed tip that the CIA might have been involved and should be protected. But both Helms and Walters told Con-

gressional committees on their rounds that Mr. Nixon had never asked them if it were true. Instead, as they told it, Haldeman and Ehrlichman had simply asserted that the agency might be compromised if the FBI nosed around in the Mexican money-laundering operation that ultimately bankrolled the Water-buggers; Walters in fact quoted Haldeman in a memo as having said it was "the President's wish" that they tell Gray to call off his agents. There were continuing intimations, moreover, that some of the President's men—far from trying to protect the CIA—wanted it to take the rap for the Watergate bugging and thus smother the whole affair in a national-security blanket. Mr. Nixon said he had no part of any such scheme. It apparently survived nevertheless: McCord, an ex-CIA technician, sent the agency several anonymous but easily traceable letters between July 1972 and January 1973 warning that the White House was trying to hang the rap on them.

The white paper as a whole was in one sense a homecoming for the President to the politics of national security—a theme that has threaded through his entire quarter-century in government. He fairly glowed while delivering it to the assembly of POW's the next afternoon in an arm-waving, flag-and-country speech; that night, the ex-prisoners and their wives and sweethearts came over to the White House for an all-star gala (Sammy Davis Jr., Bob Hope, Joey Heatherton, Irving Berlin, Vic Damone, Ricardo Montalban), and the whole crowd sang "God Bless America."

But the statement was in another sense a measure of how badly the bur-



Cox, Richardson: The question was 'a kind of sleaziness'

geoning scandal has diminished Mr. Nixon's options: national security was perhaps his last available defense. He had long since abandoned his position that none of his people were involved; now, he was fighting for his own personal survival. The foxhole no longer had room for anybody else, not even Haldeman or Ehrlichman; they were gently but unmistakably cast out.

Some close readers of the text guessed that Mr. Nixon's delicacy in doing so, and his omission of any mention at all of

Mitchell's ill fortune, might reflect the probability that his future now rests on their continuing loyalty under the klieg lights and the drumfire questioning yet ahead. Dean remains a danger, though some Nixonians were satisfied that the worst tales he can tell have already been told. "It would take one of the big three—Haldeman, Ehrlichman or Mitchell—to get him," said a former Nixon operative, "and I don't see any of them turning on him at this point."

If he was troubled by the dangers

SPREADING STAIN: JUSTICE... FBI... CIA... STATE... SEC

The spreading stain of Watergate has dealt a punishing blow to the prestige and authority of the White House, but it has tarnished other agencies of the government as well. The damage so far:

■ **DEPARTMENT OF JUSTICE:** Former Attorney General John Mitchell conducted strategy sessions in his office at which G. Gordon Liddy reportedly proposed "mugging, bugging, kidnaping, and even a prostitution squad," and James McCord Jr. says Liddy told him that Mitchell specifically approved the Watergate break-in. Robert Mardian, Mitchell's protégé formerly in charge of the department's Internal Security Division, is said to have opened the department's files to Liddy and E. Howard Hunt a year before the break-in. McCord says he received daily reports on the comings and goings of Democratic Presidential candidates from Mardian's unit. Mitchell was indicted in the Vesco influence-peddling case. His successor, Richard Kleindienst, who has managed somehow to stay clear of the taint so far, was forced nonetheless to resign on April 30 after learning

how many of his close associates had been implicated.

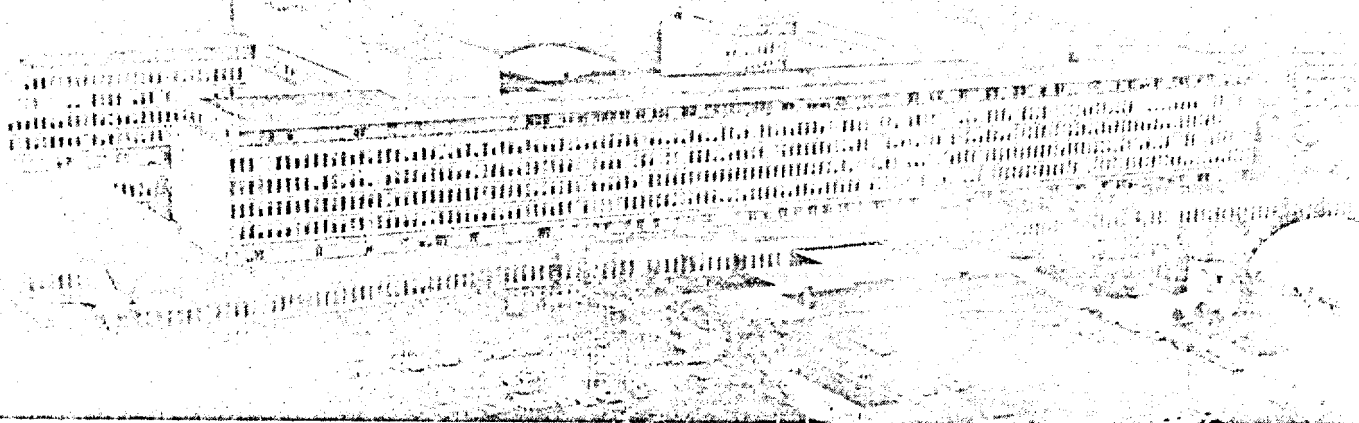
■ **THE FBI:** Former acting director L. Patrick Gray III has admitted giving White House counselor John W. Dean III free access to Watergate files, even after he began to suspect Dean and others of manipulating the FBI and the CIA in the cover-up. Gray accepted and destroyed two files from burglar E. Howard Hunt's White House safe, given to him by John Ehrlichman and Dean. Gray also allowed Ehrlichman to cancel a meeting he had arranged with CIA director Richard Helms to compare notes on the cover-up—and he never scheduled another.

■ **THE CIA:** Two Watergate burglars, McCord and Hunt, were ex-CIA men who had served nineteen and 21 years with the agency. The CIA provided Hunt and Liddy with wigs, voice distorters, false papers and a special camera to use in the Ellsberg burglary. Former CIA director Richard Helms agreed to give the White House "plumbers" a psychiatric profile of Ellsberg assembled

from CIA files, but later refused further aid. Deputy CIA director Vernon A. Walters, under orders from Presidential aides H.R. Haldeman, Ehrlichman and Dean, helped to stall an FBI investigation of the financing of the Watergate mission. There was a concerted White House effort to pin the bugging on the CIA, but Helms never protested to Mr. Nixon or reported these activities to the CIA's Congressional watchdogs.

■ **DEPARTMENT OF STATE:** Under orders from the White House, Hunt was given access to 240 secret State Department cables from which he falsified documents linking John F. Kennedy to the assassination of South Vietnamese President Ngo Dinh Diem.

■ **THE SEC:** After a New York grand jury reported that he had improperly handled an SEC complaint against indicted financier Robert Vesco, SEC chairman C. Bradford Cook resigned. His predecessor, William J. Casey, now an Under Secretary of State, was also under fire last week for SEC decisions involving Vesco and ITT.



HEADQUARTERS OF THE CENTRAL INTELLIGENCE AGENCY AT LANGLEY, VA.

SECURITY

Snoopers Due for Review

TIME has learned that one member of the plumber team, David Young, formerly of Henry Kissinger's national security staff, has sought immunity. He has been granted it by the prosecutors and is expected to tell whatever he knows about any leak-plugging operations that are related to the obstruction of the Watergate investigations. That could be a critical test of the security defense that Nixon has raised.

Stage Set. Another key witness, Jeb Stuart Magruder, former deputy director of the Nixon re-election committee, has agreed to plead guilty and turn Government witness. Since he has admitted sitting in on the meetings in Attorney General John Mitchell's office at which the Watergate spying plans were first discussed, he is believed to have great knowledge of the burglary and the cover-up.

With the Senate confirmation last week of Attorney General Elliot Richardson and the implicit approval of his chosen special prosecutor, Archibald Cox, the stage is set for an all-out pursuit of the guilty: Democrat Cox, an aggressive Solicitor General in the Kennedy Administration, declared in Richardson's presence that he did not intend to "shield anybody, and I don't intend to be intimidated by anybody." He said that he would feel free to protest publicly if anybody tries to hamper him and that he will pursue the evidence "wherever that trail may lead."

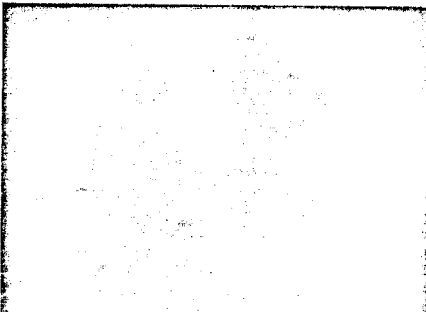
Despite the new Nixon statement, that path may still pass uncomfortably close to the Oval Office. For all of those Senators, jurors and other investigators charged with seeking the truth about Watergate, the Nixon brief raises almost as many questions as it answers. Washington Democratic Senator Henry Jackson, who sits on the Armed Services Committee that has watchdog authority over the CIA, suggests that the committee should send Nixon a set of written "interrogatories." Says Jackson: "At some point someone has to ask the appropriate questions."

Already the President's new security blanket is beginning to fray at the

"The danger to political dissent is acute where the Government attempts to act under so vague a concept as the power to protect 'domestic security.'" So wrote Justice Lewis Powell, a Nixon appointee, in the 1972 Supreme Court opinion that forbade the wiretapping of domestic organizations and individuals without a court warrant. Ironically, the court issued its decree just two days after the Watergate conspirators were caught with electronic surveillance equipment in the headquarters of the Democratic National Party—a legitimate political dissent organization if there ever was one.

The twin terms "domestic security" and "national security" are so broad that they can be invoked to cover a multitude of actions—many of them in violation of the Constitution. But the agencies normally responsible for protecting the nation from both foreign and internal threats (*see box following page*) are federal bodies sanctioned by law. The Nixon Administration not only redefined national interest to include the personal and political aims of the party in power—but set up on its own a White

J. EDGAR HOOVER



HS/HC- 518

House security agency that was neither established by law nor responsible to the Congress. Why did the Administration feel it necessary to form the President's own extralegal security apparatus?

The experience of Lyndon Johnson's Administration undoubtedly influenced the Nixon men. Johnson resisted the temptation to use the ever more sophisticated electronic surveillance equipment for domestic intelligence. But by the late 1960s he sought desperately for a way to cope with widespread and often simultaneous urban riots. Attorney General Ramsey Clark sent a tough memo to FBI Director J. Edgar Hoover, urging him to use "maximum available resources" of his agency to investigate and predict riots. Angered at Johnson's refusal to allow wiretapping and electronic bugs against gangsters, Hoover balked. In fact, he proceeded to scrap many of the FBI's more dubious but productive techniques, such as burglarizing the homes and monitoring the mail of suspected spies and criminals. Stymied by Hoover and realizing that not even the 8,700 agents of the FBI could cope with riots, the Johnson Administration turned to the U.S. Army as a tool of massive retaliation, giving it new charters to collect intelligence on civilians in the process.

When Nixon took office, he was confronted by much the same climate of urban unrest and growing racial militancy. He also had to cope with new dangers—bomb-throwing anarchists, skyjackers and an exploding drug traffic. White House officials quickly encouraged the Army to step up its domestic intelligence operations. Within two years, the Army had 25 million "personnel" on file. One of the victims, Adlai Stevenson III, then Illinois state treasurer, was to call the operation "Kafka in khaki." The dismantling of the Army

The Forces that Monitor and Protect

The nation's intelligence system is unquestionably large but it is anything but monolithic. It is a loose aggregation of agencies, each with a specific role and place, wary of any encroachments on its prerogatives. The principal members:

CENTRAL INTELLIGENCE AGENCY. Director-designate: William Colby. Estimated number of employees: 15,000. Estimated budget: \$750 million. Established by the National Security Act of 1947 to replace the World War II Office of Strategic Services. Officially supervised by four congressional committees, but largely autonomous and excused by a 1949 law from any accounting of the funds it gets or spends. In charge of espionage and clandestine operations abroad as well as overt intelligence-gathering activities; forbidden by law to exercise any police, subpoena or law-enforcement powers, or internal security functions in the U.S., but has occasionally interpreted these laws freely. Grown somewhat fat over the years, was ordered this year to cut its staff by 10%, but cuts are still not completed.

The director of the CIA also serves ex officio as chairman of the U.S. In-

telligence Board, which reports to President's National Security Council (*see diagram*). The board coordinates and supervises major American intelligence activities, and exercises supervisory control over every other security system.

DEFENSE INTELLIGENCE AGENCY. Director: Vice Admiral Vincent P. dePois. Number of employees: 5,000. Budget: \$129,300,000. Set up by Robert S. McNamara in August 1961, after the CIA intelligence for Bay of Pigs invasion proved disastrously inadequate, and because the three military services' operations suffered from a lack of overall evaluation. The agency operates under the direction of the Secretary of Defense. Charged with assessing the worldwide military situation, the Defense Intelligence Agency coordinates the conflicting and not infrequently self-serving intelligence operations of the three armed services—Army's G-2, Office of Naval Intelligence and Air Force's A-2. DIA men tend to view CIA men as the spoiled darlings of the intelligence community. The CIA, which once dealt directly with military intelligence services, resents DIA's role as middleman, and tends to look upon

its members as minor-league spies.

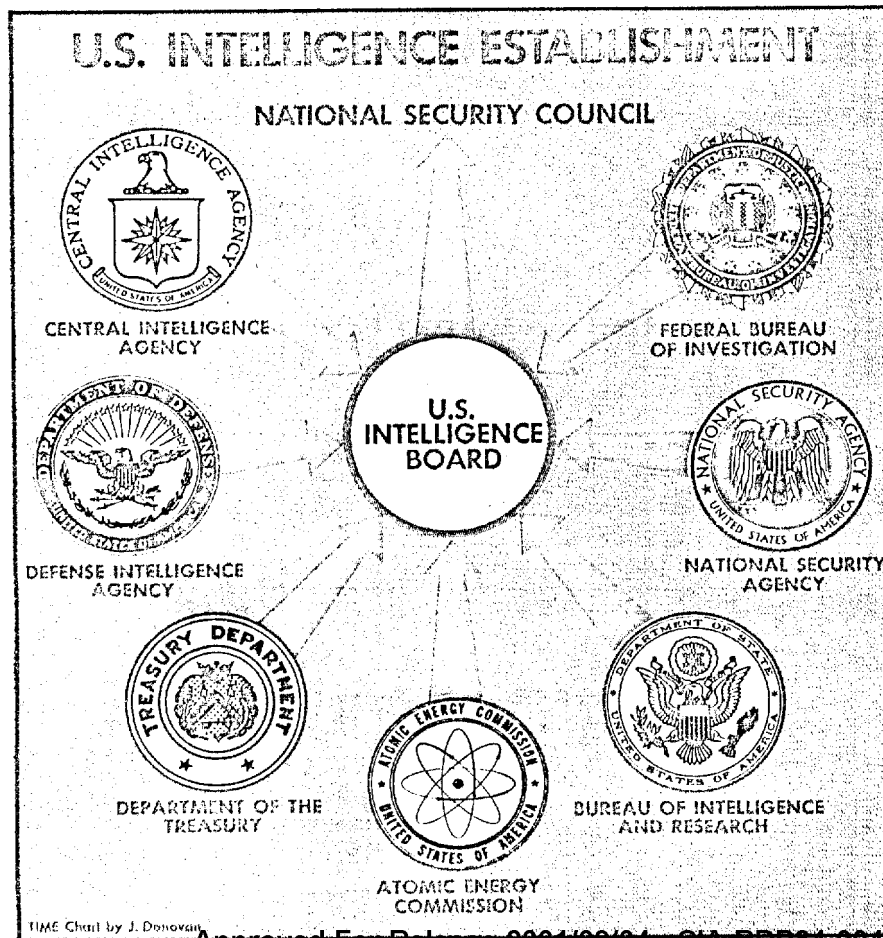
NATIONAL SECURITY AGENCY. Director: Lieut. General Samuel Phillips, U.S.A.F. Employees: 25,000. Budget: classified. Created in 1952 as a separate agency within the Defense Department. Makes and breaks codes, develops techniques for electronic surveillance of foreign troop and ship movements and construction of military facilities (NSA equipment was used on the U-2 spy plane shot down over Russia in 1960).

BUREAU OF INTELLIGENCE AND RESEARCH. Director: Ray S. Cline. Employees: 335. Budget: about \$8,000,000. Intelligence arm of the State Department since 1947. Charged with gathering and analyzing information essential to U.S. foreign policy. Staffed by economists and academicians. Prepares studies on subjects as diverse and esoteric as Albanian public health system and the clove industry in Zanzibar. Generally considered a "clean," as opposed to "dirty" or covert operation.

ATOMIC ENERGY COMMISSION. Director: Dr. Dixy Lee Ray. Total employees: 7,000. Overall budget: \$2,500,000,000. Established in 1946 to govern development of atomic energy. Also maintains a constant watch on the atomic capabilities of other countries, detecting and identifying nuclear tests.

DEPARTMENT OF THE TREASURY. Director: George P. Shultz. Total employees: 117,462; 100-200 directly involved in intelligence. Oversees Bureau of Customs and Bureau of Alcohol, Tobacco and Firearms. Thus responsible for narcotics investigations. Department also includes Secret Service, which protects President and other top officials, maintains liaison with Interpol, the international criminal police organization.

FEDERAL BUREAU OF INVESTIGATION. Director: William Ruckelshaus. Employees: 19,857 (including 8,700 agents). Budget: \$336,300,000. Number of field offices: 59. Established in 1908 as investigative arm of the Justice Department, the closest U.S. equivalent to a national police force. FBI has jurisdiction over wide range of crimes from assassination of a President to bank robbery, kidnaping and transportation of stolen cars. Since 1936, has had jurisdiction over espionage and sabotage within the U.S. J. Edgar Hoover, director from 1924 until his death last year, expanded FBI authority to investigate Communists, Ku Klux Klansmen, radical students and other elements he considered a threat to national security. The bureau's latest assignment: getting to the bottom of the so-called Watergate scandal.



independent third party. One man, who is reported to have been among those bugged, claims that he was motivated by the idea of Kissinger's listening to his office calls, but he resents the idea that Kissinger monitored his personal life.

Kissinger's academic colleagues are also disturbed about his involvement in the bugging. One noted journalist decided to boycott a 50th birthday party that Kissinger's old friend, Harvard Professor Guido Goldman, scheduled for him at New York's Colony Club over the weekend. Others have merely wondered how a man like Kissinger could have allowed himself to be so compromised.

Just why Kissinger did allow it remains unclear. He himself has said that he regrets the whole episode, but that he was told that it was the usual practice followed in previous Administrations. Some observers believe Kissinger was truly concerned about security and worried that leaks would damage delicate negotiations, though most agree that the disclosures in question concerned information that was a secret only to the American people, not to the Communists.

Hard-Nosed. A few suspect that Kissinger wanted to solidify his position with the President by proving that he could be just as "hard-nosed" as White House Aides Bob Haldeman and John Ehrlichman. Such a desire would derive naturally from Kissinger's past career at the White House. Trapped between the hostility of Haldeman and Ehrlichman, who distrusted any signs of independence, and the jealousy of State Department officials who resented his power and success, Kissinger has been a target of sniping ever since he joined the Administration. He has tried on three separate occasions to resign. Each time, his friends have persuaded him to stay on.

Kissinger, who feels that he has been misunderstood by his friends, is upset by the doubts about his behavior. But his anger has not prevented him from doing his job. Aside from his talks with Le Duc Tho, he spent the week in Paris working out the agenda for President Nixon's meeting with French President Georges Pompidou in Iceland this week. He seems determined to continue. "We have got to get back to governing," he told TIME Diplomatic Editor Jerrold Schecter. "The fact that a few frivolous zealots misused their trust does not mean that we can stop functioning as a government."

Whether Kissinger himself can continue to function will depend upon his ability to maintain the confidence of both the President and the international community. His departure, which does not now seem likely, would be unfortunate. Even Kissinger's critics acknowledge that both his policies and his tactics have helped normalize relations with mainland China, promote détente with the Soviet Union and reduce the U.S. role in Southeast Asia. Few want to see the architect of these triumphs forced from office.

THE HEARINGS

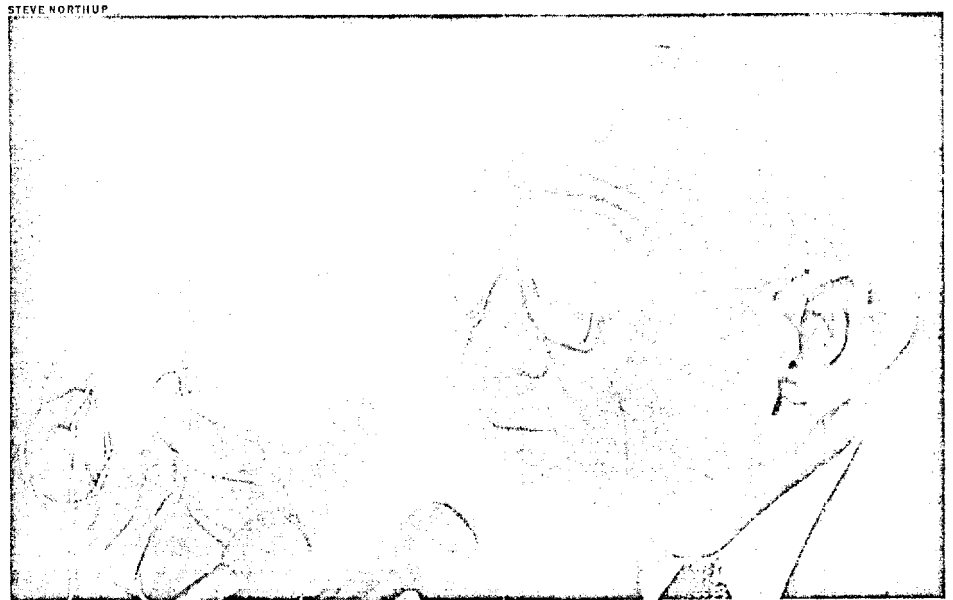
Tales from the Men Who Took Orders

Senator Sam Ervin's Watergate committee has promised to expose all the secrets of the scandal, but while the various accusations and defenses reverberated through the top levels of Washington last week, the Ervin committee lumbered along in pursuit of lesser men.

In the long, slow process of building their case, the committee members were paternally patient, indulgent even, as they questioned, one after another, the fixers and followers and bearers of messages. As the witnesses testified, they soon revealed that they had been drawn into the affair without quite realizing what they were doing, that they were more adept at taking orders than understanding them. John J. Caulfield, an ex-cop who had carried an offer of

had approved the Watergate break-in. The objective, as McCord understood it, was to anticipate the plans of any groups planning violence during the presidential campaign. "Uppermost in everyone's mind at that point in time, and certainly in mine," said McCord, "was the bloodshed which had occurred at the 1968 Democratic Convention in Chicago."

McCord ticked off other acts of violence that had filled him—and his superiors in the White House—with foreboding: a bomb blast at the U.S. Capitol Building in 1969; the destruction of the offices of Senator John Tower in Austin, Texas, in 1972; the alleged threats by the Viet Nam Veterans Against the War to bomb the G.O.P. Convention;



WITNESS JAMES McCORD SHOWING SENATE WATERGATE COMMITTEE HOW TO BUG A TELEPHONE
Fixers and followers more accustomed to taking orders than understanding them.

Executive clemency to convicted Watergate Raider James W. McCord Jr., described how he had been "injected into this scandal," how he had been forced to choose between obeying the law and obeying the White House, and Sam Ervin remarked: "The greatest conflicts in this world are when we try to choose between two loyalties."

McCord, the star witness to date, finally explained his motives for becoming involved. As an old CIA hand, he said, "I had been working in an environment where, if there was ever any question of the legality of a matter or an activity, it would always be sent to high legal officials for a decision on the matter, where, if they sanctioned it, that was sufficient." He added that "left alone, I would not have undertaken the operation."

But his fellow conspirator, G. Gordon Liddy, sought his help, saying that he had been contacted by the then Presidential Counsel John W. Dean III

the continued threats against the lives of John and Martha Mitchell. Though he was "completely convinced" that Senator George McGovern and Democratic Party Chairman Lawrence O'Brien had no knowledge of the conspirators, McCord believed that Democratic offices in Washington and California were being used by plotters. Thus he agreed to participate in raids on both places, though the burglary of McGovern headquarters was never carried out.

In the course of his testimony, McCord brought up another burglary plan that had not been mentioned publicly before. In early 1972, Liddy had said he might need his help in breaking into the office safe of Herman ("Hank") Greenspun, feisty publisher of the Las Vegas Sun. Liddy said he had been informed by Mitchell that Greenspun had documents connecting a top Democrat with racketeers—though McCord now believes

that there was another motive for cracking the safe. (Greenspun thinks that the raiders were searching for papers that might prove embarrassing to Howard R. Hughes, whom Greenspun was suing over a real estate controversy.) Once the break-in was completed, said Liddy, the burglars would escape to Central America aboard a plane owned by Hughes. McCord never joined the raid and never found out what happened. Later he read that E. Howard Hunt had forwarded a campaign contribution from Hughes to the Committee for the Re-Election of the President.

Freedom. Like McCord, John Caulfield portrayed himself as more used than using, a pliant tool of higher-ups. Obviously impressed by the fact that he had been plucked from obscurity on the New York City police force to head a special security apparatus in the White House, Caulfield was prepared for almost any assignment. Even so, he balked when John Dean first asked him to convey the offer of Executive clemency to McCord, a close friend. By then holding a job as assistant director of enforcement at the Treasury Department's Bureau of Alcohol, Tobacco and Firearms, from which he resigned last week, Caulfield wanted someone else to do the job for him. He chose a paunchy ex-cop from New York City, Anthony Ulasewicz, who was on the payroll of Herbert W. Kalmbach, the President's personal attorney. Without identifying himself, Ulasewicz phoned McCord and relayed Dean's message: "1) a year is a long time; 2) your wife and family will be taken care of; 3) you will be rehabilitated with employment when this is all over."

McCord insisted on meeting Caulfield face to face. "I objected to seeing Mr. McCord," Caulfield testified. "But finally Mr. Dean got my concurrence to do so." McCord, however, turned down the offer. He told Caulfield: "I have always followed the rule that if one goes, all who are involved must go ... I saw a picture of some guy who I am sure was involved sitting with his family. I can take care of my family. I don't need any jobs. I want my freedom." McCord had testified that he believed the clemency offer came from Nixon himself, but Caulfield contradicted that. He declared that he never said he was speaking for the President. Under questioning by the committee, however, he admitted feeling that "the President probably did know about it ... Based on that background, I thought I was doing something for the President of the U.S., and I did it, sir."

McCord offered a bizarre counterproposal. He told Caulfield that he had made telephone calls to the Chilean and Israeli embassies in Washington. Since the phones of both embassies were probably tapped by the U.S., he thought that the Government would be embarrassed if forced to reveal the taps at his

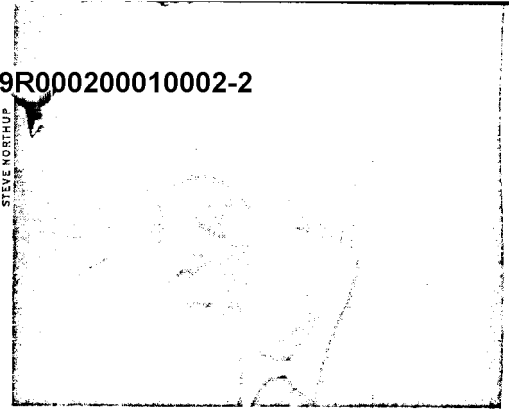
Caulfield took this proposal back to Dean, who replied: "Go back to him and tell him that we are checking on these wiretaps, but this time impress upon him as fully as you can that this offer comes from the very highest level of the White House." Caulfield asked Dean if there was a name he could use. "No," said Dean, "I don't want you to do that. But tell him that the message comes from the very highest levels." Caulfield asked: "Do you want me to tell him it comes from the President?" "No," replied Dean, "don't do that. Say it comes from way at the top."

Since Caulfield had brought up the name of Anthony Ulasewicz, another little man was called to testify. Once Ulasewicz had outlined his job as a sleuth, Senator Howard H. Baker Jr. asked him if he thought that the "wiremen" on the New York police force were more competent than the Watergate raiders. Replied Ulasewicz: "Any old retired man in the New York police department ... would not have gone in [to the Watergate] with an army, that's for sure."

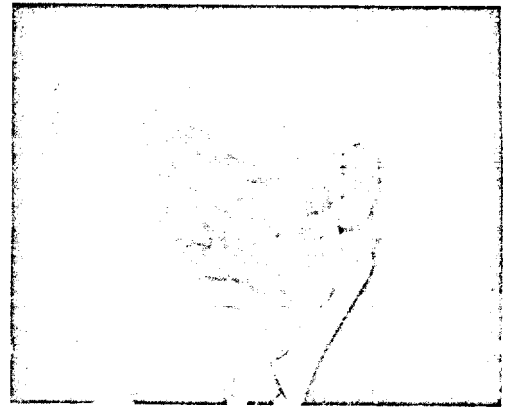
Judging from the testimony of two other participants, Bernard L. Barker and Alfred C. Baldwin, they were even more in the dark about the affair. A convicted Watergate conspirator who gave his address as Cell Block 4, District of Columbia Jail, Barker described how his love of Cuba, where he was born and spent half his life, led him to join the Bay of Pigs operation under the supervision of E. Howard Hunt Jr. Ten years later, Hunt once again sought his help. Barker made it clear that he was not being paid to think. "I was there to follow orders," he told the committee, "I was part of Hunt's image."

When pressed for his motives, Barker spoke vaguely of national security, as if he were not too certain what the concept meant. He said he had joined the Watergate operation to discover whether the Democrats were receiving campaign contributions from leftist organizations at home and abroad, but nothing to that effect was found. He also had helped burglarize the office of the psychiatrist of Daniel Ellsberg, he said, in order to get information about a "traitor" who he claimed had passed secret documents to the Soviets.

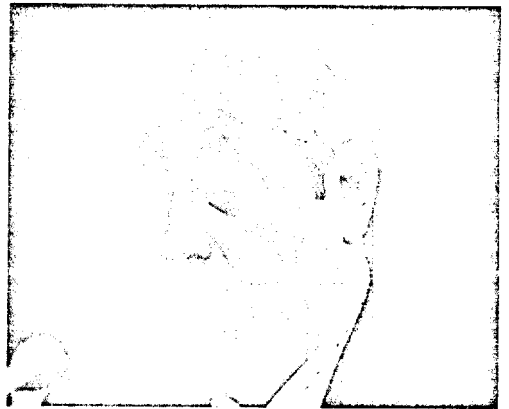
Convert. Also caught in the Watergate web, Baldwin testified that even when he was arrested, he was not sure what was going on. A onetime FBI agent who had joined C.R.P. with the hope that he might "do well" and "obtain permanent employment," Baldwin had been working for weeks in the Howard Johnson's motel across from Watergate. With earphones on his head, he jotted down more than 200 conversations from bugs that had been successfully placed in telephone offices during the Memorial Day weekend. On the night of the break-in, he was given a walkie-



ATTORNEY GERALD ALCH TESTIFYING



INTERMEDIARY JOHN CAULFIELD



EX-COP ANTHONY ULASEWICZ
Torn between loyalties.

headquarters. Eventually, someone whispered over the walkie-talkie: "They've got us." The next thing he knew, Hunt stormed into the room, made a hurried trip to the bathroom, then darted out again, shouting to Baldwin to pick up the electronic equipment and the logs of the tapes and run. Baldwin called after the fleeing Hunt: "Does this mean I won't be going to [the convention in] Miami?"

Such was the complexity of the week's testimony that even the little men's attorneys got into the act. McCord had said that his own lawyer for the Watergate trial, Gerald Alch, had advised him to claim that the break-in was a CIA operation. He said Alch also suggested that CIA documents could be placed in the files of the defense. Alch, as dapper as he was indignant, demanded the right to make a lengthy rebuttal and to impugn McCord's testimony. He said

client had made such a charge. Replied Fensterwald: "I can only hazard the guess that it is the approved for release 2001/09/04 : CIA-RDP84-00499R000200010002-2 Cord's faulty recollection. I think you will agree that there is no zealot like a convert." Taking the offensive, Alch quoted Fensterwald as declaring: "We're going after the President of the United States." Alch said he replied that he "was not interested in any vendettas against the President." But questioning from the committee forced Alch to admit that some of his statements to McCord might have made McCord suspicious that he was working with the White House to get a guilty plea.

No sooner had Alch made his protest than both Fensterwald and McCord demanded a chance to answer. But the committee decided that it was time to call a halt. The Watergate small fry had already consumed much more time than had been scheduled, and there was growing criticism that the committee should move on to bigger game. Otherwise, it would be several weeks before major figures like John Dean, H.R. Haldeman and John Ehrlichman were heard from. Responding to this restiveness, the committee moved up the resumption of hearings from June 12 to June 5 ("February 5th at 10 p.m." was what the weary Sam Ervin actually said).

Privilege. One of the key witnesses now scheduled to be called is Hugh Sloan Jr., who served as treasurer of C.R.P.'s finance committee. TIME learned that his testimony will spell out how nearly \$900,000 in campaign contributions were distributed for what Sloan says he later learned were undercover operations. The money was divided among several different bank accounts, the bulk of it going to Kalmbach and Liddy. At one point, according to Sloan, he went to Finance Chairman Maurice Stans to ask why Liddy received so much. Stans told him: "I don't know, and you don't want to know." After the break-in, Sloan told the committee in its preliminary investigation, he approached Ehrlichman. Worried that any money found on the defendants (the police reported several thousand dollars) would be traced to him, he asked what he should do. Ehrlichman assured him that the matter would be covered by Executive privilege "at least until after the election." Said the White House domestic chief: "You are overwrought. You should take a vacation. It is also important to protect the President."

In the weeks that followed, Sloan said, he was repeatedly pressured to commit perjury. Jeb Stuart Magruder, then deputy chief of the C.R.P., insisted that they agree on a low figure for the amount of money that had been given to Liddy. Sloan told Magruder: "I have no intention to perjure myself." Replied Magruder: "You may have to." Finally, Sloan went to Stans to offer his resignation, but Stans had beat him to it. "I have already talked to the FBI," Sloan said, "and told them that you resigned."

John Dean Warns: A Mile to Go

His youthful appearance showing no sign of ordeals past or to come, former White House Counsel John W. Dean III exudes confidence like a Dale Carnegie graduate. He is clear of eye, strong of voice, steady of hand. His self-assurance may be justified, for Dean is the only major Watergate witness who is both able and willing to tell a lot. He has been using that position to bargain for his own safety from prosecution, an effort in which he has earned at least some support. Senator Sam Ervin's committee has requested limited immunity for Dean so that he can testify. But the Justice Department so far has refused to go along, on the grounds that it may want to prosecute him later. Last week in an interview, Dean made a persuasive case for being heard without fear of prosecution. While avoiding specific details Dean told TIME Correspondent Hays Gorey that he had information that

What is your reaction to the President's most recent statement on Watergate?

The President had to position himself. The information in his statement [about efforts to set up a special security unit] was about to be disclosed anyway. This whole thing is still coming out inch by inch—with a mile to go. It may be impossible to travel that full mile. The White House public relations mechanism was obviously at work. I know enough about how that White House mechanism operates, and it was all so evident in that last statement. The eternal hope prevails that somehow they won't have to travel that full mile.

Does the President's statement accord factually with your knowledge of the security unit and the other matters it dealt with?

That statement was a public rela-



DEAN & WIFE WATCHING WATERGATE HEARINGS IN THEIR HOME
Willing to talk but bargaining for safety.

could further broaden the spreading scandal.

How much do you know that has not already been revealed?

When all the facts are known, there will be several additional federal grand juries in this country, besides the ones now at work.

Why did you go to the prosecutors in the Watergate case when you did?

I wanted to be a vehicle to get the truth out. I realized this situation will never end otherwise. I did not go to the prosecutors seeking immunity. There were things going on that just had to be said. It was all out of proportion. It focused on two subjects: going on that I find distressing.

tions statement. Some of it was not quite accurate. Some of it was not accurate at all.

What do you know about the special security unit the President was trying to set up?

I came to the White House at the tail end of the effort to establish the special security unit [in July 1970]. They were fighting with [FBI Director J. Edgar] Hoover.

What was the general mood?

There was extreme concern in the White House. I wouldn't characterize it as paranoia, exactly, but there was extreme concern. It was all out of proportion. It focused on two subjects:

Dean Says White House Put a 'Friend' in C.I.A.

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, June 25 — John W. Dean 3d testified today that he had been told by a top Nixon aide that the White House had put its own "good friend" into the Central Intelligence Agency in order to "have some influence over the agency."

That "good friend," Mr. Dean told the Senate Watergate committee, is Lieut. Gen. Vernon A. Walters, Deputy Director of the C.I.A. and frequent interpreter for President Nixon on foreign trips.

This latest disclosure of alleged White House efforts to involve the C.I.A. in domestic activities came amid increasing demands by Congress for tighter control over the top secret agency.

Within the last few weeks, former and present officials of the C.I.A. have trooped to Capitol Hill in unprecedented numbers to be questioned for hours at a time upon the agency's role in the Watergate affair.

Out of these harings by both Senate and House committees and subcommittees have come startling revelations of C.I.A. cooperation with the White House on strictly domestic operations—a field that its own charter would seemingly rule out of bounds.

And out of these hearings have come equally stunning accounts of White House efforts to enlist C.I.A. aid in covering up the Watergate scandals.

Shoulder the Blame

Mr. Dean's testimony today supported earlier accounts by General Walters and other C.I.A. officials of White House efforts to get the agency to shoulder the blame for the break-in at the Democratic National Committee headquarters in the Watergate complex last June 17.

At the same time, the Dean testimony appeared to shed light on what had been a publicly unanswered question: Why had the White House passed over Richard M. Helms, at that time Director of Central Intelligence, to negotiate almost solely with his deputy on the Watergate matter?

Mr. Dean testified that, a few days after the Watergate break-in, L. Patrick Gray, then acting Director of the Federal Bureau of Investigation, suggested to him that it might have been a C.I.A. operation because of the number of former agency people involved.

Mr. Dean said that he later told John D. Ehrlichman, the President's domestic affairs adviser, of Mr. Gray's suggestion and that Mr. Ehrlichman told him to call the agency and explore the matter.

"He then told me that I should deal with General Walters because he was a good friend of the White House and the White House had put him

in the Deputy Director position so they could have some influence over the agency," Mr. Dean testified.

Assurance for Ehrlichman Mr. Dean said he later informed Mr. Ehrlichman that General Walters had assured him that agency involvement in the Watergate was impossible.

Mr. Dean said that Mr. Ehrlichman responded by saying "something to the effect that General Walters seems to have forgotten how he got where he is today."

A spokesman for the C.I.A. said that General Walters would have no comment on the Dean testimony.

Shocked by these and other disclosures, Congressional critics and supporters alike are now calling for stern measures to assert firmer control over the agency.

Won House Approval

Just last week, the first move to curb C.I.A. activities came with House approval of a ban on agency assistance to domestic law enforcement agencies. The Senate has not acted.

The provision, sponsored by Representative Elizabeth Holtzman, Democrat of Brooklyn, was promoted by disclosures that agency employees had been training police officers in New York City and other cities in clandestine activities.

Mike Mansfield, Democrat of Montana, the Senate majority leader, plans to renew his unsuccessful drive of many years ago to establish a joint Senate-House committee to oversee operations of the C.I.A. and other Government intelligence agencies.

Senator Stuart Symington, Democrat of Missouri, the acting chairman of the Senate Armed Services Committee, has said that he will conduct a full-scale investigation of the evolving "secret charter" under which the agency has operated since its establishment 25 years ago.

There are also proposals to revise the agency's basic law either to outlaw domestic operations specifically or to require that any such domestic involvement be permitted only upon the personal request of the President.

Domestic Activities Barred

The National Security Act of 1947, under which the intelligence agency was created, was designed to prohibit it from conducting domestic operations by stating that it "shall have no police, subpoena, law-enforcement or internal security functions."

But the act also contains two major loopholes:

First, it gives the Director of Central Intelligence the responsibility of "protecting intelligence sources and methods from unauthorized disclosure."

Second, the act gives the agency authority "to perform



Gen. Vernon A. Walters

such other functions and duties relating to intelligence" as the National Security Council, an arm of the Presidency, "may from time to time direct."

Furthermore, secret executive orders, interpreting the National Security Act, have been issued through the years, creating what some call the C.I.A.'s "secret charter," now the target of Senator Symington's planned investigation.

While earlier efforts to assert greater Congressional control over the C.I.A. were successfully blocked by successive Administrations, the recent disclosures in the Watergate affair have stunned Congress.

Cushman Agreed

Among the disclosures were the following:

¶ In the summer of 1971 Gen. Robert A. Cushman, at that time deputy director of the agency and now commandant of the Marine Corps, agreed to a White House request to supply E. Howard Hunt Jr. with a wig, false identification papers and other items later used in burglarizing the California office of Dr. Daniel Ellsberg's former psychiatrist.

¶ Scarcely weeks later, Mr. Helms, then director of the agency and now Ambassador to Iran, agreed to another White House request for preparation of a psychological profile of Dr. Ellsberg, who was later indicted for leaking the secret Pentagon papers on American involvement in Southeast Asia.

¶ Mr. Helms and General Walters, the deputy director of the agency, have told of Mr. Ehrlichman, two of President Nixon's top aides, to persuade the agency to halt an inquiry by the Federal Bureau of Investigation into Nixon reelection campaign funds that were channeled through a Mexico City bank to hide their source. Some of these funds were found on the persons of the men caught breaking into the Democratic National Committee headquarters.

¶ General Walters also has told of efforts by Mr. Dean to get the C.I.A. involved in a further cover-up of the Watergate affair by asking the agency to pay bail and salaries for the jailed burglars.

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AREA OR COUNTRY(S)	ORGANIZATIONS	FUNCTIONS & TOPICS	PERSONALITIES	DOCUMENT
HQ	CIA	Security	McCORD,	DATE: 18 Jun 1972 CLASS.: None NO.:
	White House	Press	James W.	
		"Watergate"	HUNT,	
		Audio Operations	E. Howard	
IDENTIFICATION OF DOCUMENT (author, form, addressee, title & length)				LOCATION: HS/UC-858 ✓
File of press clippings concerning the "Watergate" incident of 17 June 1972.				

ABSTRACT

Public knowledge concerning the arrest of five individuals for trespassing in the Democratic National Committee Headquarters. Two of the individuals associated with the affair are retired CIA staff employees.

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The New York Times Magazine

JULY 22, 1973/SECTION 6

The Story So Far

By J. Anthony Lukas

Chief Newman, my coach, an American Indian, produced some very fine teams at that small, little college at Whittier . . . There were no excuses for failure. He didn't feel sorry for you when you got knocked down. He had a different definition of being a good loser. He said: "You know what a good loser is? It's somebody who hates to lose. . . ."

—Richard M. Nixon, at Pro Football Hall of Fame dinner, July 30, 1971.

IN the raw winter of 1970, Richard Nixon looked like a loser. From balmy San Clemente and Key Biscayne, White House aides strove earnestly to put the best possible face on the returns in that November's midterm elections. But back in Washington a consensus was hardening, like ice on the Mall's reflecting pool, that the election constituted a serious setback for the President and an ominous portent for 1972.

The G.O.P. did gain two seats in the Senate and lost only 12 in the House—less than the party in power generally does at midterm. But it also lost 11 governorships and some key state legislatures. Except for Tennessee, the ballyhooed Southern strategy failed to gain the Republicans any ground below the Mason-Dixon line. And they did badly in many of the largest states — notably California, Ohio, Pennsylvania, Michigan, Texas and Florida— where the 1972 election would almost certainly be decided. When 28 Republican Governors and Governors-elect gathered that December among the snowy peaks of Sun Valley, Idaho, their standing joke was that they should have met at Death Valley. Gov. Edgar D. Whitcomb of Indiana, which gave Mr. Nixon his biggest majority in 1968, said the President was in trouble even there. Columnists Rowland Evans and Robert Novak wrote later: "In November, 1970, the Presi-



dency of Richard Nixon had hit bottom."

The gloomy post-mortems that winter often focused on the President's strident "law and order" campaigning, particularly his harsh Phoenix speech ("No band of violent thugs is going to keep me from going out and speaking with the American people") rebroadcast on election eve — only to be followed immediately by Senator Edmund Muskie, measured and calm in a Maine living room, asking the voters to repudiate the Republicans' "politics of fear." Now, many Republicans felt the voters had done just that. Gov. David Cargo of New Mexico warned that his party had "lost the election because the strategy was completely negative."

Publicly, the Southern White House stuck with its upbeat appraisal, but behind the palm fronds it began reassessing its strategy. A few days after the election, the President met with his senior aides at Key Biscayne to—in one aide's words—"go over the game films." Later

that month, a smaller group, headed by Attorney General John Mitchell, closeted with him again. From this session emerged a unanimous conclusion: Nixon must drop his partisan image and henceforth be The President. Four days into the new year, Mr. Nixon publicly proclaimed his new persona in a televised interview with four network correspondents. "This is a non-campaign year," he told his interlocutors, "and now I am going to wear my hat as President of the United States."

But if the President was to assume an air of statesmanlike high-mindedness for the next two years, then others would have to carry on the tough partisan brawl build- (Continued on Page 8)

The story so far (cont.)

ing for '72. The two-tiered game plan called for a posture of unusual conciliation by the President and a stance of extra combativeness by his political operatives.

In January, the President handed the chairmanship of the Republican National Committee to Senator Robert Dole of Kansas, known for his hard-nosed partisanship. But nobody expected the real reins of the campaign to be held at the National Committee. "We knew we had a damn tough fight," one former Presidential aide recalls, "and we weren't going to entrust it to the bunch of cautious old hacks down at the committee." It was entrusted instead to the Committee for the Re-election of the President (CREEP), which in March, 1971, opened its offices in a glass and steel tower at 1701 Pennsylvania Avenue.

The CREEP offices—replete with deep orange pile carpeting, color-coordinated décor and new electric typewriters—were nothing if not convenient, barely 150 yards from the White House gates. It was an easy stroll for the brisk young men in double-knit suits who began shuttling back and forth across Lafayette Park that spring. A floor up

were the law offices of Murray Chotiner, one of the President's key political operatives, and right down the fourth-floor hallway from CREEP were the Washington offices of Mudge Rose Guthrie & Alexander, the Wall Street law firm which was alma mater to Richard Nixon and John Mitchell.

Mitchell, who headed one faction jockeying for supremacy in the President's inner circle, initially placed one of his protégés, Harry S. Flemming, in charge of CREEP. But, in May, 1971, H. R. (Bob) Haldeman, the President's chief of staff, who headed the rival faction, countered by sending over one of his own lieutenants, Jeb Stuart Magruder. Soon he was running the committee.



Named by his father, a Civil War buff, after the dashing Confederate cavalry general, Magruder hardly cut a dashing figure as a merchandiser of cosmetics, facial tissues and women's hosiery. The Magruder family had lived in Maryland since the 17th century, but young Jeb grew up in Staten Island. From an early age, he was fascinated by

merchandising—selling cosmetics to work his way through Williams College and promoting Vicks cough medicines during the summer. With a business degree from the University of Chicago, he started with the Jewel Tea Company and eventually became president of two small companies in California. Meanwhile, he faithfully put in his time as a Republican worker, "coordinated Southern California" for Nixon in 1968 and moved with him to Washington the next year—first as deputy director of communications, then as a special assistant. A self-styled "Nixonian Republican" who found himself "in complete agreement with the President," Magruder developed a reputation for loyalty. "He'll do what he's told to, maybe even to the point of sublimating his own judgment," says a former associate. And he had an open, easy-going manner (riding his 10-speed bicycle to work, even showing up on Saturdays in a sport shirt) which helped him earn others' loyalty. One colleague recalls: "I performed things for Jeb I wouldn't have done for anyone else."

There was a lot to do. As the spring wore on, it looked increasingly as though Nixon might indeed be a one-term President. In February, 1971, the Harris Poll showed Muskie leading Nixon 43 to 40. In March, it was 44 to 39. In May, 47 to 39.

State of Siege

All these things going on and we were powerless.

—Justice Department official on radical unrest of 1969-71.

MAY, 1971, was a time of torment in Washington. After weeks of more orderly antiwar protests, the Mayday Tribe descended on the city determined to "stop the Government" with an unprecedented wave of civil disobedience and disruption. For days, the motley legion of young demonstrators blocked streets and bridges with automobiles, trash cans, lumber and their own bodies. The Government responded with new "get tough" tactics, flying in the National Guard and Marines to augment police, arresting some 13,500 demonstrators and holding them for hours in large outdoor stockades. As tear gas swirled around some of the nation's most revered shrines and demonstrators blocked entrances to major Government buildings, the capital was in a virtual state of siege.

The events of that May fulfilled the worst fears of the men in the White House, fears that had been building for two years. As the Vietnam war dragged on and racial tensions persisted, the late sixties and early seventies were a period of nearly perpetual protest in America. Campus unrest, building through the decade, reached a peak in 1969-70 with nearly 1,800 demonstrations, many of them accompanied by bombings and other violence. The disorders reached a crescendo after the Cambodian invasion and the killing of six students at Kent State and Jackson State in May, 1970, with more than 440 colleges closed down or otherwise disrupted. Meanwhile, sporadic gun battles were continuing in communities across

the country between militant blacks and police.

The President did his best to project an air of lofty disdain for such activities, letting word leak out that he had been watching football on TV during one march. But it now appears that he and the men around him were far more concerned, even desperate, than they let on. John Dean, former counsel to the President, says advance men for Presidential trips were instructed to insure that demonstrators remained "unseen and unheard" by the President and for that purpose Haldeman authorized "any means—legal or illegal."

One day, the President looked out his window and saw a man (later identified as Monroe Cornish, a Maryland schoolteacher) with a 10-foot banner stretched out in front of Lafayette Park. Dean says one of Haldeman's assistants told him of the President's "displeasure" and Haldeman's decision that "the sign had to come down." Dean says he then ran into Dwight Chapin, the President's appointments secretary, who said he was going to get some "thugs" to remove the man. Instead, Dean called the Secret Service, who got the Park Police to convince the man that he should move across the park, where the sign would be out of the President's sight.

The President's suspicion of critics and demonstrators was reinforced among his advisers. One official recalls a feeling at the White House then that "we were faced with one of the most serious domestic crises we've had." There is little doubt that in the superheated atmosphere of 1969-70, the President and the men around him perceived the unrest as a genuine threat to "national security." But, apparently, they felt another kind of security was at stake, too—the President's political security.

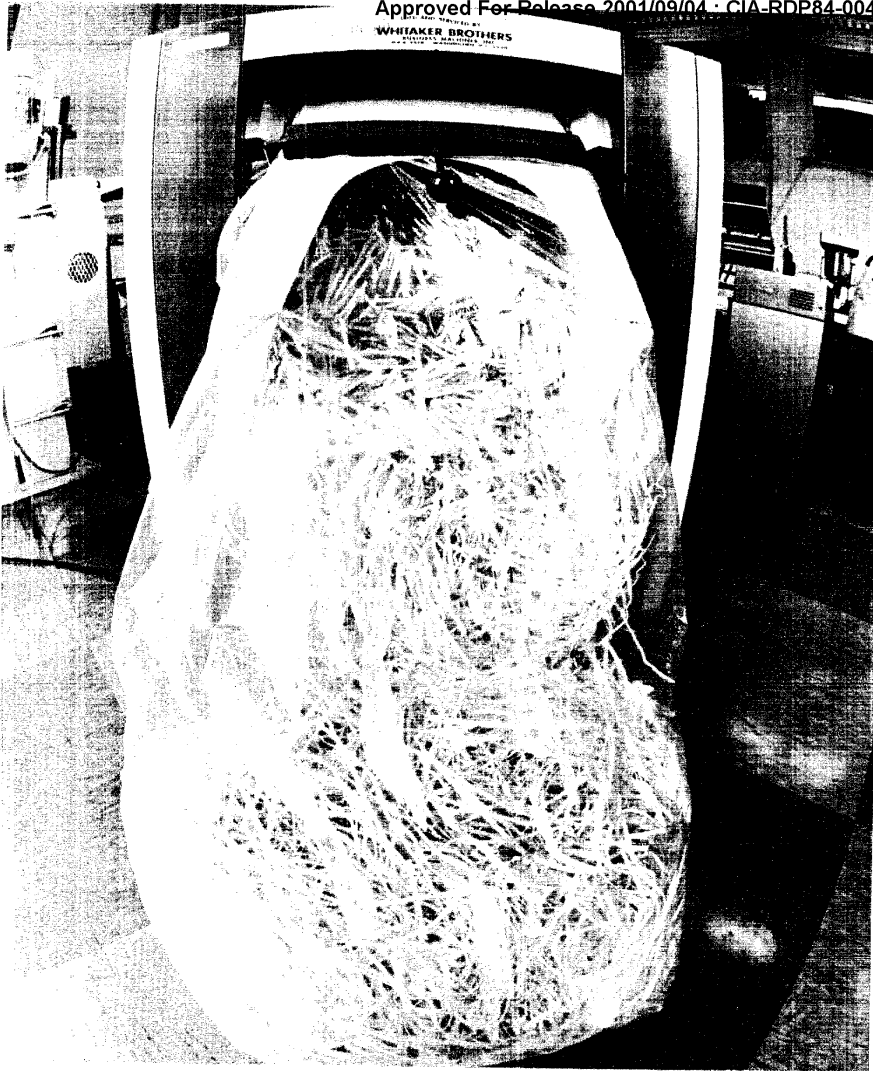
During the October, 1969, antiwar moratorium,

David Broder wrote a column in The Washington Post which said: "It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969. The likelihood is great that they will succeed again. . . ." According to a former White House aide, Broder's column was "read and discussed very thoroughly in the circles around the President and had quite an impact. We took the warning very seriously." A Justice Department memo reinforced this fear by contending that antiwar leaders had devised "a three-phase program designed to defeat President Nixon in the 1972 Presidential election."

By 1969-70, the White House was increasingly pervaded by what one former Presidential aide calls the "us vs. them" outlook. "It didn't matter who you were or what ideological positions you took," the aide recalls. "You were either for us or against us, and if you were against us we were against you. It was real confrontational politics and there were a number of men around the White House who clearly relished that sort of thing." One of those men was Charles (Chuck) Colson, the special counsel to the President.



"If you've got 'em by the —, their hearts and minds will follow," reads the Green Beret slogan over the bar in Chuck Colson's den. Colson is a "tough guy," who once served as the youngest company commander in the Marines and kept a Marine poster in his office. A friend calls hi



Repository for secrets: A paper shredder in Washington, D.C.

"a technician who enjoys combat" and combat has been his specialty in or outside the White House. Long before he formed his "attack group" to besiege Democratic candidates, he was on the attack: feeding damaging information on Senator Joseph P. Kamp of Maryland to a Life reporter or orchestrating an attack on A.F.L.-C.I.O. president George Meany as "sadly out of step" with the working man. Colson prides himself on being in touch with the working man, particularly the "hard hat" ethnics whom he saw as the potential heart of the President's "new majority." Growing up in Massachusetts as an upwardly mobile middle-class Yankee, he deeply resented the Brahmin aristocracy which ruled the Commonwealth. Granted a scholarship to Harvard and told by the dean of admissions that nobody had ever turned one down, he did just that and stamped off to Brown. Although he once worked for Senator Leverett Saltonstall, a Brahmin if ever there was one, his three heroes are cut from a different mold: Lieut. Gen. Lewis B. "Chesty" Puller ("the greatest blood and guts marine who ever walked"), John Wayne and Richard Nixon.

John Dean says Colson played a major role in developing the Administration's "enemies list" (Colson says it was his former assistant, George Bell, now dead). This list, continually updated in a series of memoranda called "Opponents List, Political Enemies Project," included several hundred persons, among them the presidents of Harvard, Yale and the Massachusetts Institute of Technology; Thomas J. Watson, board chairman of IBM; Julian Goodman, chief executive officer of the National Broadcasting Company; Robert McNamara, president of the World Bank; James Reston; Barbra Streisand; Steve McQueen and Joe Namath.

To deal with such enemies, the White House needed some undercover operatives. So, in March, 1969, barely two months after the inauguration, John Ehrlichman, then counsel to the President, called John Caulfield, a New York City policeman, and asked him—according to Caulfield—whether he would set up "a private security entity in Washington for purposes of providing investigative support for the White House." Caulfield proposed instead that he join Ehrlichman's staff, and on April 8, 1969, he entered the White House.

"My father has never gotten over that," he says of the 1958 Meritorious Police Award he won for his seizure of contraband weapons destined for Ireland. John Caulfield is an Irish cop. He comes, in his own words, "from a humble background" in the Bronx. His basketball exploits at Rice High School won him a partial athletic scholarship at Wake Forest, but he had to leave after two years for lack of money. Walking a patrolman's beat in the early fifties, he helped uncover a robbery ring and won promotion to detective, serving from 1955 to 1966 in the city's Bureau of Special Services and Investigations "monitoring the activities of terrorist organizations." Caulfield proudly tells of his role in arresting "the prime Castro agent" in the U.S.; the "bazooka attackers" at the United Nations, and the French Canadians who plotted to destroy the Washington Monument and the Statue of Liberty. During the 1960 Presidential campaign, he helped guard both candidates and got to know the Secret Service agent in charge of Nixon's detail. That led to a temporary job with Nixon's 1968 campaign and eventually to Ehrlichman's call.



Caulfield brought with him another member of the New York Bureau of Special Services, Anthony T. Ulasewicz. Hired by Ehrlichman after a clandestine meeting at La Guardia Airport, Ulasewicz was not on the White House payroll but instead was paid \$22,000 a year by Herbert Kalmbach, the President's private lawyer. But he worked for Caulfield and during the next few years the two ex-New York City cops kept busy on a variety of assignments, first from Ehrlichman and then, after July, 1970, from John Dean.

If "us vs. them" was the White House battle plan, the first of the "them" may have been Senator Edward Kennedy, then a favorite for the 1972 Democratic nomination. According to Dean, Ulasewicz sped to Chappaquiddick within six hours after the body of Mary Jo Kopechne was pulled from the car driven by Senator Kennedy on July 18, 1969. Dean says Caulfield "posed as a newspaper reporter and always asked the most embarrassing questions at any press gathering." Senate sources say that soon afterward Caulfield and Ulasewicz had a wiretap installed on the phone in the Washington house Miss Kopechne had shared with three other girls. Dean says Caulfield was instructed to follow Kennedy during the Senator's 24-hour stopover in Hawaii in August, 1969 (his report uncovered a press conference and a tennis match, but no bar hopping). That fall, Dean says, Haldeman ordered "24-hour surveillance of Kennedy," but Dean talked him out of it.

Another "enemy" investigated was Dan Schorr, the C.B.S. newsman who had done some reporting the Administration resented. According to Dean, Haldeman ordered an F.B.I. investigation of Schorr. Later, when that was discovered, the Government said Schorr was being investigated as part of his consideration for a Presidential appointment.

Schorr ("a real media enemy") was on a special 20-name version of the "enemies list" apparently selected for specific and immediate reprisals. Others on this short list included Edwin O. Guthman, national editor of The Los Angeles Times ("it is time to give him the message") and Maxwell Dane of Doyle Dane Bernbach ("they should be hit hard, starting with Dane"). What the White House had in mind is suggested in a memo from John Dean in which he shows "how we can use the available Federal machinery to screw our political enemies." Dean said that the "project coordinator" should "determine what sorts of dealings these in-

Siege (cont.)

dividuals have with the Federal Government and how we can best screw them (e.g., grant-availability, Federal contracts, litigation, prosecution, etc.)" Finally, the coordinator should have "the full support of the top officials of the agency or department in proceeding to deal with the individual."

One agency from which the White House particularly wanted such cooperation was the Internal Revenue Service. Dean says the President specifically urged "the use of the Internal Revenue Service to attack our enemies." As early as July, 1969, the White House began pressuring the I.R.S. Ultimately, the agency did set up a Special Service Group to move against left-wing organizations, but it was not moving fast enough for the White House. At least two audits were later made of the Administration's "enemies": one of Harold J. Gibbons, a Teamsters Union vice president who, Colson complained, was "an all-out enemy," and the other of Robert W. Greene, a *Newsday* reporter, after Dean was told he should have "some tax problems" as a result of a series he wrote on Charles (Bébé) Rebozo, one of the President's closest friends.

If harassment of "enemies" was half of the White House strategy, then the other half was succor for "friends." So Caulfield looked into I.R.S. tax audits on Billy Graham and John Wayne—two Presidential friends — and recommended that Wayne's be dropped; Colson and Rebozo sought to influence a U.S. Parole Board decision on a Jewish co-defendant of Jimmy Hoffa's in hopes of winning some Jewish votes.

All the while, the White House kept talking in lofty terms of "national security." By early 1970, the President and the men around him seemed convinced that much of the domestic disorder was being financed or fomented from abroad. Specifically, the White House held that Black Panther leaders were being covertly supported by Caribbean and North African countries; that blacks were getting insurgency training in North Korea; that the Weath-

ermen and other radicals were being aided by various Communist regimes.

The C.I.A. carefully examined these contentions and in two lengthy reports—submitted in 1969 and 1970—failed to find any supporting evidence. "We said the radicals were clean and that we couldn't find anything," recalls one official who worked on the studies. "We tried to show that the radical movements were homegrown, indigenous responses to perceived grievances and problems that had been growing for years." But the White House discounted these reports.

In April, 1970, 29-year-old Tom Huston, then a White House staff assistant, started preparing studies looking toward a new domestic security program.



Indiana is a stronghold of "libertarianism," that brand of intense individualism which can serve as an ideological underpinning for everything from freewheeling radicalism to rigid conservatism. Tom Charles Huston of Logansport, Ind., began as a Stevensonian Democrat, but in high school became a "Jeffersonian Republican" who admired Cato and John C. Calhoun and wished he had lived in the 18th century. At Indiana University, where he gained bachelor's and law degrees, he became national chairman of Young Americans for Freedom. In 1966, he endorsed Nixon for President—a maverick move when many young conservatives preferred Ronald Reagan—thus earning himself a White House speechwriter's job in 1968. Beyond two years in Army intelligence, the tall, bespectacled Huston brought little experience to his security job. But he justified his role in terms of "libertarian" doctrines. "The real threat to internal security is repression. But repression is an inevitable result of disorder. Forced to choose between order and freedom, people will take order."

Huston confronted several obstacles which the White House believed were severely hampering domestic security and intelligence-gathering operations. One was the F.B.I.'s discontinuance of its domestic espionage programs carried out against suspected foreign agents and some domestic radicals since the start of World War II. With the formal or tacit approval of successive Administrations, the bureau had burglarized suspects' homes and headquarters, tapped phones, bugged rooms, read mail, infiltrated organizations and even blackmailed foreign diplomats. "The boys would do what they had to," recalls one F.B.I. man. "And if they got caught, Hoover would disavow them." But in 1966, according to President Nixon, J. Edgar Hoover, the F.B.I. director, had given orders to discontinue these "special programs." Then, in May, 1970, Hoover compounded the bureaucratic paralysis by cutting off all F.B.I. liaison with the C.I.A. The White House felt its defenses gravely weakened. "My God, we've got to do something about this," said one official.

So, on June 5, 1970, the President called a meeting in his Oval Office attended by Hoover, Richard Helms, director of the C.I.A., Lieut. Gen. Donald V. Bennett, director of the Defense Intelligence Agency, and Adm. Noel Gayler, director of the National Security Agency. This committee, with Hoover as chairman, was instructed to come up with a plan to strengthen the Government's domestic intelligence gathering.

A working group, with Tom Huston sitting in, deliberated for less than three weeks and on June 25 submitted a 43-page report. It called for (1) intensified electronic surveillance of both domestic security threats and foreign diplomats; (2) monitoring of American citizens using international communications facilities; (3) increased legal "mail coverage" (exterior examination to determine sender, postmark, etc.) and relaxation of restrictions on illegal mail coverage (opening and reading); (4) more informants on college campuses; (5) lifting of restrictions on "surreptitious entry"; (6) establishment of an Interagency Group on Domestic Intelligence and Internal Security, with representatives from the White House, the F.B.I., the C.I.A., the N.S.A., the D.I.A. and the three military counter-intelligence agencies.

The report noted that some of the proposed steps were hazardous. Some risks it dismissed out of hand. The only argument against legal mail covers, for example, was said to be "Mr. Hoover's concern that the civil liberties people may become upset [and] this risk is surely an acceptable one." Of "surreptitious entry" it warned: "Use of this technique is clearly illegal; it amounts to burglary. It is also highly risky and could result in great embarrassment if exposed. However, it is also the most fruitful tool and can produce the type of intelligence which cannot be obtained in any other fashion."

The President approved the committee's recommendations and on July 23 a "decision memorandum" outlining the approved steps went to the agencies. The President has said the plan was "operational" for only five days. Huston says that on July 28 Haldeman told him to have the agencies return their copies of the memorandum, but that it was never formally rescinded. According to the President, the obstacle again proved to be J. Edgar Hoover. Hoover had opposed many of the steps within the committee and recorded his objections in footnotes to the report. When the President overrode him, Hoover is said to have gone directly to John Mitchell, who got the memorandum withdrawn later that month. According to one official, Hoover refused to go along with the plan unless the President gave him specific written approval to violate the law—which the President refused to do.



Watergate door: Security guard Frank Wills noticed the tape and called the Metropolitan Police.

Huston says Hoover's real objection was to any board overseeing or evaluating the way he ran the F.B.I. (and, indeed, that very month, he cut off remaining liaison with all other Federal agencies except the White House). Others say Hoover was afraid an F.B.I. agent would get caught in a grossly illegal act and thus blot the director's carefully guarded image.

For a time after the intelligence plan was withdrawn, Huston lobbied vigorously for his baby. In an Aug. 5 memo to Haldeman, he wrote, "All of us are going to look damn silly in the eyes of Helms, Gayler, Bennett and the military chiefs if Hoover can unilaterally reverse a Presidential decision. . . ." But Hoover could and did. All Huston's efforts led only to the loss of his intelligence assignment (his duties were transferred to John Dean) and his eventual resignation.

Hoover's intransigence blocked efforts to gear up the domestic intelligence program for about six months. Then, in December, 1970, the White House tried again. It established an Intelligence Evaluation Committee composed of representatives of the White House, F.B.I., C.I.A., N.S.A., the Secret Service, and the Departments of Justice, Treasury and Defense. The group was supersecret and

reporting directly to the White House, was lodged under strict security precautions in the Justice Department's Internal Security Division. According to the President, the committee was "instructed to improve coordination among the intelligence community and to prepare evaluations and estimates of domestic intelligence." Among other things, it sought to predict the size of demonstrations and their potential for violence. "We were paper shufflers," says one Justice Department official who worked on the committee. "We didn't get into the operational side."

But someone seems to have been operational out there. There have been repeated reports of burglaries which fit the "surreptitious entry" section of the intelligence plan. Two defense lawyers and one defendant in the "Seattle 7" case have reported break-ins just before, during and after the December, 1970, trial. Senate investigators have been told that Government agents were involved in other burglaries at defense offices during the trials of Philip Berrigan, the Chicago Weatherpeople and the "Detroit 13." An attorney for Scott Camil, an indicted member of Vietnam Veterans Against the War, says Camil's papers were stolen from her office on July 8, 1972. Gerald Lefcourt, an attorney for

many protesters, says his New York office was burned and burglarized several times between 1970 and 1972. These reports remain unverified and the perpetrators unidentified.

Jeb Magruder, who was at the White House during this period, has suggested that the Administration's willingness to engage in illegal acts was related directly to the illegality on the part of the radicals and antiwar demonstrators. For Magruder, the most telling exemplar was William Sloane Coffin, under whom he had studied ethics at Williams College. "We saw continuing violations of the law by men like William Sloane Coffin. He tells me my ethics are bad. Yet he was indicted for criminal charges. He recommended on the Washington Monument grounds that students burn their draft cards and that we have mass demonstrations, shut down the city of Washington . . . we had become somewhat inured to using some activities that would help us in accomplishing what we thought was a cause, a legitimate cause."

And thus, in May of 1971, as the Mayday Tribe was laying siege to the city, inside the White House men were preparing their own direct-action plans. Within a month, the President would feel impelled to set them in motion.

Leaks, Leaks, Leaks

I don't find wiretapping a particularly attractive procedure. I similarly don't find the leakage of documents a particularly attractive procedure.

—Henry Kissinger, news conference, May 23, 1973.

ON the morning of June 13, 1971, the Sunday edition of The New York Times plunked down on doorsteps along the East Coast bearing a laconic headline at the top of Page 1: "Vietnam Archive: Pentagon Study Traces 3 Decades of Growing U.S. Involvement." Inside were three more pages of stories and three pages of documents—the first installment of what were to become known as "The Pentagon Papers."

The President's early reaction to the Papers' publication was remarkably relaxed. He told Republican Congressional leaders at the White House the next Tuesday that since the massive Defense Department study of policymaking on Vietnam covered a period ending in early 1968, it was far more likely to embarrass former President Johnson and his aides than anybody in the Nixon Administration. But Sanford Ungar, in his book on the Papers dispute, reports: "A contrary attitude was developing among key White House advisers, especially in the office of Henry Kissinger."

According to Ungar, Kissinger argued that un hindered publication of the papers could damage two sets of secret negotiations then under way: the highly sensitive feelers through Pakistan to arrange Kissinger's trip to Peking (which, in turn, was to pave the way for the President's visit and the historic *rapprochement* with China); and, second, the secret negotiations which had then been going on for nearly two years with North Vietnamese officials in Paris seeking an end to the

Vietnam war. Kissinger argued that the Chinese and the North Vietnamese might back out of these negotiations because they feared the United States could not be counted on to negotiate secretly and keep confidences with other nations.

If these were the arguments being made to the President that week, it is unlikely that he needed much persuasion. For he had long been preoccupied with the need for Government secrecy, particularly in the development and execution of foreign policy. And his deep distaste for news leaks had been aggravated less than four months after his inauguration. On May 9, 1969, The New York Times carried a front-page story by William Beecher, then its Pentagon correspondent, which began: "American B-52 bombers in recent weeks have raided several Vietcong and North Vietnamese supply dumps and base camps in Cambodia for the first time, according to Nixon Administration sources, but Cambodia has not made any protest." This story is said to have caused "dismay and outrage" at the White House. It was regarded, one official recalls, as "a serious security breach." Of course, the bombing was no secret to the Communist forces in Cambodia, or to the villagers on whom some of those bombs were falling. But the story was a severe embarrassment to the White House because it emphasized that Cambodian authorities were acquiescing in this expansion of the war, indeed "cooperating with American and South Vietnamese military men at the border, often giving them information on Vietcong and North Vietnamese movements into South Vietnam." Officials feared that the story's publication would force the Sihanouk Government to curtail or even halt such cooperation.

Suspicion for the Cambodian leak fell at least partly on Morton Halperin, a senior member of the Kissinger staff. Halperin fell under almost automatic suspicion as a Johnson "holdover"—he had

served as a Deputy Assistant Secretary of Defense in the Johnson Administration. Moreover, from the start he and some of the other young "liberals" on the Kissinger staff had been regarded with open hostility by ideological conservatives in Nixon's inner circle. Finally, Kissinger recalls, there were other reasons to suspect a leak on the National Security Council staff. The Cambodia story, he says, "was not an isolated event: It capped a whole series of leaks, including those of detailed discussions of N.S.C. meetings on the Middle East and of other internal discussions."

Kissinger told Halperin he was believed to be the source of the leak. "I told him I was not," Halperin recalls. But shortly thereafter a tap was placed on Halperin's phone at his home in the Maryland suburb of Bethesda. It remained there for more than a year, even after Halperin resigned from the Security Council staff that September and became a relatively inactive consultant to Kissinger. The tap never produced any evidence against Halperin, although it did pick up several phone calls made by Daniel Ellsberg in late 1969 and early 1970, while he was a guest of the Halperins. (Later, Halperin and his wife, Ina, were to wonder just what had been overheard: their young sons—David, Mark and Gary—asking their friends out to play; anxious calls to New York about a relative's surgery; or perhaps those obscenities whispered by an unknown voice in the middle of the night.)

Halperin was one of 13 Government officials whose phones were tapped beginning in May, 1969, the month of Beecher's story. Most or all of the others were also members of Kissinger's National Security Council staff. Meanwhile, taps were placed on the phones of four newsmen suspected of receiving leaked material: Beecher; Hedrick Smith, a diplomatic correspondent of The New York Times; Henry Brandon of The (London) Sun-

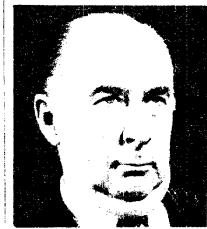
Leaks (cont.)

day Times, and Marvin Kalb of C.B.S. The taps on both officials and newsmen were maintained for varying periods: two for less than 30 days, one for as long as 21 months.

Precise responsibility for the tapping is difficult to assess. Kissinger concedes that around the time of Beecher's Cambodian story he met several times with J. Edgar Hoover to express his "very great concern" that national-security information be fully safeguarded. He also concedes that his office supplied the names of White House staff members with access to classified information. He says he took no further part in initiating the taps. But Justice Department officials say Kissinger gave the F.B.I. the names of several staff members whom he wanted tapped. "The request came from Kissinger," said one official. "Henry wanted some of those guys bugged."

Whoever initiated the request, the White House says that President Nixon personally authorized the 17 taps to protect "national security." Whether he was legally justified in doing so is still in dispute, and the answer will depend on a judicial determination of what "national security" means in these matters. The Federal Government has wiretapped for decades—beginning with Prohibition bootleggers—but the first taps for "national-security" purposes came in 1940 when President Roosevelt ordered the F.B.I. to use them against the "Fifth Column," limiting its targets "insofar as possible to aliens." In 1946, Attorney General Tom Clark persuaded President Truman to broaden this category to include domestic subversives.

Efforts to curb taps began in 1967, when the Supreme Court held that the practice came under the Fourth Amendment's stricture against unreasonable search and seizure, and thus required a court-ordered warrant. In 1968, Congress specifically authorized law-enforcement officers to seek warrants in the fight against crime, notably gambling and the narcotics trade. But neither Court nor Congress limited the President's constitutional power "to protect national-security information against foreign intelligence activities." Then, in June, 1969, Attorney General Mitchell proclaimed an audacious doctrine. He claimed that these Presidential powers permitted wiretapping of any domestic group "which seeks to attack and subvert the Government by unlawful means."



"This Attorney General may be as close to the President as Robert Kennedy was to Jack Kennedy," John Dean was told in 1969. The relations between John Mitchell and Richard Nixon may not have been quite fraternal, but the two men were as close as law partners ever get. Richard

Whalen, a former Nixon aide, writes: "Mitchell was Number 1, tied to the White House by a direct telephone line, the uniquely intimate counselor to whom Nixon turned on every subject from minor political matters to Supreme Court appointments." They first met in 1963, when Nixon began practicing law in New York with the firm of Nixon Mudge Rose Guthrie & Alexander. Mitchell was already one of Wall Street's most renowned bond lawyers. In 1967, Nixon Mudge Rose absorbed Mitchell's firm and the two men practiced law and politics together until Nixon asked Mitchell to manage his 1968 Presidential campaign. As Attorney General, Mitchell took a tough line, calling for wiretaps, preventive detention, no-knock and stop-and-frisk laws. Some found him cold, even

ruthless, but his ebullient wife, Martha, called him "a cute, cuddly, adorable fellow."

In June, 1972, the Supreme Court rejected the Mitchell wiretap doctrine, holding that no such domestic group or individual could be tapped without a warrant. But the Court still did not touch the President's right to tap, without warrants, when the case involved foreign intelligence. Some officials therefore contend that the 1969 taps were legal because they were designed to prevent "national-security" information from falling into the hands of the press and then of foreign agents. Others are convinced that the Court would never construe the President's power that broadly, and thus argue that the 1969 taps were illegal from the start.

The last of the 17 F.B.I. taps installed on newsmen and N.S.C. staff members in 1969 were removed in February, 1971. "We found what we wanted to find out," one official says. "We found the people who were the weak links." At least three "blabbermouths" were eased out of their jobs. "There were a couple of guys who could have been prosecuted," the official says. "But we just let them go out of the Government."

To have prosecuted them would have required the Government to reveal the existence of the taps. But these taps were so "sensitive" that some officials didn't want them even in the regular F.B.I. files. Eventually they were passed on to Robert Mardian, the Assistant Attorney General in charge of the Internal Security Division. Mardian says the President ordered him to deliver them to the White House, where they turned up eventually in Ehrlichman's safe.

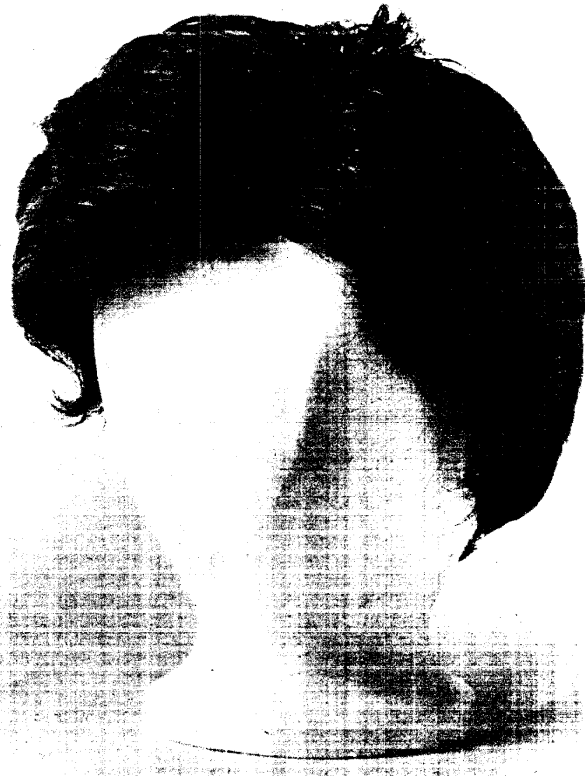
The White House tapped at least one news-

man's phone: that of the syndicated columnist Joseph Kraft. Dean says Caulfield told him the tap was ordered by Ehrlichman. According to another source, Caulfield asked Ehrlichman why he didn't get the F.B.I. to do it and Ehrlichman said, "The F.B.I.'s a sieve. Things get out that way."

According to Dean, Caulfield said he placed the Kraft tap aided by Ulasewicz and John Ragan, a security consultant to the Republican National Committee, and recalled it as "a rather harrowing experience when he was holding the ladder in a back alley of Georgetown while also trying to keep a lookout as another member of the group was working at the top of the ladder." The tap was apparently taken off several weeks later. "They had it another way," Ehrlichman is said to have commented.



According to Evans and Novak, John Ehrlichman began his political career as an "espionage agent" for Richard Nixon. In 1960, he followed Nelson Rockefeller's abortive campaign for the Republican nomination, feeding reports back to the Nixon camp. He told a Seattle Times reporter of driving a Rockefeller car in the Governor's caravan through North Dakota: "The Rockefeller people thought I was from North Dakota and the North Dakota people thought I was from Rockefeller." Later, Evans and Novak say, Ehrlichman was sent as a secret observer to the Democratic National Con-



Disguise for a Plumber: "He was very eerie," said Mrs. Beard's son, "with this huge red wig on cockeyed."

vention, where he prepared a dossier on the Kennedy campaign apparatus. Ehrlichman was brought into the Nixon campaign that year by his classmate and old friend from U.C.L.A., Bob Haldeman. After the 1960 loss, he went back to practicing land-use law in Seattle, worked briefly in the 1962 campaign, then was the "tour director" of the 1968 campaign. His reputation for hard-nosed efficiency is legendary. At the White House, Ehrlichman served first as counsel to the President, then as the President's chief assistant for domestic affairs. A Christian Scientist who neither smokes nor drinks, he became known as a cool executor of Presidential wishes. One colleague says: "He leaves no more blood on the floor than he has to."

Meanwhile, the publication of the Pentagon Papers was setting off another security crackdown, this one even more stringent and wide-ranging than the hunt for the Cambodia leak. Colson recalls that following the Papers' publication White House staffers held a series of "panic sessions."

Several factors caused particular panic. One was the officials' fear that 31 of the 45 documents appearing in *The Times* had come not from the Pentagon Papers but from other secret Government sources. (They were wrong.) Another factor which contributed to the agitation at the White House that month was the knowledge that a copy of the Pentagon Papers had found its way into the hands of the Soviet Embassy only a few days after

The Times began publication of the documents. According to Government sources, the papers were delivered to the embassy on June 16 by a man who handed over a letter signed with an alias.

Within a few days, the White House became convinced—as the President recently put it—that it was dealing with "a security leak of unprecedented proportions... a threat so grave as to require extraordinary actions." In the first such action, the Justice Department went to court seeking "prior restraint" on continued publication of the Papers (on June 15 and 19, it got temporary restraining orders against *The Times* and *The Post*, but the Supreme Court permitted the newspapers to resume publication of the Papers on June 30).

The Plumbers

Anyone who opposes us, we'll destroy. It's a matter of fact, anyone who doesn't support us, we'll destroy.

—Egil Krogh Jr.
in a 1969 conversation with Daniel X. Freedman,
chairman of the psychiatry department,
University of Chicago.

SOMETIME in the spring of 1971, John Caulfield noticed that he and Tony Ulasewicz were getting fewer assignments. "For some reason," a former White House aide recalls, "it was decided that Caulfield couldn't handle the really heavy stuff." Within a week of the Pentagon Papers' publication, the President authorized another "extraordinary action": establishment within the White House of a Special Investigations Unit whose task, as the President later put it, was to "stop security leaks and to investigate other sensitive security matters." In other words, "the heavy stuff."

The President asked John Ehrlichman to supervise the project, and in early July Ehrlichman assigned 31-year-old Egil Krogh Jr., one of his assistants, to head the unit.

Many a noon these past few years, a lone figure in a gray sweatsuit might have been seen jogging around the Ellipse behind the White House. The runner was Egil (Bud) Krogh, who jogged five miles a day to keep in shape. Krogh maintains a similar regimen in the rest of his life. One acquaintance describes him as "a brisk, polite, dynamic young executive—he had all the facts, he'd done his homework. Never mussed, never damp, absolutely spic and span." Others called him "straight as an arrow" and "a very spiritual guy" (like Ehrlichman and Haldeman, he is a Christian Scientist), and some liked to call him "evil Krogh," because he was so patently the opposite. Brought to the White House by Ehrlichman, with whom he served in a Seattle law firm, Krogh was assigned to the staff of the President's Domestic Council, specializing in transportation and crime prevention. He was also the White House liaison



man with the District of Columbia, seeking to create "a new psychological climate." Partly, that meant law and order, he said, "but it doesn't mean repression. We're trying to create a respect for authority, not necessarily for power."

The Special Investigations Unit opened offices in Room 16 in the basement of the Executive Office Building next door to the White House. Krogh was assigned an associate—David Young, a 32-year-old lawyer from Kissinger's National Security Council staff—and a secretary, 23-year-old Kathleen Chenow. To insiders, the outfit was often known simply as "the Room 16 Project," but soon it acquired another nickname. Miss Chenow recalls: "David Young's mother-in-law or grandmother or somebody saw in *The New York Times* that Krogh and Young were working on leaks. She called the story to his attention, saying, 'Your grandfather would be proud of you, working on leaks at the White House. He was a plumber.' So David put up a sign on the door which said, 'Mr. Young—Plumber.'"

New urgency was attached to the Plumbers' work as a result of several other developments that summer. One, Krogh recalls, was a report from the C.I.A. that a news story had "put in jeopardy the life of an intelligence agent." But by far the most important came on July 23 when William Beecher produced another of his annoying scoops. This one began: "American negotiators have proposed to the Soviet Union an arms-control agreement that would halt construction of both land-based missiles and missile submarines," and went on to spell out the American proposals at the U.S.-Soviet strategic arms limitation (SALT) talks under way in Helsinki. Author John Newhouse says the Beecher story stirred "rage" in the White House. The U.S. and the Russians had a firm agreement not to release details of their proposals to the press. Not only was Beecher's article full of such details, but it came out the morning before the U.S. delegation was to make its first presentation of the proposal to the Russians in Helsinki. And, worse yet, it disclosed one of the American fallback positions. Nevertheless, some observers believe the Administration was more concerned about domestic considerations, fearing that the proposal would now become the subject of political pulls and counterpulls at home.

In subsequent statements, White House officials

have given the impression that this and other leaks were part of a plot orchestrated by the radical left and abetted by its allies in Government. But the known facts on the SALT leak do not support that premise. The precise identity of Beecher's source has never been revealed. But six Pentagon officials were shifted out of their positions supposedly as a result of the leak. And the State Department asked three of its officials known to have talked to Beecher during this period to take lie-detector tests, administered by the C.I.A. in apparent violation of the statute that bars that agency from domestic operations. A State Department spokesman says the officials still occupy "positions of responsibility" at the department. Some believe Beecher's story came from Pentagon officials who sought to sabotage the SALT talks because they disapproved of any rapprochement with the Soviets; others think it came from those who wanted to "freeze" the United States negotiating position. But it almost certainly came from Government officials with no current ties to Dan Ellsberg or the Weathermen.

By then, it hardly mattered where it came from. That summer of '71, many men in the White House apparently felt events closing in on them, as if somehow all the people on their "enemies list" had joined hands to destroy them. In part, their fears involved national-security considerations. But plainly there were political considerations, too. By that summer, the President knew that he was going to be campaigning for re-election largely in Peking and Moscow. Any obstacles on his road to those two capitals also blocked his parallel campaign trail. Part of the problem in succeeding months may have been the inability of the President and the men around him adequately to distinguish between those two thoroughfares.

Egil Krogh recalls that, following the SALT leak, he and John Ehrlichman met with the President. Mr. Nixon instructed Krogh to move ahead with "the greatest urgency" to determine the source of those leaks.

To meet the Pentagon Papers "crisis," the White House needed more operatives trained in security and intelligence. Chuck Colson, who was then working part-time on the problem, thought of a man whom he had first met five years before at a Brown University party and whom he had since come to know well.

Plumbers (cont.)

"We became lawless in a struggle for the rule of law — semi-outlaws who risk their lives to put down the savagery of others," says Peter Ward, a C.I.A. agent in a book called "Hazardous Duty" by David St. John—also known as John Baxter, Gordon Davis, Robert Dietrich and Howard Hunt. The 46 published novels Hunt has written under these names reflect the curious amalgam of luxuriant fantasy and actual skulduggery in the life of Everett Howard Hunt Jr. In part, his books are based on his own 20 years as a C.I.A. agent in Paris, Vienna, Mexico City, Madrid and Montevideo. As a specialist in "dirty tricks," he played an active role in the 1954 overthrow of the left-wing Guatemalan Government. In the early sixties, operating under the code name "Eduardo," he was the C.I.A.'s representative to the Cuban Revolutionary Council, in whose name the Bay of Pigs invasion was launched. Blocked from further promotions, Hunt retired from the agency in 1970 and joined Robert R. Mullen & Company, a Washington public-relations firm with strong ties to the conservative wing of the Republican party. But he missed the C.I.A. desperately. "You see, our Government trains people like myself to do these things and do them successfully," he explained later. "It becomes a way of life for a person like me." So, in retirement, he lived out the riper reveries from his own books: French food, wine and the elegant life ("the service plates were Revere gadroon, the crystal was an opaline much favored by the Sun King's sycophants..."), exciting women ("Oh Jake," breathes the Senator's wife in "The Covenant." "Oh, you bastard. You brutal goddamn woman killer"), and truly uninhibited espionage (the former C.I.A. agent in "The Berlin Ending" thinks the agency has "grown old and cautious. Prim. Reliant on technology far more than human beings").

Colson says he passed Hunt's name along with several others to Ehrlichman, who interviewed him and ordered him hired. Ehrlichman says he met Hunt only once, on July 7, "the day after Charles Colson hired him." In any case, Hunt was hired July 6 as a \$100-a-day White House consultant and given an office on the third floor of the Executive Office Building (although he retained his job at the Mullen company where he worked, among other things, on a television spot on disturbed children featuring Julie Nixon Eisenhower). Colson says Hunt was assigned to his staff for "internal budget" reasons only. But Hunt says he worked under Colson's direction for the next year on a wide variety of matters, most of which had nothing to do with the Pentagon Papers.

First, he asked Colson to arrange cooperation from Hunt's old colleagues at the C.I.A. Colson concedes that he called Ehrlichman on July 7 and told him that Hunt wanted "to establish liaison with the C.I.A. as well as with other Government agencies." Marine Gen. Robert E. Cushman Jr., then the C.I.A.'s Deputy Director, says Ehrlichman called him that same day and said, in effect, "Here's Mr. Hunt; he works for us. He'll be around to see you." Cushman has said he assumed that Ehrlichman "spoke with the authority of the President." Ehrlichman says he doesn't have "the faintest recollection" of such a call.

On July 22, Hunt visited Cushman in his office at the C.I.A.'s secluded Langley, Va., headquarters. The two men had known each other for years and once shared an office when Cushman had served previously with the agency. So when Hunt

came to see him, Cushman says, he knew him to be "a highly respected and honorably retired C.I.A. employee." According to Cushman, Hunt said he had "a very sensitive one-time interview that the White House wanted him to hold with a person whose ideology he was not sure of, and that he dare not reveal his [Hunt's] true identity." Therefore, he would need a physical disguise and some false identification.

The next day, a representative of the C.I.A.'s Technical Services Division called Hunt and instructed him to come to a "safe house"—a clandestine C.I.A. meeting place—on Massachusetts Avenue near the National Cathedral. There he was furnished with a wig, glasses and a speech-alteration device (a plate which fits into the mouth and alters the tone of the speaker's voice) as well as a Social Security card, a driver's license and several association membership cards in the name of Edward Joseph Warren.

Those early summer months were a boom time for Senator Ted Kennedy. A Gallup Poll released on May 16 showed that 29 per cent of registered Democrats favored him for the 1972 nomination, with only 21 per cent for Edmund Muskie, the previous front runner. Rumors circulated in Washington that the Kennedy clan was already gathering at Hyannis Port to chart campaign strategy. So the White House—which had earlier assigned Caulfield to dog his steps—once again began a Kennedy watch. But this time with a special intensity.

Chuck Colson harbored an intense dislike of Kennedy (he has said that had he seen Kennedy after the Senator's 1970 denunciations of Nixon, "I might have attacked him physically"). And Hunt, who says Colson assigned him to follow the Kennedy trail, seems to have felt just as strongly. Hunt's latest book, "The Covenant," features a Senator—Newbold Van— who is almost certainly patterned after one or all of the Kennedys. ("The Vanes were nonserious people who demanded to be taken seriously... Their whole imperious life-style was preposterous. Vane was about as qualified to be President as I was to practice open heart surgery.")

Later in the month, using the disguise furnished him by the C.I.A., he traveled to Providence, R.I., where he met for two hours in a motel room with Clifton DeMotte, a General Services Administration employe who was also known to be a Kennedy watcher by avocation, having followed the family's activities closely ever since he worked in a Hyannis Port hotel in 1960. Hunt asked him about Chappaquiddick, about "any woman-chasing by the Kennedy boys; if I'd heard of any scandal-type material." DeMotte passed along some hearsay on "real swinging parties" and "booze" and some harder information on "hell-raising" by Kennedy staffers. But when Hunt asked him to do some research on Chappaquiddick, DeMotte turned him down, partly because Hunt refused to say whom he was working for.

Hunt then turned his attention to the Pentagon Papers. But he was soon back to Kennedy. During much of July, he and others combed through the Papers, comparing them with the press accounts to see if the stories were accurate. Then, abruptly, he began to zero in on one phase of the vast history: late 1963, when the South Vietnamese generals were hatching a coup against President Ngo Dinh Diem which, the Papers showed, President Kennedy knew of and approved.

In August, the White House asked the State Department to provide classified cables exchanged between Washington and Saigon from April to November, 1963. At a news conference on Sept. 16, President Nixon said in answer to a question, "I would remind all concerned that the way we got into Vietnam was through overthrowing Diem and the complicity in the murder of Diem." A week later, Hunt went to the department's file record room and copied 240 cables from 1963. He says

that Colson, who was "directing" his research on this matter, asked him soon afterward, "Well, what kind of material have you dug up in the files that would indicate Kennedy complicity?" Hunt says he showed Colson three or four legitimate cables "that indicated that they had pretty close to pulled the trigger against Premier Diem's head, but it didn't say so in so many words." According to Hunt, Colson then said, "Do you think you could improve on them?" Not without technical assistance, Hunt said. "Well, we won't be able to give you any technical help," Hunt recalls Colson saying. "This is too hot. See what you can do on your own."

Using a razor blade and a White House Xerox machine, Hunt pieced together two fakes. One, dated Oct. 29, 1963—three days before Diem's death—purported to be a State Department message to the U.S. Embassy in Saigon. It began: "At highest level meeting today, decision reluctantly made that neither you or Harkins [Gen. Paul D. Harkins, then commander of United States forces in Vietnam] should intervene in behalf of Diem or Nhu [Ngo Dinh Nhu, President Diem's brother] in event they seek asylum."

Several weeks later, Colson suggested to a friend—William Lambert, an investigative reporter for Life magazine—that he reread Nixon's Sept. 16 news conference; then he sent him over to see Hunt's cable. "Mr. Lambert was quite exultant over the find," recalls Hunt, who let the reporter copy the cable. For many months, before Life magazine folded in late 1972, Lambert was unable to satisfy himself about the cable's authenticity. Only in May, 1973, did Colson tell Lambert that the cable was a fake, although he said he had learned of the fabrication in February, 1972. Colson emphatically denies ordering Hunt to fabricate the cable, although he concedes that "it is entirely possible that Hunt misunderstood something I said to him at the time he was reviewing Pentagon Papers cables with me."

By mid-August, Hunt had shifted over to the Plumbers squad (though still, he says, reporting to Colson). Meanwhile, another investigator had been added to the squad—a man who had been forced out of the Treasury Department only weeks before, after he had vigorously lobbied against the Administration's gun-control legislation and had even delivered a rousing speech against such controls before the 100th-anniversary convention of the National Rifle Association. But all that was no disqualification for work with the Plumbers. He was recommended by Egil Krogh and hired by Ehrlichman on July 19.



G. Gordon Liddy loves guns. An F.B.I. man in the early sixties, he recalls he once "tailed out of a moving car and outdrew" a most-wanted fugitive. As an assistant district attorney in Dutchess County, N.Y., in the mid-sixties, he rode around with a gun strapped to his shoulder, and once, while summing up a robbery case to the jury, he pulled a pistol out of his pocket and fired it at the ceiling. "Gordon's a cowboy," says a former political rival. "He wanted to go back to the days when men were men and life was simpler." A former colleague in the District Attorney's office says: "He could turn the most routine case into an earth-shattering event when it hit the papers." (In 1966, Liddy took public credit for a drug raid on Timothy Leary, which, according to a Poughkeepsie lawyer, "he had very little to do with.") In 1968, Liddy ran in a Republican primary against incumbent Congressman Hamilton Fish Jr.

His campaign literature ("He knows the answer is law and order, not weak-kneed sociology. Gordon Liddy doesn't bail them out—he puts them in") featured a picture of him wielding a police spotlight at a crowd of angry blacks. Although he lost the primary, Liddy had the Conservative party nomination. But he declined to run in the general election, and a few months later Congressman Fish recommended him for his job at Treasury.

If Ted Kennedy was the first of the "them," by June, 1971, Daniel Ellsberg was a very close second. "Because of the extreme gravity of the situation, and not then knowing what additional secrets Mr. Ellsberg might disclose," the President recalls, he told Egil Krogh that "as a matter of first priority the [Special Investigations] unit should find out all it could about Mr. Ellsberg's associates and his motives."

This separate investigation of Ellsberg—outside normal F.B.I. channels—was necessary, Krogh was informed, because Hoover was a close personal friend of Louis Marx, father of Ellsberg's second wife, Patricia. Marx and Hoover were indeed close friends, but the ultraconservative millionaire had little sympathy for his son-in-law's current activities and refused to contribute money to his defense.

In the early stages of the Plumbers' investigation, Krogh recalls, he received "information suggesting that Dr. Ellsberg did not act alone." So the unit concentrated for a while on discovering whether the Papers' disclosure was "an individual act, the act of a small group, or the result of a wider conspiracy to engage in espionage." As part of this effort, the Plumbers were reportedly getting transcripts from a phone tap placed on Ellsberg's home phone sometime in the spring of that year (the F.B.I. is said to have been investigating Ellsberg even before publication of the Pentagon Papers). But the Plumbers themselves apparently initiated wiretaps on two New York Times reporters: Neil Sheehan, the reporter responsible for obtaining the Pentagon Papers, and Tad Szulc, who covered the State Department.

Another suspected conspirator was Mort Halperin, the target of earlier F.B.I. taps. By about this time he had been elevated to the "top 20" of the enemies list with the notation "a scandal would be most helpful." Halperin, who had been in overall charge of the Pentagon Papers project, was then at the Brookings Institution, a private research institute staffed by many former Kennedy and Johnson Administration officials. According to John Dean, Caulfield told him that Chuck Colson had instructed him in June or July to burglarize an office at Brookings (said to be Halperin's) and seize any "leaked documents." Caulfield said Ulasiewicz had "cased" the institution and made "friendly contact" with a security guard there. According to Dean, Caulfield told Colson that security at Brookings was "extremely tight," but Colson said that "if necessary he should plant a firebomb in the building and retrieve the documents during the commotion that would ensue." Dean says he flew to California and persuaded Ehrlichman that the Brookings burglary was "insane." He says Ehrlichman phoned Colson to "call it off." Colson denies the whole story, although an associate says he may have suggested the bombing as a joke.

Gradually, the Plumbers began zeroing in on Ellsberg himself. Hunt explains that there was "concern" in the White House about prosecuting Ellsberg for fear that he would become a martyr. Some officials pressed for information which would allow them to determine Ellsberg's "prosecutability"—presumably not merely his role in publishing the Papers but aspects of his background which would make him vulnerable. Ellsberg had been in psychoanalysis in Los Angeles, and Hunt says the unit soon concluded that the best

"instant source" would be the psychiatrist's files.

Two F.B.I. agents visited the psychiatrist, Dr. Lewis J. Fielding, on July 20 in his office at 450 North Bedford Drive in Beverly Hills. Dr. Fielding, a slender man in his mid-50's with a shaved Yul Brynner-style head, recalls that the agents wanted to discuss Dr. Ellsberg. He said he would consult his attorney, and the next day the attorney called the F.B.I. and said his client would not violate the confidentiality of the doctor-patient relationship.

Krogh recalls that when Dr. Fielding refused to cooperate, Ehrlichman gave the unit "a general authorization to engage in covert activity to obtain a psychological history" of Ellsberg. Hunt recalls that about this time the idea of a burglary—a "bag job"—on the psychiatrist's office became the topic of "low-key conversation around the office." Hunt says that at one point he inquired why the F.B.I. couldn't do the burglary and Liddy told him that in recent years the bureau had ceased training agents for that type of operation. "The agents had been reassigned or lost their skills." He said he then asked why the Secret Service couldn't do it and Liddy said the White House didn't trust them for that kind of job.

Prosecutors are said to have a copy of a memo from Krogh and Young to Ehrlichman, dated some time before Sept. 3, which outlines in detail plans to burglarize Dr. Fielding's office. Young has testified that Ehrlichman saw the memo and approved the burglary. Ehrlichman has refused to confirm or deny this. And John Dean says Krogh told him that orders for the burglary came "directly from the Oval Office." Hunt says those who approved the burglary made clear that "no one with any association with the White House could be involved in any way directly with such an operation. . . . So I was asked whether or not, as a result of my old C.I.A. contacts, I could come up with a team capable of making such an entry."

He immediately thought of an old friend, Ber-

nard Barker, who—under the code name "Macho"—had been his principal assistant in the Bay of Pigs operation. For the past decade, they had kept in touch only through an occasional letter. Then, on April 16, 1971, Hunt and his wife were in Miami for a reunion the next day of the Bay of Pigs veterans. Hunt stopped by Barker's house and pinned a note to his door, saying "if you are the same Barker I once knew," he should contact Hunt at a Miami Beach hotel. A few hours later, Barker called and the two "freedom fighters" and their wives had lunch together in a Cuban restaurant and talked about "old times."



"I was not there to think. I was there to follow orders," Bernard Barker was to say later in describing his relationship with Hunt. For most of his life, Bernard Barker has been following orders. Born of American parents in Havana, he spent his youth alternating between schools in Cuba and the United States. As with so many sons of uncertain heritage, he became a fierce patriot. The day after Pearl Harbor, he went to the American Embassy and enlisted in the Army Air Corps—"the first volunteer in the Second World War from Cuba," he proudly proclaims. When his plane went down over Germany, Captain Barker spent 16 months as a prisoner of war. His sense of discipline was reinforced by postwar service in the Cuban police force—during which he once served as a bodyguard for Mrs. Truman and her daughter, Margaret. Castro's seizure of power sent Barker into exile and several years of determined resistance work—in the Bay of Pigs and other clandestine operations. Gradually he settled



Watergate cash: Some of the bills found on the men arrested in the burglary of D.N.C. headquarters.

Plumbers (cont.)

down to make money in Miami, working as an assistant store manager, studying at night to get a real-estate license, finally opening his own realtor's office—Barker Associates—with a staff of 10 salesmen.

Four months after their Bay of Pigs reunion, Hunt flew to Miami again and spoke with his old comrade in arms. He asked, Barker recalls, "would I be willing to help him in a matter of national security?" Barker says Hunt contended that the "national-security organization" to which he then belonged was "above both the C.I.A. and the F.B.I." He was vague about the specific mission, saying only that it involved "a traitor to this country who had given information to a foreign embassy." Barker eagerly signed on, believing that "Mr. Hunt's position in the White House would be a decisive factor at a later date for obtaining help in the liberation of Cuba."

Hunt then asked him to recruit two others. Barker chose two of his own real-estate salesmen: Felipe DeDiego, 43, who Barker said had taken part in a successful raid to capture Castro Government documents; and Eugenio R. Martinez, 48, whom Barker credits with "over 300 infiltrations into Castro Cuba."

Late in August, Hunt got a Tessina camera concealed in a tobacco pouch from his C.I.A. contact and also arranged for Liddy to be outfitted with false identification and a disguise. On Aug. 25, Liddy and Hunt flew to Los Angeles for what Hunt called "a preliminary vulnerability and feasibility study." Wearing dark glasses, Liddy posed by some bright flowering bushes outside Dr. Fielding's office building, while Hunt, using his photographic tobacco pouch, snapped some pictures of the building, a nondescript three-story structure decorated with blue panels around the windows. Then they walked through the wood-paneled hallways to Fielding's office in Room 212, brushed through the open door and began snapping more pictures. Suddenly, Maria Martinez, the cleaning

man's mother, entered the office. Hunt said calmly in Spanish, "I am a doctor." Mrs. Martinez seemed satisfied and left. That evening, Hunt called the C.I.A. and asked to be met when he and Liddy arrived the next day at Dulles Airport. There they handed a roll of film to an agent who got it developed and returned it to Hunt that same evening.

On "D minus two" (Sept. 2), the two branches of the burglary team converged on Beverly Hills: Barker, Martinez and DeDiego flying directly from Miami to Los Angeles; Liddy and Hunt stopping off in Chicago to pick up several walkie-talkies and other equipment. On the morning of Sept. 3, the Miami men were briefed by Hunt and then made a "visual reconnaissance" of the target. At 9 P.M. that evening, two of them returned dressed in delivery men's uniforms and carrying a large green suitcase addressed to Dr. Fielding and marked with "Air-Express" and "Rush" stickers. Efrain Martinez, the cleaning man, let them into Fielding's office where they placed the suitcase on the floor.

A few minutes past midnight the team swung into action. Hunt stationed himself at Dr. Fielding's residence to make sure the psychiatrist remained at home. Liddy cruised the area in a rented car looking for police, keeping in touch with the others over a walkie-talkie. Meanwhile, the three Miami men returned to the building. Using masking tape and a glass cutter, they broke through a window on the ground floor and forced the door to Fielding's office. There they opened the green suitcase, which contained a 35-mm. camera, a spotlight and film. Barker pried open a wooden cabinet and a steel filing cabinet, strewing their contents around the office as he looked for information on Ellsberg. Here the participants' testimony differs. Barker says they found nothing on Ellsberg except his name in one of the doctor's address books, but DeDiego says they did find Ellsberg's file, and that he held the contents while Martinez photographed them. In any case, by 4 A.M. all five men had returned to the Beverly Hilton.

After their return to Washington, Hunt and Liddy showed Krogh pictures they had taken of

Dr. Fielding's apartment and, apparently believing that the psychiatrist might be keeping some of Ellsberg's records at home, recommended a burglary attempt there. Krogh says that Ehrlichman rejected the proposal. Ehrlichman says that as soon as he heard of the project he told Krogh and Young he "did not agree with this method of investigation" and they should "not do this again."

Following the burglary, the White House apparently renewed a request to the C.I.A. for a "psychological profile" of Ellsberg. Hunt says he knew the agency had a division that did behavioral profiles on world leaders—the most celebrated being the one of Nikita Khrushchev just before President Kennedy met him in Vienna in 1961. The agency had done only one such profile on an American—Capt. Lloyd Bucher of the Pueblo, after he and his crew were captured by the North Koreans in 1968. This, at least, had some direct relation to the C.I.A. mission abroad; but the request for an Ellsberg profile made the agency's two top medical men—Dr. John Tietjen and Dr. Bernard Malloy—"apprehensive." They were overruled by their superiors, among them Director Richard Helms and General Cushman. A final profile on Ellsberg, incorporating classified information from the Justice and State Departments, was delivered to the White House on Nov. 12. Meanwhile, Hunt drew up his own report—a 28-page chronology of Ellsberg's life, later found in Hunt's safe.

The President has said that by the end of 1971 the Plumbers' work had "tapered off" and the unit had begun to disperse. Some of its members were "recalled" to action in January, 1972, when Jack Anderson began printing minutes of secret National Security Council discussions on the India-Pakistan war (later, Krogh sheepishly admitted to Ehrlichman that they had "failed" to find Anderson's source). Hunt maintained a clandestine telephone in the Plumbers' office until March, 1972, for which bills were sent to Kathy Chenow's home and approved by an aide to John Ehrlichman (the phone was used chiefly for calls to Bernard Barker in Miami, Miss Chenow says). But with the approach of the election year, most of the Plumbers were moving on to more overtly political activities.

Dirty Money

I have often thought we had too much money.

—Herbert Porter, testimony to Ervin Committee, June 7, 1973.

FROM the top floor of Irvine Towers, where Herbert Kalmbach has his office, one can watch the sparkling white yachts bobbing in the Pacific along "Millionaire's Row" in Newport Beach, Calif. Within a silver dollar's throw of the twin office towers, some 10 or 12 millionaires live in walled, well-guarded beachfront compounds. And many of those men belong to the Lincoln Club, an exclusive group of California businessmen that over the years has given vast sums of money to Richard Nixon—much of it funneled through the President's long-time personal lawyer, Herb Kalmbach.

By Jan. 28, 1971, Mr. Kalmbach had opened an account in the Newport Beach branch of the Bank of America, which has offices in Irvine Towers East. Over the next year or so, according to Government sources, he maintained up to \$500,000 in that account—many of the deposits coming in cashier's checks which he purchased with cash at a branch of the Security Pacific National Bank, whose office is in Irvine Towers West. Money was transferred back and forth between Irvine Towers East and Irvine Towers West in an apparent effort to blur its trail.

Kalmbach was the chief fund raiser for the Nixon campaign until February, 1972, and thereafter second only to Maurice Stans. His secret fund, established at least two years before the election, set the tone for the financial side of the White House effort.



Since Nixon entered the White House in 1969, a remarkable change has come over the Los Angeles law firm of Kalmbach, De Marco, Knapp & Chillingworth. It began to rise: from the eighth floor of Century City to the 19th floor of a downtown Los Angeles business center to the 44th floor of the city's newest skyscraper (Kalmbach keeps a separate office in Newport Beach). A similar change has come over the firm's clientele, which in 1968 included the likes of the local Newport National Bank and Pacific Lighting—and today includes such companies as United Air Lines,

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Marriott Corporation, Travelers Insurance and Music Corporation of America. The main attraction does not appear to be Kalmbach's legal wizardry. William King, a former Nixon finance chairman, says: "He [Kalmbach] isn't especially known for his practice of law." A Newport businessman says, "If you have business with Washington and you want a lawyer, you can go to Herb, but you can't talk with him for less than \$10,000." For years Kalmbach's career has benefited from political friendships. He was a college friend of Robert Finch, Nixon's longtime adviser. After heading the Orange County campaign in Finch's successful race for Lieutenant Governor in 1966, he served under Maurice Stans as associate finance chairman of the 1968 Nixon campaign. And he can often be seen at lunch with F. Donald Nixon, the President's brother, at a Newport Beach restaurant called The Quiet Woman.

The precise source of Kalmbach's secret fund is unclear. Some of it may have been money left over from the 1968 campaign. Some of it may have been part of an estimated \$3-million in covert money which—according to The Washington Star—Kalmbach raised for Republican Senate candidates in 1970 and had distributed from the basement of a Washington town house.

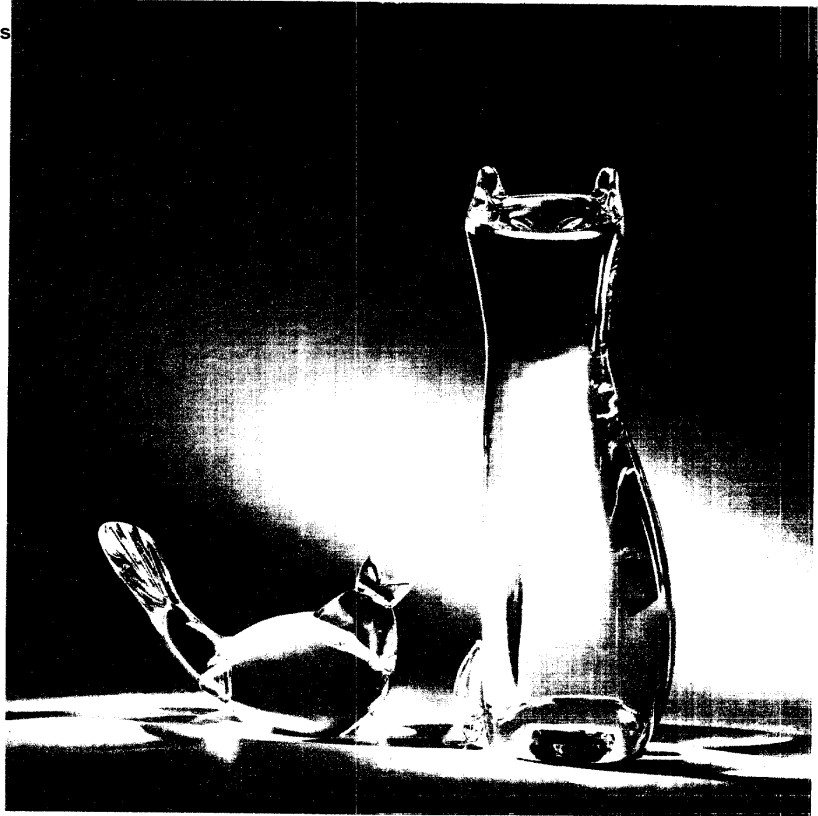
One thing is clear: Starting early in 1971, Kalmbach was hard at work raising money from wealthy individuals and groups for the 1972 campaign. One of his first efforts focused on the dairy industry, which early in the spring of 1971 had reason to be grateful to the Nixon Administration.

In the first weeks of March, "after careful review of the situation and the provisions of law," Secretary of Agriculture Clifford Hardin pegged price supports for "manufacturing milk" — a basic grade used to make butter and cheese—at \$4.66 a hundred pounds, the same as the previous year. The Secretary said raising supports might prompt overproduction, which would glut the market and pile up surpluses in Government warehouses. "This we must avoid," he said.

On March 22, the Trust for Agricultural Political Education (TAPE), a dairy-industry political fund, donated a total of \$10,000 to Republican committees. On March 23, President Nixon and Secretary Hardin met in the White House Cabinet Room with 16 dairy-industry leaders who urged them to reconsider the supports decision. On March 24, the Trust for Special Political Agricultural Community Education (SPACE), another dairy-industry fund, put \$25,000 more into Republican committees. On March 25, Hardin announced that the milk price supports would go up, after all, to \$4.93 per 100 pounds.

The dairymen proved very grateful indeed. TAPE, SPACE and other dairy groups contributed an estimated total of \$422,500 to the Nixon re-election effort. (There may have been much more of this kind of thing. Senate investigators are looking into allegations that the Nixon campaign drew up a list of corporations "who had problems with the Government" in order to solicit funds from them. American Airlines has admitted it contributed \$55,000 in company funds—a violation of election law—after the funds were solicited by Kalmbach. At the time, the Civil Aeronautics Board was considering American's proposed merger with Western Airlines, which it later rejected. Eastern Airlines and the Chrysler Corporation say they spurned similar solicitations.)

By and large, the milk money did not go to the regular fund-raising committees, which were required by law to report their financial transactions. Instead, it went to some 100 committees set up in the District of Columbia specifically to receive the milk money without disclosing its source. This took advantage of a loophole in the law, which required fund-raising com-

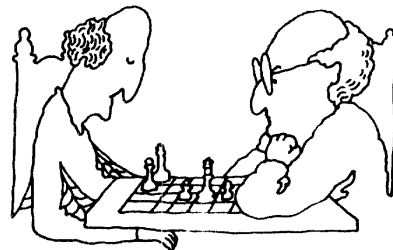


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Money (cont.)

mittees to register and report only if they were "organized for the purpose of influencing the outcome of the general election in two or more states." The committees, the Republican fund raisers reasoned, operated only in the District and worked for the renomination, not the re-election, of the President. (Common Cause has since brought a legal challenge to this rationale, arguing that the law speaks not of operating but of influencing the outcome in two or more states, which the money would certainly do, and that the President was under no serious challenge from his opponents in the primaries—Representatives Paul McCloskey and John Ashbrook—so that, from the start, the money was raised for his re-election campaign.)

The multiple committees had another purpose: to take advantage of a ruling by the Internal Revenue Service which provided that if a single donor distributed his contributions in increments of \$3,000 or less, the donor did not have to pay a gift tax. Such committees were hardly a Republican invention; they had become the common device of both parties to accommodate large contributors.

The Republican committees were established in a great hurry during the spring and summer of 1971. One Republican recalls a man staying up late into the night just to think of names, some of which indeed show great ingenuity: Organization of Sensible Citizens, Americans United for Objective Reporting, Supporters of the American Dream, Committee for Political Integrity.

The groups were purely paper organizations. The people listed as "chairmen" often knew little or nothing about them. The Organization of Involved Americans, for example, listed its address at the office of John Y. Merrell, a Washington attorney. Americans United for Political Awareness was listed at Merrell's home in Arlington, Va. He was chairman of one, his wife of the other, but Merrell couldn't remember which was which. The Merrells recall that they were asked to lend their names and addresses to the cause by Robert F. Bennett, president of Robert R. Mullen & Co., the public-relations firm which employed Howard Hunt.

If the chairmen were sometimes unwitting innocents, the treasurers knew just what they were doing. In many cases, they were employees of the Union Trust Company of Washington—a bank with several leading Republicans on its board—where many of the committees deposited the funds that flowed in during 1971.

But the dairymen's groups disrupted the Republican plans in one respect. Most of them reported their contributions to the Congress, as required. George L. Mehren, TAPE's treasurer, recalls that Kalmbach "quite unequivocally" solicited such a contribution and then withdrew the request when he was told TAPE would report it. After newsmen uncovered the committees through such reports, the Republicans set up a whole series of new committees to accept other donations. And they continued to roll over the committee structure periodically until more than 450 had been formed.

Meanwhile, the fund raisers were frantically trying to get contributions in before Congress passed a new campaign-finance law with more stringent reporting requirements. There had long been recognition of the need for a new law to replace the Federal Corrupt Practices Act of 1925, which Lyndon Johnson once called "more loophole than law." But as the new bill moved through Congressional committees in the fall of 1971, Republican leaders (and some Democrats, too) were in no rush to get it passed. Clark MacGregor, then in charge of Congressional liaison for the White House, recalls a high-level meeting that fall at which Secretary of Commerce Maurice Stans argued that the bill

had to be "slowed down" to give Republican fund raisers "more time to raise money anonymously." MacGregor says Stans's position was supported at the meeting by Mitchell, Haldeman and Ehrlichman. The message, in turn, was relayed to the White House's friends in Congress.

Although Congress sent the bill to the White House on Jan. 26, Nixon waited the full limit of 10 working days before he signed it on Feb. 7. In his statement that day, the President said the bill would "work to build public confidence in the integrity of the electoral process." Since the bill did not take effect until 60 days after signing, the White House delay meant that the old loopholes would remain wide open until April 7.

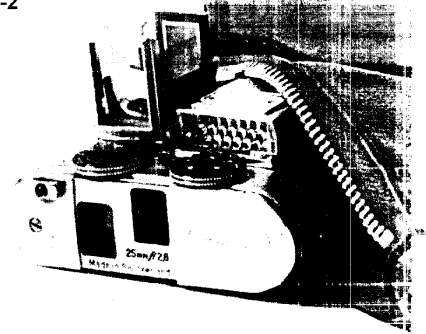
With this transition period artfully maneuvered into the very heart of the political giving season, the Republican fund raisers went all out to exploit it. On Jan. 12, 1972, Gordon Liddy, then general counsel to CREEP, sent a memo to John Dean which made the strategy clear: Seek maximum giving between the last reporting date under the old law (March 10) and the effective date of the new one (April 7). Donors giving during this "gap" would not have to be identified, and they would be doubly protected if they gave to committees that went out of existence after the new law.

To handle this tricky operation, the Republicans brought in their "first team." On March 1, John Mitchell resigned as Attorney General to officially take charge of CREEP. Stans had resigned his Commerce post as of Feb. 15 and replaced Kalmbach as chairman of CREEP's sister organization, the Finance Committee to Re-elect the President. In that position, he crisscrossed the country beating the corporate-financial thicket for "pre-April 7" funds. On Feb. 28, he met 35 wealthy contributors at the Casino Restaurant in Chicago. On March 31, he met with Midwestern executives at the Olin Corporation hunting and game preserve near Brighton, Ill.



Maury Stans undoubtedly felt at home at the preserve, for he is an avid big-game hunter known as "the first American to bag a bongo in the Congo." To get his bongo—a red-and-white-striped antelope—Stans, a Belgian plantation owner and 30 Congolese porters stalked through the bush for 10 days. When Stans's gunbearer fired too soon, the bongo charged, but Stans felled it with one shot. A later African safari caused him more trouble. In 1966, while hunting in Chad, he shot a film of his experience which was later shown publicly. Its script, approved by Stans, referred to "boys" and "natives," and the film showed the white hunters giving an African his first cigarette and guffawing when he chewed it rather than smoked it. When a U.S.I.A. official denounced it as "an Amos 'n' Andy show," Stans took the film off the exhibition circuit. The future big-game hunter began life as the son of a Belgian immigrant housepainter in Shakopee, Minn. "We had very rough times," he recalls, "living on the credit of the corner store, which my father worked off by painting the store." Starting as a stenographer in a sausage factory, young Stans worked his way up through the accounting world to become a partner in a New York investment banking firm. (In 1960, he was elected to the Accounting Hall of Fame.) A fervent believer in the "Horatio Alger road to success," he lives with his wife in a luxury apartment building known as the Watergate.

Stans's thicket-beating produced an enormous outpouring of anonymous contributions those last weeks. In one two-day period, Hugh Sloan, the Finance Committee's treasurer, personally handled



Plumbing tools: Tessina camera, tobacco pouch.

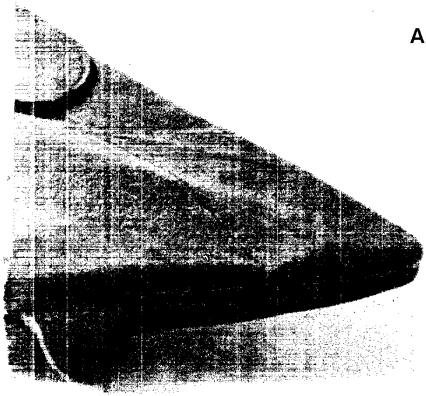
about \$6-million. Much of this last-minute money was in cash, the least traceable medium. The committee had a squad of four to six "pickup men" roving around the country collecting the cash. But the flow was greater than they could handle. In one city, Sloan recalls, "we couldn't even pick up a \$50,000 contribution." Sally Harmony, Gordon Liddy's secretary, recalls that the torrent of cash and checks those last few hours turned the committee's office into a "madhouse."

Some of the money didn't make the deadline at all. On April 10, Harry L. Sears, a former Republican majority leader of the New Jersey Senate, met Stans at his office and presented him with a worn brown attaché case loosely packed with \$200,000 in \$100 bills. Stans put the money in the wall safe in his secretary's office. Later, he indicated to Hugh Sloan that the money was to be regarded as "pre-April 7 funds" because it had been "committed to us before that date."

It evidently had been—in a series of conversations between the donor, New Jersey financier Robert L. Vesco, and Republican officials, stretching back into the previous year. An indictment handed down later by a Federal grand jury charges that the \$200,000 (plus a subsequent check for \$50,000) was Vesco's attempt to buy his way out of a Securities and Exchange Commission investigation into his "looting" of a mutual-fund complex.

The indictment tells the following story: In mid-1971, Sears, on Vesco's behalf, had asked Mitchell to speak with William J. Casey, then chairman of the S. E. C., about the investigation. On March 8, 1972, Vesco met with Stans and offered to contribute up to \$500,000 to the Nixon campaign if Stans and Mitchell would help restrain the commission. Stans said \$250,000 would suffice and later specified that it should be in cash. Four hours later, Sears finally got his meeting with Casey and G. Bradford Cook, then the S. E. C. counsel, Mitchell, Stans and Sears deny these charges.

Some donors funneled their money through most circuitous channels. One was Robert H. Allen, a major Republican fund raiser in Texas and president of Gulf Resources and Chemical Corporation in Houston. At the time, a Gulf Resources mining subsidiary was under pressure from the Federal Environmental Protection Agency to correct water and air pollution in Idaho. A report of investigators for the House Banking and Currency Committee tells the following story: On April 3, \$100,000 was withdrawn by telephone from the corporate account of Gulf Resources in the First National City Bank of Houston. (Allen insists this was his money, not the corporation's. Political contributions by corporations are illegal.) The money was transferred to the account of Compania de Asufre Veracruz (an "inactive" Gulf Resources subsidiary) in the Banco Internacional of Mexico City. The subsidiary turned the money over to Manuel Ogarrío Daguerre, the Mexican attorney for



Gulf Resources, who is said to be dying of cancer. Ogarrio, or an associate, then converted \$89,000 of the money into four cashier's checks for \$15,000, \$18,000, \$24,000 and \$32,000.

On April 5, a young man with "a Mexican surname" arrived at the offices of the Pennzoil Corporation in the Houston Southwest Tower, which was then serving as a major collection point for Republican contributions in Texas and the Southwest. The courier was ushered into the office of William Liedtke, president of Pennzoil and head of an *ad hoc* group of Texas fund raisers for the President's re-election campaign. Also present was Roy Winchester, Pennzoil's vice president for public affairs and a member of the fund-raising group. The courier opened a large pouch and took out the four checks plus \$11,000 in \$100 bills. The agent asked for a receipt, but Winchester and Liedtke refused, explaining later to investigators that "in the fund-raising business you don't deal in receipts."

The \$100,000 was placed in a suitcase along with \$140,000 more in cash and \$460,000 in checks and stock certificates. Winchester and Peter Mark, a "young and strong" Pennzoil employe designated to ride shotgun on the money, took the suitcase to the Houston airport where they boarded a waiting Pennzoil company plane (which, according to Congressional sources, may be the executive jet used in the James Bond movie "Goldfinger"). The plane flew to Washington's National Airport, where it landed about 9 P.M. Winchester and Mark took the suitcase immediately to the finance committee's office and handed it to Hugh Sloan.

Four days later, another \$25,000 trickled in. It came from Dwayne Andreas, a Minnesota soybean tycoon and long a Hubert Humphrey backer. Like many businessmen, Andreas seeks to maintain good relations with both parties. According to Stans, in January Andreas told his friend Kenneth Dahlberg, chairman of the Minnesota Committee to Re-elect the President, that he wanted to contribute to the Nixon campaign. But Andreas did not hand the cash to Dahlberg until April 9. Two days later, Dahlberg gave a cashier's check to Stans, who gave it to Sloan. (On Aug. 22, Andreas, Dahlberg and three associates were granted a Federal bank charter. Of 424 charters granted in the previous five years, only 13 had been approved more quickly.)

Hugh Sloan recalls that he and Stans talked about how to deal with the Mexican and Dahlberg checks. According to Sloan, Stans asked, "Do we have any problem in handling these?" and he replied, "I don't know. I'll check with counsel." Counsel was Gordon Liddy, who, as Sloan recalls, recommended "a diversion to cash" and offered to "handle the transaction for me." On or around April 12, Sloan gave Liddy the five checks totaling \$114,000.

On April 19, Bernard Barker walked into the Republic National Bank in Miami's "Little Havana"

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Money (cont.)

section with the five checks. Over the next three weeks, he converted them all to cash. In mid-May, Liddy gave Sloan his money—minus \$2,500 in unexplained "expenses."

When the first phase of the fund-raising effort was completed on April 7, the finance committee later reported, it had \$10.2-million on hand. Actually by that date, it had raised about \$20-million. But it spent \$5-million and "pre-spent" another \$5-million (that is, paid out money for future campaign services so that it would not have to report the money). A few days before the April 7 deadline, for example, the committee gave \$1-million to the November Group, the advertising agency set up in New York to handle media work for the campaign. One reason for such prepayments, a Republican official says, was "to avoid looking like we had a lot of money, which would make further fund-raising difficult."

But the Republicans didn't have much difficulty raising more money. To the \$20-million raised before April 7, they added about \$35-million—producing a total of about \$55-million (including about \$2-million carried over from 1968). It was, as Maurice Stans later proudly proclaimed, "the largest amount of money ever spent in a political campaign."

But all that money made some Republicans nervous. Even Stans, the master fund raiser, says now that he originally thought the President could be re-elected for \$25- or \$30-million. He says he objected to budgetary "over-kill" and once urged Halde-man, "Let's just run this campaign with less money."

Those who worried about the money worried particularly about all the cash that flowed through the committee's offices that spring. According to Hugh Sloan, about \$1.7-million in cash came in up to April 7. Of that, he says, about \$700,000 ultimately found its way into bank deposits. But for weeks and months, \$1-million or so in crisp, freshly-minted \$100 bills piled up in safes and deposit boxes. At first, much of it lay in a safe in the office of 31-year-old Hugh Sloan.



When "Duke" Sloan was a student at the Hotchkiss School, the student elections were rigged by a clique of upperclassmen. Sloan told a teacher about it, and some of the conspirators were punished. "That's the way he always was," a Princeton classmate says, "he stood for honesty and integrity and doing the right thing, no matter what." After dallying briefly with a diplomatic career, Sloan went to work for the Republican Congressional Campaign Committee. His earnest dedication brought steady promotions: assistant finance director for the 1968 campaign, personal aide to the President, assistant to Appointments Secretary Dwight Chapin. "It was great," he recalls. Sloan met his wife while she was working as a White House assistant social secretary; they have a photograph showing them with the President on the day they were engaged. In May, 1970, during the Columbia University disorders, the President sent Sloan to find out why he had a "problem" with the academic community. After talking with students holding Low Library, he emerged to say, "The depth of feeling is considerably stronger than I personally imagined."

Although he was the finance committee's second-ranking official, Hugh Sloan could be instructed to hand out cash by a whole panoply of Republicans: Kalmbach, Mitchell, Stans, Magruder, even Liddy and Porter, to whom Magruder had given blanket "drawing authority." And soon the demands for cash began.

The first was in April, 1971, when he was told to give \$25,000 in cash to Bob Hitt, executive assistant to Interior Secretary Rogers Morton. He heard rumors that the money was to finance the Republican candidate in a special election for the Maryland Congressional seat vacated by Morton.

In February, 1972, Magruder himself asked for \$20,000. Sloan went to his safe, and gave the money

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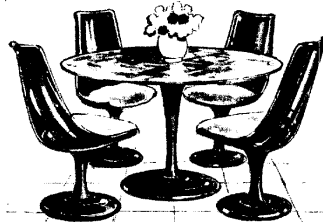
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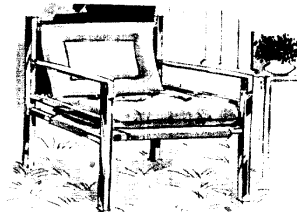
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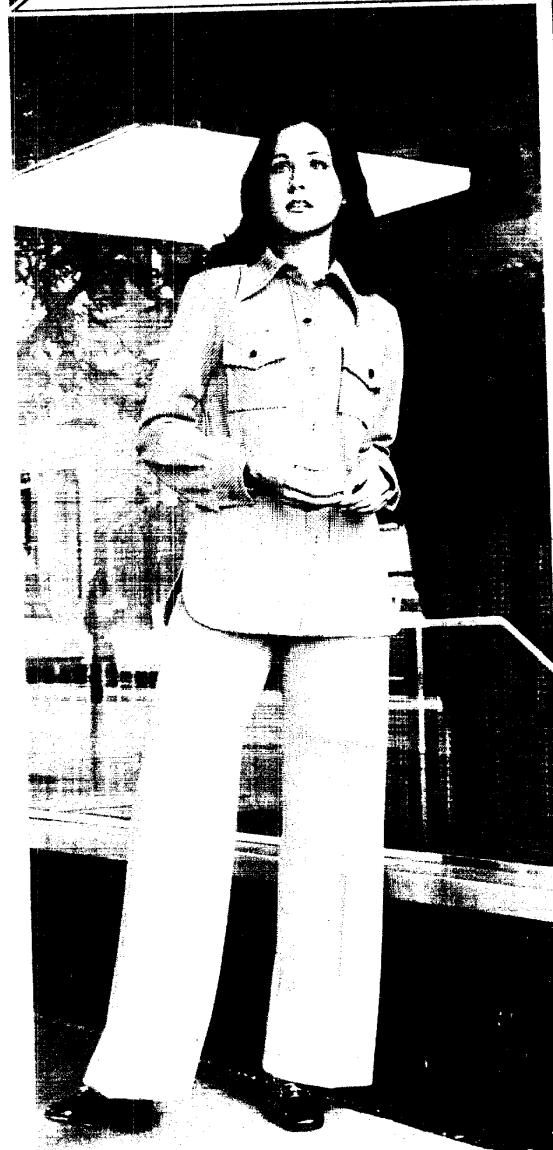
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Money (cont.)

without asking why he needed it. Magruder didn't volunteer the information.

Between March, 1971, and April 7, 1972, Sloan gave Kalmbach cash adding up to \$250,000.

Starting in early 1972, Liddy drew \$199,000 in cash from Sloan. At first he took it in relatively small batches, \$10,000 or \$15,000 at a time. Then around April 7, Sloan recalls, Liddy came to him with a budget of \$250,000. "He did not release it from his hand. He merely showed me the figure and said, 'I will be coming to you for substantial cash payments. The first will be for \$83,000, and I would like to pick that up in a day or two.'" Sloan called Ma-

gruder, who confirmed what Liddy had said and instructed him to pay out the \$83,000. Still disconcerted, Sloan went to Stans and said the single payment of \$83,000 was "totally out of line with anything we had done before." Stans said he would check with Mitchell. A few days later, Sloan says, Stans told him he had talked with Mitchell who had said Sloan should take his orders from Magruder. With regard to the funds' purpose, Sloan recalls that Stans told him, "I do not want to know and you do not want to know."

Late in March, Sloan recalls, Kalmbach told him that Haldeman wanted \$350,000 in cash. He said Gordon Strachan, an assistant to Haldeman, would arrange to have the money picked up.

Sloan says he put the \$350,000 in a briefcase, which he left with his secretary. Over the lunch hour somebody—he presumes Strachan—picked it up. The money is reported to have ended up in Haldeman's safe.

Starting in December, 1971, Herbert Porter drew batches of cash that he recalls added up to \$69,000 and Sloan thinks totaled \$100,000. In January, 1972, Sloan recalls he asked Porter what one \$15,000 withdrawal was for. He says Porter replied, "I can't tell you. You are going to have to go over my head if you want to find out." Porter says he really didn't know much about what the money was used for, except that he'd been told it would finance "Dick's type pranks and dirty tricks."

Dirty Tricks

Haldeman: "You S.O.B., you started this."

Tuck: "Yeah, Bob, but you guys ran it into the ground."

—Dick Tuck's report of an exchange between him and H. R. Haldeman in the Dirksen Senate Office Building, May 5, 1973.

DURING the 1962 California gubernatorial race, a beaming Richard Nixon posed in San Francisco's Chinatown with children holding campaign posters. Not until later did he learn that the Chinese characters on the posters spelled out, "What about the Hughes loan?"—a reference to a disputed loan from multimillionaire Howard Hughes. The Chinatown caper was the work of Dick Tuck, a Democrat whose name has since become something of a trademark for political mischief.

Though wittier than many of his imitators, Tuck is by no means unique. In that very 1962 campaign, 500,000 Democrats throughout the state received postcards from a group called "The Committee for the Preservation of the Democratic Party." In the guise of an opinion poll, the cards asked whether Democrats were aware how their party—and their candidate, Gov. Pat Brown—had fallen

under the domination of the California Democratic Council, which the cards pictured as virtually a Communist front. Two years later, Judge Byron Arnold found that the Committee for the Preservation of the Democratic Party was actually a committee to enhance the political future of Richard Nixon and that the postcard poll, purporting to be a communication among concerned Democrats, was prepared under the supervision of H. R. Haldeman, Nixon's campaign manager, and "approved by Mr. Nixon personally."

Even before the 1970 returns upset the President's advisers, steps were apparently under way once again to insure Richard Nixon's political future. Convinced that a third-party candidacy by George Wallace would draw more votes from Nixon than from any potential Democratic opponent, the Nixon camp apparently set out to prevent Wallace from running. The Atlanta Constitution has reported that James D. Martin, the national Republican committeeman from Alabama, calling himself the President's personal emissary, demanded that Wallace sign an agreement not to run in 1972 (Martin has denied this). When Wallace insisted upon running, Republicans reportedly poured \$200,000 to \$400,000

of leftover 1968 funds into Alabama to defeat Wallace in the closely contested 1970 gubernatorial primary. According to John Dean, the expenditure was authorized by Herbert Kalmbach.

But Wallace was renominated and re-elected and soon began touring the country in preparation for another Presidential race under the banner of his American Independent Party. In early 1971, Robert J. Walters, a Los Angeles advertising man, approached Jeb Magruder with a plan for reducing the A.I.P.'s registration enough to remove it from the California ballot. One of Walters's former aides told The Washington Post that the effort was approved by John Mitchell. With \$10,000 supplied by Hugh Sloan, Walters's canvassers—some of them from the American Nazi Party—urged A.I.P. members to change their registration.

(As late as May 15, 1972, when Arthur Bremer shot Wallace in Maryland, the White House was still seeking to siphon off Wallace votes. According to accounts of Howard Hunt's secret testimony, within an hour of the shooting, Chuck Colson asked him to fly to Milwaukee, break into Bremer's apartment and find evidence linking the assassination attempt to left-wing causes. Hunt says he

persuaded Colson the break-in would be too risky. Colson denies the whole thing.)

But Wallace was not the real enemy. Already in the spring of 1971, a formidable array of Democratic challengers had pitched tents on the 1972 battlefield: Kennedy, Muskie, Humphrey, McGovern. Somebody was needed to sow dissension within and among those camps. One of the men worrying about that was Dwight Chapin, the President's appointments secretary.



Chou En-lai was impressed. The 30-year-old advance man for the President's trip to China had handled all the details so efficiently that the Premier went out of his way to congratulate him. Dwight Chapin was the master detail man for Richard Nixon even before he reached the White House. In 1966 and 1968, he was "responsible for getting Nixon up in the morning, putting him to bed at night and looking after his wardrobe, meals and schedule." No task was too small for Chapin, the "superloyalist," who was proud to work for the man he was sure would become "the greatest President in history." (In 1968, author Joe McGinnis watched Chapin clapping after Nixon answered each question during his taped commercials.) He began working for Nixon in 1962 while still an undergraduate at the University of Southern California. After that campaign, he went to work for H. R. Haldeman at the J. Walter Thompson advertising agency and ever since he has been as loyal to Haldeman as he is to Nixon. He is also close to another old California friend, Ron Ziegler, the Presidential press secretary, who says, "When we were young marrieds in California, they [Chapin and his wife Suzie] were a lot of fun to go out with; he's a very humorous guy."

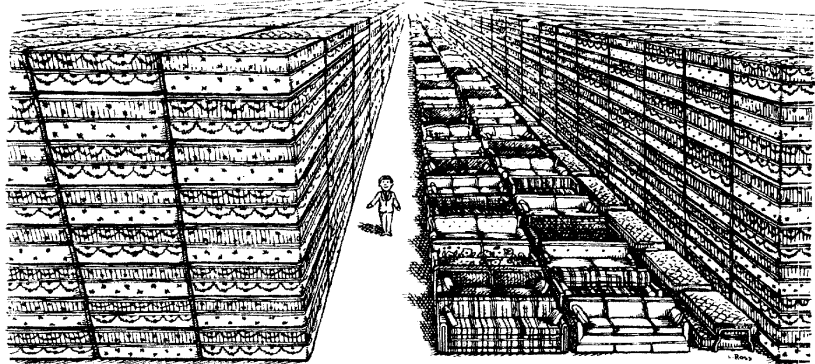
They were all humorous back in those days. U.S.C. in the early sixties was a light-hearted place devoted to sports, fraternity life, practical jokes and campus politics.

Chapin and many of his friends belonged to the Squires and the Knights, honorary societies which guarded the U.S.C. Trojan Sword and otherwise upheld "Troy Traditions." They also belonged to Trojans for a Representative Government, a group from the large fraternities that tried to oust a small fraternity clique from control of campus government. U.S.C.'s relentlessly Republican politics produced a whole pep squad of Nixon aides including Chapin, Ziegler, Herbert Porter, Strachan, Tim Elbourne, one of Ziegler's assistants, and Mike Guhin, a member of Kissinger's staff—not to mention an older generation of Trojans: Herb Klein, Robert Finch and Herbert Kalmbach. And the politics could get rough. An alumnus recalls: "There were secret organizations that engaged in all kinds of espionage . . . one guy infiltrated another person's campaign for class president to the extent that he became the opposition guy's campaign manager. Needless to say, nothing ever quite went right." Newsweek says the Trojans for a Representative Government also ripped down opposition campaign posters, stole leaflets, stuffed ballot boxes and packed the student court in order to quash any complaints brought against them. So when Chapin began thinking of someone to head up the White House's "dirty tricks" squad for 1972 he naturally thought of a former Squire, Knight and Trojan for a Representative Government.

In June, he got in touch with his old friend, Donald Segretti, a lawyer then serving as a captain in the Judge Advocate General Corps at Fort Ord, near San Francisco. Earlier that month, Segretti had been in touch with Gordon Strachan to ask about the possibility of a job in the executive branch. Chapin and Strachan discussed their old college chum and decided he would be perfect for what they called the "black advance" program of spying and sabotage. In late June, they met with Segretti in Washington, and told him they wanted a "Republican Dick Tuck" who would harass and confuse the Democrats without doing anything outright illegal. According to Dean, Strachan then cleared all this with Haldeman and discussed salary with Kalmbach. Segretti then met with Kalmbach at his Newport Beach office and agreed on \$16,000 a year plus expenses. (In all, he received between \$30,000 and \$40,000 from Kalmbach, Dean says.)

Within days, Segretti began

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Tricks (cont.)

using his accumulated leave time for mysterious trips around the country. On June 27, he came to Washington and asked Alex B. Shipley, a Judge Advocate officer based there, if he wanted to engage in "a little political espionage." According to Shipley, Segretti explained: "The Democrats have an ability to get back together after a knockdown, dragout campaign. What we want to do is wreak enough havoc so they can't." Segretti reportedly told Shipley that everything would have to be carried out in great secrecy and under assumed names but that "Nixon knows that something is being done. It's a typical deal: Don't-tell-me-anything-and-I-won't-know." Finally, Shipley says, Segretti "stressed what fun we could have." For example, he said later, they might set up a "Massachusetts Safe Driving Committee" and award a gold medal to Ted Kennedy. Shipley says he turned Segretti down then and on several other approaches.

Segretti was discharged from the Army on Sept. 1. On Sept. 24, he flew to Portland, Ore. and checked into the Benson Hotel the night before President Nixon's party arrived there on the way to meet Emperor Hirohito in Alaska. Dean says Segretti met with Chapin there. Then in October, Segretti settled down in an adults-only apartment complex in Marina del Rey, a Los Angeles suburb that attracts mainly "swinging singles."

Italian) projected an air of brisk confidence, but friends say he was sensitive about his size (5 feet 4 inches; 135 pounds). He was bright: After graduation from U.S.C. in 1963, he attended one of the nation's best law schools — Boalt Hall at Berkeley — then worked briefly for the Treasury Department in Washington. And he was ambitious: A former girl friend says he was aiming for a job in the White House. "He would hate most being stowed away doing some monotonous, unglamorous job," she says. "He was looking for excitement, challenge, big stakes."

Having failed to sign up Shipley and other Army lawyers, Segretti turned his attention in late 1971 and early 1972 to young Republicans. Among those he contacted through the national "old boy" network of former college Republicans were Thomas J. Visny, a 24-year-old aide to then-Governor Richard Ogilvie of Illinois, and Charles Svihlik, also 24, who had worked as an aide to several major Indiana Republicans. According to Newsweek, Svihlik agreed "for the fun of it."

Segretti told Svihlik that his objective was "to swing the convention to McGovern . . . to literally destroy strong candidates like Muskie." This may indeed have been the plan, but in the spring of 1971, when Chapin first approached Segretti, it was by no means clear that McGovern would run such a poor campaign. The "dirty tricks" effort may also be described as an attempt to knock off the front runner at any given time.

In the summer and fall of 1971, a series of strange incidents bedeviled the Muskie camp. A poll of New Jersey voters disappeared during the night from the desk of Anna Navarro, the Senator's polling expert. A Harris Poll denigrating Senator Kennedy was sent out to other members of Congress in Muskie envelopes.

On Dec. 12, Evans and Novak published portions of a confidential Muskie campaign memo. Herbert Porter has testified that 35-mm. film strips containing this and other documents were turned over to him by Jeb Magruder and that Magruder later instructed him to send typed copies to Evans and Novak. Porter said he does not know the source of the documents, but Senate investigators have focused their attention on a retired Maryland cab driver who shuttled documents back and forth between Muskie's



In late 1971, a \$6,000 white Mercedes sports car replaced the aging Mustang in Segretti's reserved parking space. The tanned young veteran, whose neighbors thought he worked for a Los Angeles law firm, led the Southern California version of the good life: bicycling around the marina, sailing, swimming, Sunday "open houses" with California red wine and having dates with several attractive women. Segretti (whose name means "secrets" in



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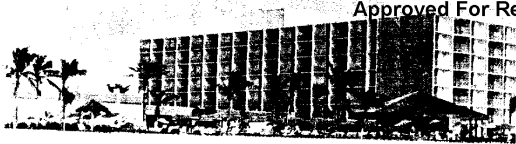
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Senate office and his downtown campaign headquarters during a five-month period in late 1971 and early 1972.

In February, 1972, New Hampshire voters received phone calls at night, often after midnight, from representatives of the "Harlem for Muskie Committee" who, in plain "black" accents, promised Muskie would deliver "full justice for black people." Then on Feb. 24—less than two weeks before the New Hampshire primary—came the clincher. On that day, The Manchester Union-Leader published a letter from a "Paul Morrison" of Deerfield Beach, Fla., which said that Muskie, campaigning in Florida, had been asked what he knew about blacks. "He didn't have any in Maine a man with the Senator said. No blacks, but we have Cannocks [sic]. What did he mean? We asked—Mr. Muskie laughed and said come to New England and see." Inspired by the letter, the paper ran a front-page editorial headlined "Sen. Muskie Insults Franco-Americans." Two days later, Muskie wept while speaking in front of the Union-Leader office. (Paul Morrison has never been found. Months later, Marilyn Berger of The Washington Post wrote that Kenneth Clawson, deputy director of communications at the White House, told her, "I wrote the letter." Clawson says, "I know nothing about it.")

Although Segretti was in Manchester at least once—on Nov. 18, 1971—he has not been linked directly to any of these incidents. But he had been busy elsewhere. On Dec. 15, Robert Benz of Tampa, Fla., a 24-year-old former president of the Hillsborough County Young Republicans, received a phone call from a "Donald Simmons" who said he wanted someone to work on a "voter research project." Later that day, over draft beer at a local motel, Simmons [Segretti] told Benz he wanted to place people in the headquarters of several Democratic candidates, starting with the "front runner," Muskie, but including Jackson and Humphrey. He wanted information which would allow them to "screw up" the Democrats' campaigns.

As coordinator of these activities, Segretti said, Benz would get \$150 a week and could hire others at \$75. In the weeks that followed, Benz hired at least seven assistants. One got a job in Muskie's Tampa headquarters, and had

Then Benz himself swung into action, sending out fake Muskie press releases; picketing Jackson headquarters with signs reading "Believe in Muskie"; picketing Muskie headquarters with blacks instructed to say they were working for Jackson or Humphrey; passing out cards at a Wallace rally reading, "If you liked Hitler, you'll just love Wallace," on one side and "Cast your ballot for Sen. Edmund Muskie" on the other; stapling signs to trees and telephone poles reading something like "Help Muskie Support Busing Our Children."

These incidents began attracting attention. Sometime in February, Gordon Strachan got a phone call from Gordon Liddy, who by that time had transferred to CREEP as general counsel and intelligence operator. Liddy said, in effect, "Something screwy is going on out in the field," and Strachan said, "We've got a guy out there." When Liddy demanded some coordination, Strachan gave Liddy Segretti's phone number, then called Segretti and told him that Liddy would get in touch with him.

Instead Liddy turned the matter over to his fellow "plumber" Howard Hunt, who by then was working with CREEP. A week or so before, Jeb Magruder recalls, he got a phone call from an assistant to Chuck Colson. "He indicated that Mr. Hunt had completed his assignments at the White House and since we were now involved in intelligence activities, he thought I would find Mr. Hunt was very valuable," Magruder says, "I had only met Mr. Hunt once, so I was not really quite sure in what terms he would be valuable. So I indicated . . . that he should refer Mr. Hunt to Mr. Liddy." Over the next few months, Hunt called Segretti from time to

time—in what a friend describes as "a whispery, conspiratorial voice"—to give him ideas or instructions.

Meanwhile, Hunt was recruiting other operatives. In early February, he spoke with Robert Bennett Fletcher, a nephew of the man who ran the Mullen company. According to Fletcher, Hunt asked him if he had any Republican friends who might be interested in infiltrating Democratic campaigns. Fletcher recommended Tom Gregory, a friend from New Jersey then studying at Brigham Young University in Provo, Utah.

On Hunt's instructions, Gregory went to the Muskie headquarters at 1910 K Street, volunteered his services and was assigned to the Foreign Policy Section where he began work on March 1. During the next several weeks, Gregory fed Hunt information on Muskie's scheduling, the campaign organization, dissension in the ranks and—when he could get them—advance texts of Muskie speeches. He and Hunt would meet every Friday at a Drug Fair at 17th and K Streets, where Gregory would hand over an envelope containing the information he had typed up and Hunt would give him an envelope containing his weekly salary—\$175 in cash. (At Liddy's instructions, an office was leased adjacent to Muskie headquarters, as a monitoring post for bugs to be placed next door. But the bugs were never installed.)

Still another "dirty tricks" operation was under way at this time—under the supervision of Jeb Magruder, with funds paid out by Bart Porter, frequently carried out through the CREEP Youth Division, with ideas reportedly conceived by Chuck Colson. According to one CREEP official, Colson's role aroused some friction. The official recalls Magruder saying, "That goddamn Colson, he just sits there and dreams up this crap!"

The projects carried out were varied and imaginative. Porter dispatched Roger Stone, the head of the District of Columbia Young Republicans, to New Hampshire to make a contribution to the McCloskey campaign on behalf of the Gay Liberation Front. (At the last moment, he balked at identifying himself as a homosexual and made the contribution instead in the name of the Young Socialist Alliance.) Ted Brill, the 20-year-old chairman of the College Republicans at George Washington University, was paid \$750 for six weeks in May and June,



A yacht cruise becomes a floating nightmare

Bimini Run

Howard Hunt

1972, to join a group of Quakers carrying on a peace vigil in front of the White House. He was told to pass himself off as a member of the peace movement and find out "what the radicals were up to."

At Magruder's instigation, Porter also recruited undercover agents under the code name "Sedan Chair," a name Porter remembered from a Marine Corps exercise in which he once took part. "Sedan Chair I" was a young Californian named Roger Greaves. Over several months, Greaves was paid some \$3,800 to recruit hostile pickets against Democratic candidates in California and perform various other "dirty tricks" in New Hampshire and Florida.

MEANWHILE Segretti was still hard at work. In early March, he met Benz at a Tampa shopping center and showed him an olive green Army ammunition canister containing two or three small vials. In the vials were a clear liquid with an evil smell. Benz gave the vials to George Hearing, a 40-year-old accountant whom he had hired earlier. According to Benz, Hearing scattered the liquid on the grounds around the Mary Help of Christians Church where a Muskie picnic was scheduled and tossed some more through a broken window at Muskie headquarters in Tampa.

In early March, the Government says, Benz received a packet from Segretti containing about 200 pieces of "Citizens for Muskie" stationery and envelopes plus a typewritten letter. Benz says he gave the letter and stationery to Hearing and told him to mail the letter to a list of Jackson supporters. On March 11—three days before the Florida primary—the letters were mailed out. They alleged that Senator Jackson, while a high school senior in Everett, Washington, in 1929, had become involved with a 17-year-old girl and fathered an illegitimate child. It also charged that he had been arrested twice on homosexual charges in Washington—on May 5, 1955, and Oct. 17, 1957.

The letter also said that Senator Humphrey had been arrested for drunk driving in Washington, D.C., on Dec. 3, 1967, after hitting two cars and a mailbox and that in the car was a "well-known call-girl" who had been paid by a lumber lobbyist to entertain the Senator. (Senators Jackson and Humphrey have denied these allegations and there is nothing to substan-

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tiated. In late March, Benz and Segretti went to Milwaukee, where the Wisconsin primary was scheduled for April 4. There they printed up a fake Humphrey press release announcing free food and drink, "balloons for the kiddies" and speeches by Mrs. Martin Luther King and Lorne Greene, and passed them out in the black neighborhoods of Milwaukee. They also ordered several dozen flowers, 50 pizzas, 50 buckets of fried chicken and two limousines in the name of George Mitchell, Muskie's advance man, and had them sent to Muskie's hotel.

Three weeks later in Washington, some strikingly similar tactics pestered the Muskie forces. On April 17, Muskie threw a fund-raising dinner for 1,300 people at the Washington Hilton. That day, a \$300 supply of liquor, a \$50 floral arrangement, 200 pizzas, some pastries and even two magicians from the Virgin Islands arrived unordered. Then, the Embassy of Niger called to say that the chargé d'affaires was coming and asking when the limousine would pick him up. "We hadn't invited anybody from foreign embassies," Madalyn Albright, the dinner's organizer, told The Washington Star-News. "This was an internal thing for Democrats, but you can't offend foreign dignitaries, so we said come ahead, but that there would be no limousine. . . . The evening started out with a small V.I.P. cocktail party. I was there when I saw a couple arriving. They were dressed in batik, so I went up and said, 'You must be the chargé from Niger.' But it wasn't. He said he was the Ambassador from Kenya. Upstairs, we got a call that the Ambassador from Afghanistan was arriving. Finally, 16 ambassadors showed up, all from African and Middle Eastern countries. Since this was a seated dinner, it caused us a little bit of pain trying to seat them without causing embarrassment. . . . Later on we discovered that they had all come in rented limousines. We were presented with the bill for the limousines."

Several weeks later, the White House proved it could create "support" for the President, as skillfully as it could create trouble for the Democrats. On May 8, the President announced that he had ordered the mining of Haiphong and other North Vietnamese harbors to halt war matériel coming in from the Soviet Union. The move

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48" wide 60	48" wide 76
60" wide 87	60" wide 107

36" h 9½" d	36" h 12" d
18" wide \$39	18" wide \$47
24" wide 47	24" wide 54
30" wide 53	30" wide 64
36" wide 60	36" wide 74
48" wide 74	48" wide 89
60" wide 100	60" wide 118

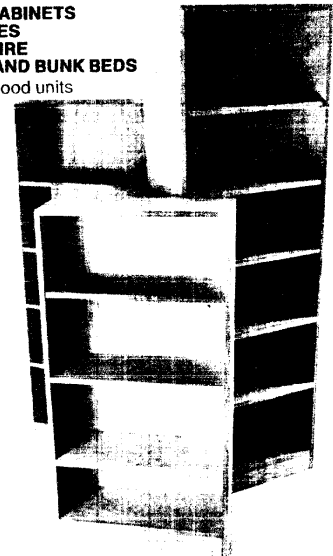
48" h 9½" d	48" h 12" d
18" wide \$47	18" wide \$53
24" wide 53	24" wide 62
30" wide 60	30" wide 71
36" wide 74	36" wide 87
48" wide 87	48" wide 107
60" wide 120	60" wide 141

60" h 9½" d	60" h 12" d
18" wide \$53	18" wide \$60
24" wide 60	24" wide 73
30" wide 74	30" wide 87
36" wide 87	36" wide 102
48" wide 107	48" wide 126

72" h 9½" d	72" h 12" d
18" wide \$66	18" wide \$74
24" wide 80	24" wide 90
30" wide 93	30" wide 107
36" wide 107	36" wide 123
48" wide 132	48" wide 154

84" h 9½" d	84" h 12" d
18" wide \$79	18" wide \$89
24" wide 93	24" wide 104
30" wide 113	30" wide 126
36" wide 132	36" wide 145
48" wide 159	48" wide 186

96" h 9½" d	96" h 12" d
18" wide \$99	18" wide \$107
24" wide 120	24" wide 131
30" wide 141	30" wide 154
36" wide 159	36" wide 174
48" wide 174	48" wide 222



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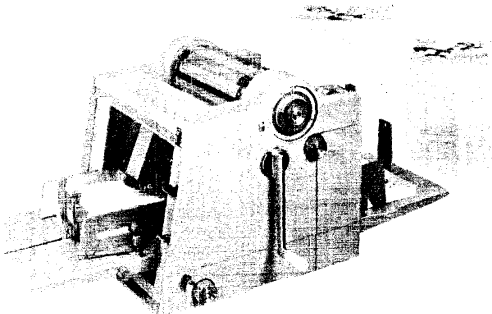
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Tricks (cont.)

aroused widespread protest around the nation. The White House was alarmed. "We felt the Haiphong decision could make or break the President," a former Nixon campaign official explained later. So White House and CREEP staffers swung into action.

On May 10, less than two days after the President's announcement, Ziegler announced that telegrams and phone calls were running five or six to one in favor of the President's action. Many, if not most, of these messages were the result of hurried phone calls by Nixon aides to offices of such organizations as the American Legion and the Veterans of Foreign Wars, which in turn relayed the request to rank and file members. At the same time, CREEP sent 2,000 to 4,000 phony ballots in to a poll conducted by television station WTTG in Washington (the station final count showed 5,157 for the President's action and 1,158 against). James Dooly, the former head of CREEP's mail room, recalls that "work ground to a halt in the press office while everybody filled out 15 postcards. Ten people worked for several days buying different kinds of stamps and postcards and getting different handwriting to fake the responses."

One of the protests against the President's action was an editorial in The New York Times of May 10 which said the mining was "counter to the will and conscience of a large segment of the American people." A week later, an

ad appeared in The Times entitled, "The People vs. The New York Times." It cited polls showing that anywhere from 59 per cent to 76 per cent of the people supported the President. The ad was signed by 14 people and appeared to represent citizen support for the President. But, according to The Washington Post, officials of the November Group, the special New York organization which handled advertising for Nixon, conceded that the ad was originated and written by Chuck Colson. It was placed by the November Group and paid for with 44 \$100 bills sent up by Bart Porter.

After Muskie's defeat in several spring primaries, attention began to turn to the two remaining favorites—McGovern and Humphrey. In mid-April, Hunt told Tom Gregory to switch his volunteer duties over to McGovern headquarters at 410 First Street, S.E. In addition to the kinds of information he had wanted on Muskie, Hunt asked Gregory to provide detailed layouts of the offices of Gary Hart and Frank Man-kiewicz, McGovern's two campaign managers. And sometime in late spring, Roger Stone reportedly hired Michael McMinoway, a Louisville, Ky., private detective, and dubbed him "Sedan Chair II." Soon, the exotically named informant had obtained a job in the Humphrey campaign and was sending reports through Stone to CREEP.

In May, activities began to center on California where a showdown was developing between McGovern and Humphrey. On or about May 19, a letter went out on the sta-

tionary of Eugene McCarthy's campaign asking McCarthy delegates to support Humphrey in the primary. The letter was signed with the name of Barbara Barron, a member of the California Committee for McCarthy. Ms. Barron charges that the letter was a forgery sent out by Segretti. Meanwhile, in Los Angeles, Donald Segretti signed up to work for McGovern, even volunteering to join a bicycle parade.

And in early June, the focus turned to the Democratic National Convention in Miami. Michael McMinoway got a job as a security guard in the Doral Hotel where McGovern was staying. According to Time magazine, Chuck Colson began recruiting young men to pose as Gay Liberationists and wear large George McGovern buttons at the convention (Colson denies this). Pablo Fernandez, a former C.I.A. operative in South America, says Eugenio Martinez asked him to recruit 10 persons to masquerade as "hippies" and descend on McGovern's headquarters during the convention. There, Fernandez said, Martinez wanted the hippies to throw rocks, break glass, defecate and urinate in public "and all that sort of thing, to give the voters a bad impression of people supporting McGovern." The plan fell through. And one day, Robert Reisner recalls, Gordon Liddy burst into his office saying, "I have this great idea!" The great idea, Reisner says, was to have "a woman who would have disrobed at the Democratic National Convention."

Gordon Liddy had some other great ideas, too.

Break-In

Any old retired man in the New York City Police Department who would have become involved in a thing like that . . . he would not have walked in with an army, that is for sure.

—Anthony Ulasewicz, testimony to Ervin Committee, May 23, 1973.

RETIRED New York City policeman John Caulfield had a plan. He called it "Sand Wedge."

Through the summer of 1971, he lobbied for it with John Dean and other White House officials: a private investigating firm that would be funded by corporations and would work for the Nixon campaign.

To be called Security Consulting Group, Inc., it would have "overt" offices in Washington and Chicago and a "covert" operation based in New York.

But Sand Wedge died a-borning. Dean says John Mitchell decided instead to centralize the intelligence-gathering function under a general counsel at CREEP and, at Egil Krogh's suggestion, selected

Break-in (cont.)

Gordon Liddy for the post. On Nov. 24, Dean says, Mitchell saw Caulfield, putting him off with a temporary assignment to follow Representative Paul McCloskey, then met with Liddy. On Dec. 12, Magruder says, he met for the first time with Liddy, who told him that White House officials had talked with him about "a broad-gauged intelligence plan." He also said he had been promised \$1-million to carry it out. Magruder told him that "a million-dollar budget was a sizable budget and that he should prepare the background documents necessary to justify this budget and that he would then have an opportunity to present the budget to the Attorney General."

Shortly afterwards, Liddy met another man who had been brought into CREEP that same fall by Caulfield. He was James W. McCord Jr., who

been a part-time security coordinator" for the committee on Oct. 1 and full-time on Jan. 1. At the same time, his firm — McCord Associates Inc.—was given a contract to provide "security services" for the Republican National Committee.



In the spring of 1971, Montgomery College in Rockville, Md., offered a course called Criminal Justice 234, Industrial and Retail Security, described in the catalogue as "introduction to historical, philosophical and legal basis of government and industrial

security programs in a democratic society." (Before taking the course, students were required to take C.J. 102, Administration of Justice). The instructor in Criminal Justice 234 was James McCord, who became a teacher and "security consultant" in 1970 after 26 years in Government service, seven with the F.B.I., 19 with the C.I.A. After joining the C.I.A. in 1951, he is reported to have played a role in the Bay of Pigs operation. Then he became "chief of security," with responsibility for guarding the agency's headquarters and other facilities. L. Fletcher Prouty, author of a book on the agency, recalls being introduced to McCord by Allen Dulles, then the C.I.A. Director, as "my top man." On retirement, he was given the Distinguished Service Award for "outstanding performance." Since then he had spent half a day each week at the Rockville United Methodist Church running a "social fellowship" for older members.

Soon after they both joined CREEP, Liddy and McCord began meeting in the halls and around the water cooler. At first they chatted about the dangers posed by demonstrations at the Republican National Convention in San Diego. "Well, what is the latest estimate?" "What is the latest you read in the papers about it?" Once Liddy said he expected 250,000 demonstrators. Later, he upped that to 500,000. He seemed very worried.

Soon Liddy began questioning McCord about "listening devices." McCord regarded this as "a normal professional interest . . . to find out what was the state of the art." But gradually, as he began questioning McCord about the capacity and cost of specific bugging devices, "it became apparent that Liddy had an interest in several areas of intelligence-gathering pertaining to the Democratic party and the Democratic convention." In mid-January, Liddy

showed McCord several large charts wrapped in brown paper in his office. He said he was going to use them for a "presentation" to the Attorney General.

At 4 P.M. on Jan. 27, Liddy carried his brown paper packages into the Justice Department building on Pennsylvania Avenue, past a mural showing a stern black-robed figure facing an aroused mob, and into the Attorney General's big corner office on the fifth floor. He stripped off the paper and set the six professionally drawn color charts up on an easel. Each chart dealt with a different activity, with its own budget and its own code word, among them "Gemstone" and "Target." There was a summary chart totaling up all the activities and the budget, which came to \$1-million.

Jeb Magruder recalls the meeting vividly. With Mitchell, Magruder and Dean gathered in chairs before him, Liddy launched into a well-prepared, 30-minute "show and tell"



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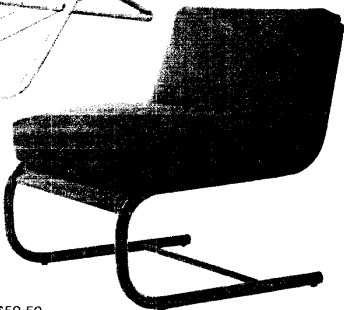
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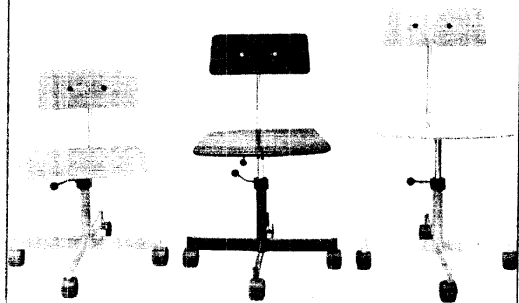
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presentation. Pointing to various charts as he went along, he outlined plans for electronic surveillance and photography of documents. He discussed plans for abducting leaders of radical groups scheduled to demonstrate at the Republican convention, "detaining them in a place like Mexico and then returning them to this country at the end of the convention." And he talked of another plan for a yacht off Miami Beach, "set up for sound and photographs," in which call girls would try to extract information from Democratic officials. Liddy said the girls would be "high class, the best in the business," Dean recalls. Dean also says Liddy proposed "mugging squads" that would "rough up" demonstrators.

During the presentation, Dean recalls, John Mitchell gave him a wink. When Liddy concluded, Magruder says, "we were all appalled. The scope and size of the project was something that at least in my mind was not envisioned. Mr. Mitchell, in an understated way, indicated this was not an acceptable project. He indicated that Liddy should go back to the drawing boards and come up with a more realistic plan." Mitchell has since described the plan as "beyond the pale."

As Dean and Magruder left the building with him, Liddy seemed "discouraged." But he apparently regained his confidence quickly. A few days later, Liddy told McCord that he had talked with John Dean and that Dean said that things "looked good" for the plan, but that "some means would have to be found for deniability for Mr. Mitchell" and that "a method of funding should be arranged so that the funds would not come through the regular committee." About this time, Liddy asked McCord whether he would be willing to join an operation to bug Democratic headquarters if it was approved, and McCord, impressed by the high-level names being banded about, readily agreed.

During the next few days, Liddy revised his plan, discarding the abduction scheme and the call girls. Instead, he focused on wiretapping and photography. He prepared a new budget that this time totaled \$500,000. All this, Magruder says, was presented to Mitchell, Dean and himself, at a second meeting in the Attorney General's office at 1114 M. Feb. 4,

although Mitchell does not, a discussion of several specific targets. One was the office of Hank Greenspun, publisher of The Las Vegas Sun. According to Magruder, Mitchell or Dean said there was information on Senator Muskie in Mr. Greenspun's office. McCord has said that it involved "blackmail type information involving a Democratic candidate for Presidency." But Greenspun says the only thing in his files remotely resembling this is data on a 1965 conviction of Senator Muskie and then-Senator Eugene McCarthy for hunting ducks on a Federal reservation. Greenspun thinks the real target was a batch of hand-scrawled memos from Howard Hughes to his former assistant, Robert Maheu, that had come into Greenspun's possession. Jack Anderson reports they include one of March 14, 1968, instructing Maheu to go to Nixon and help him win the Presidency "under our sponsorship and supervision." McCord says the burglary plan provided that "the entry team would go directly to an airport near Las Vegas where a Howard Hughes plane would be standing by to fly the team directly into a Central American country." Apparently the burglary never took place.

Magruder says (and Mitchell denies) that the Feb. 4 meeting also discussed bugging the Democratic headquarters to be established during the Miami convention at the Fontainebleau Hotel, as well as the headquarters of the Democratic Presidential candidate after his selection. But the main target was the Democratic National Committee's headquarters in Washington, and particularly the office of the committee's chairman, Larry O'Brien. Magruder says the White House regarded O'Brien as the Democrats' "most professional political operator" and feared that if he remained chairman he could be "very difficult in the coming campaign." Thus, he says, they were looking for "information that might discredit him."

Specifically, Magruder recalls, he got a call early that year from Kevin Phillips, the syndicated columnist who had been a special assistant to John Mitchell in 1969-70. Phillips told him that O'Brien might be implicated in a "kickback" scheme involving a commercial exposition at the convention. The plan was offered to both the Republicans and the Democrats by

Columbia Exposition Company of New York. It called for an Exposition of the American Economy to be held simultaneously with each convention. Participating companies would purchase booths and the proceeds would be divided, 80 per cent for the party and 20 per cent for Columbia—an arrangement that Scott describes as quite standard for such expositions. The plan was turned down by both parties.

But Phillips's report greatly interested CREEP. Liddy was dispatched to Miami to "take a look at the situation." Magruder says Liddy persuaded a businessman friend to call Richard Murphy, the Democrats' convention manager, to confirm the exposition plan.

The Feb. 4 meeting ended equivocally. Although some progress had been made, the Liddy plan still did not have Mitchell's approval. According to Magruder, Mitchell "didn't feel comfortable" with it even at the \$500,000 level and indicated he wanted Liddy to cut it still further. Mitchell says he rejected the plan altogether. Dean says that after that meeting, he sought out Haldeman and told him what Liddy had proposed, calling it "incredible, unnecessary and unwise." Dean says Haldeman agreed and told him to have no more to do with it. Haldeman does not recall this conversation.

Magruder says part of the impetus to "discredit" Larry O'Brien was his "effective" exploitation of "the I.T.T. situation"—an apparent reference to the developing scandal over the Justice Department's favorable settlement of anti-trust actions against the International Telephone & Telegraph Corporation. Very little had surfaced publicly about this at the time, although O'Brien had sent a letter to Mitchell on Dec. 9 asking some embarrassing questions about it.

But three weeks later, the scandal blew wide open when Jack Anderson published a memorandum, allegedly written by Dita Beard, a Washington lobbyist for I.T.T., indicating that the Justice Department had settled the suit after I.T.T. pledged \$400,000 for the Republican convention in San Diego. O'Brien promptly turned the disclosure against Richard Kleindienst, whom the President had appointed Attorney General to replace John Mitchell, and the Senate Judiciary Committee reopened hearings on Kleindienst's nomination.

Early in March, Mrs. Beard disappeared for several days and turned up in the Rocky

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Break-in (cont.)

Mountain Osteopathic Hospital in Denver, allegedly suffering from a heart condition. Newsweek has reported that Gordon Liddy "spirited" her out of Washington and took her to Denver. Chuck Colson concedes that several days later he sent Howard Hunt off to Denver to "interview" Mrs. Beard about the authenticity of her memo. Others suggest that Hunt's mission was to persuade her to deny writing it. On March 17, several days after Hunt's visit, Mrs. Beard's lawyer did issue a statement in her name branding the memo a "forgery." But what struck Mrs. Beard's son, Robert, about the Hunt visit was the outlandish disguise the White House agent wore. "He was very eerie," Robert recalls, "with this huge red wig on cockeyed, like he put it on in a dark car."

Hunt was champing at the bit, eager to get into some real espionage. He began making more frequent trips to see Barker in Miami. On one trip, Hunt told Barker he would soon have a mission for him. "Get your men in training going up and down

stairs," he said. "They must be in good physical shape."

But by then something—probably the Kleindienst hearings—was stalling the operation. Magruder recalls that one evening he got a phone call from Colson asking him to "get off the stick and get the budget approved for Liddy's plans; that we needed information, particularly on Mr. O'Brien." Colson, who has denied advance knowledge of the operation, says he remembers only an evening when his secretary came in and said, "Howard Hunt has got to see you; for just two minutes, but he's got to see you." Hunt strode in with Liddy and urged Colson to intervene on their behalf, Colson recalls calling Magruder and saying, "Gordon Liddy's upset. He's trying to get started on an intelligence operation and he can't seem to see anybody." According to Colson, Magruder replied: "I know all about it, but send him over."

One of the problems was deteriorating relations between Magruder and Liddy. Liddy, 42, objected to working for a man four years his junior. Magruder says Liddy was not getting his work done on time. One day, they met in the corridor and Ma-

gruder asked him to "be more cooperative." Liddy expressed "some annoyance," and Magruder asked him to come into his office. Soon they agreed that Liddy should leave the committee. But Fred LaRue, Mitchell's special assistant at CREEP, who sat in on the meeting, warned that Liddy's departure would destroy the intelligence-gathering network. After the meeting, Magruder says, Liddy went to see John Dean at the White House and in the days to come Dean, Strachan and Krogh all urged Magruder to keep Liddy on. Ultimately it was decided that Liddy should move his base of operations two floors down and become counsel to the Finance Committee.

Finally, on March 30, Mitchell, Magruder and LaRue met at Key Biscayne to discuss—among other things—Liddy's latest proposal. Liddy was not there, but they had his typed plan itemizing the number of people and the equipment he would need. The plan now called for an entry, bugging and photographing documents at the Democratic National Committee in Washington and, only "if the funds were available," similar operations at the Fon-

tainebureau and the nominee's headquarters. The budget was down to \$250,000.

"We discussed it, brought up again the pros and cons," Magruder says. "No one was particularly overwhelmed with the project... but after starting at this grandiose sum of a million dollars we thought that probably \$250,000 would be an acceptable figure... it was a reluctant decision... but finally Mitchell signed off on it in the sense of saying, 'O.K., let's give him a quarter of a million dollars and let's see what he can come up with.'" Mitchell emphatically denies Magruder's version of this meeting. He says that he again rejected Liddy's plan with words like, "We don't need this. I am tired of hearing it. Out."


After they got back to Washington, Magruder says, he called Strachan to tell him the plan had been approved. (As was his custom, Magruder says, he had also sent Strachan a copy of Liddy's proposal in advance intended "for Haldeman.") Haldeman says he did not see it; Magruder told Hugh Sloan that Liddy was authorized to draw \$250,000. And Robert Reiser, Magruder's assistant, recalls that one day early in April Magruder

appeared at the door and said, "Call Liddy and tell him it's approved. Tell him to get going in the next two weeks."


Liddy didn't wait that long. McCord, Hunt and he began meeting regularly at Hunt's office at the Mullen company. At one session, McCord recalls, Hunt had a "step-by-step operation plan" for the break-in. McCord was impressed with his former C.I.A. compatriot, feeling that Hunt would make it "a professional operation." After one of their meetings, Hunt and McCord made a "reconnaissance" of their target.

Its critics have called it a "Republican Bastille," and indeed, to many of the Republicans who poured into Washington at the start of the Nixon Administration, the crenelated fortress on the Potomac seemed a welcome alternative to a townhouse in crime-ridden and Kennedy-tainted Georgetown. Watergate's tenants included at one time or another: three Cabinet members (Mitchell, Stans and Volpe), two Republican Senators (Javits and Allott), the chairman of the Federal Reserve Board, the Treasurer of the United States, the chief White House speechwriter, the President's personal secretary,

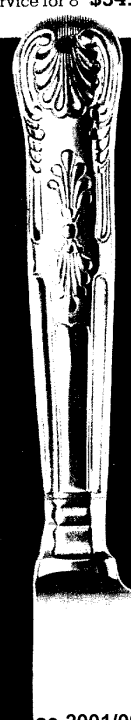
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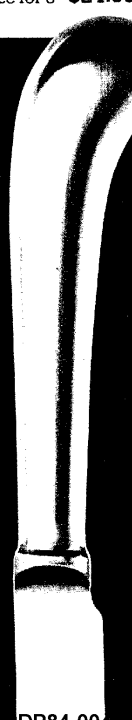
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Butter spreader	.50	.75	.49	1.00
Ice tea spoon	.45	.33	.49	.50
Oyster fork	.75	.33	.49	.50
Gravy ladle	1.25	1.00	1.49	1.35
Pie knife	1.25	1.00	1.49	3.00
2 pc. salad set	—	—	—	2.50
Cold meat fork	1.25	1.00	1.49	1.35
Tablespoon	1.00	1.00	—	.75
Tablespoon pcd	1.00	1.00	.99	—
Berry spoon	1.25	—	1.49	—
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Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2
Break-in (cont.)

a swarm of judges and other high-ranking officials, and a leading Republican hostess, Mrs. Anna Chennault. Although it is only two blocks from the State Department and eight from the White House, Watergate is a redoubt for those who shun the city. A tenant who never wished to leave its saw-toothed facade could live forever among its four swimming pools, two restaurants, health club, supermarket, bank, post office, travel agency, limousine service, liquor store, florist and hairdresser. And there, on the sixth floor of the office building, was the Democratic National Committee.

On their first reconnaissance, Hunt and McCord took the elevator to the sixth floor, looked at the glass doors to the committee, then walked down a stairwell to the basement. (McCord also made several reconnaissance missions to McGovern headquarters. Once, while Gregory engaged the attention of other volunteers, McCord even considered placing a bug in Mankiewicz's office. But he didn't quite have time).

Liddy had assigned McCord specific responsibility for the electronic surveillance, and on April 12 he gave him \$65,000 in \$100 bills out of the \$83,000 he had received from Sloan a few days earlier. During the next six weeks, McCord paid out \$51,000 of that money to electronic stores in Washington, New York and Chicago, purchasing tape recorders, transmitters, antennas and eight walkie-talkies. He stored the equipment in a wooden box off the laundry room in his Rockville house.

And on May 1, McCord recruited an assistant. From the Society of Former Special Agents of the F.B.I. in New York, he obtained the name of Alfred C. Baldwin 3d, a 36-year-old former agent and Marine captain, then a graduate student at Southern Connecticut State College. That evening he called Baldwin at his home in Hamden, Conn. and told him that he needed to talk with him immediately, that night if possible. Impressed with the caller's urgency, Baldwin caught a flight that evening.

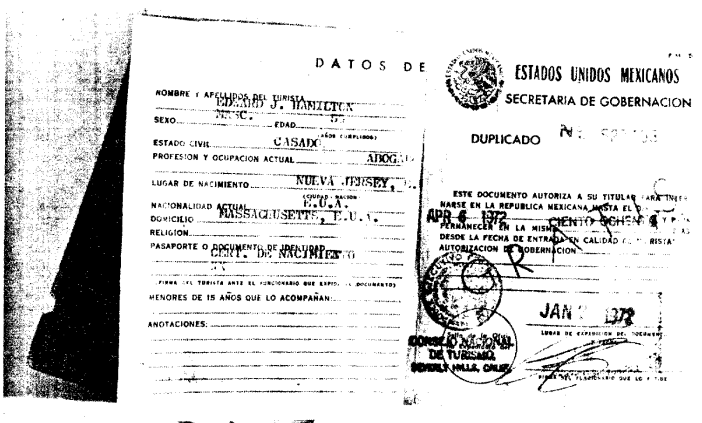
The job turned out to be that of security guard for Martha Mitchell, a responsibility that CREEP had inherited from the F.B.I. when John Mitchell resigned as Attorney General. McCord said the job was temporary but could be

among those taking part, and one of the Cubans had said they were instructed to attack Ellsberg — "to call him a traitor and punch him in the nose, hit him and run." Instead, Barker began arguing heatedly with a long-haired young man and ultimately Pico knocked the young man down. Sturgis also hit one of the demonstrators. Pico and Sturgis were immediately seized by Capitol police but, Pico recalls, they were quickly released when a mysterious "man in a gray suit" explained that they were "good men" and "anti-Communists."

Within the next three weeks, two events took place in Washington that have been linked to the Barker group. One was a break-in at the Chilean Embassy on the night of May 13 during which the political files of the Amba-

On May 22, six of the Barker group returned to Washington: Barker under the alias "Frank Carter," Martinez as "Jene Valdes," Sturgis as "Joseph D'Alberto," Pico as "Joe Granada," DeDiego as "Jose Piedra" and Gonzalez as "Raul Goday." They checked into the Manger Hamilton, five blocks from the White House. Pico says Barker told him they were coming to confront antiwar demonstrators again, and indeed, that was a weekend of intense clashes between Washington police and demonstrators protesting the mining of North Vietnamese harbors. But there is no record of any incident between Barker's men and the protesters.

The real reason for the trip appears to have been the final planning session for the Watergate break-in. McCord



Alias: A Mexican tourism card made up for Frank Sturgis, one of the Watergate burglars.

"counter demonstrators." Reiser says Liddy was asked to handle this, and he apparently turned the matter over to Hunt. For later that day, acting on Hunt's instructions, Barker called Reinaldo Pico, a burly Bay of Pigs veteran, to his office. According to Pico, Barker told him that "hippies" and "traitors" were going to "perpetrate an outrage to Hoover." That evening, Barker, Pico, Sturgis, Fernandez, DeDiego, Martinez, Virgilio Gonzalez (a Miami locksmith) and three other Cubans flew to Washington, checked into a downtown Holiday Inn and awaited instructions.

The next evening at 6, they were dispatched to the west steps of the Capitol, where antiwar demonstrators, in a protest planned long before Hoover's death, were reading a list of servicemen killed in Vietnam. Daniel Ellsberg was

sador and his First Secretary were rifled. John Dean later told Gen. Vernon Walters, Deputy Director of the C.I.A., that he believed one of the Barker group might be involved in the break-in. Jack Anderson reported that Frank Sturgis and Eugenio Martinez may have been involved. And three days later, in the early morning hours of May 16, the doors of a prominent law firm in the Watergate complex were tampered with and perhaps broken into. Nothing was reported stolen, but political espionage was later suspected since the partners in the firm included Patricia Roberts Harris, chairman of the credentials committee for the Democratic convention; Sargent Shriver, John Kennedy's brother-in-law and former director of the Peace Corps; and Max M. Kampelman, a leading adviser to Hubert Humphrey.

recalls that one night shortly after the 22d, Liddy told him to come to the Manger Hamilton about 8. Present at the meeting in Barker's cramped bedroom were Liddy, Hunt, McCord, Tom Gregory and the six men from the Barker group. Liddy explained their "double mission" that coming Memorial Day weekend: break-ins at the D.N.C. and the McGovern headquarters. McCord demonstrated the use of walkie-talkies.

At 2:40 P.M. on May 26, the six-man Barker group moved from the Manger Hamilton to the Watergate Hotel (Pico and DeDiego say they went to the hotel but deny taking part in the subsequent burglary). There they were joined by Hunt, under his favorite alias, "Edward Warren," and Liddy, as "George Leonard." At almost exactly the same moment, Baldwin returned from a trip to Connecticut to pick up

some clothes and checked back into a room at Howard Johnson's Motor Lodge directly across Virginia Avenue from the Watergate.

Baldwin was no longer guarding Mrs. Mitchell. On their trip in early May, she had become dissatisfied with her new bodyguard. (In later testimony, she called him "the most gauche character I have ever met" and said he took off his shoes and socks in a Waldorf Astoria suite and "walked around in front of everybody in New York City barefoot.") On May 12, McCord asked Baldwin to do some undercover surveillance of radical activity in Washington (promising that he would be brought to Miami in August for similar work). He was assigned to watch some sittings on Capitol Hill and to mingle with the crowds outside the offices of certain members of Congress to determine which were giving gallery passes to the demonstrators (he recalls watching the offices of Senators Kennedy, Javits and Proxmire, and Representatives Chisholm, Abzug, Koch and McCloskey). During that period, McCord also asked him to move into Room 419 at Howard Johnson's, already reserved in the name of McCord Associates. Baldwin lived there for nearly two weeks without incident, but when he returned from Connecticut at 2 P.M. May 26, a surprise awaited him in Room 419.

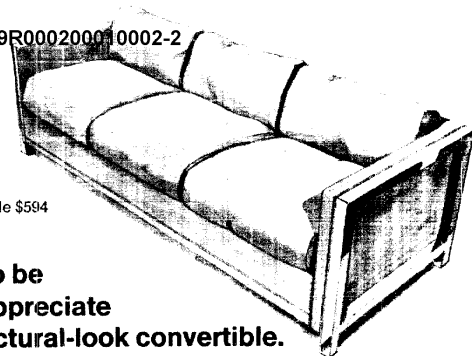
When he opened the turquoise door, he saw McCord sitting by a Formica-topped desk fiddling with the dials on a large radio receiver. Stacked along the desk, on the couch and in the corners was an array of other equipment. McCord pointed across the street to the great, gray facade of the Watergate Office Building and said, "We're going to put some units over there tonight, and you'll be monitoring them." He showed Baldwin how to use the monitors. Then he took the white room telephone apart, inserted a tap, and to test it, dialed a local number for a recorded message.

Later that afternoon, McCord said, two of his colleagues from CREEP would be coming to inspect the room and, "because we're all in security work," everybody would go under an alias. He said Baldwin would be introduced as "Bill Johnson," the name he had used for his surveillance operations. But Baldwin recalls that when Liddy and Hunt arrived, McCord "got all confused," used some aliases,

forgot others and finally just introduced us under our personal names." Hunt and Liddy inspected the equipment. Then all four strolled across Virginia Avenue to Hunt's room in the Watergate where they conferred with Barker and his group for a half hour. At 8 P.M., McCord and Baldwin went back to Howard Johnson's; the other eight went down to dinner.

And what a dinner it was! Barker later described it as "the banquet." Hunt had reserved the Continental Room, a large L-shaped conference room on the first floor of the Watergate Office Building. The dinner was catered by the Watergate Hotel and the bill ran to \$236—nearly \$30 per man. For Hunt—who fancied wine and food as much as intrigue—it must have been an exquisite evening. For the banquet was only an elaborate facade for the team's first assault on the Watergate. Near midnight, while the waiters were clearing the last Camembert and fruit from the table, Hunt and the locksmith, Gonzalez, hid in a corridor that ran behind the Continental Room. Then, when the waiters had locked up, they went to work on a door connecting the corridor with the first floor of the office building. If they had gotten through that door, they could have simply strolled down the corridor and climbed the stairwell to the sixth floor lobby and the D.N.C. But Gonzalez couldn't open the door. So after reporting their embarrassment to Liddy via walkie-talkie, the Cuban locksmith and the epicure spy, all that fine wine and cheese still settling in their stomachs, were unable to escape from the Continental Room until dawn.

Meanwhile, the rest of the team was launching the second part of its double mission. About midnight, Liddy and some of the Cubans left by car for Capitol Hill. A half hour later, McCord and Baldwin followed. On First Street, S.W., about four blocks from the Capitol, they passed McGovern headquarters and McCord said, "That's what we're interested in, right there." Baldwin recalls that an upstairs light was on and a man—perhaps a drunk—was standing by the front door. Baldwin says that when Liddy joined them he was carrying an attaché case in which he later saw a high-powered pellet pistol wrapped in a towel. Turning up an alley near the McGovern headquarters, they paused under



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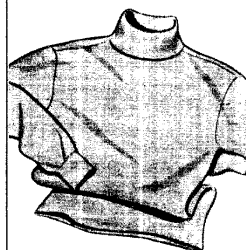
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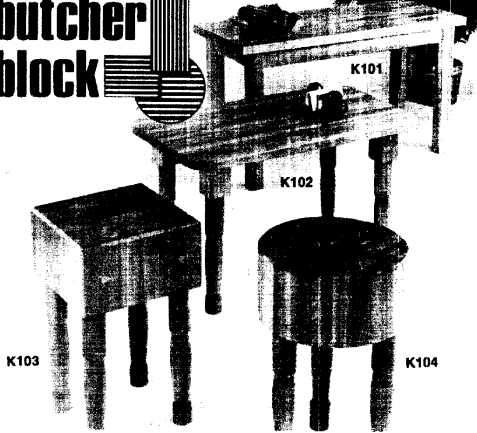
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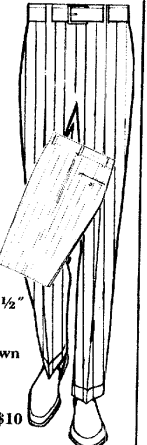
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a bright street light. "Shall I take that out?" Liddy asked. McCord said it wasn't necessary. (Several nights earlier, Liddy had shot out a light near that spot and two days before, while on his way to lunch with Hugh Sloan, he had fired the same pellet gun into a toilet at the prim Hay-Adams Hotel.) About 5 A.M., with the man still lingering around the front door, they decided to "abort the mission" and went to bed.

The next night, they had another go at the D.N.C.— this time with a different *modus operandi*: Sometime that evening, Hunt went across the lobby joining the Watergate Hotel and the office building, down the stairwell, and taped the latch of the door on the B-2 level so that anyone could enter from the garage. He also taped several doors leading from the stairwell onto the sixth and other floors. Then he rejoined Liddy in their hotel room

Barker's team, wearing rubber gloves and carrying cameras and lights, followed and within minutes were in the Democratic headquarters. From his balcony at Howard Johnson's, McCord could see the pinlights from their pencil flashlights moving about like fireflies in the darkened offices. Barker called Hunt on his walkie-talkie and Hunt, in turn, telephoned McCord to say, "My people are in; you can go in now." About 1:30 A.M., McCord crossed the street, went through the basement door and up the stairwell to the back door where one of the Cubans let him in. Getting quickly to work, McCord put one tap on the phone of Fay Abel, a secretary who sat directly outside Larry O'Brien's office and shared several extensions with him. He put another on the phone of R. Spencer Oliver, executive director of the Organization of State Democratic Chairmen. Then he tested both taps with a small pocket receiver. They worked.

Meanwhile, Barker says, he was following Hunt's instructions to "look for documents indicating contributions from Cuba or from leftist organizations and those inclined to violence." Quickly sampling files from several cabinets, he could find nothing of this sort. So he took documents "where names of persons were involved," others where there were "notations of numbers," and one involving security for the Democratic National Convention. He gave these to Martinez, who photographed them with a 35-mm.

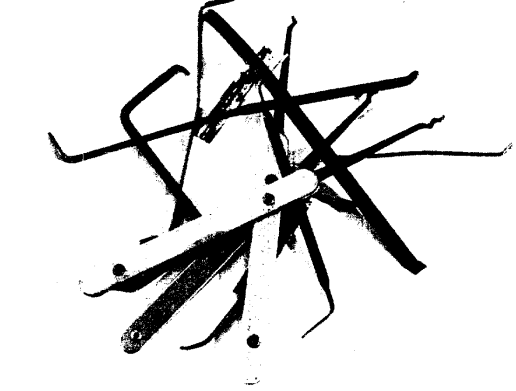
Sturgis and DeDiego stood guard at the front and back doors. By 3:30 A.M., the mission was complete, and the team returned to Hunt's room at the Watergate to critique it.

That evening they had another crack at McGovern headquarters. On Hunt's instructions, Gregory went in to work about 3 P.M. and typed labels or stuffed envelopes most of the afternoon. Then he hid in the furnace room until nearly midnight. When he emerged, a man sitting on the first floor said, "What are you doing here?" Gregory mumbled that he had been "in the back room" and quickly left. He called Hunt at the Watergate Hotel and told him there was still somebody at McGovern headquarters. That was the last attempt on McGovern headquarters. Starting the next day, a Burns guard was stationed outside 24 hours a day.

Meanwhile McCord and Baldwin had begun monitoring the bugs in the Democratic National Committee. They picked up the bug on Spencer Oliver's phone, coming in on 118 megacycles. But they couldn't find the "O'Brien bug" on 135 megacycles. McCord tried switching the antennas. Still nothing. McCord then asked Baldwin to get another room higher in the motel in hopes that might improve the reception. On May 29, McCord moved up to room 723. But still there was nothing. McCord ultimately concluded that either the O'Brien bug was faulty or there was too much shielding in O'Brien's office.

So Baldwin settled down to monitoring the one working bug. "I would keep an eye on the little TV-type screen on the monitoring unit," he recalls. "A constant line ran across the screen when the tapped phone was not in use. When someone started using the phone, the line would scatter and I would quickly put on the earphones." McCord brought him an electric typewriter, and he would type "almost verbatim" transcripts in duplicate. When something caught McCord's eye in the transcript he would sit down immediately and type up a memo from information in the logs, beginning the memo "A confidential source reports . . ."

But there was very little of such importance. Of the 200 calls Baldwin estimates he monitored over the next few weeks, some dealt with "political strategy" but many covered "personal matters."



Lock picks: The set Gonzalez carried at the Watergate.

Baldwin says several secretaries used Oliver's phone because they thought it was the most private one in the office. They would say, "We can talk; I'm on 'Spencer Oliver's phone.'" Some of the conversations, Baldwin recalls, were "explicitly intimate."

McCord gave the first copy of Baldwin's typed transcripts to Liddy, who had his secretary, Sally Harmony, type them on special stationery headed with the code word "Gemstone." Mrs. Harmony recalls typing at least eight of them, which referred to coded sources "Ruby 1," "Ruby 2" and "Crystal." Barker gave Liddy copies of the photographs his team had taken. Mrs. Harmony recalls about 25 8- by 10-inch "glossies" showing surgical-gloved fingers at the bottom. One, she recalls, was a letter signed by Larry O'Brien.

Liddy, in turn, gave the photographs and the Gemstone transcripts — in two batches — to Magruder. The first batch came in around June 8, Magruder recalls, and he took it the next morning to his regular 8:30 meeting in Mitchell's office. Magruder says Mitchell reviewed the materials and determined "there was really no substance to them." He then called Liddy and "indicated that this was not satisfactory and it was worthless and not worth the money that had been paid for it." Magruder says Liddy indicated there was a problem with one tap "not placed in a proper place" and said "he would correct these matters and hopefully get the information that was required." Mitchell denies that these conversations even took place, calling Magruder's story "a palpable, damnable lie."

Because of the "sensitive nature" of the materials, Magruder says, he did not send

them by messenger to Strachan at the White House as he had with previous information on Watergate. Instead, he says, "I called Mr. Strachan and asked would he come over and look at them in my office. As I recall, he did come over and look over the documents and indicate to me the lack of substance to the documents." Haldeman says he does not recall getting any reports on Watergate espionage from Strachan.

On June 12, McCord came to Baldwin's room, gave him a crisp \$100 bill and said, "You are going to have a ball this week." He asked Baldwin to visit the Democratic Committee under an alias and make sure where O'Brien's office was. Familiar with Democratic officials in his home state, Baldwin decided to masquerade as the nephew of John Bailey, the Connecticut State Democratic Chairman and former Democratic National Chairman. The Democrats were very happy to show such a dignitary around and assigned him as guide one of the secretaries whose intimate phone conversations he had been listening to with such interest. She led him into O'Brien's office and said, "This used to be your uncle's office." Baldwin noted its location overlooking the Potomac River, then went back to the motel and drew a diagram for McCord.

At 4 P.M. on June 16, Barker, Martinez, Sturgis and Gonzalez flew into Washington from Miami, rented an Avis car at the airport and drove to the Watergate Hotel where Barker and Martinez checked into Room 214 and Sturgis and Gonzalez into Room 314. At \$38 a night, the rooms are the cheapest the luxury hotel has to offer but are elegantly turned out with gold

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carpet, gold bedspreads and red-trimmed gold drapes. There they were joined by Hunt, Liddy and McCord for a brief meeting before all adjourned for a lobster dinner in the hotel's Terrace Restaurant overlooking the broad sweep of the Potomac.

Sometime that evening, McCord retraced Hunt's path of May 27, down the stairwell to the garage level where he taped two doors. Then he went back to Baldwin's room in Howard Johnson's where he tested a room bug disguised as a "smoke detector." Later, he went out and bought a shopping bag full of screwdrivers, wires, batteries and soldering irons, and for several hours he and Baldwin

while eating chocolate sundaes. About 1 A.M., Hunt called McCord from Room 214 and asked how the Democratic Committee looked across the way. McCord told him one man was still working there. But a few minutes later the lights flickered off and McCord called back to say the path was clear. Hunt told him to come over. McCord unhooked a walkie-talkie from his belt and told Baldwin, "Any activity you see across the street, you just get on this unit and let us know." McCord then crossed the street, checked the garage-level doors to make sure they were still taped and joined the others in Room 214. A few minutes later, Frank

guard at the Watergate Office Building, was making his rounds and found the two garage-level doors taped. Thinking that the tape had been left by the maintenance men, Wills removed it and went on his way. Soon afterwards, he strolled across the street to get a cup of coffee at Howard Johnson's.

McCord, Barker, Martinez, Sturgis and Gonzalez left the hotel and moved swiftly across the darkened driveway to the garage-level doors. To their astonishment, they found the doors locked and, after a brief conference, Barker ordered Gonzalez to jimmy them. To avoid detection, Barker and his other two men went back

to Baldwin's room. A half hour later, Gonzalez reported by walkie-talkie that the door was open. After a little additional difficulty with the glass doors on the sixth floor, the team entered the D.N.C. and began rifling the files in the Youth Division.

Meanwhile, Frank Wills had returned to the building. Checking the B-2 level, he found the doors taped again. This time, he went upstairs and called the police. At 1:52 A.M., three men from the Second District Casual Clothes Squad—Sgt. Paul Leeper, officers Carl Shoffler and John Barrett—were cruising in their unmarked car along K Street. On hearing the call, they sped

to the Watergate, talked with Wills, looked at the tape on the basement doors and then began checking the floors from the top down.

Standing on the balcony of his room admiring the "beautiful night," Baldwin saw the three men dressed in casual clothes enter the building and thought nothing of it. But when he saw the lights go on on the eighth floor, he grabbed the walkie-talkie and said, "Base headquarters, base one, to any unit, do you read me?"

A voice Baldwin recognized as Hunt's said, "I read you; go on. What have you got?"

"The lights went on on the entire eighth floor."

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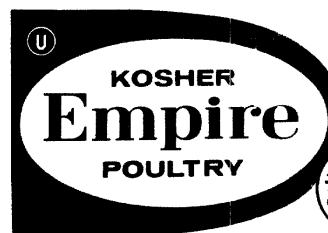
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Break-in (cont.)

is the 2 o'clock guard check. Let us know if anything else happens."

Just then the lights flickered on and off on the sixth floor. Baldwin saw two figures in windbreakers and slacks, one with a gun drawn, emerge on the sixth floor balcony.

"Base one, unit one, are our people in suits or are they dressed casually?"

"Our people are dressed in suits," said Hunt from Room 214. "Why?"

"You have some trouble because there are some individuals out here who are dressed casually and have got their guns out."

At that, Baldwin recalls, Hunt went "a bit frantic."

Leeper and Shoffler reentered the building and moved down a corridor toward an office where the five-man team had crouched behind a partition. As Barrett approached, he saw part of an arm rub up against the cloudy glass at the top of the partition. Jumping back, he shouted, "Hold it! Stop! Come out!" As the five men emerged with their rubber-gloved hands up, Baldwin across the street heard a voice whisper. "They got

us" and McCord's voice saying, "Are you gentlemen Metropolitan Police?"

"Are you still across the street?" asked Hunt.

"Yes, I am," said Baldwin.

"Well, we will be right over."

A minute later, Baldwin saw Hunt and Liddy emerge from the Watergate, get into a car and drive off. And soon afterwards, Hunt burst into Baldwin's room. Crouching behind a table, he whispered hoarsely, "What is going on, what is going on?"

"C'mon see," said Baldwin.

"I have got to use the bathroom," Hunt said as he scuttled toward the toilet.

Cover and Uncover

The cover-up began that Saturday when we realized there was a break-in. I do not think there was ever any discussion that there would not be a cover-up.

—Jeb Magruder, testimony to Ervin Committee, June 14, 1973.

WHEN Hunt came out of the bathroom, he grabbed the white telephone and called Michael Douglas Caddy, a Washington attorney who once worked out of the Mullen company's offices. Then he told Baldwin to pack up all the equipment in the room and take it to McCord's house in Rockville. "Get it the hell out of here! Get yourself out of here! We will be in touch. You will get further instructions." As Hunt rushed down the hall toward the elevator, Baldwin cried after him:

"Does this mean I won't be going to Miami?"

There was no answer. Quickly packing up everything in the room, Baldwin took it down to McCord's Dodge panel truck parked outside. After calling Mrs. McCord to say something had "gone wrong," he drove the truck to her house. She and her two daughters then brought Baldwin back to his car and he drove

through the dawn to Connecticut.

At 3:20 A.M., Hunt went to the Mullen company and called Barker's home in Miami. Then he drove to Caddy's house at 2121 P Street, where he arrived about 3:40. Caddy says he and his new client made several calls trying to find another lawyer with more "criminal law" experience, finally locating Joseph Rafferty, another Washington attorney. At 5 A.M., Hunt called Liddy and reported that he had obtained lawyers.

Meanwhile, after booking the five men at the Second District station house, the police searched them and found \$1,300 in \$100 bills. Later, in Rooms 214 and 314, they found \$3,200 more in neat packets of \$100 bills with consecutive serial numbers, soon to be traced to Barker's withdrawals from the Republican National Bank in Miami. In the rooms, they also found Martinez's and Barker's address books, both containing Howard Hunt's name and phone numbers, and a check made out by Hunt to the Lakewood Country Club.

Within a few days, the police and the F.B.I.—which entered the case almost immediately—pieced together a roughly accurate picture of the events at

the Watergate that night: what seemed to be a small-time crime, with some admittedly bizarre twists, easily dismissed in some quarters. Ron Ziegler called it "a third-rate burglary." But it set off a frantic search for safety among those in higher echelons, raising the curtain on a new chapter of Watergate: the rush to destroy incriminating evidence, to obstruct the investigation, to keep the break-in defendants from making connections which might point to the very top of the campaign team, indeed to Richard Nixon himself.

At first, their concern was chiefly political—to prevent the events from damaging the President's re-election chances. The campaign leadership — Mitchell, Magruder, LaRue, Mardian and Porter—first heard of the arrests that morning of June 17 in Los Angeles, where they had gone for a series of campaign meetings. Around 8:30 A.M., while at breakfast in the Beverly Hills Hotel, Magruder got a phone call from Liddy, who told him McCord had been arrested at the Watergate. Magruder hung up, tried to find a "secure phone," then called Liddy back on a pay phone to get more detail. That set off a flurry of hurried meetings. Bart Porter recalls

one gathering of Mitchell, LaRue, Mardian and Magruder in a large empty banquet hall during which he was instructed to stand guard 50 yards away.

And the circuits to Washington droned with apprehension. According to Magruder, Mitchell told Mardian to call Liddy and have him ask Attorney General Kleindienst to get McCord released. Liddy tracked Kleindienst down on the 17th hole of the Burning Tree golf course, but was rebuffed. Magruder also called his assistant, Robert Reinsner, and asked Reinsner and Robert Odle, CREEP's director of administration, to take home his files on advertising, budget, strategy and "Gemstone."

Much of the discussion that day focused on what Mitchell should say about McCord's arrest. Eventually, he issued a statement evincing no knowledge that McCord was CREEP's full-time security coordinator and dismissing him as "the proprietor of a private security agency who was employed by our committee months ago to assist with the installation of our security system" and who also had "a number of other business clients." But Martha Mitchell knew very well whom McCord worked for, and when Mitchell left for Washington on Monday, he persuaded her to stay in California. She says she was held "political prisoner" there by her bodyguard, Steve King, who jerked the telephone wires out of the wall as she was telling Helen Thomas of U.P.I. that "they don't want me to talk." Three days later, she told Miss Thomas that she would leave her husband unless he left the Government, saying: "I'm not going to stand for all those dirty things that go on."

Back in Washington, at 9:30 A.M. Monday, Hugh Sloan met Gordon Liddy in the hallway at the finance committee. Liddy was in a hurry and told Sloan, "My boys got caught last night. I made a mistake. I used somebody from here, which I told them I would never do. I am afraid I am going to lose my job." (Odle saw him later that day carrying a foot-thick pile of documents to the paper shredder.) Then Sloan met with Magruder, who had hurried back from California at Haldeman's orders. Sloan says Magruder was very worried about the money found on the burglars and that, knowing it could be traced to Liddy, Magruder suggested they ought to say Liddy had

received only about \$75,000. Sloan says he insisted it was far more and that he would not perjure himself, at which Magruder said, "You may have to." (Magruder tells a different story. He says he only indicated that Sloan had some legal problems and "might have to do something about it," at which Sloan asked, "You mean commit perjury?" and Magruder said, "You might have to do something like that.")

Magruder and Dean both met with Liddy, who confessed to Magruder he had "goofed" and assured Dean that "he was a good soldier and would never talk [and] if anyone wished to shoot him on the street he was ready." That afternoon, Dean recalls, Gordon Strachan came to his office and told him he had been instructed by Haldeman to "go through all of Haldeman's files over the weekend and remove damaging materials . . . including such matters as memoranda from the re-election committee, documents relating to wiretap information from the D.N.C., notes of meetings with Haldeman and a document which reflected that Haldeman had instructed Magruder to transfer his intelligence gathering from Senator Muskie to Senator McGovern." Haldeman says he never ordered any such material destroyed. Later that day, Dean says, he called Liddy on Ehrlichman's instructions and told him to tell Hunt to "get out of the country."

Then, while Ron Ziegler was publicly dismissing the whole matter, Mitchell, LaRue, Dean, Mardian and Magruder reportedly met at Mitchell's apartment at the Watergate for a full-dress strategy session. Magruder says it was agreed that he should destroy the "Gemstone" file, so he immediately called Reinsner and told him to collect that file and "any sensitive material that could be embarrassing to us." Mitchell denies they discussed destroying materials.

SOME very sensitive material indeed was removed that night from Howard Hunt's safe in Room 552 of the Executive Office Building. According to Dean, the safe contained, among other things, a psychological analysis of Daniel Ellsberg, materials "relating to Chapquiddick," a "spliced together" cable on Diem's assassination, other State De-

partment cables on Vietnam, and a pistol with a clip in it. The material was moved over to the White House and stored in a safe overnight. The next morning, Dean and an aide talked about "how some of these things could be potentially embarrassing." Dean says he went to Ehrlichman, who told him to "shred the documents and 'deep six' the briefcase" (in which the most sensitive materials had been placed). Dean says he asked Ehrlichman what he meant by "deep six" and Ehrlichman said, "You drive across the river on your way home at night—don't you? Well, when you cross over the bridge, just toss the briefcase in the river." Dean says he told Ehrlichman that he would bring the materials to him, and he could take care of it because he crossed the river on his way home, too, but Ehrlichman said, "No thank you."

Instead, Dean says, he turned the routine contents of the safe over to two F.B.I. agents on June 27. The next day, he told Ehrlichman that he still had the "sensitive materials." Dean says Ehrlichman told him he was about to meet with L. Patrick Gray, the acting director of the F.B.I., and to bring the materials over. Dean says he took them to Ehrlichman's office and placed them in two file folders on the coffee table. (Ehrlichman says he did not know what was in the folders.) Dean says he told Gray that the materials did not relate to Watergate but could be "political dynamite" if revealed. Gray took the documents back to his Connecticut home where, he says, he threw them in an incinerator last Christmas without examining them.

Meanwhile, another effort was under way to throw the protective shield of "national security" over at least part of the Watergate affair—and thus to avoid a major political embarrassment in the midst of the campaign. The President later said that the Watergate burglary had come as a "complete surprise" to him and that his immediate reaction had been that those guilty should be "brought to justice." But within a few days, he added, "I was advised that there was a possibility of C.I.A. involvement in some way." (This advice apparently came from Dean, who says Gray told him on June 22 that he believed the burglary might be "a C.I.A. operation" because of all the former C.I.A. men in-



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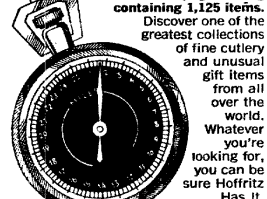
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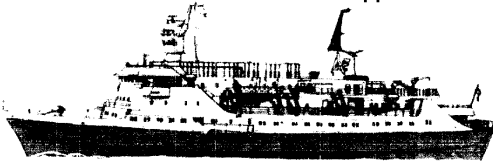
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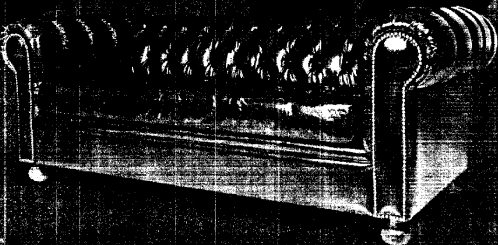
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Cover (cont.)

involved. Dean says he reported this to Haldeman and Ehrlichman. According to Haldeman, Dean also said that Gray had "requested guidance on some aspects of the Watergate investigation and of the possibility of C.I.A. involvement." Haldeman reported this to the President.) The President said he instructed Haldeman and Ehrlichman to "ensure that the investigation not expose either an unrelated covert operation of the C.I.A. or the activities of the White House investigations unit." The latter may be what the President was most worried about. He said he feared that Hunt might be linked to the Plumbers and that highly sensitive "national security matters" might thus be exposed.



"Every President needs an S.O.B. — and I'm Nixon's," said Harry Robbins Haldeman. Just 100 feet down the gold carpet from the Oval Office, the President's chief of staff was in a strategic position to exercise his steely-eyed role. Erecting a "Berlin Wall" around the President, Haldeman assured that "those who had no legitimate claim" on the President's attention — and perhaps some who did — were kept out. For 20 years, Haldeman's life moved back and forth between advertising and Nixonian politics. In his professional career, he was a vice president of J. Walter Thompson in Los Angeles, supervising the Walt Disney, 7-Up and Black Flag insect spray accounts. But after 1956, when he worked as an advance man in Nixon's senatorial campaign, he broke away every couple of years to campaign for his political mentor, rising to "tour director" in 1968. With his flat-topped crewcut and austere clothes, he quickly became known as "the Prussian." A determined anti-Communist (his grandfather founded the Better America Foundation), Haldeman was somewhat to the right of Nixon. But his devotion to his chief became legendary. His chief form of relaxation was the talking and

showing of "home movies" of the President.

On June 23, Richard Helms, the C.I.A. director, and Gen. Vernon Walters, the deputy director, were summoned to the White House for a meeting with Haldeman and Ehrlichman (Dean says Ehrlichman told him that Walters was "a good friend of the White House" who had been "installed so they could have some influence over the agency"). According to a Walters memo, Haldeman said the investigation was "leading to a lot of important people and this could get worse." He asked Helms what connections the C.I.A. had with Watergate and Helms said "None." Then, Walters says, "Haldeman said the whole affair was getting embarrassing and it was the President's wish that Walters call on Acting Director L. Patrick Gray and suggest to him that since the five suspects had been arrested, this should be sufficient and that it was not advantageous to have the inquiry pushed, especially in Mexico."

At 2:30 that afternoon, Walters called on Gray, telling him he had just talked to "the White House." Walters said that, while the investigation had not yet touched any C.I.A. activity, if it were pushed "south of the border" it could reach one of the agency's covert projects. According to Walters, Gray said "this was a most awkward matter to come up in an election year and he would see what he could do."

At two meetings on June 26 and 28, John Dean asked Walters whether the C.I.A. could pay the bail and salaries of the five men, but Walters demurred, saying that any involvement could damage the agency's "apolitical" image. And so it went through early July, Gray telling Walters that "the pressures on him to continue the investigation were great" and he would do so unless the C.I.A. could provide documents showing that the investigation would damage national security; Walters telling Gray that "I had a long association with the President and was as desirous as anyone of protecting him" but didn't believe a C.I.A. letter on "the spurious grounds that it would uncover covert operations would serve the President;" Gray replying he "did not see why he or I [Walters] should jeopardize the integrity of our organizations to protect some mid-level White House figures who had acted imprudently."

Around this time, F.B.I. officials began telling Gray that a "cover-up" was under way and urging him to alert the Presi-

dent, but one official recalls that Gray "just didn't get the message to the President because he was apparently afraid to make it appear he didn't know what he was doing." The only warning was a veiled one. On July 6, Gray called Clark MacGregor (then campaign manager, replacing Mitchell, who had resigned July 1, citing his wife's ultimatum). Gray told MacGregor that he and Walters felt the White House staff was "careless and indifferent" in its use of the F.B.I. and C.I.A. Within 37 minutes, the President called Gray and congratulated him on the F.B.I.'s handling of an airline hijacking. Then, Gray says, he told the President that he and Walters felt that "people on your staff are trying to mortally wound you by using the C.I.A. and F.B.I. and by confusing the question of C.I.A. interest in, or not in, people the F.B.I. wishes to interview." Gray says the President replied only: "Pat, you just continue to conduct your aggressive and thorough investigation." (In his later account of the conversation, the President made no mention of Gray's worry. He recalled: "Mr. Gray suggested that the matter of Watergate might lead higher. I told him to press ahead with his investigation.")

BUT some of the President's top campaign aides were working hard to obstruct the investigation. Magruder says that through late June and early July there was a series of meetings in Mitchell's office attended by Mitchell, Dean, LaRue, Mardian and himself (Dean says he was not there). At one point, Magruder recalls, he volunteered to "take the heat" and "there were some takers on that." But, he says, most of those present felt that wouldn't work, because Magruder was not in a position to have authorized the \$232,000 which Liddy had spent on clandestine activities. That trail would inevitably lead higher—eventually to Mitchell—and thus could seriously damage the President's reelection chances.

Therefore, Magruder says, it was decided that the trail must stop with Liddy who, after all, had originated the plan and carried it out (he was already a major target of the investigation and Mitchell had fired him on June 28 for failing to cooperate with the F.B.I.). Magruder says they "took factual activity we had asked Liddy to do and we exaggerated to a great extent the amount of money spent on

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those activities," suggesting that Liddy had taken that money and gone off on his own to commit illegal acts. Magruder asked Bart Porter, a CREEP aide, to back him up by saying he had given Liddy \$100,000 to infiltrate radical groups planning demonstrations against Porter's "surrogate speakers" program—an outright fabrication. Magruder told Porter that his name had been mentioned by Mitchell and LaRue as "someone we can count on" and "a team player." Porter did not let the team down.

But they still had a problem with Hugh Sloan, treasurer of the finance committee, who, despite pressures from Magruder and LaRue, was unwilling to underestimate his payments to Liddy. Sloan says he went even further, approaching several White House aides on a Potomac boat cruise to arrange appointments with Chapin and Ehrlichman on June 23. He says he told Chapin that there was "a tremendous problem [at CREEP] and something had to be done," to which, he says, Chapin replied that "the important thing is that the President be protected" and urged Sloan to go away on a long overdue vacation. That afternoon, Sloan says, he told Ehrlichman that "someone from the outside should come in and look at the whole thing." Sloan says Ehrlichman apparently interpreted his concern as a personal one because he offered to get Sloan a lawyer. But Ehrlichman kept saying, "Do not tell me any details. I do not want to know."

Then two F.B.I. agents came to see Sloan. LaRue told him he should see Mitchell first. Sloan recalls that he went into Mitchell's office with LaRue and Mardian. "I was essentially asking for guidance. The campaign literally at this point was falling apart before your eyes. I had some very strong concerns about where all this money had gone." Sloan says John Mitchell looked at him and said: "When the going gets tough, the tough get going."

Meanwhile, Dean was moving to restrain the official investigation. He was rebuffed by Attorney General Kleindienst, but says he found more understanding from Henry E. Petersen, the Assistant Attorney General in charge of the Watergate inquiry, who left him with "the impression that he realized the problems of a wide-open investigation of the White House in an election year." Dean arranged to sit in on the F.B.I. interviews with eight White House staff-

fers while obtaining from Gray about 80 F.B.I. reports on the investigation. He persuaded Petersen not to call five Presidential aides—Colson, Krogh, Young, Chapin, and Strachan—before a Federal grand jury that had begun to take testimony on the Watergate case shortly after the burglary arrests. They were interrogated by the prosecutors in a separate room out of the jurors' hearing—a most unusual procedure. He asked Petersen how Jeb Magruder had done before the grand jury and says Petersen replied that Magruder had "made it through by the skin of his teeth." And he says that when he explained the embarrassment that could be caused by linking Donald Segretti to Chapin, Strachan and Kalmbach, Petersen said he did not believe the prosecutors would need to get into those areas before the grand jury. (The names did come out at the grand jury, but Dean says Petersen told him the question had been asked by a juror, not by Assistant U.S. Attorney Earl Silbert, who had "tried to avoid getting in to this area.") All this while, Kleindienst was promising that the Justice Department's investigation would be "the most extensive, thorough and comprehensive investigation since the assassination of President Kennedy."

Throughout the summer, Dean says, he met repeatedly with both Haldeman and Ehrlichman, filling them in on what he was learning from the F.B.I. and Justice Department, carrying messages to and from the Mitchell-Stans-Mardian-LaRue grouping "about how each quarter was handling the cover-up." He says he "checked with Haldeman and Ehrlichman before I did anything." But he says that during this period he was not instructed to carry out an investigation or write a report.

The President's first public words on Watergate came at a news conference on Aug. 29—and Dean says they left him with a feeling of astonishment. The President said Dean "has conducted a complete investigation of all leads which might involve any present members of the White House staff or anybody in the Government."

IN this initial Presidential comment on the affair, Nixon's stance was one of total innocence, with some expressions of outrage: "I can say categorically that his [Dean's] investigation indicates that no one in the Administration

presently employed, was involved in this very bizarre incident. . . . This kind of activity, as I have often indicated, has no place whatsoever in our political process." It was two months before the election. And the President insisted he wanted "the air cleared."

On Sept. 15, the Federal grand jury handed down its long-awaited indictments against Hunt, Liddy, McCord, Barker, Martinez, Gonzalez and Sturgis. As Petersen had predicted, Jeb Magruder had escaped indictment, thus cutting off the trail to the high-ups. Late that afternoon, Dean recalls, he was summoned into the Oval Office, where he found Haldeman and the President. "The President then told me that Bob—referring to Haldeman—had kept him posted on my handling of the Watergate case. The President told me I had done a good job and he appreciated how difficult a task it had been and the President was pleased that the case had been stopped with Liddy. . . . I told him that all I had been able to do was to contain the case and assist in keeping it out of the White House. I also told him that there was a long way to go before this matter would end."

Dean says the President made several other remarks at this meeting, among them: that J. Edgar Hoover had told him in 1969 that his campaign had been bugged in 1968 and that at some point "we should get the facts out on this to counter the problems that we are encountering"; that he hoped the Watergate trial would not begin before the election; that he hoped Dean would "keep a good list of the press people giving us trouble, because we will make life difficult for them after the election."

Dean says he left the Sept. 15 meeting convinced that the President was well aware of the cover-up. Some others do not interpret the President's remarks that way.

The next problem the White House faced was the hearings on Watergate scheduled by the House Banking and Currency Committee, chaired by Representative Wright Patman of Texas. Dean describes a series of discussions on how to stop the hearings with Haldeman, Stans, Mitchell and John Connally. Ultimately, Dean got from Petersen a letter saying the hearings could damage the prosecution. With this letter, and heavy pressure from several quarters, the White House was able, Dean says, to maneuver a 20-15

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Cover (cont.)

issuing the necessary subpoenas, and Patman was reduced to lecturing empty witness chairs. Dean says "another sigh of relief was made at the White House that we had leaped one more hurdle in the continuing cover-up."

But not for long. On Oct. 10, Bob Woodward and Carl Bernstein of The Washington Post, who had been digging away vigorously, came up with their biggest story yet, beginning: "F.B.I. agents have established that the Watergate bugging incident stemmed from a massive campaign of political spying and sabotage conducted on behalf of President Nixon's re-election and directed by officials of the White House and the Committee for the Re-election of the President." Quickly they followed with stories reporting that Chapin had hired Segretti and that Haldeman was among five officials authorized to approve payments from the espionage funds.

These and other stories brought a cascade of denials and denunciations from the President's camp: a "collection of absurdities" said CREEP; "a senseless pack of lies," said Maurice Stans; "the shoddiest type of journalism," said Ron Ziegler. The denials were largely designed to neutralize Watergate as a campaign issue — which they did. On Nov. 7, the President was re-elected with an overwhelming 61 per cent of the popular vote. But by then, the cover-up was unraveling.

At 2:27 P.M., Dec. 8, United Air Lines Flight 553 was nearing Chicago's Midway airport through drizzle and fog. Instructed to make another approach, the Boeing 737 suddenly nosedived into a neighborhood of one-story bungalows a mile and a half short of Runway 31L. Forty of the 55 passengers on board were killed, including Dorothy Hunt, wife of Howard Hunt. The day after the crash, a police investigator, shaking out Mrs. Hunt's purse, found \$10,000 in \$100 bills. A relative said the money was intended as the initial franchise fee for a Holiday Inn.

In fact, Mrs. Hunt had served for months as a courier of escalating payments to the Watergate defendants. As early as June 28, Dean says, he, Mitchell, LaRue and Mardian discussed "the need for support money in exchange for the silence of the men in jail." Dean says Mitchell, Haldeman and Ehrlichman all instructed

Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2

him to ask Kalmbach to raise the money. Dean says he called Kalmbach that same day and Kalmbach took the next flight and met Dean at a Washington hotel the next morning. Dean says he told Kalmbach "everything I knew about the case at that time." A week later, Dean says, the President's lawyer returned to Washington with the money in a briefcase and later went over the exact payments with LaRue. (The General Accounting Office says Kalmbach raised between \$210,000 and \$230,000 for the defendants in the summer of 1972.)

BUT the Kalmbach money was not enough. Even before the election, Dean says, Paul O'Brien, a CREEP lawyer on the Watergate case, began receiving messages from William Bittman, Hunt's lawyer, saying that Hunt and the other defendants expected more support money and attorneys' fees. After the election the pressures increased. When Hunt called Colson directly, he says, Haldeman and Mitchell authorized payment of \$70,000 of the \$350,000 kept in Haldeman's safe. The demands reached "the crescendo point," Dean says, shortly before the Watergate trial began Jan. 8. He says Haldeman and Mitchell then authorized Strachan to give the remainder of the \$350,000 to LaRue. It is estimated that between \$423,000 and \$548,000 was paid out to the defendants.

Most of the money was said to have passed through LaRue to Mrs. Hunt and then to the defendants. Dean does not know who got what. But The Washington Post has said that Hunt, Liddy and McCord got \$3,000 a month in continued salary and the other four \$1,000 a month. McCord confirms that he got \$3,000 a month from July, 1972, through January, 1973, plus \$25,000 in legal fees — all on the condition that he remain silent about the White House and CREEP involvement. Barker says he received \$47,000 for bail, expenses and legal fees—but without giving any promise of silence.

The largest payments apparently went to Hunt, who, according to Government investigators, was "blackmailing the White House" from June on. Within days of the arrests, the investigators say, Hunt sent a message to Dean saying, "The writer has a manuscript of a play to sell." This was recognized as a threat to

talk and almost immediately payments began flowing to Hunt. Later, McCord says, Hunt threatened to "blow the White House out of the water" and said he had "information which could impeach the President." By the start of the trial, Hunt had allegedly received \$200,000 (and \$72,000 more was provided in mid-March). According to Dean, Hunt also demanded and received assurances of Presidential clemency. Dean says both Ehrlichman and Colson talked with the President during the first week of January and that Colson then gave Hunt a "general assurance" of clemency through Hunt's attorney, Bittman. (Dean says Ehrlichman told him that the same assurance "applied to all" the defendants.) On Jan. 11, Hunt pleaded guilty and told reporters outside the courthouse that he knew of no involvement of "higher-ups."

Meanwhile, McCord was getting restless. Convinced that the White House, through the defense lawyers, was preparing to paint Watergate as a "C.I.A. operation," he warned his lawyer that "even if it meant my freedom I would not turn on the organization that had employed me for 19 years." Between July, 1972 and January, 1973, he wrote seven letters to C.I.A. director Helms warning him of the plot, the first signed "Jim," the others unsigned. Then, during Christmas week, he wrote a letter to Caulfield which read, in part: "If Helms goes and the Watergate operation is laid at C.I.A.'s feet, where it does not belong, every tree in the forest will fall. It will be a scorched desert. . . ."

Dean says Mitchell told him Caulfield should contact McCord and assure him of executive clemency. (Mitchell denies this.) Caulfield was out of town, so Ulasewicz called McCord at 12:30 A.M., Jan. 9, and told him to go to a pay phone near the Blue Fountain Inn on Route 355 in Rockville and wait for another call. McCord went to the phone in the parking lot of the inn ("Specializing in Choice Steaks—Live Entertainment") and there Ulasewicz read him a message from Caulfield: "Plead guilty. You will get executive clemency. Your family will be taken care of and when you get out you will be rehabilitated and a job will be found for you. . . ." On Jan. 12, McCord and Caulfield met at the second overlook on the George Washington Parkway above the Potomac and talked

for a half hour, sitting in Caulfield's car. Caulfield told McCord he was carrying the clemency message "from the very highest levels of the White House." (Caulfield says Dean told him to use that phrase. When he asked whether he should say that the offer came "from the President," Caulfield says, Dean replied: "No, don't do that; say that it comes from way up at the top.") But McCord told Caulfield he had a plan for getting his freedom. That fall, he said, he had called the Chilean and Israeli embassies, whose phones he assumed were tapped by the Government. McCord suggested that, by raising the issue of wiretap evidence at his trial, he could pose an awkward choice for the Government: either let the purported embassy taps be exposed or drop the case against him.

McCord and Caulfield met twice more, but were unable to resolve their differences. McCord kept pressing for the Government to use the alleged tapping as a means of dismissing his case, while Caulfield kept warning him: "Everybody is on the track but you. You are not following the game plan. Keep silent."

Somebody else wasn't following the game plan. As the Watergate trial droned on through January, with five of the defendants pleading guilty and witnesses steadfastly denying a wider conspiracy, Judge John J. Sirica grew increasingly exasperated. He began questioning witnesses himself and urging the prosecution to call others. Finally, on Feb. 2—after Liddy and McCord had been convicted—Sirica said bluntly: "I am still not satisfied that all of the pertinent facts that might be available have been produced before an American jury."

With the trial's end, Dean says, the focus of White House concern shifted to the forthcoming Senate hearings. On Feb. 7, the Senate voted to establish a seven-man select committee under Senator Sam Ervin of North Carolina. On Feb. 9, Dean was summoned to the La Costa Resort Hotel, south of San Clemente, for two days of meetings with Haldeman and Ehrlichman, where, Dean says, it was decided that "the White House will take a public posture of full cooperation but privately will attempt to restrain the investigation and make it as difficult as possible to get information and witnesses." A chief instrument of that obstruction would be John Dean.



"He was a pilot fish. You know, the little fish who follow beside the sharks," says a former colleague. Many of those who have worked with John Wesley Dean 3d over the years recall him as a young man in a hurry—very eager to "please the boss" but not very scrupulous about stealing a march on—or an idea from—a colleague. He always, they say, put his own advancement ahead of any substantive interest or belief. And he always had good connections. While at Staunton Military Academy, he roomed with Barry Goldwater Jr. He married Karla Hennings, daughter of Senator Thomas Hennings of Missouri. When he was graduated from Georgetown Law school, he got a job with the Washington firm of Welch and Morgan, whose senior partner was a friend of Senator Hennings (he was dismissed six months later for secretly aiding one company seeking a television license while his law firm was representing another company seeking the same license). The old school tie helped him get a job as minority counsel to the House Judiciary Committee (Representative William McCulloch of Ohio, like Dean, was a graduate of Wooster College). On the Hill, Dean got to know Representative Richard Poff of Virginia, who in turn knew John Mitchell and helped Dean become Associate Deputy Attorney General. By the time he moved to the White House in 1970, Dean's first marriage had been dissolved; last October, he remarried, financing his honeymoon with \$4,850 he "borrowed" from campaign funds.

Dean and the White House agree that between late February and mid-April he and the President had roughly 21 meetings (sometimes with others present) and about 14 phone conversations. They also agree that Dean and the President discussed the progress of the hearings on Patrick Gray's nomination as F.B.I. director, development of a White House statement on executive privilege and strategy for the

upcoming "Ervin hearings."

The doctrine of executive privilege — which holds that communications within the executive branch should be protected from public exposure—quickly became one of the White House's front lines of defense on Watergate. Dean is said to feel that Nixon initiated the series of meetings with him, after months in which they rarely saw each other, so that Dean would be covered by executive privilege or the attorney-client privilege. The White House has alleged that "Dean helped induce the views on attorney-client privilege and on separation of powers that would have immunized Dean himself from having to testify under oath."

Dean presents a picture of a President fully aware of the cover-up and actively conspiring with it. At the first of the meetings, on Feb. 27, he says, the President instructed him to report directly to him on Watergate because Haldeman and Ehrlichman were "principals in the matter." In subsequent meetings, Dean says, the President conceded that Hunt had been promised executive clemency and he said it would be "no problem" to raise the additional "million dollars or more" required to keep Hunt and the other defendants silent. Dean reported that he was personally involved in the cover-up and described to the President how the pay-off money was "laundered" and secretly delivered. And he says that on March 21 he told the President that "there was a cancer growing on the Presidency," described the perjury, blackmail and extensive cover-up, and detailed the complicity of Haldeman, Ehrlichman, Colson, Mitchell, Magruder, Strachan and Kalmbach. But, he says, "I realized that I had not really made the President understand" because Mr. Nixon seemed "very impressed with my knowledge of the circumstances but he did not seem particularly concerned with their implications." In subsequent meetings that day and the next, Dean says, the President, Haldeman and Ehrlichman continued to plan the cover-up, including a scheme to let Mitchell take the blame.

The White House has presented a different version of these meetings. It says Dean was still actively pursuing the cover-up, withholding vital information from the President and insisting that "the White

House was in the clear" with the possible exception of Strachan. On March 21, it says, he presented "a more complete, but still laundered version of the facts and so surprised the President that, according to press accounts of what Dean is saying 'the President came out of his chair.'" The White House contends that the President began a vigorous investigation of his own on March 21.

Two days later Judge Sirica read in court a letter from McCord which, among other things, said: "Others involved in the Watergate operation were not identified during the trial"; "perjury occurred during the trial" on vital matters; "there was political pressure applied to the defendants to plead guilty and remain silent." The judge agreed not to sentence McCord until he heard him out—a clear hint that full cooperation could lead to leniency. And he gave five of the defendants reason to talk by temporarily handing them the maximum sentences but promising to review those sentences after three months. (This meant 35 years for Hunt and 40 years for Barker, Martinez, Sturgis and Gonzalez. Liddy, who had remained steadfastly silent, got a flat sentence of up to 20 years.)

McCord's revelations blew the cover-up wide open and set off an avalanche of further disclosures and Presidential discomfitures. From then on it was every man for himself as the men involved scrambled to protect themselves as best they could. Some — notably John Dean—began leaking intriguing tidbits to the press in hopes that the prosecutors would grant them immunity from prosecution in return for vital testimony. On April 27, alone, Gray resigned as acting director of the F.B.I. after failing to receive Senate confirmation for the permanent post, and Judge Matthew Byrne, presiding in the Ellsberg trial, revealed evidence of the burglary at Dr. Fielding's office.

Three days later President Nixon made his first major statement on Watergate in a television speech to the nation. He had moved a considerable distance from the stance of outraged innocence at his August press conference. Yet some ambivalence remained. He accepted official "responsibility" for the Watergate events, but he denied any advance knowledge of them and any role in their cover-up. He accepted the

resignations of Ehrlichman and Haldeman, but he said he had no evidence of any wrongdoing on their part and described them as "two of the finest public servants it has been my privilege to know." He also announced the resignations of Kleindienst and Dean, adding to a long parade of earlier departures including Mitchell, Chapin, Mardian, Colson, Sloan, LaRue and Magruder. Flanked by a bust of Lincoln and a photograph of his family, the President took his case to the people with such phrases as: "There had been an effort to conceal the facts both from the public—from you—and from me."

On May 11, Judge Byrne dismissed all charges against Ellsberg and his co-defendant, Anthony Russo, on grounds of "improper Government conduct." He cited the burglary of Dr. Fielding's office, the wiretapping of Ellsberg, the disappearance of records on the tapped conversations, and the failure to produce exculpatory information on time. He did not mention another defense complaint: two conver-

sations Judge Byrne had with John Ehrlichman during the trial—April 5 and 7—about the possibility of Byrne's becoming F.B.I. director.

On May 22, the President made another major statement, and once again it had some of the elements of a correction. For the first time, he acknowledged deep White House involvement in the Plumbers' activities and in the subsequent cover-up. He conceded that some "highly motivated individuals" may have engaged in "specific activities that I would have disapproved had they been brought to my attention." And he admitted that "there were apparently wide-ranging efforts to limit the investigation or to conceal the possible involvement of members of the Administration and the campaign committee." But he still denied his own personal involvement or knowledge in all areas except in certain limited "national-security" matters, which he sought to distinguish sharply from Watergate.

By that time, the many-pronged investigation was

fully under way. On May 18, Prof. Archibald Cox of Harvard was named special Watergate prosecutor. In the same week, the long-awaited Ervin Committee hearings began. In the weeks since, the committee has heard a long parade of witnesses, including Barker, Sloan, Baldwin, Caulfield, Ulasewicz, Porter, McCord, Magruder, Stans, Dean and Mitchell. It has also heard a memorandum from J. Fred Buzhardt, special counsel to the President, alleging that John Dean was "the principal actor in the cover-up." In the weeks to come, the committee will hear from several major targets of the investigation—among them, Colson, Ehrlichman and Haldeman—who will undoubtedly present testimony conflicting with or mitigating allegations made against them.

THE densest fog of uncertainty still swirls around the head of Richard Nixon, who finds himself under increasing pressure to speak out more fully, release relevant White House documents and even submit to Congressional questioning. Within a few months, he had suffered an epic fall from grace. He had defused the Vietnam War as a national issue, won the plaudits of a grateful nation for his historic "voyage of peace" to Peking and Moscow—and been returned to office by one of the largest margins of modern times. Now, suddenly, the polls were reflecting a startling loss of public confidence, the once-recumbent Congress was challenging his authority—and he found himself on the defensive, backing and filling before the outpourings of Watergate.

An insistent press and a querulous Congress are asking just how much the President knew, how much he covered up. The answer to these questions will largely determine not just the future of Richard Nixon's Presidency but the public attitude toward political campaigns, indeed toward the entire political process. There may be only a touch of hyperbole in the words which Jeb Magruder is said to have addressed to Bart Porter when he learned that the CREEP aide was about to tell all to the prosecutors:

**My God, you are an ant!
You are nothing! Do you
realize the whole course
of history is going to be
changed? ■**



'National Security Used as Muzzle, Dean Says

Former White House counsel John W. Dean III says he believes that the Nixon administration is inveighing national security to force him to give "very limited testimony" in Watergate investigations.

Associates of Dean, who was fired by President Nixon after becoming deeply implicated in the Watergate scandal, have offered further details behind his statement yesterday charging an "ongoing effort" to see that he does not tell all he knows to a grand jury or to the Senate.

His complaint in that statement that someone was trying to put "restrictions" on his testimony was meant as a reference to restraints in the name of national security as well as claims of privileged communications with the President, his associates said.

These sources said that the stationing of FBI and Secret Service guards to watch over Dean's files at his White House office was behind his complaint that he was being kept from "obtaining relevant information and records."

DEAN'S STATEMENT

yesterday also said there were attempts to influence how federal prosecutors handled his testimony — a reference, associates said, to what Dean considers to be pressure to deny him immunity from prosecution.

In discussing Dean's suggestion that efforts were being made to "discredit me" or to "get me," associates cited a statement broadcast by CBS News that Dean did not want to go to prison principally because he was fearful of being molested sexually.

That is "a lie spread by his enemies," one associate said.

The argument that "national security" considerations dictated that data relating to the Watergate affair should not be given to investigators was used by Dean himself, another former White House aide, Charles W. Colson, has declared.

In an interview with FBI agents, made public yesterday during the Pentagon Papers trial in Los Angeles, Colson said that the issue had come up at a meeting with Dean when they were discussing what he would say about FBI

questioning of him on the Watergate affair.

COLSON SAID that he asked what he would do if the agents quizzed him about a burglary that was related to government attempts to probe the leak of the Pentagon Papers to the newspapers. That burglary, of a psychiatrist's office in Los Angeles in 1971, has been related to the Watergate scandal because it was carried out by some of the same men convicted of the Watergate break-in.

Dean advised him "that if asked, he was not to discuss the matter inasmuch as it was a national security matter of the highest classification," Colson said.

According to Colson's testimony, he received the same instructions from Ehrlichman in March or April of this year.

Meanwhile, there were these other developments in the Watergate affair:

- Former Nixon campaign treasurer Hugh W. Sloan Jr., in sworn testimony released yesterday, said that a number of high Nixon campaign and administration officials were aware — or had reason to be aware — last summer that the scandal might reach higher in the government than was being publicly acknowledged.
- Gen. Robert E. Cushman, former top CIA aide, who has been cited as the source of authority for the CIA to help equip the men taking part in the psychiatrist's office burglary, was preparing an affidavit on his role. Cushman was scheduled to appear soon before two Senate committees probing CIA involvement, perhaps later today. Aides to the general have been indicating the general did not know what the men in the burglary were planning.

● A CIA psychiatrist told senators yesterday that the personality profile he was ordered to prepare on

THE EVENING STAR and DAILY NEWS
Washington, D. C., Friday, May 11, 1973

E-19

Daniel Ellsberg, accused of stealing the Pentagon Papers, was the first of its kind ever made on an American citizen. The profile was prepared as part of the same Pentagon Papers leak-plugging effort which involved the burglary of the office of Ellsberg's psychiatrist. Former CIA Director Richard Helms is scheduled to appear early next week to tell what, if anything, he knows about the CIA role in the burglary episode.

Nixon campaign aide Sloan, in his sworn testimony made public yesterday, indicated that Maurice H. Stans, chief fund-

raiser of the Nixon campaign in 1972, had some inkling of the bugging scandal last summer.

Sloan recounted how he became suspicious of the large amount of money being given Watergate conspirator G. Gordon Liddy, and asked Stans if deputy campaign director Jeb Stuart Magruder had the authority to approve such disbursements.

Stans checked with campaign director John N. Mitchell — also indicted in the New York case yesterday — who said Magruder did have the authority, Sloan said.

HE SAID, "I believe I

expressed concern generally (to Stans) about the fact that the totals were mounting up without any knowledge on our part of what, in fact, had happened to our money."

Stans replied, Sloan said, "I don't want to know, and you don't want to know."

Sloan also said that following the June 17 arrests, Magruder asked Sloan to perjure himself at any forthcoming trial regarding how much money Sloan had given Liddy.

Sloan said he refused to perjure himself — and did not do so — and said he

began attempting to alert higher-ups in the Nixon Administration about what apparently was going on.

But Dwight Chapin, then the President's appointments secretary, brushed him off by saying:

" . . . (1) you are overwrought, and (2) the important thing is to protect the President, and (3) you ought to take a vacation."

He then went to John D. Ehrlichman, then head of the President's domestic counsel and one of the top presidential advisors, he said.

"I think I got as far as saying there were funds that I did not know where they went, and there might be a connection with the situation. He told me to go no further, that he didn't want any of the details, if I had any personal problems I had a special relationship with the White House and they would be glad to arrange an attorney.

"I said, 'That isn't my concern. I just want you to know there is a problem over there,' and he said his position was that he would have to take executive privilege until after the election in any case."

THE EVENING STAR and DAILY NEWS
Washington, D. C., Wednesday, May 16, 1973

WASHINGTON CLOSE-UP

Keeping the Burglars Out

By FRANK GETLEIN

Perhaps prematurely, everybody has been drawing moral lessons from the conspiracy, burglary and corruption of the American political process summed up in the name Watergate.

The Rev. Billy Graham, for example, thinks the Watergate crimes show the need for a great spiritual revival in America. This is understandable from a professional point of view, Dr. Graham being the nation's leading spiritual revivalist, but a more realistic analysis would find just the opposite to be the Watergate lesson. The burglars and other criminals were acting on behalf of and apparently also on the instructions of the most self-consciously holy, spiritually revived, prayer-breakfasting, God-in-voking White House gang since "Lemonade Lucy" Harrison had the temperance ladies in.

★

If Watergate is where godliness has led the holy clowns from the White House, this country may not be able to afford a spiritual revival.

President Nixon seems to have drawn several other moral lessons: Pay more attention to what people are doing in your name; fire people you are deeply convinced are innocent of wrongdoing, and, above all, no doubt, don't hire a counsel who isn't willing to be a scapegoat.

For their part, the Democrats must have learned

learned a long time ago: When you are running against Richard M. Nixon, keep your back to the wall and your hand on your wallet. No one would suggest the President of the United States is a bandit, but he does seem to inspire an excess of zeal in those devoted to his cause:

Jerry Voorhis and Helen Gahagan Douglas were but the first in a long line of political corpses found floating with the knives in their backs inscribed "RMN." The latest victims of that zeal seem to be Sens. Muskie, Humphrey and Jackson, done in by forgeries in Florida, false and embarrassing phone calls and letters, bogus orders for large quantities of food, drink and flowers, and, of course, the familiar zealous acts of breaking and entering and burglarizing files.

For the rest of us, the lessons cannot really be drawn until all the returns are in, but one fundamental necessity seems clear even this early: We have got, somehow, to get the CIA the hell out of our domestic politics.

★

The agency has, of course, denied that it had anything to do with the cameras, the red wigs, the bugging apparatus and so on that burglar and ex-CIA agent E. Howard Hunt Jr. has testified he got from the agency in an agency outpost, a "safe house" maintained for just such

as already established, the CIA gave us Hunt, McCord and most of their mob from Miami, alumni, with one exception, not only of the agency but of its finest hour, the Bay of Pigs blow for freedom by surreptitious invasion of a so vereign country.

★

The theory of late 20th century government seems to be that we have to have people like Hunt and McCord on the government payroll to save us from the dread Commies.

Fair enough: At the moment, however, a more urgent problem is how to save the Republic from Hunt and McCord and perhaps from the CIA at large.

The very least we can expect is a law preventing graduates of the CIA, like Hunt and McCord, from engaging in political activity for a period of years, particularly from accepting employment or contracts from outfits like the Committee for the Re-election of the President.

If retired spooks want to run for public office themselves, that's fine: There are many constituencies that from time to time feel the need for a trained burglar as their man in Congress or the city hall. Also, their opponents are fairly warned and can hire their own free-enterprise burglars to protect them.

But to have government-trained burglars in the White House as political consultants is now untenable and must be stopped by statute.

HS/HC- FJF

THE EVENING STAR and DAILY NEWS
Washington, D. C., Tuesday, May 8, 1973

Director Confirms CIA

BY OSWALK JOHNSTON
Star-News Staff Writer

James R. Schlesinger, the newly installed CIA director, has confirmed privately that the CIA supplied a camera, disguises and false documents to Watergate conspirator E. Howard Hunt before the 1971 break-in at the office of the psychiatrist who had once treated Daniel Ellsberg.

Schlesinger, who offered the confirmation in a telephone conversation yesterday with Rep. Lucien N. Nedzi, D-Mich., chairman of the House Arms Services subcommittee on intelligence, acknowledged that Gen. Robert E. Cushman Jr., then deputy director of the CIA, ordered the supplies, Nedzi said.

Confirmation that Cushman, now Marine Corps commandant, authorized clandestine supplies for Hunt and fellow conspirator G. Gordon Liddy in

their administration-directed probe of the Pentagon Papers leak, emerged from an internal probe now under way at the CIA, Nedzi was told.

Still unconfirmed is Hunt's testimony to the Watergate grand jury that the CIA also gave Hunt, Liddy and the team of Cuban emigres recruited for the Ellsberg burglary operational assistance, two "safe-house" rendezvous points in Washington and an untraceable "Sterile" telephone number to call if help was needed.

(Cushman has been ordered by the Defense Department not to discuss his alleged involvement in the burglary. He failed to show up for a scheduled news conference at Rotterdam yesterday, where he is touring Dutch defenses. An aide announced the general would have nothing to say.

(The aide said Cushman

had been ordered to submit an affidavit to the Justice Department on the matter when he returns here.)

Nedzi, concerned that CIA activities in the case may have violated laws banning the agency from domestic operations, is planning a subcommittee investigation this week. Sens. Stuart Symington, D-Mo., and John L. McClellan D-Ark. also announced yesterday separate probes of the incident.

The State Department, meanwhile, has offered separate confirmation of another aspect of the rapidly developing case. Officials acknowledged late yesterday that Hunt in 1971 had free access to State Department cables relating to the 1963 coup in which South Vietnamese President Ngo Dinh Diem was assassinated.

According to a sketchy State Department version of the incident, officials acceded to White House

request that Hunt be given unlimited access to the department's file of cable traffic to and from Saigon during 1963.

Hunt worked in the file room during late September and early October of 1971, officials recalled, and he was allowed to make photo copies of as many cables as he choose.

Some of these copies may have provided the raw material for cables Hunt later fabricated, allegedly on orders from former White House Special Counsel Charles W. Colson, to implicate President John F. Kennedy in the Diem assassination.

According to grand jury testimony released in Los Angeles by Federal District Judge W. Matthew Byrne Jr., Hunt plowed through several thousand state Department cables in order to hunt plowed through several thousand State Department cables

Supplies Went to Hunt

in order to "verify the authenticity of materials that had already appeared in the press" in the Pentagon case.

The actual regulations under which the CIA has operated are set forth in a series of highly classified directives from successive presidents and national security councils over the years — from the Truman administration to the present.

These are sometimes collectively referred to as the "secret charter." Glimpses of this charter have surfaced occasionally, especially when domestic operations of the CIA have been challenged. In a case involving an Estonian emigre employed as a CIA counter intelligence agent that reached the Supreme Court two years ago, it was revealed in an affidavit signed by Helms himself that the deputy director for plans (i.e. chief of clandestine operations)

has "specific responsibility — for the conduct of the agency's counter intelligence operations."

As an organizational matter, the support Hunt claims he got from the CIA in the Ellsberg burglary would have been carried out under the deputy director of plans, presumably under the heading "counter-intelligence operations."

Under the 18-month-old reorganization of the CIA, Cushman, as deputy director of the agency, would have had unquestioned authority to order the camera and other materials and probably to offer operational support as well.

The burglary of Ellsberg's psychiatrist took place in September 1971, however, some two months before the reorganization plan was announced by President Nixon, so the line of authority may not have been that clearly defined.

Helms himself has privately assured Nedzi and other congressional overseers of the CIA that he had no advance knowledge of the Watergate break-in, and the agency through an official announcement has disclaimed any advance knowledge of the Ellsberg break-in.

In his only publicly recorded reference to the Watergate case, Helms, now ambassador to Iran, last February admitted to members of the Senate Foreign Relations Com

mittee that both Hunt and James W. McCord, another convicted Watergate conspirator, were former CIA agents. He added, in a voice verging on anger:

"They had all retired. They had left. I have no control over anybody who has left . . . they had both been retired at least two years."

Despite Schlesinger's limited confirmation that Hunt, himself a former CIA operative in the clandestine services or "dirty tricks" division of the agency, enjoyed CIA support in the burglary of Ellsberg's psychiatrist, serious questions remain.

The distinction between merely supplying equipment, reportedly on White House orders, and actually lending operational support could be crucial, according to informed sources in the intelligence community.

The supplying of equipment is viewed as a routine administrative matter that would have carried out without question upon orders of Cushman, who was number two in the agency as deputy director, under Richard M. Helms, the then CIA director.

A request for agency cooperation in a government-wide probe of a national security leak such as the Pentagon Papers would be regarded as "normal administrative stuff" once sources observed. "The fact the White House was trying to find out about those leaks

was hardly something the agency would be unresponsive to."

CIA participation in actual support of the burglary team, through the supply of safe houses and a secure telephone contact such as Hunt described could be more serious, however, since a violation of federal law might have been involved.

Nedzi and other congressmen charged with overseeing CIA activities are keenly sensitive to a proviso in the 1947 National Security Act which expressly forbids the CIA to engage in domestic "internal security functions."

Federal courts have sometimes favored the agency with a liberal reading of the law, however. The same act empowers the agency to "protect intelligence sources and methods from unauthorized disclosure," and this clause has been interpreted to authorize some domestic counter-intelligence activity, even though counter intelligence is technically the exclusive province of the FBI.



The Washington Post

AN INDEPENDENT NEWSPAPER

Watergate and the CIA

The rush of events has cast the impression that the Central Intelligence Agency, too, was caught up in the crisis of governance known as Watergate and was somehow despoiled or suborned. But such a comprehensive indictment should not be handed down casually. A closer look at the three main episodes of Watergate-CIA involvement suggests another and more complex view.

In the first episode, in July-September 1971, the CIA was asked by John Ehrlichman to give retired CIA employee Howard Hunt, then identified as a White House security consultant, technical help for an undisclosed mission. The Pentagon Papers had just been published. The CIA's legislative charter gives it "responsibility for protecting intelligence sources and methods from unauthorized disclosures," and in that context the then-deputy director, Gen. Robert Cushman, who had long known Mr. Ehrlichman and who had also served as a personal aide to Vice President Nixon, granted technical aid to Howard Hunt. But he was put off by Hunt's manner; the agency, learning that "domestic clandestine operations" were involved, cut the Hunt link in five weeks; General Cushman quickly informed Mr. Ehrlichman. The burglary of Daniel Ellsberg's psychiatrist took place a month later. At the same time, CIA Director Richard Helms, in the same context of an ostensible White House investigation of security leaks, ordered up a CIA psychiatric profile of Mr. Ellsberg at White House request. His successor, James Schlesinger, later termed these missions "ill advised."

In the second episode, beginning only six days after the Watergate break-in of June 17, 1972, top White House aides reportedly tried on repeated occasions to induce the CIA to halt an FBI probe into the "laundered" Mexican money that financed the break-in (by having the CIA invent a false rationale that the probe would compromise CIA sources); those aides then asked CIA to use secret funds to "go bail or pay the salaries" of Watergate conspirators. By available testimony, the CIA resolutely rejected these entreaties. Gen. Vernon Walters, the then-deputy director and also a former aide to Vice President Nixon, even said he would resign and go to the President before so compromising the agency.

In the third episode, in early 1973—by then, "Watergate" was rapidly unfolding—the White House sought to have the CIA receive back (knowingly) the Ellsberg burglary materials. The CIA absolutely refused.

So what do we have? In all three episodes, the White House trampled over the provision of the CIA's charter specifying that the agency function "under the National Security Council" and it sought to turn the CIA to purposes having at best a tenuous connection to the agency's intelligence mandate—even the way the White House presented it—and at worst no connection whatsoever. In the episodes involving the Mexican money and the receiving back of Ellsberg burglary materials, successive CIA directors and their deputies stood off fierce White House pressure aimed at forcing them to violate the spirit and letter of their charter. In the episode involving aid for a mission whose purpose was at first unknown to the CIA, the agency recovered promptly when it got a better sense of what was going on.

The further question arises of whether Mr. Helms should have reported, either to the President or Congress, whatever may have been his suspicion or knowledge at various times that something sour was going on. We submit that no final answer can be offered until there becomes available a fuller record not only of precisely what Mr. Helms told Congress last February and March and again in the last few days, but also of the steps he may have taken to protect the CIA from taint before he was relieved of the agency's directorship.

To establish a kind of base line, we think it appropriate meanwhile to recall a rare public speech Mr. Helms gave in April 1971, before any of the known incidents had occurred, in which he spoke with feeling and sensitivity of the difficult role of a secret intelligence agency in a free society. The CIA operates "under constant supervision and direction of the National Security Council," he said. It assumes only "normal responsibilities for protecting the physical security of our own personnel, our facilities, and our classified information . . . In short, we do not target on American citizens."

To the extent that the integrity of the professional intelligence community may have been compromised, we think it necessary to look first to the White House. It was the men there who in their cavalier abuse of power and their contempt for the institutions of American government—even an institution as sensitive as the CIA—tried but, it seems, largely failed to compromise and subvert the CIA.

Dean Sought CIA Funds

Agency Rejected Plea

By OSWALD JOHNSTON

Star-News Staff Writer

White House aides seeking to enlist CIA aid in covering up the Watergate case last summer tried to get agency officials to pay "scared" and "wobbling" witnesses from top secret funds, apparently to hide their connection with the Nixon re-election campaign, a top CIA official has charged.

According to an affidavit by the CIA deputy director, Lt. Gen. Vernon A. Walters, prepared Saturday and made available late yesterday, former White House counsel John W. Dean III specifically asked that "covert action funds" be used to pay bail costs and salaries for the Watergate burglars.

Use of funds earmarked for foreign "covert actions" normally requires a directive from the President himself. Dean was "much taken aback," Walters reported, when he was told CIA funds could not be used for domestic purposes without specific approval by Congress.

ACCORDING TO Walters' affidavit, which in most respects paralleled his closed-door testimony in recent days before a Senate committee, Dean made this request June 27, 1972 — 10 days after a team of five headed by a former CIA agent was discovered inside Democratic party headquarters at the Watergate here.

During the meeting, Walters said, Dean "reviewed the Watergate case, saying that some witnesses were getting scared and were 'wobbling.' I said that no matter how scared they got, they could not involve the CIA because it was not involved in the bugging of the Watergate."

See CIA, Page A-6

THE EVENING STAR and DAILY NEWS
Washington, D. C., Thursday, May 17, 1973

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CIA: Dean Sought Secret Funds

Continued From Page A-1

Dean then made his request. He then asked if the CIA should not furnish all and pay the suspects' salaries while they were in jail, using covert action funds for the purpose."

ASKING the request, Dean was asking the CIA deputy to draw on top secret fund which is specifically committed in the CIA's budget, itself highly classified, to clean up operations overseas.

The covert action fund is under the jurisdiction of the deputy director of plans, the agency's department of "dirty tricks," and is used for such secret operations as bribing candidates or voters in elections and meddling in the affairs of other nations. The 1961 Bay of Pigs invasion of Cuba, the 1953 CIA operation that restored the Shah to control of Iran, or the more recent clandestine war in Laos were all slightly off funding from the covert action fund.

Under CIA operating regulations, set forth in a series of highly classified memorandums handed down by the National Security Councils of successive presidents, covert action operations and their funding must be cleared by the top-secret "Forty Committee" in the White House.

THIS COMMITTEE, named after a numbered National Security Council memorandum, is the successor to the similarly named "303 Committee." It is composed of representatives from CIA, the State Department and the Defense Department and the Joint Chiefs, and is chaired by Henry A. Kissinger. It is responsible for approving all clandestine operations by CIA operatives, and it carries the express authority of President Nixon.

Walters rejected Dean's request out of hand. His affidavit continues:

"I replied that this was out of the question. It would implicate the agency in something in which it was not implicated." He added, in an evident reference to the Forty Committee: "Any such action by the agency would imply an order from the highest level, and I would not be a party to any such action."

He also pointed out that using the covert action fund for a domestic operation would violate another CIA regulation designed to keep the agency, which is governed by the National Security Act of 1947, out of internal security operations. When the CIA spent money for operations inside the United States, Walters explained, "We had to report this to the Oversight Committees of the agency in Congress."

THIS WAS a clear warning to Dean that the White House group he represented, which included H. R. Haldeman and John D. Ehrlichman, could not rely on a CIA cover to hide payments to the Watergate burglars. It evidently dismayed Dean.

"He was much taken aback by this," Walters reports, adding that Dean at length agreed that "the risks of implicating the CIA and FBI in this matter would be enormous."

Walters added: "I said that what was now a painful wound could become a mortal one. What was now a 'conventional explosion could be turned into a multi-megaton explosion."

Dean's request for covert funds to pay the Watergate suspects was evidently the second part of a White House effort to enlist the CIA in covering up the source of funds for the Watergate team's finances.

Earlier, according to the Walter's affidavit and to

Senate testimony made public in recent days, Haldeman and Ehrlichman had tried to order CIA interference in an FBI probe of campaign funds which had been "laundered" through a Mexico City bank.

Meanwhile, in a continuing probe of CIA responsibility in the case, former CIA Director Richard M. Helms faces two committees today: Sen. Stuart Symington of Missouri's Armed Services Committee, where Walters made his disclosures earlier this week, and Rep. Lucien N. Nedzi of Michigan's intelligence subcommittee of House Armed Services.

Helms yesterday reportedly told a special subcommittee of the Senate Appropriations Committee chaired by John L. McClellan, D-Ark., that he had been concerned by what White House aides were ordering the CIA to do in covering up Watergate, but that Helms made no effort to warn President Nixon what was going on.

Helms, currently ambassador to Iran, has been recalled from his post to explain CIA involvement with White House staff operations. He will be on call for further testimony. McClellan said.

The Senator said that three White House aides implicated in administration efforts to involve the CIA in domestic operations would be called on to

testify: Haldeman, Ehrlichman and David R. Young.

According to McClellan's account, Helms, in most details, corroborated the earlier testimony of Walters that Haldeman, Ehrlichman and Dean sought CIA interference in an FBI investigation related to the Watergate case.

"Mr. Helms and the CIA were seriously imposed upon," McClellan said. "They tried to do as little as they could, and finally refused to do what was required of them."

McClellan said Helms was "concerned" when Haldeman and Ehrlichman sought CIA interference in an FBI probe of the Republican campaign funds which were "laundered" through a Mexico City bank before winding up in the bank account of one of the Watergate conspirators.

Helms was likewise aware of a White House request that the CIA pay bail charges for five men arrested in the Watergate last June and pay their salaries.

THE CIA director did not, however, try to tell Nixon about it, McClellan said. "He didn't feel he was called on to go to the President. As I understand the facts, he remained silent."

Helms, as director of Central Intelligence and enjoying enhanced authority after a 1971 reorganization of the intelligence

community, could report directly to the President and the National Security Council.

Asked if he would have done the same thing in Helms' position, McClellan told reporters, "I think I would have warned the President. I would have come forward if I thought a cloud was being cast over my agency." However, McClellan, however, refused to criticize Helms directly for his silence. "These requests were coming from the President's top men," McClellan pointed out.

Watergate

NOW THE STAGE IS SET FOR THE FULL STORY

With charges of scandal spreading almost daily, the time is near at hand for a complete accounting. Investigations long conducted in secret are moving fast toward a public showdown—in the courts and before a Senate committee.

AFTER MONTHS OF LEAKS, hearsay, unverified charges and innuendo, the Watergate scandal is now getting down to the full, official story—told under oath.

A trial, seven convictions and secret investigations have left many questions officially unanswered. The big one: How high in the Nixon Administration does the guilt reach?

Powerful forces have been set in motion to get the facts on the record in a bizarre affair whose repercussions have rocked the White House, cast doubt on the credibility of high officials and slowed much important business of Government to a crawl.

Senate investigation. A select Senate committee headed by Senator Sam J. Ervin, Jr. (Dem.), of North Carolina, was set to begin taking sworn testimony in public, televised hearings May 17.

Those hearings, committee members say, will go far beyond the burglary and bugging of the Democratic Party headquarters in Washington's Watergate complex last June 17 and the alleged high-level conspiracy to conceal responsibility for that act of political espionage.

The Senators are also to probe charges which have come as fallout from the Watergate case—charges of widespread attempts to corrupt both political and judicial processes.

Grand-jury probe. A federal grand jury was moving toward expected indictments of several men who once were figures in the Nixon Administration.

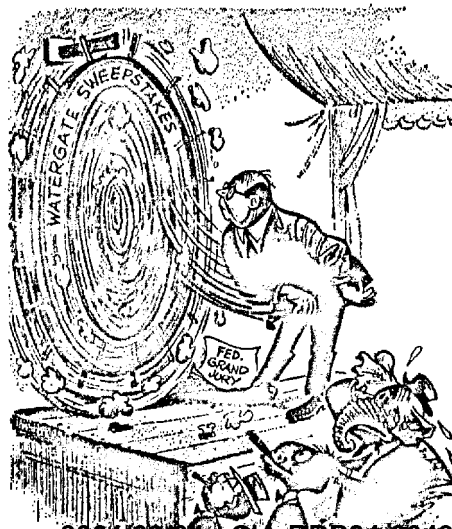
A special prosecutor from outside the Government is to take over that inquiry.

Under strong congressional pressure, Elliot L. Richardson announced on May 7 that he would name the prosecutor as soon as he is confirmed by the Senate



—Wide World Photo

Elliot Richardson will put case in the hands of a special prosecutor.



"AND WHERE IT STOPS NOBODY KNOWS."

to the post of Attorney General, to which President Nixon appointed him in the dramatic Administration shake-up announced on April 30. That prosecutor—working with the grand jury that for eight weeks has been digging into the Watergate case—will have all the authority he needs to uncover "the whole truth," said Mr. Richardson.

High-level indictments. In a case separate from Watergate but connected to the Nixon campaign of 1972, two former members of the Cabinet were indicted by a federal grand jury in New York City on May 10.

Indicted were John N. Mitchell, who served President Nixon both as Attorney General and campaign manager, and Maurice H. Stans, who was Secretary of Commerce, then chief fund-raiser for the presidential campaign.

They were accused of conspiracy to obstruct a fraud investigation in return for a secret \$200,000 contribution to the Nixon campaign fund. That story is told in detail on page 26.

Pentagon-papers case. In another blow to the Nixon Administration, U. S. District Judge Matt Byrne on May 11 dismissed all charges against Daniel Ellsberg and Anthony J. Russo, Jr., in the so-called Pentagon-papers case.

"Improper Government conduct," the judge declared, had precluded a fair trial of the case by the jury.

Cited specifically by the judge were what he called these "bizarre events":

- The burglary of a California psychiatrist's office in an unsuccessful attempt to get at Mr. Ellsberg's record as a patient.

Disclosure that the Federal Bureau of Investigation had wiretapped tele-
(continued on next page)

SENATE COMMITTEE
INVESTIGATING
WATERGATE

Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2

Membership: Seven Senators—four Democrats and three Republicans.

Democratic members: Chairman Sam J. Ervin, Jr., North Carolina, a onetime trial judge and former member of his State's Supreme Court; Daniel K. Inouye, Hawaii; Joseph M. Montoya, New Mexico; Herman E. Talmadge, Georgia.

Republican members: Howard H. Baker, Jr., Tennessee; Edward J. Gurney, Florida; Lowell P. Weicker, Jr., Connecticut.

Powers: Under a Senate resolution adopted 77 to 0 on February 7—which created the committee—it has broad powers to investigate the Watergate case and other campaign irregularities. It can subpoena witnesses and, with court approval, can grant them limited immunity—insuring that their testimony will not be used against them in criminal proceedings. The committee is authorized to spend up to \$500,000, directed to report its findings by Feb. 28, 1974. It has a staff of 39 persons.

Chief counsel: Samuel Dash, a law professor at Georgetown University in Washington, D. C., who was chosen by the Democratic majority on the committee.

Minority counsel: Fred D. Thompson of Nashville, a former U. S. attorney, chosen by the Republican minority.

Public hearings: Scheduled to begin May 17, with other hearings scheduled May 18, May 22-23-24 and June 12-13-14. Television cameras permitted.

Rules: Witnesses testify under oath. They may be accompanied by their lawyers. The White House may also have its own counsel present when a presidential aide is questioned. If a witness refuses to answer questions under a claim of "executive privilege" or of possible self-incrimination, the committee will rule on the validity of such claim. President Nixon has agreed to let White House aides testify, with instructions that they should refuse to answer questions "only in connection with conversations with the President, conversations among themselves involving communications with the President, and as to presidential papers."

WATERGATE STORY

[continued from preceding page]

phone conversations by Mr. Ellsberg in 1969 and 1970—although the prosecution had maintained there were no wiretaps.

Figures in the Watergate case emerged also in this Los Angeles trial.

E. Howard Hunt, Jr., testified that he and another convicted Watergate conspirator, G. Gordon Liddy, had directed the break-in at the psychiatrist's office. He said the burglary was plotted in the White House, and a camera and disguises for the burglars were supplied by the Central Intelligence Agency. This led to a congressional investigation of the CIA.

Egil Krogh, Jr., a former White House aide who resigned as Under Secretary of Transportation on May 9, said he author-

ity Director of the CIA to succeed Mr. Schlesinger as CIA Director.

John B. Connally, Jr.—who switched May 2 from the Democratic to the Republican Party—was made a special, unpaid, part-time adviser to the President.

J. Fred Buzhardt, general counsel in the Defense Department, was shifted to the White House staff as special counsel to the President, to work on "matters relating to the Watergate investigation."

This series of appointments was not expected to end the reorganization of the Nixon command.

More big shifts were predicted. But, at least, the biggest holes left by the recent departure of 10 Nixon appointees had been filled.

Reported a White House aide:

"Every move Mr. Nixon has made in reshaping his staff has been calculated to open up more accessibility to the



—Wide World Photo

Ervin committee. Seated: Senators Baker and Ervin. Standing: Senators Weicker, Talmadge, Inouye and Montoya. Senator Gurney was not present for this picture.

ized the break-in without the knowledge of his superiors after President Nixon ordered him to push a search for the "leak" of the Pentagon papers.

Mr. Ellsberg and Mr. Russo were accused of espionage and theft of the papers, which revealed top secrets about U. S. war policy in Vietnam.

New Nixon appointments. President Nixon, still rebuilding key segments of his Administration shattered by the Watergate affair, made several new appointments to high posts on May 10.

James R. Schlesinger, who has been Director of the CIA since January 23, was named Secretary of Defense to replace Mr. Richardson, who is to be moved from the Pentagon.

William E. Colby was promoted from

President than there was under his rigid staff system of the past."

The White House announced abandonment of the "super-Cabinet" system put in only four months ago, in which some Cabinet secretaries doubled as "counselors" to the President. Now all Cabinet members will have equal access to the President—and without interference from any member of the White House staff.

Although Mr. Connally will be giving some of the policy-shaping advice that had been handled by H. R. Haldeman and John D. Ehrlichman, the Texan will have no control over who sees the President. Both Mr. Haldeman and Mr. Ehrlichman held tight rein over presidential appointments before their resignation under Watergate fire.

THE GRAND JURY— WHAT IT IS AND WHAT IT DOES

In official Washington, the imminent opening of Senate hearings and the decision to name an outside prosecutor for the Watergate case brought a sense of relief. Expressing sentiments widely echoed, one Congressman declared:

"I've been sickened by the welter of accusations, the ugly accumulation of hearsay. I hope that we can now look for orderly sifting of all the charges and countercharges, without regard to rumors and leaks."

Irritation with the tactics of some parts of the news media broke out on the Senate floor on May 8.

Senator William Proxmire, of Wisconsin—a Democrat and a persistent critic of President Nixon—declared in a Senate speech that "the handling by the press of the Watergate affair has become grossly unfair to President Nixon."

Said the Wisconsin Senator:

"When former White House Counsel John Dean is reported throughout this country to have privately told grand-jury investigators that the President was directly involved in a Watergate cover-up, President Nixon is being tried, sentenced and executed by rumor and allegation."

Vice President Spiro T. Agnew charged that press reporting of the Watergate case had "trespassed the bounds of propriety." Similar criticisms were expressed by the Senate Democratic Leader, Senator Mike Mansfield, of Montana, and his Republican counterpart, Senator Hugh Scott, of Pennsylvania.

Yet it was widely conceded, even by critics, that the press played a key role in uncovering the extent of the Watergate scandal. "The Washington Post" won a Pulitzer Prize on May 7 for its reporting of the case.

The White House issued a blanket denial of Nixon involvement in either the Watergate bugging or its cover-up, and also denied published reports that he had made an implied promise of executive clemency for one of the seven convicted Watergate conspirators.

The ousted Mr. Dean, who was cited as the source for such reports—and later denied he was the source—will be one of 20 witnesses scheduled to appear before the Senate committee. He has been offered partial immunity protecting him from his testimony being used against him in a court trial.

In the Pentagon-papers case, there was no implication by witnesses that President Nixon himself had contemplated burglary as part of the search for "leaks" that he ordered.

Yet, that case presented still another scandal for a Nixon Administration already beset on many fronts.

All this provides the complex background for the official proceedings of the days and weeks ahead.

The Watergate affair is focusing national attention on a federal grand jury in Washington, D. C., which is investigating the case.

What is a grand jury?

A grand jury is a special panel of citizens set up not to try people but to decide whether a person should be brought to trial. Its primary function is to protect people against unjustified prosecution in court.

How does a grand jury operate?

A government prosecutor presents evidence, witnesses are interrogated, and the grand jury then decides if there is probable cause to believe that a suspect has committed a crime. If so, the grand jury then issues an indictment.

What is an indictment?

An indictment is merely a formal accusation, a charge on which the grand jury recommends that the accused should be tried. It is not a conviction.

Is an indictment required before any criminal case can be prosecuted?

No. But the Fifth Amendment to the U. S. Constitution requires that "no person shall be held to answer for a capital, or otherwise infamous, crime, unless on a presentment or indictment of a grand jury"—except in military cases. That has been interpreted as requiring a grand-jury action in all federal criminal cases in which a conviction could mean a prison sentence of more than one year. About half the States use a similar procedure. Other States use a so-called criminal information—a formal charge signed by a prosecutor—instead of a grand-jury indictment.

How is a federal grand jury set up?

It is ordered by a judge, usually at a prosecutor's request. Members are chosen at random from voter lists. A federal grand jury may have 16 to 23 members. The votes of 12 or more members—a majority—are required for an indictment.

Is a grand-jury proceeding governed by the same rules as a trial court?

No. There are no strict rules. A witness may be asked almost anything. Hearsay evidence is admissible. The aim is to establish only "probable cause" for trial—not to convict.

Who may be present at a grand-jury session?

Usually, only the attorneys for the government, the witness being examined, and the official stenographers reporting the proceedings. When the grand jury is deliberating or voting

on indictments, nobody other than the witness may be present.

May a witness be accompanied by a lawyer?

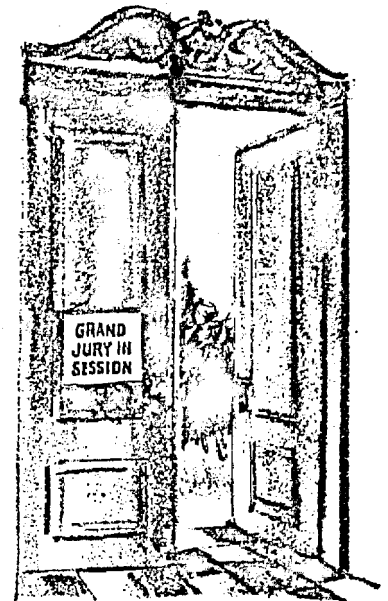
No. An attorney may wait outside the room for consultation by a witness, however.

May a witness refuse to answer a grand jury's questions?

Yes. He may claim his constitutional privilege against self-incrimination. In case of dispute, a court will decide whether the claim is proper. A witness who refuses to answer a question ruled proper can be held in contempt of court.

What if a prosecutor grants a witness immunity from prosecution?

If a witness refuses to talk after



receiving immunity, he could be jailed for contempt.

Does a suspect have a right to appear before the grand jury?

Not an absolute right. But he may be allowed—and can be compelled—to do so. The suspect cannot force a grand jury to hear witnesses he wants to testify in his behalf.

Are grand-jury proceedings secret?

In most cases, yes. Prosecutors and members are not supposed to discuss the proceedings outside the jury room. A witness may discuss his testimony outside the jury room, however, unless restricted by a judge's order.

Why this secrecy?

The aim is to encourage witnesses to testify without fear of publicity or retaliation and to protect the independence of the grand jury.

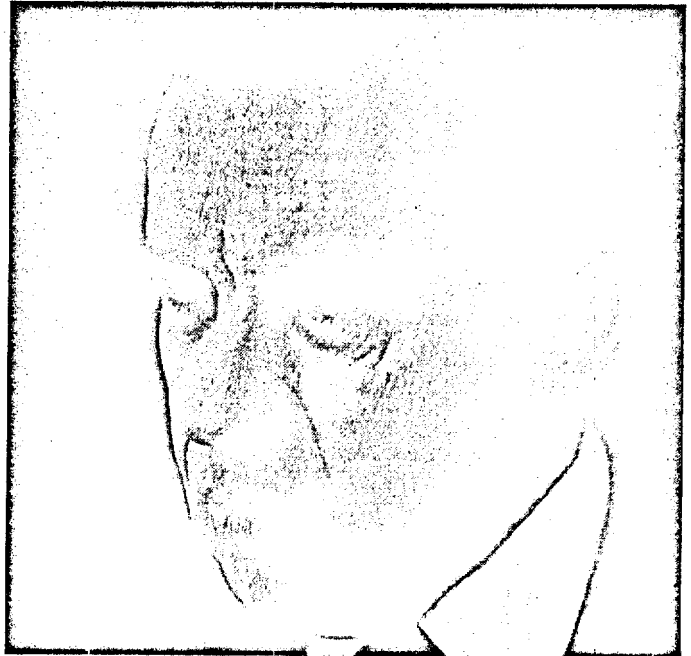
Why has the grand-jury system recently been criticized?

Critics charge that grand juries are sometimes used by prosecutors to conduct improper investigations, to "rubber stamp" unjustified accusations, or to intimidate political dissenters.

Watergate

AS NIXON PICKS UP THE PIECES

Big changes are taking place—with the President moving to restore confidence in the White House, seeking to rebuild an Administration damaged by the Watergate scandal.



—Wide World Photo

A sweeping overhaul of the Executive Branch of the Government is now under way as President Nixon picks up the pieces of the Watergate wreckage.

Some of the President's closest friends and most-trusted advisers have resigned or been swept out of office. As May began, only a few of their places had yet been filled on a permanent basis. More shifts were foreseen.

The Watergate scandal itself kept on spreading. Almost every day a new development pointed an accusing finger at some new victim. Forecasts were that a federal grand jury, when it completes its investigation, will hand down a number of criminal indictments—including the names of several men who served at the side of the President.

Some processes of government were slowed as the housecleaning removed key administrators or shifted them to new jobs. Most heavily affected were the White House itself, which lost top members of its staff; the Defense Department, left temporarily without a full-time chief; the Justice Department, put under new management; the Federal Bureau of Investigation, with its second Acting Director in a year; and the Environmental Protection Agency, whose administrator was shifted to the FBI.

There were omens of trouble for the President in his efforts to win enactment of his legislative program. And the Nixon hope of building a "new majority" to extend his party's control of the Government was conceded to have been set back.

In the President's time of political trouble one bright ray shone through for him: On May 2, John Connally, a former Texas Governor who had served 18 months in the Nixon Cabinet, switched

from the Democratic to the Republican Party. That story begins on page 26.

The Republican Party which Mr. Connally joined was riven by dissension. Many Republicans, looking to future elections, were trying to disassociate themselves from the Watergate affair—and all who had any connection with it.

Democrats are seizing on the scandal as an opportunity to strengthen their hands in their battles with President Nixon in Congress and with the Republicans in the coming elections of 1974 and 1976.

All this was in the mind of the President as he made a big move on April 30.

Responsibility accepted. In a dramatic appearance on nationwide television, Mr. Nixon denied personal guilt in the burglarization and bugging of the Democratic Party headquarters at the Watergate complex last June. But he accepted "full responsibility"—as the boss—for what the appointees did.

Saying "there can be no whitewash at the White House," he pledged action to purge his Administration of the possibility for such abuses in the future. The full text of the Nixon address begins on page 70.

A purge of the President's official family began even before he spoke.

Among those resigning were H. R. Haldeman, the White House chief of staff, and John Ehrlichman, the President's top adviser on domestic affairs.

Both had been named in leaked reports to the press as implicated in an attempt to cover up the involvement of

(continued on next page)

—Crockett in "Washington Star-News"



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White House aides in the bugging plot. The acceptance of their resignations was described by Mr. Nixon as "one of the most difficult decisions of my Presidency," and he praised them as "two of the finest public servants" he knew.

There was no such expression of presidential unhappiness at the simultaneous departure of John W. Dean III, the White House legal counsel. It was Mr.

MAJOR CHANGES IN NIXON COMMAND

OUT—Some top-level aides

Richard C. Kleindienst, Attorney General.

H. R. Haldeman, White House Chief of Staff.

John D. Ehrlichman, top domestic adviser to the President.

John W. Dean III, legal counsel to the President.

L. Patrick Gray III, Acting Director of the FBI.

Jeb Stuart Magruder, Assistant Secretary of Commerce.

Gordon Strachan, general counsel to the U. S. Information Agency, former aide to Mr. Haldeman.

IN—Old hands in new jobs

Gen. Alexander M. Haig, Jr., chosen interim chief of the White House staff, moving from the post of Army Vice Chief of Staff.

Elliot L. Richardson, nominated as Attorney General, moving over from job as Secretary of Defense.

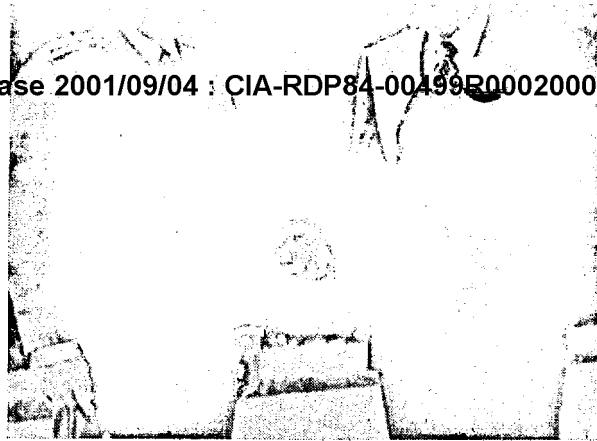
William D. Ruckelshaus, named as Acting Director of FBI, former Director of Environmental Protection Agency.

Leonard Garment, named acting legal counsel to the President, moving from post as special consultant.

Dean who had been ordered to make the original investigation and report which the President used as the basis for denying for months any involvement by anyone on his staff.

Out, at the same time, went Attorney General Richard Kleindienst. Although not personally linked with the bugging, he said he resigned because of his close relations with some persons involved.

To replace Mr. Kleindienst as Attorney



—UPI Photo

General Haig, Vice Chief of Staff of the Army, was brought back to the White House to take the place of H.R. Haldeman as chief of the President's staff. He served earlier as deputy to national-security adviser Henry Kissinger.

General—and to take over the Watergate prosecution—Mr. Nixon appointed Elliot Richardson. An old friend, Mr. Richardson had already served Mr. Nixon as Secretary of Health, Education and Welfare, then as Secretary of Defense.

President Nixon described Mr. Richardson as "a man of unimpeachable integrity" and said:

"I have given him absolute authority to make all decisions bearing upon the prosecution of the Watergate case and related matters. I have instructed him that if he should consider it appropriate, he has the authority to name a special supervising prosecutor for matters arising out of the case."

This idea of a special prosecutor, independent of the Administration, drew strong support in Congress, and Mr. Richardson indicated to several Senators that he would bring in such a man.

With the Watergate's criminal prosecution placed in new and trusted hands, the President turned to rebuilding the shattered command structure of his Administration for the tasks of governing the nation that lie ahead.

The rebuilding begins. Among President Nixon's early moves were these:

- David Packard was tagged as his choice to succeed Mr. Richardson as Secretary of Defense. Mr. Packard, a California industrialist, was Deputy Defense Secretary 1969 through 1971.

- Gen. Alexander M. Haig, Jr., was brought back to the White House as coordinator of the President's staff, succeeding Mr. Haldeman.

General Haig's term of service was described as indefinite—perhaps long term. Since January, he has been Vice Chief of Staff of the Army. Before that, he served in the White House as chief deputy to Mr. Nixon's national-security adviser, Henry A. Kissinger.

More than faces are changing at the White House. Big changes are predicted in the way the White House is run.

The immense power that was concentrated in the hands of Mr. Haldeman is

expected to be decentralized. Until the reorganization of the White House is completed, Mr. Nixon's Cabinet officers were instructed to work more closely with these four assistants: Roy Ash, Director of the Office of Management and Budget; Kenneth R. Cole, Jr., Executive Director of the Domestic Council; Stephen B. Bull and David N. Parker, special assistants to the President.

Vice President Spiro T. Agnew is to play an increased role in overseeing operations of the Domestic Council. The responsibility of top-level contact with Governors and mayors is also being restored to the Vice President.

The "super-cabinet" that Mr. Nixon set up a few months ago becomes more important now. President Nixon will rely heavily on these men who serve both as department heads and as counselors to the President: Treasury Secretary George P. Shultz, Secretary of Health, Education and Welfare Caspar Weinberger, Agriculture Secretary Earl Butz and Secretary of Housing and Urban Development James T. Lynn.

The President told his Cabinet that the National Security Council, under Henry Kissinger, and the legislative-liaison staff, under William Timmons, will carry on as before.

There are to be more meetings of the Cabinet in the future than in the past. Mr. Nixon will count on Cabinet members for information and advice he used to get mainly from White House aides.

Changes in system? The rigid staff system that Mr. Nixon brought to the White House may be a thing of the past. As one aide said:

"The staff system is Richard Nixon. If it changes, he has to change—and I believe he will. I feel that from now on there will be less reliance on the staff, more reliance on the presidential counselors and the Cabinet."

A major aim in all these changes, in the view of informed insiders, is to end what critics have called the "isolation" of the President—to ensure that he

gets more information from more different sources than in the past.

It is charged that a major reason why Mr. Nixon was so long in moving on the Watergate affair was that his close aides screened him away from information making the public rounds that he should have received.

No matter who eventually fills the White House vacancies, they are expected to be men with a "more realistic" attitude toward Congress than the men they succeed.

Said one close Nixon associate:

"I think the President realizes that he needs people in those jobs who will have a little more sophistication—a better understanding of Washington and Congress. The capital is a city of compromise. You just can't have it your way all the time. Both Ehrlichman and Haldeman, although devoted to Nixon, did not have an understanding of Washington or Congress."

Some White House compromises with Congress are predicted in the weeks ahead—but not necessarily because of Watergate. "It's just part of the job of doing business in Washington," as one insider put it. From another insider came his comment:

"Nixon cannot afford to let Watergate soften his stern stand against high spending. If we permit weakness to develop because of Watergate in our dealings with Congress or with the bureaucracy or with foreign countries, then we have had it. We might just as well pack up and go home. All the goals we are striving for must be sought just as earnestly as before Watergate."

A sampling of opinion of congressional leaders—in both parties—indicates that the President's "clout" with lawmakers has been diminished by Watergate. Some predict he may lose a few close tests he could have won.

Yet, it is suggested, the departure of White House aides who were never popular with lawmakers might open the way to an era of better relations.

On the President's action to clear up the Watergate affair, many members of Congress—including some Republicans—felt he did not go far enough.

On President Nixon's ability to pick up the pieces and rebuild his Administration, a widely held view in Congress as expressed by one leader in these words:

"Yes, he can—but he'll have to pay more attention to Congress and he'll have to be tough, on prosecuting the guilty in the Watergate case."

How the lid blew, page 20; key men in new jobs, 24; the Connally approval of President's address, 70; world reaction to Watergate, 75.

INVESTIGATORS TURN ATTENTION TO MILLIONS IN SECRET CAMPAIGN FUNDS

EXPLOSIVE NEW disclosures on Nixon re-election campaign funds are widening the scandal erupting from the Watergate case.

A rush of sensational developments came early in May.

On May 4, sworn testimony of Hugh W. Sloan, Jr., former treasurer of the Committee to Re-Elect the President revealed this:

Mr. Sloan said he destroyed the original records of between 1 million and 2 million dollars in cash contributions on orders of Maurice Stans, former U. S. Secretary of Commerce

contributions he handled before the new federal law became operative.

Investigators are focusing on three sets of secret funds, according to "The Washington Post."

One—linked directly to the Watergate bugging operation—was a cash hoard said to have been kept in a safe in Mr. Stans's office. It is said to have fluctuated from \$350,000 to \$700,000 or more.

A second account, reported to have contained up to \$500,000, was kept in a Newport Beach, Calif., bank, under Mr. Kalmbach's name.

The third fund, "The Post" said, amounted to \$350,000 kept in a safe at the White House, allegedly under the jurisdiction of H. R. Haldeman, who resigned on April 30 as Mr. Nixon's chief of staff. This money, the newspaper said, was shifted from the re-election committee to the White House before April 7.

The grand jury investigating the Watergate case is attempting to determine whether "hush money" for the seven convicted conspirators came from the secret funds. That issue is certain to figure importantly in coming Senate hearings.

Campaign agent indicted. One way in which campaign money was spent was suggested on May 4 when a federal grand jury in Orlando, Fla., indicted Donald H. Segretti, a paid agent of Nixon campaign officials. He was charged with being the author of fake and scurrilous smear letters circulated in an attempt to sabotage Senator Edmund S. Muskie (Dem.), of Maine, in the 1972 Florida presidential primary.

A federal grand jury in New York is investigating a \$200,000 donation to the Nixon campaign by Robert Vesco, a target of fraud charges made by the Securities and Exchange Commission. Mr. Stans and former U. S. Attorney General John N. Mitchell, who resigned as campaign chief two weeks after the Watergate break-in, are figures in that inquiry.

On May 2, the Justice Department accused the re-election committee of "failing to make required reports on a \$200,000 contribution."

As the campaign scandal grew, ousted White House legal counsel John W. Dean III announced publicly May 4 he had placed Watergate case documents in a safe-deposit box because he feared his White House safe might be burglarized.



Maurice Stans. His handling of political contributions comes under fire.

and finance chief of the re-election committee.

The testimony was given in a deposition taken in connection with a suit against the re-election committee by Common Cause, a public-interest lobby. The suit demands an airing of campaign contributions made before the new federal election law took effect last April 7.

Also on May 4: "The New York Times" said that Herbert W. Kalmbach, California lawyer who was Stans's personal attorney, has told Government investigators he destroyed all records of campaign con-

HOW THE LID BLEW OFF

Almost obscured by the White House crisis are the latest details of the Watergate story itself. Added together, they forced the President to act.

IT WAS A SERIES of rapid, dramatic developments that moved President Nixon to action in the long-festering Watergate scandal.

For nine months after the break-in at Democratic Party headquarters in Washington's Watergate complex last June 17, it appeared that the bizarre episode might come to a dead end with the conviction of the seven men arrested in the bugging plot.

Indictment and trial had failed to break the silence of the defendants.

What was described as a massive probe by the Federal Bureau of Investigation under the then Acting Director L. Patrick Gray III shed no public light on whether "higher-ups" were involved.

All this time, President Nixon—relying, he said, on reports from trusted aides—continued to absolve publicly members of his White House staff.

The McCord letter. Suddenly, on March 23, the lid blew off.

On that day, U. S. District Court Judge John J. Sirica made public a letter to him from convicted Watergate conspirator James W. McCord, Jr.

The letter charged perjury at the trial of the "Watergate Seven," pressure on the defendants to keep silent and plead guilty, and involvement of other persons.

From that day forward there were sensational developments almost daily.

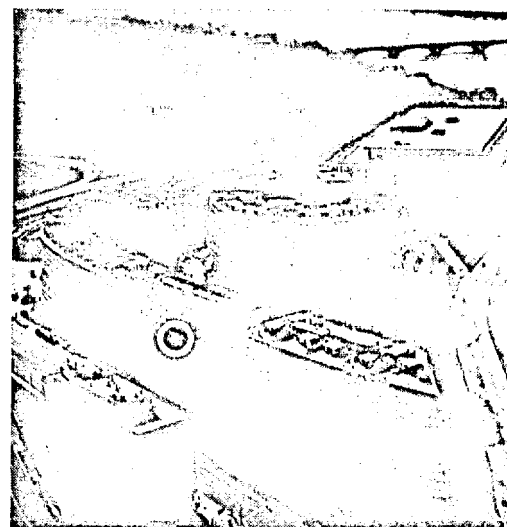
But these developments lacked official verification. Instead, as reported in "The Washington Post," "The Washington Star-News," "The New York Times" and other newspapers, they were based on leaks, hearsay, the allegations of unidentified "reliable sources," and other material ferreted out by newsmen.

The news stories told of furious infighting behind the scenes.

"To save the Presidency." It was reported that on March 20—a day after Mr. McCord wrote his letter to Judge Sirica and three days before it was made public—White House counsel John W. Dean III told the President this: "To save the Presidency," Mr. Dean and the Chief Executive's two top assistants, H. R. Haldeman and John D. Ehrlichman, would have to tell all they knew about



John N. Mitchell says he refused to approve plan to bug Democrats.



The Watergate complex. Circled area was scene of the break-in on June 17, 1972.



H. R. Haldeman resigned as chief of President's White House staff.



—UPI, Wide World Photos

John D. Ehrlichman quit post as the President's top assistant for domestic affairs.



John W. Dean III was ousted by Mr. Nixon as White House legal counsel.

the bugging plot and a cover-up, and face the consequences.

Meanwhile, Mr. McCord was being questioned in secret session by Senate investigators. Word leaked that he named Mr. Dean and Jeb Stuart Magruder, former deputy manager of the Nixon Campaign Committee, as having known of the espionage conspiracy.

Next, news reports said that Mr. McCord had implicated John N. Mitchell, former U. S. Attorney General and campaign chief.

Mr. Mitchell, who had resigned as campaign director two weeks after the break-in, denounced the implication as "slandrous."

First casualty. More was to be heard from Mr. Mitchell later. But first, Mr. Gray became a Watergate casualty. On April 5, when it became clear that because of Senators' dissatisfaction with his role in the bugging investigation he could not be confirmed as FBI Director, the President, at Mr. Gray's request,

(continued on next news page)

WATERGATE HISTORY

[continued from page 20]

withdrew the nomination. But Mr. Gray stayed on as Acting Director.

On April 14, Mr. Mitchell was summoned to the White House for a secret conference.

That week-end, there were other developments. At a meeting in his "hide-away" office in the Executive Office Building, Attorney General Richard G. Kleindienst and Assistant Attorney General Henry Petersen told Mr. Nixon that witnesses were changing stories and pointing accusing fingers.

It was this information that led the President to announce on April 17 that he had learned of "serious charges" and that he was personally taking over the investigation of possible White House involvement—a probe that had been handled from the beginning by Mr. Dean.

Mr. Nixon did not disclose the nature of the information. But news stories on April 19 said that Mr. Magruder was ready to tell a federal grand jury that he helped plan the Watergate invasion along with Mr. Dean and Mr. Mitchell—and that Mr. Mitchell had arranged payments to buy the silence of the convicted conspirators.

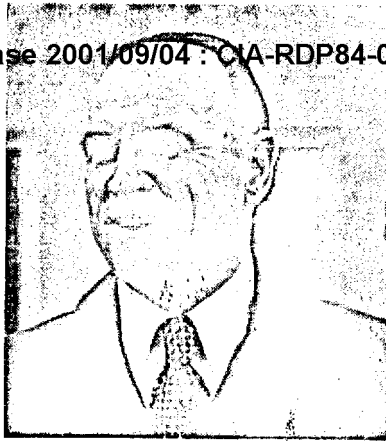
Mr. Dean issued a statement declaring that he refused to be made a "scapegoat" in the scandal. Mr. Kleindienst—because of "close personal and professional relationships" with persons against whom allegations were being made—removed himself from the Justice Department's investigation, which was left in Mr. Peterson's hands. On April 30, he resigned as Attorney General.

On April 20, Mr. Mitchell testified before the grand jury. He told reporters later that early in 1972 he had attended three meetings at which bugging the Democrats was discussed—one while he was still Attorney General—but that he had refused to approve the plans.

Also on that day, news stories reported that Mr. Dean was ready to implicate Mr. Haldeman and Mr. Ehrlichman in a cover-up of the scandal. Next day, Mr. Haldeman and Mr. Ehrlichman—who have steadfastly maintained their innocence of any wrongdoing—retained a noted Washington trial attorney, John J. Wilson.

Side issues. Throughout the hectic course of the Watergate investigations, related but unsubstantiated charges of improper involvement by campaign officials in other activities were headlined.

For example, "The Washington Post" reported on April 24 that a grand jury in New York was investigating a \$200,000 cash contribution to the Nixon campaign by Robert Vesco, target of a fraud



—Wide World Photo

Charges by James W. McCord, Jr., led to explosive developments.

investigation by the Securities and Exchange Commission.

The newspaper said the grand jury was concentrating on the roles of Mr. Mitchell and Maurice Stans, former U. S. Secretary of Commerce, who was finance chief of the re-election campaign.

On April 27, Mr. Gray resigned from his FBI post in the wake of published reports that, after a White House meeting with Mr. Ehrlichman and Mr. Dean, he had destroyed documents from the files of convicted Watergate conspirator E. Howard Hunt, Jr. Mr. Gray said that, when the documents were disposed of, he was unaware of their nature.

The material allegedly included phony State Department cables, fabricated so as to link the late President John F. Kennedy with the 1963 assassination of South Vietnamese President Ngo Dinh Diem, as well as documents bearing on the Chappaquiddick tragedy involving Senator Edward M. Kennedy, in which a young woman was drowned.

Another burglary? Still another bizarre development came at the Pentagon Papers trial of Daniel Ellsberg in Los Angeles.

On April 27, Federal Judge W. Matthew Byrne, Jr., received a copy of a memorandum from Earl J. Silbert, prosecutor in the Watergate case. The memo said Mr. Silbert had information that convicted Watergate conspirators E. Howard Hunt, Jr., and G. Gordon Liddy had burglarized the Los Angeles office of Mr. Ellsberg's psychiatrist.

On May 1, Judge Byrne handed to defense attorneys the report of an FBI interview with Mr. Ehrlichman, conducted on April 27.

The report quoted Mr. Ehrlichman as saying he had hired Mr. Hunt and Mr. Liddy to investigate the Pentagon Papers matter "directly out of the White House," and that part of that inquiry was preparation of a "psychological profile" of Mr. Ellsberg. The FBI said that Mr. Ehrlichman learned of the break-in at the psychia-

trist's office—which occurred in 1971—after it had taken place and that he instructed Mr. Hunt and Mr. Liddy "not to do it again."

The exodus. Such sidelights distracted public attention only momentarily from the Watergate scandal and its still-to-be-answered questions.

In letters of resignation on April 30, Mr. Haldeman and Mr. Ehrlichman affirmed their innocence of wrongdoing and expressed confidence that they would be vindicated.

As the greatly broadened affair headed for further grand-jury proceedings and televised hearings before a Senate investigating committee, the spotlight was on Mr. Dean. News stories gave this account of events that put him in the role of star witness:

The 34-year-old lawyer—fired from his job as counsel to the President on April 30—was described as having become convinced weeks ago that he had been misled by his superiors, Mr. Haldeman and Mr. Ehrlichman.

Mr. Dean was said to have gone to federal prosecutors to tell his story. Within hours, according to the published accounts, the prosecutors confronted Mr. Magruder with allegations that he had committed perjury in denying knowledge of the bugging plot, and then received from him confirmation of a series of meetings hatching the conspiracy early in 1972.

From that point, the news stories said, the grand-jury probe had a different focus—and new information was accumulated by the President in his own investigation.

All of this led to the dramatic actions announced by Mr. Nixon on April 30.

But neither the resignations of top aides nor the President's televised address on the night of April 30 cleared away the Watergate mystery.

In its editions of May 2, "The New York Times" quoted Government investigators as saying they have evidence that high-ranking officials of the White House and the campaign committee conspired to arrange a cover-up designed to obstruct the investigation.

Involved, according to "The Times" account, were Mr. Haldeman, Mr. Ehrlichman, Mr. Mitchell, Mr. Dean, Mr. Magruder, and Frederick C. LaRue, a former White House aide.

The sequence of sensational events has set the stage for further revelations through the grand jury, the courts, and Senate hearings.

So far, the scandal has been brought before the public mainly through "leaks," information from anonymous "sources" and hearsay. The full story—told under oath and spread upon the official record—is still to come.

THE EVENING STAR and DAILY NEWS
Washington, D. C., Wednesday, May 9, 1973

McCord Memorandum

Blame-the-CIA

By SEYMOUR M. HERSH
New York Times News Service

James W. McCord Jr. has charged that he was pressured on two occasions before his trial to say that he and his colleagues were working on a CIA operation at the time of their arrest in the Watergate break-in.

In a memorandum to federal and Senate investigators made available to the New York Times, McCord said that at one point Gerald Alch, his attorney, told him that his personnel records at CIA could be altered, if needed, to show that he had been restored to active duty.

McCord retired in 1970 after 19 years of CIA service.

McCord quoted Alch as saying that James R. Schlesinger, the newly designated CIA director, "could be subpoenaed (to testify at the trial) and would go along with it."

AT NO POINT in the document did McCord say

who he thought was the source of the pressure. But he said that, by the time the actual trial began in January, "I was completely convinced that the White House was behind the idea and ploy which had been presented, and that the White House was turning ruthless, and would do whatever was politically expedient at any one particular point in time to accomplish its own ends."

McCord said his refusal to go along with the plan infuriated E. Howard Hunt Jr., a fellow member of the Watergate break-in team who had served in the CIA for 20 years.

A CIA spokesman expressed surprise at McCord's memo but said there would be no immediate comment.

Alch declared through an associate that "it would be inappropriate to comment at this time because of his attorney-client relationship" with McCord. Alch is still representing McCord in the

criminal case stemming from the Watergate arrests.

HOWEVER, another lawyer who was involved in the case confirmed that there had been serious discussions among the defendants and their lawyers about the possibility of contending that the men had been participating in a CIA mission. The lawyer, who requested anonymity, said.

"The general thought was that the CIA would keep a discreet silence. We figured that they wouldn't dare come forth."

He added that he "got the impression" that the Committee for the Re-election of the President certainly had no objection to that kind of a defense.

In his memorandum, which was dated May 4 and delivered to the investigators Monday, McCord noted:

"There had been indications as early as July" that the CRP was claiming

THE EVENING STAR and DAILY NEWS
Washington, D. C., Wednesday, May 9, 1973

Plot Alleged

that the Watergate operation "was a CIA operation."

McCord quoted Hunt's wife, Dorothy, who reportedly handled money for the Watergate defendants after their arrests, as having said that Paul L. O'Brien, a CRP attorney, had first told her that the break-in at the Democratic National Committee was a CIA operation.

O'Brien, who is known to be under investigation by the grand jury in connection with any coverup of Watergate, was unavailable for comment.

MCCORD further quoted Hunt as saying on more than one occasion before the trial that he (Hunt) had information in his possession that "would be sufficient to impeach the President."

McCord went on to quote Mrs. Hunt (who died last winter in a plane crash) as having said that her husband had delivered a bitter letter to Kenneth W. Parkinson, another Re-

publican lawyer, in which Hunt had threatened "to blow the White House out of the water." The threat was apparently made because Hunt was not receiving enough payoff money from the CRP in the months after his arrest, other sources have said.

Parkinson, who is also a target of the current grand jury investigation to determine whether there was any obstruction of justice after the break-in, denied any knowledge of a plan to describe the bugging as a CIA operation.

In his memorandum, McCord said that he had become convinced that high-level White House officials were trying to get control over CIA intelligence assessments and estimates, "in order to make them conform to White House policy."

McCord said that he had become convinced that the White House dismissed Richard Helms as CIA director last fall "in order to put its own man in control." Another purpose, the memo said, was "to lay the foundation for claiming that the Watergate operation had been a CIA operation," and that

"Helms had been fired for

Watergate At a Glance

Telephones used by reporters for at least three newspapers were bugged by the Nixon administration over a two-year period beginning in 1969, sources have reported. Page A-4.

Former White House aide John W. Dean III has complained that "national security" arguments were being used to try to stop him from giving full testimony on the Watergate case. However, former White House aide Charles W. Colson has said Dean himself used that argument to prevent disclosures to the FBI about a Watergate-related incident. Page E-19.

Att. Gen.-designate Elliot L. Richardson, testifying at his nomination hearings, left in doubt the powers he will grant to a special prosecutor. Page A-16.

Chairman Sam Ervin of the Senate's Watergate committee has defended his panel's plans to go ahead with its public hearings. Page A-4.

The FBI has admitted wiretapping the suburban Maryland home telephone of a man who had just left a sensitive post with the National Security Council. Page A-2.

President Nixon chose William E. Colby as the new director of the Central Intelligence Agency. The move restored leadership of the CIA to one of the group of professionals who have dominated the agency since its beginning in 1947. Page E-19.

Former Att. Gen. John N. Mitchell became the second man in U.S. history to be charged with a crime after being the nation's top law-keeper. But troubles came to him in politics during the first Nixon administration with the ITT case, and grew from there. See Page E-19.

Defying Nixon's Reach for Power

THE jowls jiggled. The eyebrows rolled up and down in waves. The forehead seemed seized by spasms. Yet the lips continuously courted a smile, suggesting an inner bemusement. The words tumbled out disarmingly, softened by the gentle Southern tones and the folksy idiom. But they conveyed a sense of moral outrage.

"Divine right went out with the American Revolution and doesn't belong to White House aides," the speaker said. "What meat do they eat that makes them grow so great? I am not willing to elevate them to a position above the great mass of the American people. I don't think we have any such thing as royalty or nobility that exempts them. I'm not going to let anybody come down at night like Nicodemus* and

*According to the *Gospel of John*, Nicodemus, a Pharisee, came to Jesus at night and asked him about his teachings and his divinity.

whisper something in my ear that no one else can hear. That is not Executive privilege. It is Executive poppycock."

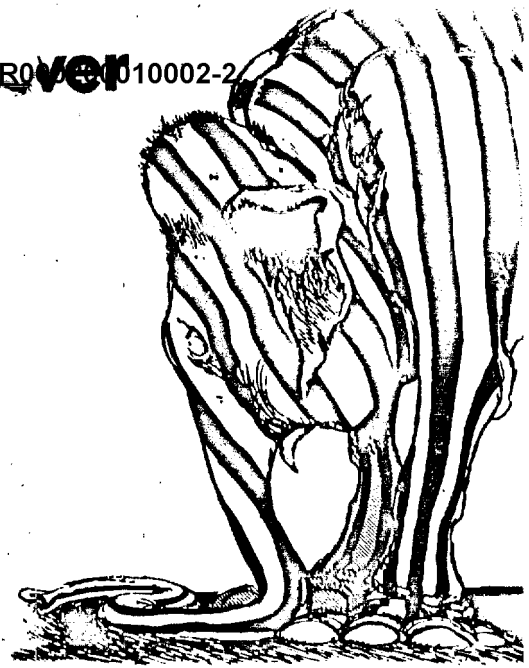
With those words, typically skittering from Shakespeare to the Bible, North Carolina's Democratic Senator Sam J. Ervin Jr. was stepping up the rapidly accelerating tempo in a showdown over secrecy between the U.S. Senate and President Nixon. If the President will not allow his aides to testify publicly and under oath before the Select Senate Committee on Presidential Campaign Activities, Ervin vows, he will seek to have them arrested.

That threat is not an idle one. Ervin, 76, is chairman of the select committee that is investigating attempts to interfere with last year's presidential campaign. That includes the break-in and wiretapping of Democratic National Committee headquarters in Washington's Watergate complex last June. In defying Sam Ervin on this matter, the President is in collision with the most formidable Senator that this proud body could choose to lead its cause. Charming yet fearless, Ervin is the Senate's foremost authority on the Constitution, a former state supreme court justice and one of the few legislators who prefer the hard work of personal research in quiet libraries to the hurly-burly of cloakroom arm-twisting. He has, in a sense, spent much of his career preparing for precisely this kind of fight.

The Ervin committee, which has full subpoena powers, also has solid legal grounds for contending that White House officials cannot spurn any such subpoenas. Since he hopes to begin televised hearings in about two weeks, the issue is reaching a climax. It could easily lead to the most fascinating Capitol Hill TV drama since the Army-McCarthy hearings of 1954.

Mess. The stakes go far beyond whatever may be discovered about Watergate. Already, the adverse implications of that affair have undermined the credibility of Richard Nixon as a leader devoted to rigid standards of old-fashioned morality, to a stern and equal application of law, to an open and accountable Administration. Until the Watergate mess is cleared up, Nixon's closest political and official associates—and the President himself—will be operating under the handicap of a widespread and bipartisan suspicion that they have something sinister to hide.

Serious charges have been made in testimony before Senate committees and a grand jury in Washington, in statements by FBI agents and convicted Watergate conspirators, and in press reports that have not been effectively rebutted. Officials of the President's re-



WRIGHT—MIAMI NEWS

cash from secret donors, including one who is under investigation for violating federal laws. They failed to keep the complete financial records required by law. The President's personal lawyer admitted paying a political saboteur, and his official lawyer recommended the hiring of one of the Watergate conspirators. The FBI was used to gather campaign information, and cooperated chummily with White House officials whom it should have been investigating.

Last week the Watergate affair claimed its highest-level casualty so far. Nixon reluctantly complied with the request by L. Patrick Gray III that his name be withdrawn from Senate consideration as permanent director of the FBI (see following story page 16).

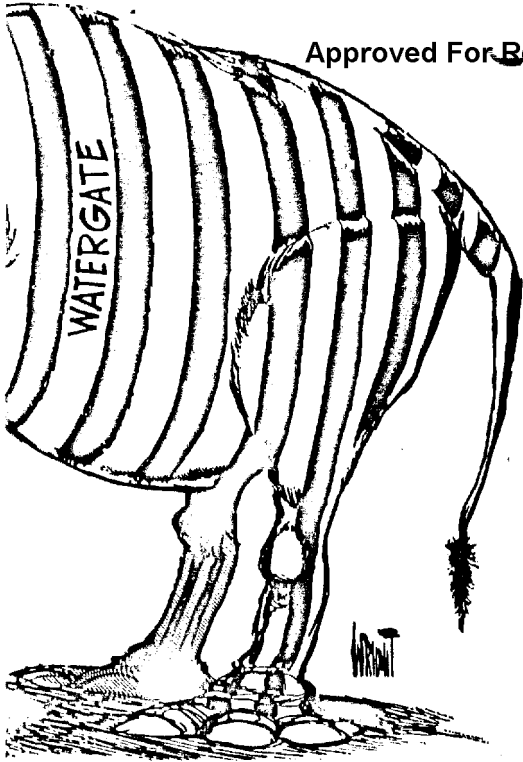
Ervin's dramatic drive to clarify all the murky mysteries surrounding Watergate is part of an even broader clash between two branches of Government. The White House and the Congress are locked in a struggle that goes to the very foundations of the Constitution. On a wide variety of fronts, Ervin is leading the challenge to the Executive Branch's expansion of power.

Beyond being the chief Watergate prober, Ervin is a key member of a special Senate subcommittee set up to investigate the President's excessive use of Executive privilege. The subcommittee, chaired by Maine's Senator Edmund Muskie, will begin hearings this week. Ervin is also chairman of the Senate's Judiciary Subcommittee on Constitutional Rights, which is trying to block Administration-supported attempts to force newsmen to reveal their confidential sources in judicial proceedings. He has proposed a "press shield" law that would protect newsmen who are subpoenaed at federal and state levels from having to reveal their sources



STAN WAYMAN

HS/HC-858



alone. Now the Congress has at long last taken alarm. It has decided that it needs a constitutionalist—a man of great legal knowledge and judicial temperament—and in discovering that fact, it has discovered Sam Ervin."

Ervin is no brashly partisan Democrat seeking publicity by challenging the Republican President. Basically a shy if mirthful man, he has spent 19 years in the Senate without attracting much national attention. His press conference last week was only the third one that he has called in all of those years. In many ways, despite his party affiliation, he is Nixon's kind of Senator. He is probably even more tightfisted and fiscally conservative than the President. In interpreting the Constitution, he fully meets Nixon's standard of a "strict constructionist." Nixon recently called him "a great constitutional lawyer." No one is more eager than Ervin to go along with a central theme of Nixon's second inaugural address: "We have lived too long with the consequences of attempting to gather all power and responsibility in Washington."

It is precisely because he feels that his beloved Constitution is being trampled upon by the President in an unprecedented power grab that Ervin is leading the effort in Congress to regain its rights. He considers the Nixon Administration "the most oppressive" that he has known, not only in its arrogance toward Congress but in its snooping on individuals, its extension of police powers and its harassing of newsmen. Ervin sees all such activity as violating the Constitution, which he calls "the finest thing to come out of the mind of man."

Thirst. Throughout Ervin's long career he has distrusted what he calls "the insatiable thirst for power of well-meaning men." As he sees it, "the Constitution was made to guard the people against the dangers of good intentions. There are men of all ages who mean to govern. They promise to be good masters, but they mean to be masters. The Constitution was written primarily to keep the Government from being masters of the American people."

Self-effacing and good-natured, although never a backslapper, Ervin was chosen by Senate Majority Leader Mike Mansfield to head the select committee because, Mansfield explained: "Sam is the only man we could have picked on either side who would have the respect of the Senate as a whole." Moreover, Ervin does not now have—and never has had—higher political ambitions. It is ironic that liberals, in particular, see Ervin as a heroic figure. Not too many years ago they were gnashing their teeth at his skillful, legal arguments against civil rights laws.

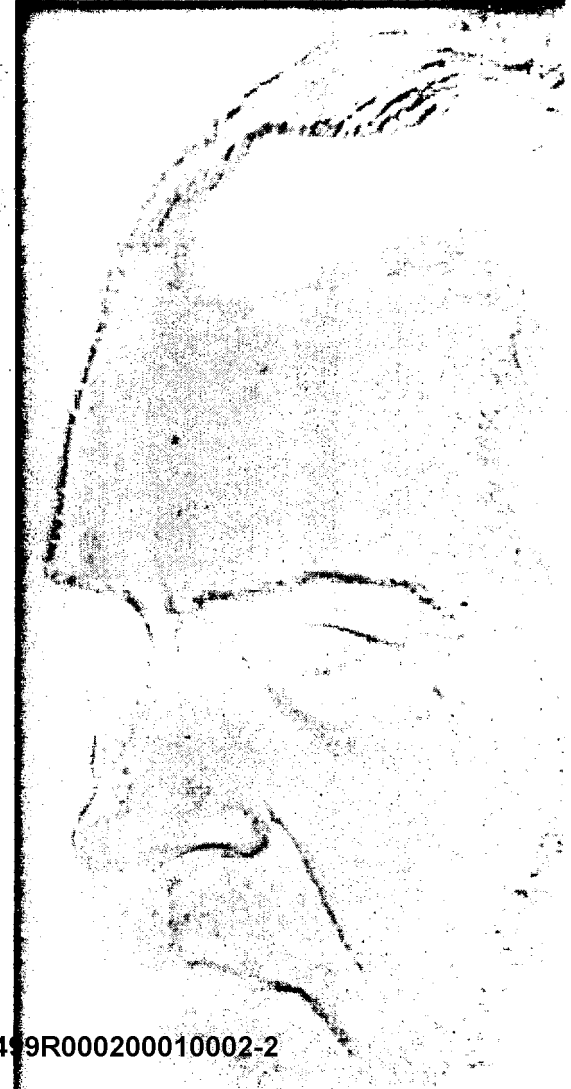
Now Ervin has the broad support of not only the Senate's Democratic liberals but also its Democratic conservatives and many Republicans. Nixon's secretive handling of the Watergate affair has dismayed his strongest backers Re-

being needlessly tarred by Watergate and want the real culprits exposed. Also, many Congressmen disdain such intimate Nixon aides as John Ehrlichman, H.R. Haldeman and their assistants, who are often regarded by veteran politicians as arrogant, inexperienced and selfishly protective of the President. Noting that some members of the White House staff seem to be enmeshed in the Watergate affair, one Republican Senator said sarcastically: "It couldn't happen to a better bunch of guys."

In addition, Senators of both parties almost unanimously dispute Nixon's claim that Executive privilege protects his staff against congressional inquiry. That idea, unmentioned in the Constitution, rests on the doctrine of the separation of powers between the branches of Government. The thinking is that Congress cannot intrude upon the decision-making process of the Executive Branch and thus cannot demand to know the private advice that the President gets from his staff. Indeed, Presidents have traditionally demanded and been granted this privilege.

In his Watergate investigation, Sam

STEVE NORTHUP



or unpublished information, unless they had witnessed a crime or had personally received a confession. Ervin had modified his bill several times on the basis of testimony before his committee—an example of how open he is to reasoned arguments by witnesses.

In addition, Ervin is chairman of two Senate bodies—the Government Operations Committee and the Judiciary Subcommittee on the Separation of Powers—that are trying to prevent the President from impounding funds. Nixon is claiming the right to withhold funds that have been voted by Congress and thus in effect to determine Government priorities regardless of the express wish of congressional lawmakers. Last week Ervin introduced an amendment to an unrelated bill that would oblige the President to seek congressional approval before impounding any funds. The amendment passed, 70 to 24.

If the amendment is enacted, Nixon will veto it. The difficulty of overriding such a veto was convincingly demonstrated last week when Senators failed by four votes to muster the two-thirds vote necessary to overcome Nixon's veto of a \$2.6 billion program to rehabilitate handicapped persons: the first such spending clash of the new congressional term.

Why, so late in his career, has the Senate turned to Sam Ervin to carry its banner in so many battles? Reports TIME's congressional correspondent Neil MacNeil: "Sam Ervin has been called 'the last of the founding fathers'—and in a way it is true. For more than a dozen years, he has chaired hearing after hearing on corruption, executive powers. Those hearings were conducted in all but empty committee rooms. This

in turmoil over what to do about the rampaging anti-Communist antics of Wisconsin Senator Joseph McCarthy and the Supreme Court's Brown decision ordering the desegregation of public schools. Ervin soon became embroiled in both battles.

Senator after Senator timidly turned down the thankless task of serving on the committee that would consider whether McCarthy should be censured. Lyndon Johnson, then minority leader, turned to Ervin because of his background as a judge. Ervin served on the committee and wholeheartedly advocated censure after hearing the evidence. His first major speech on the Senate floor denounced McCarthy for his "fantastic and foul accusations." Ervin declared that McCarthy should be ex-

tent in his limited view of federal authority. Some of his scholarly critics complain that Ervin's Constitution seems to lack a 14th Amendment, which provides for due process and equal treatment under the law. Ervin now concedes that, under the 14th Amendment, a constitutional case can be made for dismantling dual school systems, but he still insists that it provides no power to compel schools to integrate.

In pursuing his independent course in the Senate, Ervin has deplored wiretapping by federal authorities but has shown little concern about it at state and local levels. He drew the wrath of Women's Liberationists by fighting the women's rights amendment to the Constitution, terming it the "unisex amendment" and contending that it would de-

committee hearings, he has attacked the compilation by various Government agencies of a wide range of personal computerized data on citizens. He has denounced the Nixon Administration's crime bill for Washington, D.C., which permits jailing people who are considered dangerous but have not been convicted of any crime, as "a blueprint for a police state."

Despite his blunt language when aroused, Ervin is a compassionate man who has conducted his many committee hearings with courtesy and respect for witnesses. The transcripts are replete with phrases like "I am very much impressed by your statement" or "I want to congratulate you on the very lucid manner in which you stated your views." That is partly why Ervin seems to be the ideal Senator to hold those potentially volatile hearings on the many ramifications of Watergate.

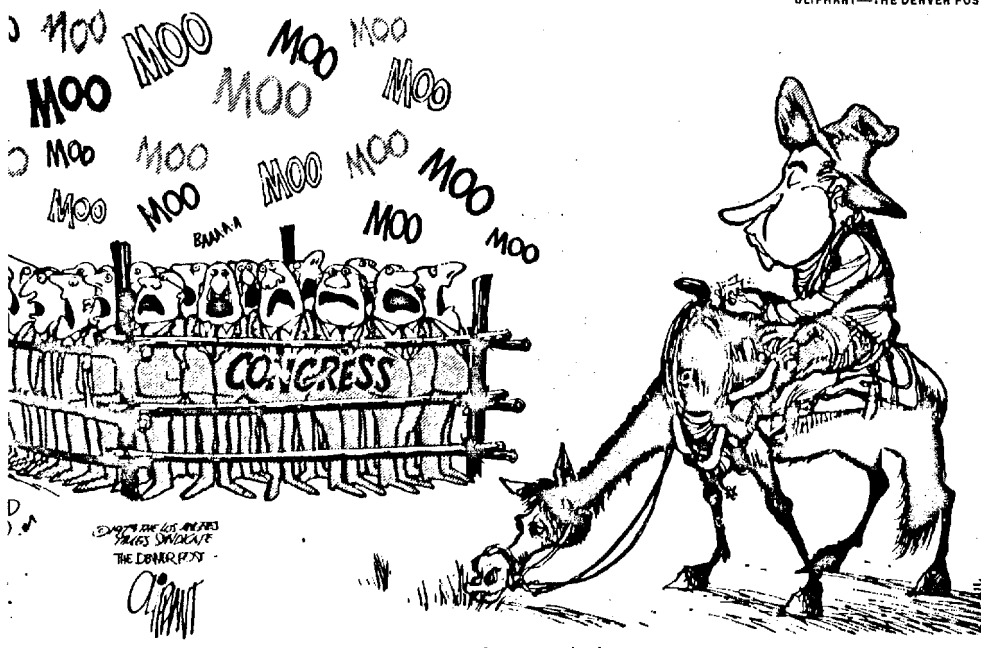
That reputation for fairness was tarnished two weeks ago, when Ervin was called away to attend the funeral of his youngest brother. In his absence, the investigation almost got out of hand. One of the convicted Watergate wiretappers, James W. McCord Jr., began making sensational allegations of White House involvement. He talked to the committee's staff investigator, Samuel Dash, 48, and to the committee itself. Dash, trying to apply pressure on the six other convicted conspirators to also talk, unwisely called a press conference to reveal that McCord had "promised to tell everything he knows."

Leaks. There were widespread leaks to newsmen about McCord's charges—all of which seemed to be based on hearsay and were so far unsubstantiated. One committee member, Connecticut Republican Lowell P. Weicker Jr., publicly demanded the resignation of Haldeman, the President's chief of staff. Weicker claimed that Haldeman "probably" knew about an operation of political sabotage against the Democrats that was far broader than the Watergate eavesdropping.

The resulting news stories gave Presidential Press Secretary Ziegler a choice opportunity last week to accuse the Ervin committee of "irresponsible leaks of tidal-wave proportions." Added Ziegler: "I would encourage the chairman to get his own disorganized house in order so that the investigation can go forward in a proper atmosphere of traditional fairness and due process."

Ervin, returning to Washington, moved to do just that. He protested that the leaks were coming not from his committee but from McCord's lawyers. Nevertheless, with the support of the committee's ranking Republican, Tennessee's Howard H. Baker Jr.,* Ervin ordered the committee not to hold any more closed-door hearings. Prospective witnesses would talk only privately to

*Besides Ervin, Baker and Weicker, the select committee consists of Democrats Herman E. Talbot, Daniel R. Hoyle and Joseph M. Montoya, and Republican Edward J. Gurney.



Impounded.

pelled because he was afflicted with either "moral incapacity" or "mental incapacity." After the Senate censured McCarthy, L.B.J. told Ervin: "You showed that you don't scare easily."

Nor did Ervin shy from carrying the banner of Southern states against school integration, expanded voting rights and opening public accommodations to blacks. His arguments were based on a higher intellectual plane than those of most Southern Senators, but this seemed a blind spot in his general devotion to individual rights. He held that the Supreme Court should never have taken up the Brown case, that it was legislating rather than interpreting. He could never see how federal law could force the owner of a hamburger stand to serve everyone, on the assumption that the seller was engaged in interstate commerce. In Ervin's view, busing white children from neighborhood schools deprives them of their rights in the vague hope of helping blacks. Ervin contended that the Government has no power to require such acts.

private women of such present legal benefits as exemption from the draft and freedom from prosecution for non-support of children. Despite his church-going constituency, he has fought attempts to permit prayer in public schools. The Constitution, he insists, has wisely erected a wall between church and state.

With little fanfare, Ervin has used his chairmanships to advance individual liberties. He inspired the revised Uniform Code of Military Justice, claiming that servicemen were subject to arbitrary discipline rather than justice. He pushed through a bill preventing any Indian tribal council from depriving an Indian of his constitutional rights. Ervin led a reform of the bail system, giving judges the power to release suspects too poor to pay bail but likely to appear for trial. He secured passage of a bill limiting the use of lie-detector tests in screening federal employees.

Ervin has exposed the widespread surveillance of antiwar groups, black Senators by the U.S. Army. Through

and more eager still to have his disclosures get out. Some of them have, since he first broke the silence a fortnight ago and started talking to the Ervin committee in secret session; various leaks from his closed-door testimony had him implicating Mitchell, Dean and deputy campaign director Jeb Stuart Magruder and vaguely mentioning Haldeman. That most of this was second-hand information—based, so McCord said, on what Liddy had told him—did not diminish the embarrassment it caused the Republicans, and some of the pain was evident in his further appearances last week. He was questioned for several hours in a civil suit stemming from the Watergate break-in and was portrayed by a GOP lawyer afterward as “a highly nervous, upset, emotionally disturbed man.” He seemed cool enough going before the Watergate grand jury under a grant of immunity next day, but one source said the early questioning seemed mainly aimed at discrediting what McCord had been telling everybody else as hearsay.

Bug Central: McCord may tell a fuller story when and if his press conference comes off. NEWSWEEK learned that he was prepared to say that he had been told that Mitchell cleared the general outline of Liddy's intelligence operation and approved its \$300,000 budget. McCord's story, according to NEWSWEEK's source, is that Liddy and co-conspirator E. Howard Hunt recruited him for their team in part precisely by dropping Mitchell's name. His assignments, NEWSWEEK's source quoted him as saying, were to bug three Democratic nerve centers: the Watergate headquarters, accomplished on Memorial Day 1972; George McGovern's headquarters, where three attempts failed; and party offices in Miami Beach's Fontainebleau Hotel



Ervin (above), McCord: Chronic leakage



Wally McNamee—Newweek

during the Democratic National Convention—a mission aborted by the Watergate bust on June 17.

McCord, according to NEWSWEEK's source, is prepared to say he was told that the ill-starred Watergate raid was undertaken for Mitchell—that some documents the raiders had photographed on Memorial Day had piqued Mitchell's interest and that he wanted more. (Mitchell has repeatedly denied any involvement.) McCord insists he doesn't know what was in the papers; electronics, not photography, was his specialty. But he was sure that *somebody* up there was profiting by his own labors: his daily wiretap logs were condensed and retyped by a secretary at Liddy's orders. (“Would you do that,” NEWSWEEK's source asked, “unless you were sending them on to higher-ups?”) And, by McCord's account, somebody up there was likewise interested in keeping the Watergate raiders quiet: he may, NEWSWEEK learned, name a prominent Republican lawyer as the source of money used to induce members of the Watergate gang to remain silent.

The prospect of a free-for-all McCord press conference was something less than happy for the Ervin committee. He would, for one thing, compromise his worth as the committee's big-bang, lead-off witness; he might, for another, only further detract from the aura of cool judicial process the inquiry will need to sustain its own credibility. That aura has been wanting thus far, and the result last week was to lay the committee investigation wide open to Administration counterattack. Presidential press secretary Ron Ziegler complained that the leaks had reached “tidal-wave proportions” and admonished Ervin to “get his own disorganized house in order so that the investigation can go forward in a proper atmosphere of traditional fairness and due process.”

Senator Ervin was quick to pick up the challenges and turn them back with the mix of courtly manner and country style that promises to make his hearings the most fascinating new TV series of the up-

the press, eyebrows dancing in practiced delight, and waved a bound volume of his 1971 hearings on the separation of governmental powers—“635 pages, small type.” “There is not a syllable in there that lets the President claim this all-encompassing immunity of executive aides,” Ervin declared. “That's not executive privilege, that's executive poppycock . . . The divine right of rulers perished in America with the Revolution.”

Restraint: On the matter of the leaks, Ervin was publicly regretful—“About all I can do is pray the good Lord to give some people the powers of restraint”—and privately determined to plug them up. The committee sustained its worst embarrassment yet with the publication of several ill-documented stories that McCord had directly implicated Haldeman—an overstatement compounded when one of the committee's own members, Connecticut Republican Lowell Weicker, demanded that Haldeman quit. Ervin and the committee's senior Republican, Howard Baker of Tennessee, felt impelled to put out a chagrined joint statement that they had no such evidence thus far, and Weicker subsequently agreed. Still, the damage was done, and Ervin and Baker decreed that hereafter any “secret” questioning will be done for discretion's sake by the committee's senior staff—not by the full committee.

The Administration was not likely to be appeased by the committee's access of good investigative manners, nor did it relent during the week from its basic position that White House people will not testify in formal session. But the fall of L. Patrick Gray—a debacle the President might conceivably have spared himself by producing Dean as a witness for the defense—remained as an object lesson. Haldeman's visit to an informal caucus of Hill Republicans late in March was a gesture of sorts—a token as against a formal appearance on camera and under oath, but a small act of diplomacy nevertheless. The question he left behind was whether Mr. Nixon might now be ready to submit his people to serious inquiry—and gamble that by doing so he will at



Herblock © 1973 Washington Post

Hill to the Chief



WHITE HOUSE CHIEF OF STAFF HALDEMAN

the staff investigators until public hearings begin. And the chairman ordered the start of those hearings moved up so that they would begin after the Easter recess, which ends April 25.

Ervin and Baker took an even stronger step, indirectly criticizing Weicker. They issued a short press release stating: "In the interests of fairness and justice, the committee wishes to state publicly that it has received no evidence of any nature linking Mr. Haldeman with any illegal activities in connection with the presidential campaign of 1972." The chastised Weicker, admitting "I know when I've been zinged," said he had no such evidence against Haldeman—but indicated that he still thought Haldeman ought to quit because "he is chief of staff—and I hold him responsible for what happened."

Watchdog. The Ervin orders to hurry up the start of the hearings seemed necessary to keep rumors from running wild, but it shortened the time for careful staff investigation into the exceedingly complex and clouded affair. A priority aim of the committee would seem to be to unravel the tangled role played by White House Counsel Dean. He had insisted on sitting in on FBI interviews with White House personnel, and had asked for all FBI reports, but more as a White House watchdog, it seemed, than in a search for truth.

Dean's role seems pivotal, and the Ervin committee may have a tough time finding out just what it was. Last week Press Secretary Ziegler refused to respond to a series of questions that TIME put to him about both Dean and the President. Assuming that Nixon had no advance knowledge of the Watergate wiretapping, what did the President do when he heard about it? Did he summon his top aides and ask them about it? If not, why not? Did he rely entirely on Dean to conduct a White House investigation? What did Dean report?

Was the President satisfied with whatever Dean told him, or did he question others? Does he feel that he now knows



PRESIDENTIAL COUNSEL JOHN DEAN IN HIS OFFICE AT THE WHITE HOUSE

who was involved? If so, why does he not reveal all and spare himself the potential embarrassment of having the Ervin committee do so?

Those questions go, of course, to the heart of just how much Nixon can be hurt by the whole sordid affair. A survey conducted for the *Wall Street Journal* by a Princeton, N.J., polling firm disclosed last week that Watergate is arousing widespread concern and is seriously damaging the President and his party. Clearly, Nixon and his staff are going to have to face up to the consequences of Watergate and the manner in which the President's re-election campaign was conducted. It is not enough to issue indignant denials and then claim that aides can discuss the matter only in secret or behind the closed doors of grand jury rooms.

Ervin is not going to stand for that kind of evasion. For him, the Watergate investigation is a matter not just of high politics or powerful personalities but also of the most profound constitutional principles. In a far different context (a criminal case in which Ervin as a state supreme court justice argued to free a convicted man), he stated his first concern. "What may be the ultimate fate of the prisoner is of relatively minor importance in the sum of things," he wrote. "His role on life's stage, like ours, soon ends. But what happens to the law is of the gravest moment. The preservation unimpaired of our basic rules of procedure is an end far more desirable than that of hurrying a single sinner to what may be his just and doom."



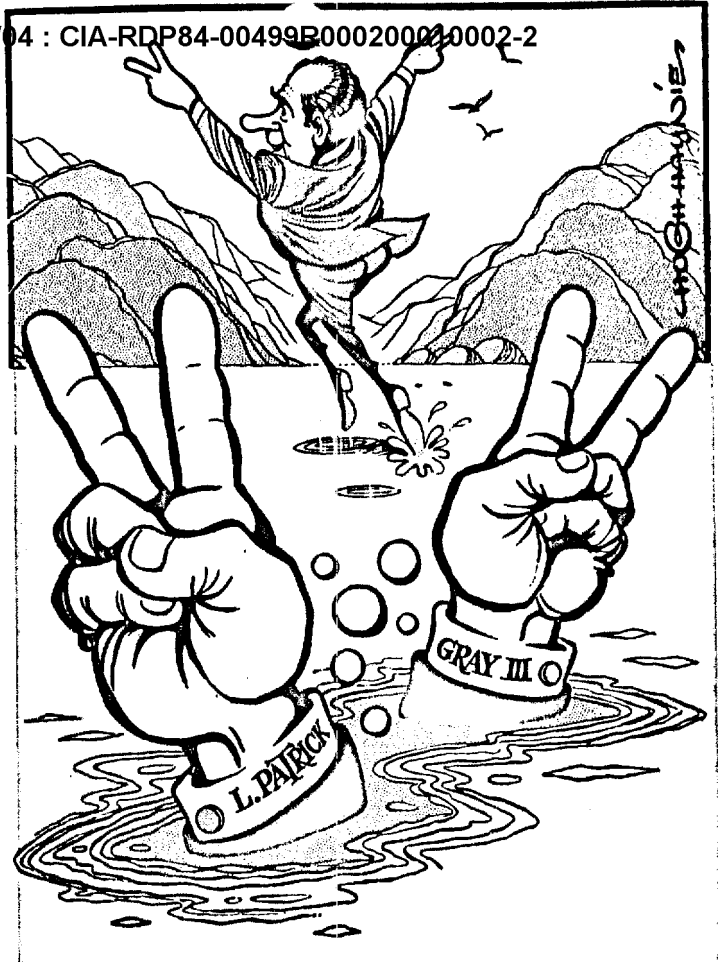
CONVICTED WIRETAPPER McCORD

conclude, after a fair hearing, that Nixon's top aides did not behave illegally or unethically in last fall's presidential campaign. If so, they have nothing to fear from his committee. But if they are not clean, they can expect no forgiveness for sins against the spirit of the Constitution from this persistent libertarian, who declares that "open and full disclosure of the governing process is essential to the operation of a free society." Mindful of the past, vigilant of the present and concerned about the future, Senator Sam Ervin warns: "Throughout history, rulers have invaded sacred territory, their actions



Wally McNamee—Newsweek

Patrick Gray: 'He read the tea leaves'



Haynie—Louisville Courier-Journal

'Well, some of us can walk on Watergate and some others can't . . . pity . . .'

Watergate Drags Pat Gray Under

The proliferating Watergate scandal has cast the Nixon Administration in shadow for nearly a year, and last week it claimed its first acknowledged victim. In a terse, ten-minute telephone call to San Clemente, L. Patrick Gray III asked the President to withdraw his nomination for director of the Federal Bureau of Investigation. His packing-in after eleven months as acting director had been expected for weeks, and the President, to whom he had become an increasing embarrassment, accepted it with regret but no apparent argument. "Gray read the tea leaves," said one Republican senator when the word got out—and what the tea leaves told him was that his stewardship of the FBI's Watergate investigation had finally been his ruin.

His fall came in the midst of a flurry of name-naming in the Watergate case, and while he was the first Administration higher-up to go as a direct result, few expected that he would be the last. G. Gordon Liddy, the ringleader of the original break-in at Democratic national headquarters last June, maintained his stiff-lipped silence even in the face of an extra jail sentence for contempt. But his six co-conspirators were talking in a Fed-

bugsmith James W. McCord, was threatening to go public this week or next with a tell-all press conference. The results, one source told NEWSWEEK's Stephan Leshner, could be explosive: McCord was prepared to say he was told that former Attorney General John Mitchell himself ordered the celebrated June 17 Watergate raid.

McCord's meet-the-press plan only underscored the circus atmosphere in which the scandal has lately become enveloped—a swirl of fact, leak and innuendo aggravated by the Administration's own reluctance to submit to impartial inquiry. There were some modest signs of give last week when word got out that White House chief of staff H.R. (Bob) Haldeman had visited Capitol Hill and told a group of Republicans that he had indeed initiated a political intelligence-gathering operation during the 1972 campaign—none of it, mind you, illegal. But the Nixonians remained at cross purposes with Sen. Sam Ervin's select Watergate investigating committee on the issue of whether it can or cannot require Presidential staffers to testify. And the committee was itself painfully embarrassed by its patent inability to keep secrets—a

headlines and drove Ervin to stringent measures to stem the hemorrhage.

It was too late to salvage Pat Gray. His withdrawal closely followed a hastily convened secret meeting of the Senate Judiciary Committee, called to "dispose of" Gray's nomination at last after six weeks of hearings. Confirming him was no longer among the live possibilities. The opposition proposed killing his nomination by postponing action indefinitely; Gray's friends, in retreat, sought desperately to save him by tabling the whole question till the Ervin hearings run their course perhaps six months from now. Neither choice was tolerable to a man as dedicated to the bureau as Gray—"The FBI," he said, "is entitled to permanent leadership at the earliest possible time"—and it was quickly clear to him that he had been handed the revolver. His call to San Clemente followed; the President shortly thereafter put out a statement praising Gray, terming the criticism of his conduct "unfair"—and announcing that his withdrawal had regretfully been accepted.

In the end, it was Watergate that dragged Gray under. He provided other targets for his critics—his controversial

ent specializing during the Presidential campaign. But he probably would have survived on his winning candor and new-broom reforms had not been the Democratic headquarters burglary that fell on his watch barely one and a half months after he succeeded J. Edgar Hoover. He had, as it developed, been extraordinarily deferential to the President and his men during the inquiry—had taken them at their unchecked word and had repeatedly sent raw Watergate data around to Presidential counsel John Dean III, the man who had recommended Gordon Liddy to the Committee for the Re-election of the President.

Gray talked about this with a chatty, slangy candor that won him friends except where it counted, in the Senate (where he came off as the President's too-obedient servant) and in the Administration (which tried with only partial success to shut him up). Pro-forma endorsements kept emanating from the White House, but the President criticized Gray for offering the bureau's raw files

by refusing to let Dean or any other White House staffer testify and in the end assented to the order muzzling Gray about Watergate.

Grapevine Intelligence: The question was whom Mr. Nixon would name instead. Speculation centered at first on Assistant Attorney General Henry E. Petersen, head of the Justice Department's criminal division, but Petersen was compromised by his association with the Watergate inquiry. Others on the list are William Sullivan, a former assistant FBI director who now heads a Justice Department intelligence unit; Myles Ambrose, another Justice expert on drugs, and U.S. Judge W. Matthew Byrne Jr. of Los Angeles, who is now presiding over the Pentagon papers trial. Gray may be left with his Connecticut law practice and, perhaps, a nomination to the U.S. Court of Appeals. "Forthrightness, as much as the Watergate, cost me the job," he said, "but if I had to do it again I'd handle things the same way."

Forthrightness, albeit somewhat be-

among the Watergate conspirators last week, with the notable exception of Gordon Liddy. Brought before a Federal grand jury and given immunity from further prosecution, Liddy—himself a lawyer—took the Fifth Amendment in response to some 30 questions. Among other things, he refused to say whether "any other persons" had participated in the Watergate raid and whether he had received logs prepared by the bugging team from the taps they had planted at Democratic headquarters.

Liddy's lawyer said that answering such questions might prejudice his client's appeal in the original Watergate case, but Federal Judge John J. Sirica thought otherwise. "To give meaning and coercive impact to the court's contempt powers," Sirica stopped the clock on Liddy's burglary sentence (from six to twenty years) and jailed him for contempt in the interim for the life of the Watergate grand jury—a minimum of eight additional months behind bars.

McCord, by contrast, was eager to talk

THE LAUGH-IN AT WATERGATE

Improvisation and a certain quickness in the toes—that's the key to the real-estate game. A real-estate man with all his synapses humming can sell houses at the end of an airport runway, peddle office space to nomadic shepherds or make an irresistible resort package out of an abandoned coal mine. But even by these standards, something special was afoot in Washington last week, where the managers of the Watergate complex, site of the decade's most notorious burglary, were cheerfully advertising the scandal in every way they could—and joking themselves right into a business boomlet.

Last June's raid, said Lee Elsen, vice president for sales for Watergate Improvements, Inc., "has made the name of Watergate world-renowned. If anything, it has accelerated our sales and rentals." By way of augmenting this innate appeal, Elsen ran ads in four Washington and New York newspapers, picturing a giant ladybug next to the message: "Don't be bugged with the commonplace . . . Locate your offices at the Watergate in Washington." The prime space available, as the ads unflinchingly pointed out, is the sixth floor of the office building, which is even now being vacated by the Democratic National Committee for smaller (and possibly safer) quarters elsewhere. The ladybug ads, said Elsen, brought five inquiries in the first few days.



Wally McNamee—Newsweek

The laugh-in at the Watergate extends to the lobby of the Watergate Hotel—one of five buildings in the \$78 million complex of apartments, offices, stores and hotel—where newsstand proprietor Sidney Kress hands out a leggy black plastic creature, dubbed "Watergate bug," with every purchase. "At first people were so apprehensive they were in a state of shock," Kress said. "We thought we'd give 'em a laugh." Other commercial occupants of the complex seem to agree that the scandal has been all to the good. "Five years ago the taxi drivers didn't know where the Watergate was," said Bob Morin, director of public affairs for the Watergate office of the Society of Real Estate Appraisers. "Now it's the most famous spot in the country."

Watergate has also become a minor



Don't be bugged with the commonplace? This spring, indulge yourself.

Locate your offices at the Watergate in Washington

Kress's bug: Positive realty

landmark for tourist buses and showbiz wits. At the Show Palace, a girlie joint on Eleventh Street, the "Watergate Follies" features "Mystifying Wire-Tap Annie" and Callic danseuse Gigi ("She has nothing to hide") Larmor. At the Shoreham Hotel's Marquis Lounge, comic Mark Russell tells of the morning George McGovern "picked up a grapefruit and got a dial tone." As for the real dial-toners, they can always phone 333-8750 and hear a taped ditty, written by Missouri's Democratic Rep. William L. Hungate and sung to the tune of the Anheuser-Busch beer jingle: "Come, come, come and play spy with me down at the old Watergate."

A search for the unamused ends up with residential occupants of the Watergate, who have paid as high as \$350,000 per co-op to live in luxurious and supposedly secluded luxury to such GOP biggies as Sen. Jacob Javits, former Commerce Secretary Maurice Stans and occasionally G. Gordon Liddy. "I think it's all much ado about nothing," one lady told NEWSWEEK's Nancy Ball. "All this attention is an invasion of my privacy."

McCord Implicates Attorney

New York Times News Service

James W. McCord Jr. has told a federal grand jury that he believes that Kenneth W. Parkinson, an attorney for the Committee for the Re-election of the President, channeled cash payments to the Watergate defendants in return for silence after their arrest inside Democratic headquarters, sources close to the case say.

The sources said that Mc-

Cord, one of seven men sentenced to prison for their role in the break-in, further testified that he believed that Parkinson was responsible for "applying the pressure" on the defendants to plead guilty shortly before the trial began in January. Five of the seven did so plead and the other two were convicted.

McCord subsequently confirmed his testimony in a telephone interview with The New York Times, but refused to provide further details.

The sources noted, however, that McCord had based much of his grand jury testimony on hearsay evidence. For example, they said, he acknowledged that his basic involvement in funnelling money and advice to the men had been told to him by Mrs. Dorothy Hunt, the deceased wife of a convicted Watergate participant, E. Howard Hunt Jr. He named Mrs. Hunt as the conduit for the money. Parkinson, a member of the Washington law firm of Jack-

son, Gray & Lanskey, categorically denied making any cash payments to Mrs. Hunt.

"That's absolutely false," he said during a telephone interview. "I've never met Mr. Hunt or Mrs. Hunt and I've never met any of the other defendants. I've never handled any money myself."

THE LAWYER said that he had not been connected with the Republican re-election campaign in any way until a few days after the Watergate break-in, when he was retained to represent the Republicans in a civil lawsuit filed by Lawrence F. O'Brien, then chairman of the Democratic National Committee.

Justice Department sources said the government was now considering whether the re-election committee might have actively worked to obstruct justice by, in effect, bribing the Watergate defendants.

In January, Frank A. Sturgis, one of the Watergate defendants, said that at least four of the five defendants

were still being paid, but would not say who was supplying the cash.

NEWSWEEK magazine, meanwhile, quoted unnamed sources yesterday that McCord is ready to tell the press soon that former Atty. Gen. John Mitchell ordered the raid on Democratic National Committee headquarters — and why, the Associated Press reports.

Newsweek said that if McCord carries out his plan to hold a news conference, he will say that the men who recruited him to carry out the wiretapping in Washington's Watergate complex — G. Gordon Liddy and E. Howard Hunt — did so in part by dropping Mitchell's name.

Mitchell has repeatedly denied having any part in the June 11 bugging and burglary at the Watergate.

A-2

THE EVENING STAR and DAILY NEWS
Washington, D. C., Monday, April 9, 1973

Shift Sought Of CIA Role To Pentagon

By Michael Getler

Washington Post Staff Writer

One of the military's top-ranking intelligence officers has called for a reassertion of the military's dominant role over civilians in the critical business of estimating national security threats to the United States.

The case for giving this responsibility to the Pentagon—rather than the Central Intelligence Agency (CIA) and other civilian-dominated intelligence agencies—is laid out in a highly unusual article appearing in the April issue of Army magazine.

The article is by Army Maj. Gen. Daniel O. Graham, currently deputy director for estimates in the Pentagon's Defense Intelligence Agency (DIA).

Graham is scheduled to move over to the CIA on May 1 to join the staff of its new director, James R. Schlesinger.

Thus, the appearance of Graham's article in public could indicate that at least part of his new job at the CIA will be to help bring about the return of a major portion of the highly important intelligence estimating job to the Pentagon. The estimates of military threats are a major factor in planning the Pentagon's annual budget and in the course of U.S. foreign policy.

While Graham's article reflects his personal judgment, U.S. defense officials say the appearance of the article at this time "was not accidental," implying that it had an official okay.

Graham's pending transfer to the CIA has prompted concern among some civilian intelligence officials. They fear that the critical annual intelligence estimates on such things as Soviet missile devel-

See ARMY, A7, Col. 1

Transfer of CIA Role Sought

ARMY, From A1

opments, for example, might take on an even harder line.

Graham argues, however, that the job of judging and describing the various military threats the United States might face properly belongs to the military. And, he states, it was the military's own fault—through "a series of bad over-estimates later dubbed the bomber gap, missile gap and megaton gap"—that military credibility was shaken and the principal job of figuring out what the Russians and others were up to gradually was won over by the CIA and other agencies.

But in the past three years, he says, the new Defense Intelligence Agency has "come a long way since the missile gap."

He argues that the quality of military analysis has now improved considerably and that most, though not all, of the military men who use intelligence have learned not to bend it for their own self-interest or force intelligence analysts to do that.

"To sum up," he writes, "I think that the time is ripe for the military profession to reassert its traditional role in the function of describing military threats to national security."

In a key statement that may foreshadow some reduction in the CIA's estimating role in favor of the Pentagon, Graham writes:

"While there will always be a legitimate reason for independent judgments from outside the Department of Defense on issues of critical importance to national decision-makers, there is no longer a need, in my judgment, to duplicate the Defense Intelligence Agency's efforts in other agencies."

Throughout the article, the two-star general is sharply critical of the military's past history of usually describing the threat to U.S. security in the worst or scariest terms. Not only did it produce scepticism in government, forcing officials to turn to other intelligence agencies, but it actually hurt the military in other ways, he writes.

case estimates can be used to squelch military programs just as quickly as to support them." In other words, he argues, overestimating the Soviet Union's missile capabilities can prematurely kill off U.S. projects by leading officials to discount the estimates entirely.

The inflated intelligence estimates also raise problems for the strategic arms limitations talks where, he says, "the very real possibility" exists of trading off actual U. S. capabilities against those of

an enemy that exist only on paper.

Graham also criticizes the technique of assessing only Soviet capabilities rather than intentions as well.

"For example," he says, "since World War II the Soviets have never, to our knowledge, deployed forces or fielded hardware as fast as their total capability permitted. To estimate that they would do so with regard to some weapon system . . . in the future would make little sense."

McCord Kept Recordings

Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2

Of 1972 Conversations

By **BARRY KALB**
Star-News Staff Writer

Watergate conspirator James W. McCord Jr. says he has tape recordings of some conversations he had during 1972, and he offers some indication they might include references to the Watergate bugging or some other illegal activity.

He also indicated that it was John W. Dean III, the White House counsel, who

cleared him for his job as security chief for the Committee for the Re-election of the President.

He made these assertions last Tuesday while giving a sworn pre-trial statement, or "deposition," in connection with Watergate civil lawsuits. The statement was made to a lawyer for the Committee for the Re-election of the President, with McCord's own lawyers present.

A transcript of that partially completed deposition was made available yesterday. McCord is scheduled to complete the deposition some time next week.

ON THE ADVICE of his attorneys, McCord refused to give any further details on the tapes he said he had in his possession. One of his attorneys, Henry B. Rothblatt, explained, "We have reason

to believe that any tape recordings that were taken might have been in violation of some statute . . ."

However, McCord has since been granted immunity from further prosecution for anything relating to the Watergate affair. He was convicted at a January trial of conspiracy, burglary and illegal eavesdropping for the incident. When the deposition resumed, he will be free to answer questions about the tapes because of the immunity grant.

His attorney, Rothblatt, could have been saying that the tapes themselves would reveal illegal activity, or he could have been saying that the act of making the tapes was illegal.

If, for example, he had recorded a telephone conversation without telling the other party the conversation was being recorded, the taping would have been illegal under Maryland law.

If he had done the same thing while both parties were in the District, however, it would not have been illegal. Federal law, which prevails here, allows one party to a conversation to record a conversation even if the other party does not know it is being recorded.

IN TESTIMONY before the Senate's Watergate investigating committee last week, McCord reportedly alluded to wiretaps other than that placed in Democratic National Committee headquarters during the bugging last spring and so far undisclosed.

He refused at that time to discuss the matter further, because he had not yet been granted immunity. It is possible that he was referring to the newly disclosed tape recordings at that time.

During his deposition, McCord made a number of other assertions:

- He said he was initially interviewed for the job as security chief for the re-election committee by John Caulfield, a White House aide who was

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cleared him for the job as security chief for the Committee for the Re-election of the President.

He made these assertions last Tuesday while giving a sworn pre-trial statement, or "deposition," in connection with Watergate civil lawsuits. The statement was made to a lawyer for the Committee for the Re-election of the President, with McCord's own lawyers present.

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A transcript of that partially completed deposition was made available yesterday. McCord is scheduled to complete the deposition some time next week.

ON THE ADVICE of his attorneys, McCord refused to give any further details on the tapes he said he had in his possession. One of his attorneys, Henry B. Rothblatt, explained, "We have reason

to believe that any tape recordings that were made might have been in violation of some statute . . ."

However, McCord has since been granted immunity from further prosecution for anything relating to the Watergate affair. He was convicted at a January trial of conspiracy, burglary and illegal eavesdropping for the incident. When the deposition resumed, he will be free to answer questions about the tapes because of the immunity grant.

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During his deposition, McCord made a number of other assertions:

- He said he was initially interviewed for the job as security chief for the re-election committee by John Caulfield, a White House aide who was responsible to White House counsel John W. Dean III.

Caulfield, McCord said, told him at their initial meeting in September 1971, "Do you have any sort of, essentially, background, biography, something that I could send to John Dean, because I work for

McCord's statements indicated that it was Dean, through Caulfield, who ultimately cleared him for the job, and sent him on to meet with re-election officials.

Dean was reportedly named by McCord during the Senate hearing as someone who had advance knowledge of the Watergate operation. The White House has denied that Dean was in any way involved.

IT WAS ALSO Dean, according to various testimony and sworn statements relating to the case, who brought convicted Watergate conspirator G. Gordon Liddy to the White House from the Treasury Department in mid-1971, and who later recommended Liddy for job as counsel to the re-election committee.

- McCord said there "have been threats, bomb threats, against my family . . . There have been other forms of harassment. We have had to change telephone numbers for that reason. And for the safety and security of my family, I have stated, for example, in court that we fear retaliation. My family fears for its life."

As he was about to sentence the seven Watergate conspirators on March 23, Chief Judge John J. Sirica of U.S. District Court read a letter McCord had sent him earlier that week.

The letter said, among other things, that McCord's family feared for his life if he told everything he knew about the Watergate affair, and that while he was not afraid "to the same degree," he nevertheless did fear some sort of retaliation.

The deposition statement was the first public statement that has gone toward explaining that fear, but still does not reveal from whom McCord fears this retaliation.

McCord said in his deposition that one of his duties at the re-election unit was the protection of Mrs. Martha Mitchell, wife of the former attorney general, John N. Mitchell. McCord said she was from time to time "worried about not only her personal security . . . but also about bugging operations against her."

McCord testified all day yesterday before the Watergate grand jury. He is scheduled to return at 1:45 p.m.

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McCord Gets Immunity, Is Talking

By Carl Bernstein and Bob Woodward

Washington Post Staff Writers

Convicted Watergate conspirator James W. McCord Jr. was granted immunity yesterday from further prosecution, clearing the way for him to disclose whatever knowledge he has of illegal political espionage activities to a federal grand jury, a Senate investigating committee and the president.

Shortly after the immunity had been conferred by Chief Judge John J. Sirica of U.S. District Court, McCord began answering questions before the same grand jury that indicted him in the Watergate conspiracy last Sept. 15.

Saying that "the story should be told" publicly about the Watergate bugging and perhaps other illegal activities, McCord told reporters he would meet with them some time next week in an on-the-record press conference.

McCord is also expected to be an early witness in public hearings held by the Senate's select committee investigating the Watergate bugging and other political espionage and sabotage activities.

In a closed-door hearing before the committee last week, McCord said his superiors in the conspiracy told him that high presidential aides had advanced knowledge of the bugging of Democratic headquarters. However, he invoked his Fifth Amendment right not to answer the senators' questions about additional illegal activities he may know about.

appeared before the Watergate grand jury and again invoked the Fifth Amendment, this time in response to such questions as whether he had attempted to plant electronic bugs in Sen. George McGovern's campaign headquarters.

At the request of the prosecutors in the Watergate case, he was taken before Judge Sirica for a brief hearing in which he was granted immunity from further prosecution and ordered by the judge to answer the grand jury's questions. McCord was still before the grand jury early last night and is expected to be recalled today.

During the immunity hearing, Assistant U.S. Attorney Seymour Glanzer read to Judge Sirica a list of nine questions McCord had refused to answer, most of them relating to attempts to bug McGovern's offices.

Sirica, who was openly critical of the prosecution's presentation during the Watergate trial, asked: "Are those all the questions you're going to ask him?"

"Oh no, Your Honor," replied Glanzer.

Following the hearing, McCord said he felt "relieved" at the grant of immunity and—in answer to a question—said he obviously hoped his cooperation with investigators would bring him a lighter sentence.

Judge Sirica has postponed sentencing McCord until June 15, after receiving a letter in

which McCord told the judge that he knew of "perjury" at the Watergate trial, "political pressure" on the defendants to plead guilty and remain silent and the involvement of others in the Watergate operation.

Three of McCord's co-conspirators—former White House consultant E. Howard Hunt Jr., Virgilio R. Gonzales and Frank Sturgis—also appeared yesterday before the grand jury, which reopened its inquiry last week.

McCord's principal superior in the conspiracy, former White House aide G. Gordon Liddy, refused to answer questions before the panel—even after being granted immunity—and was sentenced last week to an additional incarceration by Judge Sirica.

Liddy, described by the

Watergate prosecution as the "boss" of the conspiracy, appears to have been the principal source of McCord's assertion to Judge Sirica that "perjury" occurred at the trial and that persons not indicted in the case had prior knowledge of the bugging of Democratic headquarters.

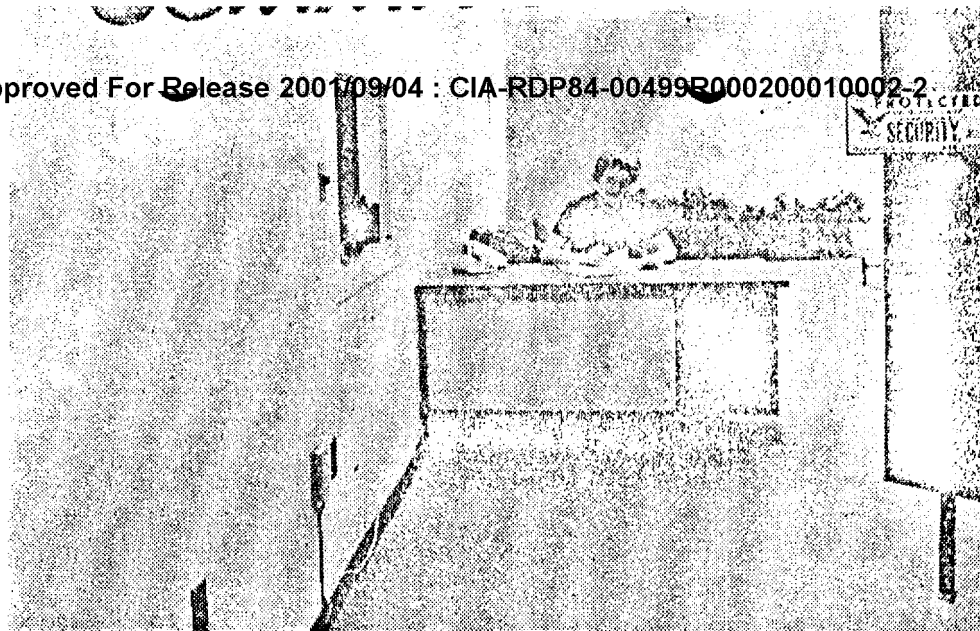
In his testimony to the Senate's investigating committee, McCord said he had been told by Liddy that the plans and budget for the Watergate operation were approved in February, 1972, during a meeting in the office of then-Attorney General John N. Mitchell.

However, the same sources said McCord provided the committee with several important leads that, if accurate, according to reliable sources, Magruder testified he knew.

Magruder testified he knew

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By Charles Del Vecchio—The Washington Post

The Democratic National Committee is moving from its Watergate complex offices, protected (as shown on sign at center right) by "Security Inc."

'Watergate Liddy' Finds Legal 'Career' Behind Bars

By William Claiborne
Washington Post Staff Writer

Watergate conspirator G. Gordon Liddy, who was injured in a fight with another prisoner at the D.C. jail last week, has been providing legal advice to fellow inmates, court sources said yesterday.

Since the March 26 altercation, in which he suffered a cut on his ear and a bruise on his nose, Liddy has been involved in no further incidents with other prisoners, jail officials said.

Superior Court sources said Liddy has assisted some prisoners at the jail in preparing "pro se" motions in pending criminal cases. Such documents are routinely filed in the court by prisoners in their own behalf and usually seek dismissal of charges on technical grounds.

Sources said that Liddy, who reportedly has been nicknamed "Watergate Liddy" by some fellow prisoners who have sought legal assistance, has become more accepted by the inmate population as a result of his law background. He was a lawyer before his conviction for his part in the break-in and eavesdropping at Demo-



G. GORDON LIDDY
... nickname: "Watergate"

cratic National Committee headquarters here.

Liddy was sentenced by Chief U.S. District Judge John J. Sirica to at least six years and eight months in jail. Sirica interrupted the sentence and ordered Liddy to serve up to eight months for contempt for refusing to answer questions before a federal grand jury. The jury will be dismissed in eight months, and Liddy can purge himself of contempt if he testifies before that time. Jail officials said yester-

day that Liddy is confined in a medium security wing of the century-old jail and is living alone.

The wing traditionally has been occupied by sentenced offenders who serve their terms at the jail instead of Lorton Reformatory, and by prisoners who are assigned to regular work details, such as the prison kitchen.

The doors to the rooms can be locked by inmates for privacy. However, prisoners in that section are permitted to leave the doors open and move about the prison, to eat in a common mess hall or watch television in a recreation room.

According to Deputy Supt. Alphonse Washington, Liddy is receiving "no special treatment" at the jail.

Washington said that the jail has a regulation prohibiting prisoners from actually writing briefs for other prisoners and said through a spokesman that as far as he knows, the regulation is not being violated.

He said prisoners have continual access to public defender service attorneys and are encouraged to seek outside assistance in the actual writing of briefs and petitions.

HS/HC-518

JAMES RESTON

Trial by Leak and Hearsay

The White House is complaining bitterly these days that members of its staff are being smeared by leaks and gossip in the Watergate case, and there is obviously something to the complaint.

It would, of course, be easier to sympathize if the White House had been as concerned with the civil rights of the people who were bugged and burglarized at the Watergate as it is about the civil rights of its own people. But even so their people are entitled to fair treatment regardless of whether they are fair to their suspicious accusers.

The leaks have been coming either from unidentified members of the Senate Watergate investigating committee, or their aides, or from lawyers appearing before the committee, who are passing on unsubstantiated testimony from James W. McCord Jr., one of the conspirators, who claims his information came from G. Gordon Liddy and E. Howard Hunt, two other men convicted in the Watergate conspiracy.

This is hearsay "evidence" at least three times removed. And yet, by constant and prominent repetition, it harms the reputations of some of President Nixon's closest associates, because it amounts to the charge that they were in on the Watergate conspiracy and thus broke their oath of office.

Twenty years ago around here, this trial by leak and gossip used to be called "McCarthyism" and the word has now gone into most standard dictionaries as meaning "1. The practice of making public and sensational accusations of disloyalty or corruption, usually with little or no proof or with doubtful evidence

The Watergate and the McCarthy episodes were quite different — even McCarthy at his worst never bugged Democratic headquarters — but the headline hunting still continues in the Senate, and lately the Watergate has been producing its own "public and sensational accusations . . . usually with little or no proof . . ."

Sen. Sam Ervin of North Carolina, the chairman of the Senate investigating committee is undoubtedly within his rights to reject Nixon's definition of "executive privilege" as "executive poppycock," and to insist that members of the White House testify, not on their relations with the President, but on their relations, if any, with the Watergate conspirators.

But if the integrity of the Senate is involved in trying to get the President's aides to talk, it is also involved in trying to get the members of his committee to keep quiet about the gossip they hear in secret testimony until the whole committee has determined that it has enough corroborated evidence to investigate the charges in public. Ervin agrees with the doctrine of senatorial discretion and restraint, though it is seldom practiced.

In *Greene v. McElroy*, which came out of the McCarthy era, Chief Justice Earl Warren, speaking for a majority of the Supreme Court of the United States, insisted that, when action by the government seriously injures an individual, "the evidence used to prove the government's case must be disclosed to the individual so that he has an opportunity to show that it is untrue.

"While this is important in the case of documentary evidence," the chief justice con-

tinued, "it is even more important where the evidence consists of the testimony of individuals whose memory might be faulty, or who, in fact, might be perjurers of persons motivated by malice, vindictiveness, intolerance, prejudice, or jealousy . . ."

Watergate is not, of course, precisely the same case, for the Ervin committee is trying to get the White House staffers to the Hill to hear the evidence and comment on it, but the principle is the same: that the accused should not be damaged by unsubstantiated evidence, and this is happening now before the facts are in.

This raises hard questions too for the American press, which was criticized for years after the McCarthy period for turning over its front pages to his unsubstantiated charges. Once senators talk about McCord's testimony, and it is broadcast all over the country, however, about all the reporters can do is emphasize that the charges are "hearsay," and this has been done.

Nevertheless, as the Watergate case is just beginning on Capitol Hill, there is a problem of fairness and due process, which requires more respect from the White House and the Senate committee than it has been getting.

A crime has been committed and seven men have been convicted of it. The larger question of who instigated and financed the crime has not been established, and this concerns nothing less than the integrity of the American political process.

After all, both the White House and the Ervin committee say they want to get at the facts and restore confidence in the political process.

Weicker: Unlikely W

Approved for Release 2001/09/04 : CIA-RDP84-00499R000200010002-

By JAMES DOYLE
Star-News Staff Writer

His suit was rumpled navy blue, his tie red-white-and-blue-striped, and there was a small Connecticut flag emblem in one of his narrow lapels.

To most of the visitors and even some of the elevator operators in the Senate, Lowell Weicker remained the anonymous, graying, athletic looking man who at 41 seems a bit young to be a United States senator.

But as he bounded along the corridors of the Capitol from press conference to meeting to yet another press conference yesterday, it was clear that Weicker, after two years, had arrived.

HE HAD SEEMED the least likely to cause any stir when he joined the special Senate committee investigating the Watergate incident.

He is the junior man on the seven-man committee, a hardly noticed freshman who was figured to be a predictable Republican vote in committee deliberations.

But for several days the favorite question on Capitol Hill has been, what is Weicker up to? Is he slightly flakey? A wild man who is blowing his political future in the party? A publicity hound who will destroy the committee's credibility for the sake of a few headlines early in the game?

"I am pretty far out in front on this one," Weicker told an interviewer yesterday. "And that bothers me. No man in politics is hiding behind a plant in the corner. But I am bothered at being this far out in front."

HE GOT THERE BY his own words before the television cameras and in sessions with newspaper reporters. For a week he has slowly built a charge against the top man on President Nixon's White House staff.

On Thursday he called a news conference to criticize the anonymous leaks coming out of the committee, and he warned reporters not to be misled into thinking that presidential campaign disruptions of 1972 were simply a lower level sabotage. **Approving** minor figures.

The real story does much to help the President's

the instigators were still on the White House staff.

On Sunday, Weicker named White House Chief of Staff H. R. Haldeman as the man who probably knew that there was a group of hired men at the Committee for the Re-election of the President involved in political espionage and disruption. He said it was "imperative" that Haldeman testify before the Senate committee.

YESTERDAY, he said Haldeman should resign.

The result each time was large headlines that kept the Watergate case on Page 1, and exerted pressure on the White House to deal with the 9-month embarrassment that doesn't seem to go away.

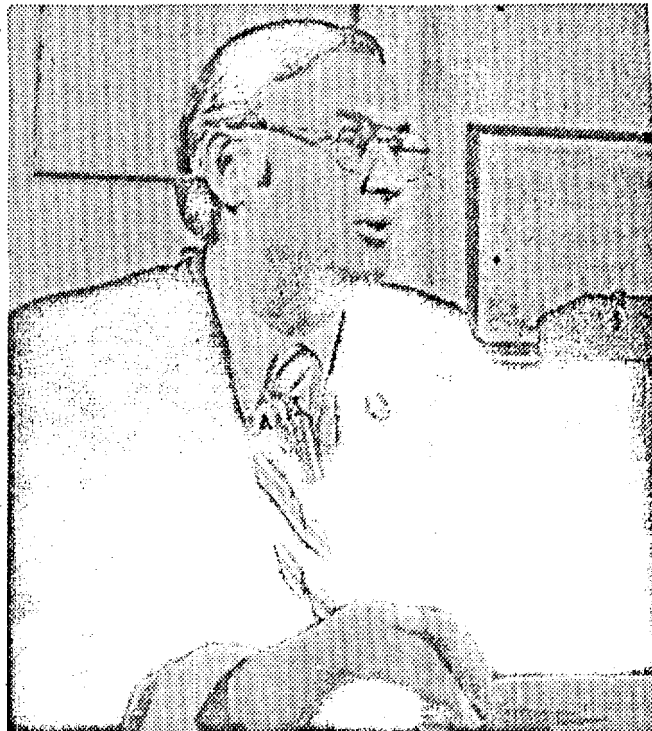
And the result for Weicker was an instant notoriety that was new for him. Yesterday, he began his day with a large breakfast meeting with reporters, and spent a good deal of the rest of the day answering reporters' questions.

Why is he criticizing his fellow Republicans in the White House? "I began speaking out last October, well before the election," he said.

HE WAS STRUCK by the fact that, when reports of the Dita Beard ITT scandal and the Watergate break-in appeared, "the polls showed that the American people were saying, 'well, so what? It goes on all the time.'"

Weicker says, "The hell with it. It doesn't go on all the time, and it shouldn't go on all the time . . . The only way you're going to cure it is to have Democrats batting Democrats over the head and Republicans batting Republicans. Otherwise it becomes either a partisan exercise or a whitewash."

He continued, "This is no professor of political history talking here, or an idealistic student. This has been my life, for God's sake, since 1960 and in every conceivable race — state legislature, mayor, congressman, senator. I have been through the whole gamut and this is totally new to me. And yet the American people clearly have had the impression, and it's been built up over a series of incidents, that this goes on all the time."



Sen. Lowell P. Weicker Jr., talks to ne

"I think the American public as a whole has always attributed to the Democratic party the fact that they were the party of ideas. And they have always attributed to the Republican party that they were the best implementers, the best administrators.

"Now that's on the good side of the ledger. What I am basically saying here today is when it comes to this business of integrity and honesty, I think it's the Democrats who are the most intellectually dishonest, and I think it's the Republicans who in their actual deeds are the most dishonest."

Yesterday, as he spoke to reporters and to two groups of students in the Senate Office Building, his voice was often emotional as he spoke of Watergate.

"PLEASE BELIEVE," he told a group of high school students from across the country who were gathered in the Senate auditorium to hear him, "this doesn't go on all

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Watergate Bloodhound



—United Press International

newsmen.

the time." His voice was weary as he said it.

A young man in the audience rose and said: "If the details aren't revealed it will infect politics. They'll say

Watergate, Watergate, for the next 15 years in every campaign. If it's not cleared up it'll always be there."

Weicker responded, "I think you're showing more political sense than the President is."

Back in his office, the senator was asked if he was concerned that his gunfire of public criticism at the outset might not cause a sort of congressional mistrial that would keep what he sees as the real culprits from ever going to jail.

"TO HELL WITH going to jail," he said. "I don't think that many more people are going to jail. That's what the White House likes to have as the interpretation of Watergate. Who's going to go to jail. That to me is not the essence, to find out how many people we can get to go to jail. The other aspect of the committee mandate is this broad area of activity which may not violate any particular statute, but certainly does tremendous harm to the American ideals, to what applies and doesn't apply in presidential elections.

"There's nothing criminally

wrong, but there's one hell of a lot wrong to push this out at the level of presidential politics. You are setting the standards not only for presidential elections but for everything that goes on below."

What about the White House counter-charges that Weicker is just peddling unsubstantiated gossip?

"Well if it's just gossip and there's nothing to it," he said, "why not have him (Haldeman) come up and testify?" If he disputes me — if he says 'Weicker, you are wrong. You are unjustly pointing your finger at me,' let him say so. Let him come and stand before the Senate committee and describe why it is that I am wrong, that indeed their employment was based on somebody else's say — that the policies were based on somebody else's say . . . I'm saying we're not going to let it hang there.

"I continue to indicate my confidence in the President. I just wish he'd step up to bat and say, 'Look, I was busy running this country and getting us out of this war, and obviously there were some political judgments made in the course of a political campaign which obviously wasn't

my principal concern at the time. And if those wrong judgments were made, I'm going to get all the facts out on the table.

"This is the type of leadership that is called for at this time, and that I think he's totally capable of it.

"But it would have been better nine months ago, or six months ago or last week.

"Eventually the options will no longer be his."

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THE STAR and NEWS A-5
Washington, D. C.
Wednesday, April 4, 1973

By JOHN HOLUSHA
Star-News Staff Writer

FLASH FLOOD WATCH

Watergate Capitalizes on 'Bug'

By Peter Osnos

Washington Post Staff Writer

The plush Watergate complex, site of the celebrated break-in and bugging of the Democratic Party headquarters, has achieved notoriety that makes it a present-day tourist attraction and assures it a somewhat dubious place in history.

That, at least, is the view of Lee Elsen, the amiable vice president of the Watergate company. But he also insists that from a business standpoint, the glossy veneer of the \$77 million apartment-hotel-office complex has not been blemished.

"I think Watergate will go into the language," Elsen observed in an interview yesterday, "like Teapot Dome. Watergate will al-

ways have the connotation of political espionage." Teapot Dome was the Wyoming oil site that came to symbolize the scandals of the Harding administration in the 1920s.

But Elsen contends that the Watergate image is still that of the swankiest address in town—"a new concept in urban living," he calls it—and tenants are flocking in, filling up apartments that sell for up to \$300,000 a clip and offices that carry equally formidable price tags.

As for tourists, Elsen says—and leading sightseeing companies confirm—the Watergate is now pointed out to visitors as they rumble by in buses.

"We tell them that's the

place they've read about in the papers," said one guide.

Watergate has started billing itself as "the best known office building in the world (you surely won't have to explain where you are)".

Recently, Elsen and his colleagues decided to turn their complex's image into a promotional ploy. They took out large advertisements in the Washington papers, The Wall Street Journal and The New York Times declaring: "Don't be bugged with the commonplace. This spring indulge yourself."

"Let us," the ad continues, "put a bug in your ear."

The occasion for the sales pitch was the impending move of the Democratic National Committee that, after six years, is giving up its Watergate offices for

smaller quarters at the Arlington Pilots Association Building at 1625 Massachusetts Avenue NW. ("With 100,000 sq. ft. of space, 100,000 sq. ft. of parking and Democratic experience in burglary," the current DNC newsletter notes, "a new coalition for law and order is possible.")

Elsen says he is sorry to lose the Democrats and even offered them inducements to stay in the form of a relative bargain on rents that now run about \$9,300 a month, but the Democrats had made up their minds.

"We've lost two elections since we've been in the building," Joe Carter, the DNC's director of communications said yesterday. "We're going to get a new office and some new luck."

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'Bug' as Democrats Move

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And then, he added, DNC employees continue to have inhibitions about using their telephones. "There is," he said, "nervous concern. People have to feel confidence in their environment. We're going to emit confidence and win those elections in 1974-76."

After the intruders were caught rummaging through the office and anteroom of then DNC chairman Lawrence F. O'Brien in the early hours of June 17 and the eavesdropping equipment was located, the Democrats installed an elaborate new security system to prevent a recurrence.

A new double lock and alarms were put in at the front entrance, with wires extending elsewhere. The

system, Carter said, turned out to cause "terrific problems," because people would forget, among other things, to use both keys, setting off the alarms.

Building guards, another DNC official said, simply turned off the system because of the noise. Finally, in January, the system was removed.

Despite all the talk of bugs in the new Watergate ad, there is nothing said about improved security. Instead, the building's luxury and amenities are stressed. But Elsen insists that the complex is as safe as it could be. "After all," he said, "the burglars were found by a Watergate guard."

Pleased with the success of the bug theme, Elsen plans to push it further. He

has ordered thousands of tie clasps with small bugs on them to send to prospective tenants and friends.

One of the few big names to have moved out since the break-in is John N. Mitchell, the former attorney general, who was head of President Nixon's re-election committee at the time of the incident.

One additional wrinkle to Watergate's fame is a new strip show at a downtown Washington establishment. The program is called "Watergate Follies!"

Don Costello, the show's master of ceremonies, said that really nothing additional had been added to the usual fare.

"It's like anything in show business," he said yesterday. "It's the popular thing, so you groove into it."

THE EVENING STAR and DAILY NEWS
Washington, D. C., Tuesday, April 3, 1973

Weicker Calls on Haldeman To Resign Over Watergate

By JAMES DOYLE

Star-News Staff Writer

Republican Sen. Lowell T. Weicker Jr. of Connecticut today called for the resignation of White House Chief of Staff H. R. Haldeman, accusing him of responsibility for the Watergate scandal.

"He has to accept responsibility as chief of staff," Weicker said. "I think it would be quite proper for Mr. Haldeman to offer his resignation to Mr. Nixon. It is not proper for Mr. Nixon to sit there and do what Mr. Haldeman should do himself."

Weicker said he had been told by those involved in what he called a general campaign of disruption and sabotage during the 1972 presidential campaign: "We just didn't do

anything without checking with Mr. Haldeman."

Weicker continued to insist that he saw no reason to suggest that the President was implicated. "This matter was turned over to his chief of staff," he said. "That's exactly where I leave it at this point in time. He was winning the election by his conduct in office."

WEICKER SAID he had no evidence that Haldeman had committed or directly ordered any illegal activity. But he said there was clear evidence that Haldeman had complete and direct control of the personnel at the Committee to Re-Elect the President, some of whose employees have been convicted for their part in the Watergate break-in.



SEN. LOWELL WEICKER

Weicker met with a group of newsmen at breakfast before attending this morning's

closed session of the special Senate investigating committee on the Watergate affair.

He said he would ask to open up tomorrow's session with James W. McCord, former security coordinator for the re-election committee and a convicted Watergate conspirator now telling investigators his version of the affair.

WEICKER ALSO said it "is not too late" for President Nixon to order members of the White House staff to cooperate in a full, open airing of the events surrounding the Watergate conspiracy.

Weicker continued to hold out hope that the President would order Haldeman and other members of his staff to testify about their knowledge

and/or involvement of the Watergate incident.

"I DON'T THINK we have heard the final word from the President," Weicker said. "I don't think there's much more time to keep his feet in the cement they are now in."

Weicker conceded, "I don't think his response is satisfactory," but repeated that he saw no direct involvement by the President.

"I think he is going to take some very forceful steps," Weicker said. "I think he wants to have the facts developed too."

Weicker said that he and the other top Republican members of the Senate investigating committee, Sens. See WATERGATE, Page A-6

A-4

THE EVENING STAR and DAILY NEWS
Washington, D. C., Tuesday, April 3, 1973

Watergate: Haldeman Hit

Continued from page A-1

Edward Gurney of Florida and Howard Baker of Tennessee, had sent word to the White House through Senate Minority Leader Hugh Scott that they did not feel it was appropriate for the President to invoke executive privilege in the Watergate matter to keep his aides from testifying.

But Weicker said there had been no response. "There is no change there at all," he said. "I was getting no messages and I am getting no messages now."

White House Press Secretary Donald L. Ziegler said the White House is willing to cooperate with the committee's investigation, but he stressed that Ervin first had a responsibility "to get his own disorganized house in

Star-News Staff Writers Barry Kalb and Robert Walters contributed to this story.

order to that the investigation can go forward in a proper atmosphere of traditional fairness and due process."

Responding directly to Sen. Sam J. Ervin, D-N.C. position that the White House must allow presidential aides to testify under oath, Ziegler reiterated Nixon's earlier position, which precludes such action in most cases.

However, a contempt citation in this case would probably be only symbolic, since Sirica could do no more than jail Liddy for the life of the grand jury which indicted him (it is empaneled through next November), and Liddy, sen-

tenced to a minimum of 80 months in jail by Sirica, is already in jail for more than the life of the grand jury.

Maroulis said that Liddy's reason for not testifying further is to preserve his stand during the appeal of his conviction.

"He has an appeal pending," Maroulis said, "he's a lawyer, he's able to assess the trial record, and he's optimistic about his appeal."

Maroulis added, "He wants to go back to court (for a second trial) the same way he first went to court."

MEANWHILE, U.S. District Court Judge Charles R. Richey, who is presiding over related civil suits, ordered lawyers for the Committee for the Re-election of the Presi-

dent to bring another figure in the case, James W. McCord Jr., to the courthouse tomorrow to take his deposition.

Henry B. Rothblatt, who still represents McCord in the civil cases, argued that McCord could not be made to give his deposition before being granted immunity from further prosecution, and noted that it will be some time before McCord is brought before the grand jury.

Asst. U.S. Atty. Earl J. Silbert told Sirica that the government did plan to call McCord before the grand jury and to give him immunity if necessary, but that McCord must assert his 5th Amendment rights before immunity can be granted.

CRP lawyer Kenneth Wells Parkinson argued that in testifying before the Senate, McCord has in effect waived his 5th Amendment rights. "It's time we have the opportunity to find out what's on his mind, what's motivating him to make these outrageous statements," Parkinson said.

But Rothblatt argued that McCord had waived nothing. Richey said he would decide the matter if and when McCord invokes the 5th Amendment and refuses to answer.

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THE EVENING STAR and DAILY NEWS
Washington, D. C., Tuesday, April 3, 1973

BRUCE BLOSSAT

Watergate, Nixon's Isolation

There is a plausible theory to explain how President Nixon might not have known about Watergate and related political espionage-sabotage even if those 1972 endeavors involved some of his top aides

So far we have only hearsay evidence to suggest that former Atty. Gen. John Mitchell and perhaps White House assistant H. R. (Bob) Haldeman might have played "directional" roles in one or more of these enterprises. Proofs are altogether lacking.

Yet the evidence is of course strong that lesser White House and Nixon re-election committee aides were involved, and three already have been convicted of complicity in the Watergate bugging case. This carries with it a presumption of high-aide involvement and raises the big question about the President's own possible knowledge of these matters.

If it turns out high aides were involved, how could he not know?

The answer, and it is rooted in the aforementioned theory, is that Richard Nixon works in a personal isolation that is so extreme as to be beyond the understanding of most men — including many in the White House itself.

Washington today is sprinkled with a surprising number

of Nixon critics who stop short of asserting that he must have known of this unsavory business if key aides gave it guidance. But they do not stress the isolation factor. And those who do think the President had to know appear to rest their judgment in conventional notions which do not seem to fit him at all.

For instance, it is an easy jump for a good many people to assume that if a man is described as a "confidant" of the President, he naturally has at least fairly continuous and reasonably intimate access to him.

In the view of one significant private source, this assumption is "entirely wrong." The man adds:

"This fellow (Nixon) doesn't talk to anybody that way. Nobody has that kind of relationship with him."

Haldeman, in effect guarding the door to the President's office and generally thought to have the chief say as to whom he sees, is perceived as the most logical candidate for "confidant" in the conventional sense. But my source insists that link is frailer than most imagine, that Haldeman enters the Nixon presence only when summoned and is in no way on a "chatty basis" with him.

The same thing, says the source, applied to Mitchell

when he was attorney general or running the re-election committee. Indeed, it is said, Mitchell's asserted difficulties with Haldeman (noted in a prior report) were partly founded on Mitchell's belief that Haldeman was getting to see Nixon regularly and he wasn't.

-That particular kind of idea, the judgment that since the President does not see many men he must be seeing a great deal of a chosen few, is offered almost as an occupational hazard in the present White House. Again, from my private source:

"All sorts of animosities and even hatreds get going there because everybody in those circles believes Nixon must be seeing someone. But the simple fact is that he is not."

To politicians and observers accustomed to thinking in ordinary terms, so high a degree of personal isolation may not be accepted as believable. I cannot, of course, attest myself to its authenticity. I know only that it was presented to me with great force and conviction as the overriding reality in Nixon's White House relationships. If it is true, it could certainly make plausible his lack of awareness of many things, and explain how little even his key aides know of Nixon.

STAR, 2 Apr 1973, Monday

RICHARD WILSON

Bugging Probe Finally in Proper Arena

In ordering White House aides to appear before a federal grand jury investigating higher-up connections with the Watergate case President Nixon goes part of the way toward clearing the air on this troublesome issue.

But it should not be supposed that this is the end of it for the politically oriented Senate investigation of the affair.

By prior agreement of the Justice Department, transcripts of grand jury proceedings would be available, if the court approves, to the Senate inquiry to test the department's efficiency and integrity in submitting evidence.

Therefore, if White House officials are indicted or not indicted the Senate investigators will be demanding the grand jury record to see if there was a cover-up.

This is as well known in the White House as anywhere else so it must be concluded that the President believes his counsel, John Dean, his top

assistant, H. R. Haldeman, or any others on the White House staff who may be summoned, will be shown to be as "clean as a hound's tooth."

"Executive privilege" is no protection for the White House aides before a grand jury; their only resort if they do not wish to testify is to claim the often stultifying Fifth Amendment against self-incrimination.

On balance, a grand jury under the protection of a federal judge is a better place to explore the highly inflammatory charges against the top echelon at the White House than a Senate investigation.

Whatever the merits of higher-up involvement the methods of its alleged disclosure are enough to make judicial skins crawl.

The highest officials in the White House stand publicly accused of connivance in a sordid crime in an extremely unusual way. The accusation is based upon hearsay of hearsay evidence.

That is to say, reporters

have caused to be published what they say unidentified sources have told them was the hearsay evidence of James W. McCord, a convicted Watergate conspirator, that White House higher-ups had prior guilty knowledge of the Watergate break-in.

Senators, committee employees or others have cast judicial decency to the winds with the abandon of Joe McCarthy. They have given their version for publication of what McCord testified to in secret, closed session with admitted knowledge that what he is alleged to have said is of questionable evidential validity and needs further support.

Someone else will have to judge the responsibility of the press in such affairs, but the officials who informed the press will surely be judged by the ultimate truth of their reports — not just whether or not McCord said it.

This is what the federal grand jury will be probing into, the truth of the uncorroborated charges of a convict-

ed conspirator seeking clemency from the court and immunity from any further prosecution.

Dean, if called before the grand jury, can do no less than present a convincing case of what he has already assured President Nixon, that he had no part in or knowledge of the Watergate break-in.

Former Atty Gen. John Mitchell will do the same, if called, as would Jeb Magruder, a presidential assistant, and Haldeman. All will be under oath and subject to perjury prosecution if it can be proved they lied.

The present indications, however, are that the inquiry will go beyond the Watergate case itself into the area vaguely called "political espionage and sabotage." Beyond trying to embarrass Sen. Edmund S. Muskie in his pre-convention presidential campaign, and some other silly incidents, there is no clear indication of what this activity would be.

HS/HC-858

McCord Implicates Mitchell in Watergate

By ROBERT WALTERS

Star-News Staff Writer

A witness before a Senate investigating committee says he was told that two of President Nixon's closest political advisers, John N. Mitchell and Charles W. Colson, had advance knowledge of Republican plans to break into and "bug" Democratic party headquarters at the Watergate.

Testifying under oath but relying upon second-hand information, James W. McCord Jr. yesterday added the names of those highly placed Republicans to his list of persons who had prior knowledge of plans for the break-in, according to reliable sources. McCord reportedly said he was told Mitchell specifically authorized funds for Watergate.

Mitchell was Nixon's 1968 campaign manager and held a similar post in the President's

Star-News staff writers James R. Polk and Barry Kalb contributed to this report.

political organization last year, but resigned to return to private law practice in New York shortly after McCord and four other men were found inside the offices of the Democratic National Committee at the Watergate last June.

Mitchell, attorney general during Nixon's first term of office, had repeatedly denied any involvement in the Watergate affair, as has Colson, a key political aide and special counsel to the President who also has left the government to practice law.

Today a re-election committee spokesman issued the following statement on Mitchell's behalf:

"I deeply resent the slanderous and false statements about me concerning the Watergate matter reported as based on hearsay and leaked out of the Ervin committee. I have previously denied any prior knowledge of or involvement in the Watergate affair and I again reaffirm such denials."

McCord testified at a closed session of a special Senate committee, which imposed a strict secrecy rule on all persons present during his 4½ hours of interrogation at the Capitol.

But highly qualified sources, including several individuals who were in attendance, said McCord identified G. Gordon Liddy, another of the men arrested at the Democratic headquarters, as the source of his information about the involvement of Mitchell and Colson.

(The Los Angeles Times today quoted an informed source as saying, "McCord testified that Liddy told him of attend-

ing a meeting in February 1972, in Mitchell's office, where a general program of bugging and photographing documents useful in the election campaign was discussed."

("McCord said under oath that E. Howard Hunt Jr. and G. Gordon Liddy had told him that Mitchell, White House counsel to the President John W. Dean III and Jeb Stuart Magruder, deputy director of Mr. Nixon's re-election campaign, had approved the operation, the Times' source was quoted as saying.)

But those present at yesterday's hearings said McCord was firm in his recollection that Liddy, a former White See WATERGATE, Page A-10

EVENING STAR

Thursday, 29 MAR 1973

HS/HC-558

Watergate: Account Is

Continued From Page A-1

House aide who was widely acknowledged to be the principal planner of the Watergate break-in, had told him that Mitchell had specifically authorized the use of Nixon campaign money for the Watergate activities.

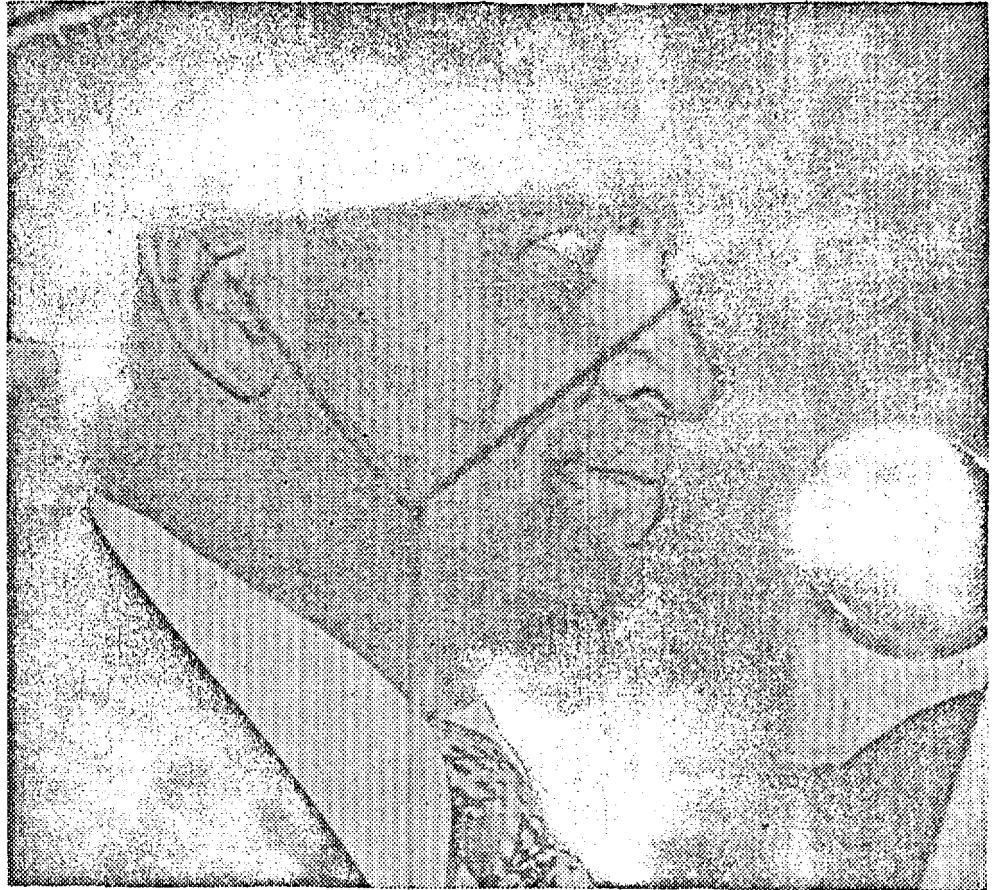
During the past several days, Nixon aides, apparently aware of what McCord might tell the committee, have been privately circulating reports that Liddy's accounts of what transpired within the Nixon re-election committee last year could not be considered reliable and McCord's repetition of that information would constitute irresponsible hearsay testimony.

Sources close to the committee acknowledged that McCord's testimony about Mitchell and Colson was based on unconfirmed accounts which McCord had not been able to corroborate thus far.

Testimony at the trial of McCord, Liddy and five other men convicted in connection with the break-in showed that Mitchell had approved the transfer of \$199,000 in Nixon campaign funds to Liddy, but Republican officials have insisted that Mitchell and other campaign leaders authorized the expenditure of funds only for surveillance of radical political groups and individuals and knew nothing about the Watergate plan.

In spite of the Senate committee's secrecy rule, Sen. Howard H. Baker Jr., R-Tenn., the ranking minority member and the chairman during yesterday's session, last night gave some details of what transpired.

"I found Mr. McCord cooperative with the committee, and he gave us useful information. He named names and discussed a wide range of subjects," Baker told members of the Washington Press Club. "His attorney was with him to advise Mr. McCord, and Mr.



—United Press International

James McCord leaves Capitol Hill after his 4½-hour, closed-door appearances before the Senate committee hearing on the Watergate.

Dean and Mr. Magruder were discussed, but so were other names."

Baker was referring to John W. Dean III, Nixon's White House counsel, and Jeb. S. Magruder, deputy director of the Committee for the Re-election of the President, both reliably reported to have been identified by McCord as having prior knowledge of the Watergate affair when he was interrogated by the committee's staff late last week. Both Dean and Magruder have denied having advance knowledge of the plot.

Other sources familiar with

the committee's work said the senators are pressing McCord to document his allegations that important information relating to the Watergate affair was suppressed during a trial in U.S. District Court earlier this year.

McCord has been asked to return for a second day of interrogation on Wednesday, and those sources said the principal reason for that decision was the legislators' insistence that he substantiate as firmly as possible the controversial charges.

"Find out what McCord promised to bring (the com-

mittee meeting) next week said one of those present yesterday's session. "Tell your story." He declined elaborate.

Another source, also knowledgeable about the committee's operations, confirmed that account and said McCord had been pressed to provide "documentation" and "substantiation" to back up his charges, but he also declined to explain specifically what was requested of the witness.

Following yesterday's meeting, Baker said McCord would again testify under oath next week. "There are broad ar-

Given of Mitchell Role

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which he'll need to prepare for," said Baker, who repeatedly refused to answer newsmen's questions about whether McCord had furnished any documents to the committee at the initial meeting.

Baker Vague at First

Baker's comments at the conclusion of the meeting were notably vague: "We covered a lot of territory. He gave us a lot of information . . . It was significant information . . . We covered a wide range of material. The witness was generally cooperative."

But only a few hours later, Baker abandoned his position that specific details of what transpired could not be released to the press or public. In his Press Club appearance, he said Dean, Magruder and "other names" all were discussed.

McCord, the former security chief for both the Nixon reelection committee and the Republican National Committee, was one of seven men convicted in federal court here of breaking into the headquarters of the Democratic National Committee and attempting to place electronic eavesdropping devices in the party offices.

Following his conviction, McCord wrote to Judge John J. Sirica, who presided over the trial earlier this year, and alleged that perjury was committed during the trial, that some of the accused were pressured to plead guilty and that testimony about the involvement of some individuals was withheld from the court.

McCord originally promised to provide details about those events to Sirica, but the judge yesterday said that since McCord already was testifying before the special Senate panel, formally known as the Select Committee on Presidential Campaign Activities, and also was scheduled to appear before a grand jury, there was "no need to go forward with the private conferences between Mr. McCord and the court."

Of the seven members of the Senate committee, only its chairman, Sen. Sam J. Ervin Jr., D-N.C., was absent from yesterday's meeting, which began at 1:30 p.m. and concluded at 6 p.m. Ervin was in North Carolina because of the death of a brother.

McCord emerged from the session silent and subdued. Allowing his lawyer, Bernard Fensterwald of Washington to fend off most of the newsmen's questions, McCord spoke only twice. In a voice that was almost inaudible, he

said: "I can't comment any further at this point. I'm sorry."

Another defendant in the court case, E. Howard Hunt Jr., was to testify again today before a grand jury. Hunt yesterday refused initially to answer the grand jury's questions on the grounds that the proceedings violated his Fifth Amendment rights against self-incrimination.

But Sirica granted Hunt immunity against prosecution stemming from disclosures made before the grand jury, thus forcing Hunt to either testify or risk a contempt-of-court citation.

Hunt then testified for more than four hours, and Earl J. Silbert, the assistant U.S. attorney in charge of the case, said Hunt would be questioned for much of the day today.

Meanwhile, attorneys for Liddy, who faces an immunity hearing before Judge Sirica tomorrow, filed a motion today contending that he should not be made to testify before the grand jury even if granted immunity.

In a related civil case, attorneys for the Democratic National Committee and former Democratic National Chairman Lawrence F. O'Brien asked U.S. District Judge Charles R. Richey yesterday for permission to take depositions from the six defendants now in jail—all but McCord.

The request was contained in a motion filed at the courthouse. It did not say whether a deposition would also be requested of McCord, but presumably one would. All seven

men are now included among the defendants in the Democrats' suit.

The Democrats also revealed in court papers that Phillip S. Hughes, director of the Office of Federal Elections in the General Accounting Office, appears willing to turn over to the plaintiffs whatever relevant material his office has.

However, Hughes noted in a letter to the Democrats' attorneys dated March 27 that the Democrats' motion for the GAO documents was directed to the executive branch of the government, and the GAO comes under the legislative branch. If this minor error is rectified, Hughes indicated, he will comply. Richey still has to rule on whether the Democrats are entitled to the GAO material.

Mathias Sees Urgent Need For Truth on Watergate

Sen. Charles McC. Mathias, R-Md., picking up a theme heard increasingly among Republicans, said today that everyone involved in the Watergate affair should step forward and tell the truth—or risk a further poisoning of public faith in the integrity of the political system.

He called for a "greater sense of urgency among public officials, from the President on down, for getting at the truth.

"I'm tired of hearing how 'they all do it in Washington,'" Mathias said in a Senate speech, "and I want to hear more of 'it may have been that way once but it's not that way anymore.'"

Three major cases of political ethics face the Senate today, Mathias said—Watergate, ITT's influence on foreign policy and L. Patrick Gray's position as acting director of the FBI.

'Confusion of Loyalties'

"The common question that must be answered in all three," Mathias said, "is whether the persons involved gave a greater loyalty to some lesser interest than to the Constitution.

"This problem of confusion of loyalties has poisoned public ethical behavior and lies at the heart of the skepticism about government and politics."

truth and for a rejection of partisanship.

"In this task our only tool is truth. And it is truth that usually suffers first when loyalties are divided."

He said all public officials now share the responsibility to face the truth. All took an oath to defend the Constitution above any personal interests, he said.

Senate Democratic Leader Mansfield praised the speech as a moving "statement of conscience" and said he thoroughly agreed. Republican Leader Hugh Scott added that he, too, is "deeply disturbed" at developments that have "tainted the political process."

Scott said many Republican senators are concerned about the impact of the Watergate case on their own party. He said the facts should all be gathered and made public in the fullest possible disclosure of what went on.

Sen. William V. Roth Jr., R-Del., meanwhile, joined the call by GOP Sens. Norris Cotton of New Hampshire and John G. Tower of Texas for President Nixon to reverse himself and let presidential counsel John W. Dean III testify before the Senate's Watergate investigating committee.

"I feel very strongly that what transpires in the executive branch" the Delaware Republican said in a statement, "adding to the confusion of the

and any other members of the administration who may have personal knowledge of the Watergate affair would be made available to the committee."

Meanwhile, Republican party Chairman George Bush today called the Watergate scandal a "grubby business" that should be "cleared up."

Bush was asked about Watergate by a young Republican, who said he gets a lot of questions about it back in Wyoming. The youth, attending a party youth leadership conference, wanted to know how to handle the matter.

"I think you ought to say you don't like it, it's grubby, it's bad for the image of politics and you want to see it cleaned up," Bush replied.

Later Bush told newsmen that it is too early to fully assess the effect of the Watergate scandal on the party. He said that if it is "promptly and fully cleared up" it would have no adverse affect but if it drags on it will.

He said the recent revelations by James McCord, one of the men convicted in the Watergate case, "deepens my concern" and is affecting people across the country.

"There appears to be a growing concern about it. There's no point in hiding it. It's not good for the political process or the Republican party," he said.

But he said he does not believe that President Nixon is hiding anything.

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The Evening Star

and

The Washington News

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JOHN H. KAUFFMANN, *President*

NEWBOLD NOYES, *Editor*

A-10 **

TUESDAY, MARCH 27, 1973



Dean's Attorney Warns Media on McCord Story

Thomas F. Hogan, attorney for White House counsel John W. Dean III, has made a number of telephone calls to news organizations relating to recent statements made about the Watergate case, but says he does not want to talk with reporters.

Hogan has been calling to suggest that Dean might sue for libel if reports are published that Watergate conspirator James W. McCord Jr. has said Dean was involved in the plot.

The report was first published by the Los Angeles Times yesterday. The Times said that in conversations over the weekend with the counsel for the special Senate committee investigating the case, McCord said both Dean and Jeb S. Magruder, former dep-

uty director of the Nixon campaign, had advance knowledge of the bugging plot.

Yesterday, the Washington Post, in a story quoting the Times report, said that Hogan had called Sunday night to say that the Times story was "absolutely untrue" and had "no foundation in fact."

Hogan "said that Dean would resort to litigation if the story were printed without checking and verification," the Post reported.

It also said that Hogan had said, when told his disclaimer would be reported, "That will be part of the issue if you quote me without permission, and I do not give you my permission."

Hogan, a Rockville lawyer, said in a telephone interview last night that during the day

he had also called the television networks and the wire services with his threat of libel action. He did not say whether he had called the Los Angeles Times Sunday night.

White House Press Secretary Ronald L. Ziegler said yesterday in Key Biscayne, Fla., that the President had talked to Dean yesterday morning, and discussed the Los Angeles Times story with him.

"Following that conversation, and based on that conversation," Ziegler said, "I will again flatly deny any prior knowledge on the part of Mr. Dean regarding the Watergate matter."

"Now, I should also tell you that the President has complete confidence in Mr. Dean and wanted me again, here this morning, to publicly express President Nixon's absolute, total confidence in Mr. Dean in this regard."

A reporter asked Ziegler: "The attorney for Mr. John Dean is reported to be calling major news media, television networks, radio networks and wire services implying that he is preparing to file libel suits against any member of the media who repeats what he discerns to be the L.A. Times libel against Mr. Dean. Were these calls placed prior to or following his conversation with the President?"

Ziegler replied: "No, it is my understanding that those calls were placed prior to the conversation with the President. Of course, that is Mr. Dean's prerogative as a citizen, to proceed as he feels appropriate when he has been falsely maligned, as he has, apparently as a result of this particular story. I can only tell you that the charges against Mr. Dean are false."

GOP Is Edgy on Watergate

By PAUL HOPE

Star-News Staff Writer

Republican officials and political operatives are becoming increasingly apprehensive about the potential effect of the Watergate bugging scandal on the Republican party.

And they appear to be getting increasingly impatient with what many consider White House ducking of the issue.

At least four senators have stated publicly within the past two days that it's time to make a clean breast of the affair.

The most outspoken GOP member of Congress on the issue has been Sen. Lowell P. Weicker Jr. of Connecticut, a member of the Senate committee investigating the break-in and bugging of Democratic headquarters.

Weicker has been joined in his call for more candor from

the White House by Republican Sens. John G. Tower of Texas, James L. Buckley of New York and Norris Cotton of New Hampshire.

More than nine months have passed since the Nixon campaign and the Republican party were first tied to the Watergate break-in by the arrest of James W. McCord Jr., security chief of both the Republican National Committee and the Committee for the Re-election of the President.

During that period, spokesmen for both the White House and the campaign organization have offered denials, rebuttals, criticism and refutations of press accounts reporting further links to the controversy, but neither organization has volunteered information on the extent of any involvement.

A spot check of Republican

officials indicated a general feeling that the scandal has not made a major impact on the party's prospects in future elections, but there was considerable feeling that if the case drags on it could.

"The end of the rope isn't known yet. I suppose when they hang that guy at the end, we'll find how much impact it will have. The quicker it happens, the better off we'll all be," said one Capitol Hill political operative.

"To pick up the paper each day and read the latest chapter is rather snattering. Everybody deplores it," said one source.

There is a good deal of reluctance by governmental and party aides to be quoted on the matter for fear of getting in trouble with the White House. Although none of those contacted thought President Nixon had knowledge of the bugging, nearly all thought the White House has handled the matter badly.

Weicker, in an interview this week, said specific violation of law was "not the only issue" involved, although "some people in the administration would like to have it drawn that way, as narrowly as possible."

When Weicker was asked, if he believed that there are such persons, presidential advisers, who knew of or condoned the Watergate or other political espionage or sabotage?" he replied: "Sure, sure, I am not referring to the President of the United States, but those around him . . . My sources, which I can't divulge, have a thorough disgust with the men around the President."

"Do I have a broader picture that I am trying to substantiate. The answer is yes," Weicker said. "Do I think it goes beyond Watergate? The answer is yes."

The Watergate affair was discussed yesterday at a luncheon of the Senate Republican Policy Committee. While details were not revealed, two party leaders afterward urged the White House to tell everything it knows about the case.

Cotton, chairman of the Republican Conference, said he hoped President Nixon would let White House counsel John W. Dean III come to Capitol Hill to testify. Dean has

been linked closely to the Watergate case in the latest developments, but Nixon has invoked "executive privilege" to prevent him from testifying.

Cotton said the "more you prolong some kind of mystery or scandal" the worse it is.

"It's poor tactics," he said. "Nothing that could be brought out would be as detrimental as dragging this thing out."

Tower, head of the GOP Policy Committee, said it would be "in the best interest of the White House if all is bared and cleared up."

Buckley, one of Nixon's strongest supporters in the Senate, said that nothing should be kept under the table.

John S. Andrews, Ohio Republican chairman and head of the Association of State Party Chairmen, said he hasn't detected any major political impact on the party so far but "if it's still in the headlines in 1974 it could have an adverse effect."

Less Media Attention

Andrews said one of the reasons it hasn't had a major impact across the country probably is that news media in the states don't carry as much about it as the media in Washington.

"We don't get the same kind of detail and headlines here (in Columbus) that you do in Washington," he said.

But some party sources said they believed more people around the country are becoming aware of it.

One source said, for example, that a group of Minnesota students were in the Republican party headquarters on Capitol Hill the other day and their questions dealt with two main subjects: the Watergate case, and campaign financing.

One source said there is a growing feeling among Republicans that "the President is out on a limb and that maybe some people lied to him."

There has been some concern that new disclosures in the case might affect sale of tickets to the \$1,000-a-plate dinner scheduled May 9 to raise funds for the 1974 House and Senate Campaigns. But aides said only a "minimum" of people declining to buy tickets have mentioned the Watergate as a reason.

A Role in Watergate Probe

By BARRY KALB
Star-News Staff Writer

The Watergate case prosecution, which had access to the fruits of the entire investigation, concluded that at least two of the bugging conspirators—E. Howard Hunt Jr. and G. Gordon Liddy—were involved in other kinds of political intelligence activity.

But the prosecutors concluded that this other activity was not illegal. So it is probably not a focus of questioning during Hunt's grand jury appearances yesterday and today.

For his part, Hunt told reporters the day he pleaded guilty that, as far as he knew, the conspiracy was not wider than outlined by the government. And Hunt's attorney, William O. Bittman, told reporters yesterday that his client sticks by that statement.

Therefore, it appears for the moment at least that Hunt is not going to provide the grand jury with the information it is seeking—about the involvement of others in the bugging.

But that "other" activity that the prosecution tripped across is precisely the kind of thing a special Senate committee has been set up to investigate, and one man close to

Hunt says Hunt might be considering telling the Senate committee what he knows.

This source, after carefully differentiating between the bugging conspiracy and other types of political spying, says that Hunt at least has not closed out his options on the matter.

"I think it's safe to say that he hasn't decided what he plans to do," the source said.

To volunteer information, as Hunt's fellow conspirator, James W. McCord, is now doing, would seem to be to Hunt's advantage.

On Friday, Chief Judge John J. Sirica of U.S. District Court sentenced Hunt and the four who pleaded guilty with him to provisional sentences, and indicated that if they cooperated with the grand jury and the Senate committee he might be lenient when the time for final sentencing comes.

If McCord backs up his revelations of the last several days with evidence, the cat will be out of the bag anyway, so Hunt's continued protection of other parties—if that is what is involved here—would appear to be a meaningless gesture.

In his now famous letter to Sirica last week, McCord wrote: "There was political pressure applied to the defendants to plead guilty and remain silent."

Quibbles Over Pressure

McCord met with the counsel to the Senate committee, Samuel Dash, last weekend, and, according to the Los Angeles Times, told Dash that Hunt had pressured the four Miami defendants — Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez — to plead guilty.

Asked about this yesterday, Bittman was unequivocal in his reply. "I am confident, knowing the facts as I know them, that Mr. Hunt put no pressure on the Cubans (the Miami defendants)," Bittman said, emphasizing the word pressure.

He also said firmly that "there was no political pressure put on Mr. Hunt to plead guilty by anybody."

Another knowledgeable source, not Bittman, indicated later that Hunt did discuss the situation with the four men, whom he had recruited for the bugging conspiracy and who had worked under him during the 1961 Bay of Pigs invasion.

He might consider pleading guilty, as he was then planning to do, this source said.

But the source emphasized that this would be normal under the circumstances, and in no way amounted to pressure.

Hunt, Segretti Linked

Government sources have told The Star-News that in early 1972 Hunt, then a White House consultant, appeared to have been providing political information to Donald H. Segretti. According to FBI records, Segretti was hired by former White House aide Dwight Chapin and paid by Nixon attorney Herbert Kalmbach to engage in harassment of Democratic campaigners.

Aiding Hunt in this, according to the government, was Liddy, who so far has refused to answer any questions before the grand jury. A motion granting Liddy immunity and compelling his testimony is pending before Sirica.

Government sources said they had no definite proof, but it appears that Hunt was providing Segretti with information he had obtained from Thomas J. Gregory, a Brigham Young University student whom Hunt hired last year to infiltrate the Muskie and McGovern campaigns.

There have also been reports, confirmed in part by government sources, that at one point Hunt became involved in the Dita Beard-ITT controversy of last year with the knowledge, and perhaps the encouragement, of former Nixon adviser Charles W. Colson.

Must Be Talking

Hunt may decide to expand on this kind of information before the Senate committee, a decision which would undoubtedly be looked upon favorably by Sirica.

What Hunt is telling the grand jury has not been learned. After being brought to the grand jury room in handcuffs yesterday afternoon, he stayed inside for over an hour before the session was adjourned for the day.

Asst. U.S. Atty. Earl J. Silbert emerged to say that Hunt would resume his testimony today. Significantly, perhaps Silbert said there were no plans to bring Hunt back before Sirica for an order compelling him to testify, so whatever Hunt is saying, he apparently is saying freely.

McCord Senate Panel 'Confer' on Watergate

The special Senate committee investigating the Watergate incident opened its inquiry today with closed-door questioning of James W. McCord Jr.

McCord, who contends that perjury and political pressure kept the public from learning the truth during the January trial of criminal charges growing out of the Watergate bugging, was the first witness to be questioned by the panel.

One of seven men convicted of breaking into the headquarters of the Democratic National Committee last spring and planting eavesdropping devices, McCord is the former security chief for both the Republican National Committee and the Committee for the Re-election of the President.

Letter to Judge

In a letter written last week to Chief Judge John J. Sirica, who presided over the trial, McCord alleged that some witnesses failed to tell all, that some defendants were under political pressure "to plead guilty and remain silent" and that "perjury occurred during the trial."

McCord was interviewed last Friday and Saturday by Samuel Dash, the Senate committee's majority counsel. On Sunday, Dash told a press conference that McCord had identified others who had prior knowledge of the conspiracy, but Dash refused to reveal the names.

The following day, the Los Angeles Times said those implicated by McCord were Jeb S. Magruder, deputy director of President Nixon's political organization during last year's election campaign, and John W. Dean III, Nixon's White House counsel.

Secret Meeting

McCord, Dash and Fred Thompson, the committee's minority counsel, met secretly Monday night, and McCord was reliably reported to have refused to make any more disclosures to Dash, alleging that Dash had informed newsmen and violated a pledge of secrecy.

McCord, according to qualified sources familiar with the situation, insisted upon meeting either with Sam J. Ervin Jr., D-N.C., the committee chairman, or the other seven-man committee in either executive or public session.

Dash confirmed yesterday that the Monday night session had occurred. When asked if McCord had refused to provide additional information to the committee's staff members, Dash said "I think it's correct to say he wanted to go before the full committee."

Weicker Outvoted

Yesterday at a committee planning session, Sen. Lowell P. Weicker, R-Conn., was understood to have pressed for a public hearing for McCord, but was reportedly outvoted 5-1, with Sen. Joseph M. Montoya, D-N.M., abstaining.

The committee vice chairman and ranking Republican, Sen. Howard H. Baker Jr. of Tennessee, was to preside over today's meeting because Ervin is returning to North Carolina to attend his brother's funeral. Both senators insisted yesterday on calling today's meeting with McCord an "interview."

Said the chairman: "I've always been of the conviction you ought not to put a man in a public chair until you know what he's going to say." Baker noted, however, that McCord "will be under oath" and could face perjury charges if he is not truthful.

Asked if McCord would be granted immunity from prosecution for any illegal actions which might be disclosed in his Senate testimony, Baker refused comment. He indicated that the committee had reached a decision on that question but was not prepared to disclose it.

Mrs. John Mitchell yesterday called the New York Times and said she fears for her husband, the former attorney general. Mrs. Mitchell claimed unnamed persons were trying to make Mitchell "the goat" in the Watergate bugging case.

According to the Times account, Mrs. Mitchell said: "They're not going to pin anything on him. I won't let them, and I don't give a damn who gets hurt. I can name names."

In a related development, DeVan L. Shumway, spokesman for the Nixon campaign committee, acknowledged that the political organization was planning to hire additional lawyers and possibly public relations firms to handle the continuing controversy.

The committee was ostensibly established for the sole

purpose of running President Nixon's campaign last year, a goal which it accomplished 4½ months ago.

"Because of all the legal cases in which we're involved," said Shumway, "the committee's lawyers feel that they need assistance from the committee" in retrieving documents, preparing background memos and similar tasks.

Shumway said the Nixon campaign committee still faces as many as seven civil suits, most of them relating to the Watergate controversy. As a result, he said, there are plans to hire additional lawyers.

"We don't know how much capability we'll have to add to our public affairs office," he said. "But as we get closer to the (Senate) hearings, we'll probably increase our staff."

Shumway said "we haven't added a soul yet" and denied a report that the decision to increase the staff was made at the White House. "I know of no orders from the White House for beefing up our staff over here," he said.

Testimony Sought From Watergate 5

The government was expected to start bringing the five men who pleaded guilty in the Watergate conspiracy before the grand jury today.

At the scheduled sentencing of the seven conspirators Friday, Chief Judge John J. Sirica of U.S. District Court gave only provisional sentences to the five who had pleaded guilty. Sirica strongly suggested that their final sentences might be more lenient if they voluntarily cooperated with the grand jury and the special Senate committee investigating the bugging plot.

The five are E. Howard Hunt Jr., Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez.

At the time Sirica told the government to give the five a full week to think over his suggestion. However, at a meeting with the judge this morning, the three prosecutors asked if they could begin bringing the men in before Friday.

A hearing was scheduled in open court for this afternoon at which the government was expected to request and receive formal permission to begin questioning the men early. The meeting was also at-

Related Stories on Page A-2.

tended by Samuel Dash and Fred Thompson, the majority and minority counsels to the special Senate committee.

Nobody would discuss the details of the meeting with reporters, but there were indications that at least one topic of discussion was ground rules for the calling of witnesses before the two bodies and releasing of information obtained by either body.

Sunday, Dash held an unexpected press conference to reveal that James W. McCord Jr. had spoken with him over the weekend and provided him details about the bugging plot.

Dash was criticized yesterday by Sen. Howard H. Baker Jr., R-Tenn., ranking minority member of the Senate committee, for making public statements about the case without consulting committee members.

Dash refused any comment today as he emerged from Sirica's chambers. "It's not appropriate to discuss anything we discussed with the judge," Dash said.

Sirica also refused to comment. See WATERGATE, Page A-6

Liddy Hinted As Addressee Of Bug Logs

By BARRY KAIB
Staff Writer

The mysterious person to whom logs from the wiretap at Democratic National Committee headquarters were addressed one night last June might have been none other than convicted Watergate conspirator G. Gordon Liddy.

According to government sources, in the midst of the trial in January the prosecution was told — by a person whom the sources will not identify — the name on the envelope containing the logs. The sources said the prosecution felt the information was "hearsay," so it was inadmissible as evidence.

But the information provided by these sources suggests that it was Liddy's name, and this seemed to be confirmed yesterday when the prosecution revealed in open court that, in a hearing before the Watergate grand jury, Liddy was not in fact Liddy. It was not in fact Liddy that appeared on the envelope.

Liddy, according to Asst. U.S. Atty. Seymour Graner, refused to answer any questions put to him by government attorneys. Liddy's attorney, Judge J. Edgar Sirica of U.S. District Court, to grant Liddy immunity from prosecution and compel him to testify, and Sirica said he will hear arguments on the matter Friday.

The question of the missing name has been a recurring one ever since October, when the Los Angeles Times published an interview with the man who said he was assigned to operate the notorious wiretap, Alfred C. Baldwin III.

Baldwin, an ex-FBI agent, said he was hired for the committee for the Re-election of the President May 1 by James W. McCord Jr., one of the convicted Watergate conspirators. McCord was then security chief for the committee and

the Republican National Committee.

Baldwin said that in late May he was ensconced in a room at the Howard Johnson's Motel on Virginia Avenue NW — across the street from the Watergate Office Building, where the Democratic headquarters was located — monitoring a telephone tap.

He testified that he regularly made logs of the day's conversations and turned them over to McCord. No recordings of the conversations were ever made, he said.

On June 7, however, Baldwin said, McCord telephoned him from Miami and told him to deliver the day's logs personally to the Nixon re-election committee.

Baldwin said McCord gave him a name to whom the logs were to be delivered, which he first wrote on a piece of paper, and then on the envelope containing the logs. He said that during the grand jury hearing by the FBI and the grand jury with two Los Angeles Times reporters, and on the witness stand, at the trial Baldwin insisted he could not remember the name.

He did say the first name sounded like a last name: that the last name was difficult to spell, and that it was not, as far as he recalled, the name of any member of the re-election committee whom the FBI had interviewed by the time Baldwin decided to cooperate in early July.

Sirica took over the questioning of Baldwin at one point during the trial, and pressed him for the name. When Baldwin insisted he could not remember, Sirica implied he thought Baldwin was lying. In his bombshell letter to Sirica last week, McCord says: "Some statements were unfortunately made by a witness which left the court with



G. GORDON LIDDY

the impression that he was stating truths, or without knowing facts of his knowledge, when in fact only honest errors of memory were involved.

Government sources feel that referred to Baldwin, and following the reading of the letter last Friday revealed to a reporter that either during or just after Baldwin's trial testimony, someone told them whose name Baldwin had been given.

Liddy, according to testimony, refused to cooperate with the FBI — the official reason given by committee officials for his being as counsel to the committee's finance arm — and therefore his name would not have been on the FBI list of committee members interviewed.

Baldwin testified that he was introduced to Liddy during the conspiracy only as "George" — Liddy's first name. Baldwin went to the FBI to tell his story in early July — in the Times story he says his first full statement was given on July 10 — but Liddy's name was not made public in connection with the case until the news reports of July 23. Therefore, the name Gordon Liddy would not have been familiar to Baldwin, and he conceivably could have forgotten it.

An interesting question that remains is who gave the name to the prosecution. The only person other than Baldwin who definitely knows was McCord, who has decided since the trial to cooperate with the government.

Watergate Case Acquires Hiss Tone

By MARY MCGRODY
Staff Writer

The Republicans are getting extremely nervous about the Watergate. The case took a bad turn over the weekend and overtones of the Alger Hiss imbroglio, the affair that made Richard Nixon a household word and launched him on the long and bumpy road to the White House, have crept in. Back then, in 1948, the public had to decide which of two men had better: Handsome McPherson, the former ambassador to the Soviet Union, or the unimpeachable, economic Whitaker Chambers, the Communist turned-Quaker who was Hiss' accuser.

Right now, the Watergate is at a comparable pass. The public is caught between an equally ill-assorted pair: John W. Dean III, former's darling and President Nixon's counsel, who at 31 looks like Gainsborough's Blue Boy grown up; and James W. McCord Jr., the aging, secret agent, ex-operative for the FBI and the CIA, the convicted burglar caught red-handed at Democratic headquarters in the small hours of June 17.

More to Say
At the prompting of John J. Sirica, the indignant and determined federal judge who presided over the Watergate trial, McCord on Friday announced that he had something more to say. Over the weekend he told Samuel Dash, the counsel of the special Senate Watergate Committee, that John Dean — as well as Nixon campaign official Jeb Magruder — knew about the Watergate raid before it happened.

McCord never opened his mouth during the trial. He sat facing the bench throughout, and all the press saw was the back of his head with his round bald crown like a monk's tonsure. Face to face, he is trustworthy. Face to face, he is trustworthy. Face to face, he is trustworthy. Face to face, he is trustworthy.

An exchange of correspondence seems inadequate to the crisis McCord has created. In his last press conference, Nixon invoked the Hiss case. He, the demon investigator congressman, was denied FBI access by a Democratic pressman. The memory still rankles. The Hiss case, after all, involved espionage against the U.S. The Watergate, he indicated, was a far lesser thing, involving only espionage by one political organization against another.

But the Watergate has been framed from a question of political strategy. It is a case of institutional sabotage. McCord, when he announced his dramatic change of heart, said he could speak only to the judge. He doesn't trust Rich-

Point of View

Of course I have personal considerations, McCord said frankly. But it's much broader than that: the other hand has had nothing to say. His denial here makes sense. Ronald Ziegler, the President's ex-pressman, "absolutely trust" in him. Twenty-five years ago, Secretary of State Dean Acheson refused to turn his back on Alger Hiss.

Dean also has something to gain by speaking up, namely the restoration of his good name. If McCord is telling the truth, then Dean, who was conducting an investigation of the Watergate case for the President, was investigating himself. He gave a clean bill of all "presently" employed by the White House last August.

Dean was brought into the affair by L. Patrick Gray, who unwarily confided to the Senate Judiciary Committee examining him for confirmation that he had turned over all his FBI reports to Dean. If McCord is telling the truth, Dean knew much more than Gray, with whom, as far as we know, he shared none of his inside dope.

Nothing to Hide?
The President told Senate Republican Leader Hugh Scott last week that he has "nothing to hide" and to pass the word along. But he won't let Dean out of the White House to answer Senate questions. The senators, he said grandly, could submit questions in writing, to which Dean would pen replies.

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MARY MCGRODY

and Nixon's Justice Department, and he doesn't trust Richard Nixon's FBI. On the basis of what has been learned so far, many Americans are beginning to share McCord's dark suspicions about those two impartial agencies. The options facing the President are unpalatable. He must either tell John Dean to speak up or get out of the White House. James McCord has made it imperative for him to do something.



57 POWs Are Freed As Last Releases Begin

By GEORGE ESPEY
Associated Press Writer

stage in the release of the Vietnam war began as the United States of the last 5,236 American.

had been held up by is captured in Laos. id commercial transport a birds" by GIs leaving from Saigon's Tan Son American troops during afternoon. Another 1,800 ave tomorrow, and 2,500

rn of troops, the United Soeing 747 Jumbo jets west Orient and Pan aration tomorrow, United orted.) t Cong freed 32 American i a C141 hospital plane Base in the Philippines, men and five civilians 2 p.m. (5:52 a.m. EST), an prisoners and a Ca- tomorrow and 67 Amer- pleting the repatriation

e POW plane from Hanoi an hour because a rain- rs of the International and Supervision coming o supervise the transfer, eported. The U.S. Com- d the departure of the e prisoners took off. resume the prisoner re- rvals was worked out omunist negotiators in Nine of the American See POWS, Page A-6



—Associated Press

While American POWs were being released in North Vietnam this morning, Viet Cong and North Vietnam members of the Joint Military

Commission (right) were witnessing the departure of more U.S. troops from American bases—in this case from Ton Son Nhut airport.

Nixon Vetoes Money Bill

By GARNETT D. HORNER
Star-News Staff Writer

President Nixon today vetoed a training bill for the handicapped, denouncing it as the first act in an inflationary "spending spree" and vowing to veto other "big spending bills."

His rejection of the Rehabilitation Act of 1972, although widely predicted, confounded Congress with the first opportunity to try to dictate budget priorities.

The bill was one of a dozen vetoed by the President last October after Congress had adjourned. Thereafter, it had no chance then to try to override his veto. It will be able to try that now. The Senate where the bill originated will vote first. It would take a two-thirds vote to upset his veto.

Nixon branded as "fiscally irresponsible" the vocational rehabilitation measure. He said it would add some \$1 bil-

He said there are more than a dozen other bills before Congress that carry "extravagant price tags" that could add more than \$50 billion in federal spending before the end of the 1975 fiscal year.

"This would force upon us," the President said, "the unacceptable choice of either raising taxes substantially — perhaps as much as 15 percent in personal income taxes — or inviting a hefty boost in con-

sumer prices and interest rates." Despite his veto of this measure, Nixon emphasized his "strong commitment to vocational rehabilitation." He pointed out that funding for the vocational rehabilitation program would reach \$550 million under his budget for the coming fiscal year, a 75 percent increase over the level when he took office.

Roy L. Ash, director of the Office of Management and

Budget, said the administration is "quite confident" that Congress will sustain the President's veto.

This was the first veto of a major spending bill by Nixon this year.

He urged Congress to support legislation sponsored by the administration to extend existing vocational rehabilitation programs, authorizing appropriations for three years without mention of specific dollar amounts.

Stunt Smut

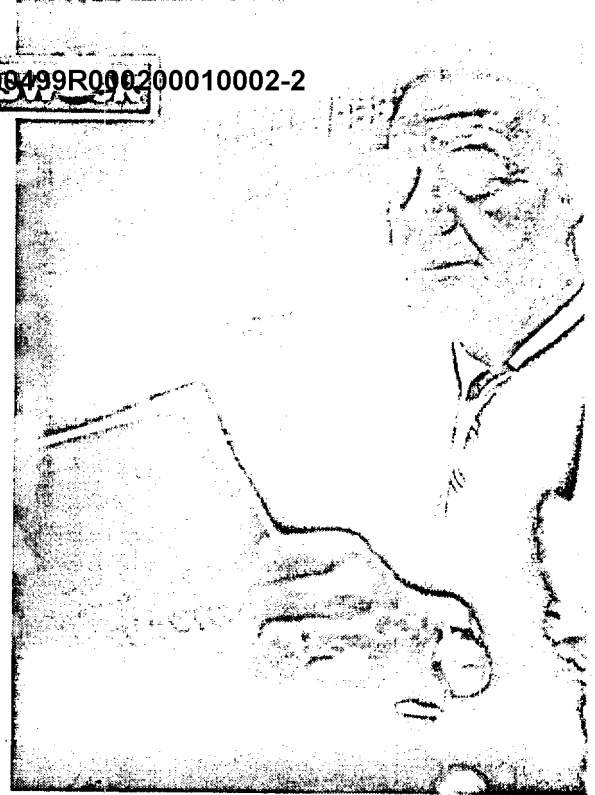
The investigation will be assigned to an administrative law judge, who will have the power to compel testimony and to subpoena documents. Any such proceedings — even if they include hearings — would be closed to the public unless and until the FCC ordered otherwise.

The broadcasting industry press reported yesterday that the commission intended to fine a Midwestern FM station \$1,000 for allegedly violating rehabilitation measures. The federal anti-obscenity law.

... money Pair Charred



AP Photos



McCord, Sirica: A threat to blow the lid off

The Growing Watergate Mess

For months, the Nixon Administration has lived under the cloud named Watergate—the ever-proliferating disclosures of political espionage, sabotage and fast fund-raising practices in the 1972 re-elect-the-President campaign. No one in Mr. Nixon's inner circle has yet been directly implicated, though the blame has come suggestively close, and some dared hope that the case would be closed with the conviction of seven men two months ago in the escapade that started it all: the botched burglary attempt at Democratic headquarters in Washington. But the pressure, far from abating, has only got worse since then—and last week, on the very eve of his sentencing, one of the Watergate Seven threatened to blow the lid off the whole tawdry affair.

The man who broke the silence at last was James W. McCord Jr., 54, a baldish, dark-suited ex-CIA operative, and his offer to talk came in a clumsily typed eleventh-hour letter to the Federal judge sitting on the case. McCord gave only a teasingly vague prospectus as to what he might say: that there had been "political pressure" on the seven to plead guilty (as five did) and clam up, that some of the trial testimony was perjured and—most tantalizing of all—that "others involved in the Watergate operation" had escaped unnamed. But Judge John J. Sirica was intrigued enough to agree

to hear out McCord in secret session this week—McCord declined to talk to the FBI or the Justice Department—and perhaps to convene a special grand jury to follow up the story. And he used what leverage he could to induce the remaining six defendants to follow suit, in effect allowing five of them a grace period to start talking—and sentencing the sixth, former White House aide G. Gordon Liddy, to prison for up to twenty years as an example.

Next a Super-Watergate?

Whether or not McCord in fact had a tale to tell and names to name, the threat alone sent a premonitory shudder through an Administration shadowed by scandal—and by its own secretive response to it. Democrats, already counting Watergate votes for 1974, were jubilant. "They're making our campaign for us," said one. Republicans were dismayed, some to the point of muttering aloud that the President ought long since to have mounted a no-holds-barred commission inquiry of its own. U.S. Sen. Sam Ervin's select Watergate investigating committee was jubilant—"Jee-sus Kee-rist," exulted a staffer, "this tears it!"—and thought of starring McCord at a special early hearing in April. And an Administration returned to power only four months ago by a near-record landslide found itself fighting for its very credibili-

ty in the face of not only Watergate but a suddenly reincarnated International Telephone and Telegraph Corp. affair (page 18)—and a persistent buzz around Washington that what one well-positioned insider described as a "super-Watergate" scandal is about to break.

One Watergate was clearly enough. The scandal by last week had almost surely claimed its latest victim, L. Patrick Gray III, whose nomination for FBI director was slipping inexorably away on the suspicion that he had short-circuited the Watergate investigation out of loyalty to the President. Gray's superiors damaged him in last week's renewed confirmation hearings by ordering him to button up about the case. And Gray hurt himself and the boss with three days' testimony about his extraordinarily trusting relations with Presidential counsel John W. Dean III, who ran Mr. Nixon's in-house inquiry into the affair and delivered him a clean bill. Gray, so he testified, had sent Dean secret FBI reports on the case without asking permission—and kept on sending them even after Dean lied about a detail of the inquiry. The charge earned him a rebuke from the White House, incredulous stares from the committee—and a further-diminished chance of winning if his nomination ever comes to a vote.

Now, with McCord's gambit, the question was who would be next—and much

of the backstairs speculation centered on Mr. Nixon's former Attorney General and campaign manager, John Mitchell. Mitchell, who quit the campaign abruptly two weeks after Watergate, has denied knowing anything about the operation and last week said, "I don't know what McCord is talking about." Still, it was widely noted around Washington that he was in charge at the time—and that McCord had arranged protection for him as campaign security chief.* The news reawakened gossip about other names—departing White House staffers Dwight Chapin and Charles W. Colson, who had connections in the campaign underground; White House chief of staff H.R. (Bob) Haldeman, their immediate boss; campaign-fund-raiser in chief Maurice Stans; Jeb Magruder, the campaign official who authorized Liddy's expense money. But the handicapping kept coming back to Mitchell, who, having already left the employ of the President, might be available for sacrifice. "That would be logical, wouldn't it?" said one insider. "It doesn't hurt anybody."

'As Bad as You Can Get'

The Administration continued to put a brave face on the whole Watergate mess. Senate Minority Leader Hugh Scott urged the President early last week to go public with a definitive statement on the mazy train of scandals grouped under the Watergate rubric; the President told him coolly, "Hugh, I have nothing to hide. I have nothing to hide. I repeat that I have nothing to hide, and you are authorized to make that statement in my name." But the outward calm around the weekend White House in Key Biscayne was shaken by the week's developments, and Mr. Nixon's people were war-gaming options ranging from a retreat on executive privilege through the sacrifice of a prominent figure to the launching of an independent inquiry to defuse Ervin's hearings.

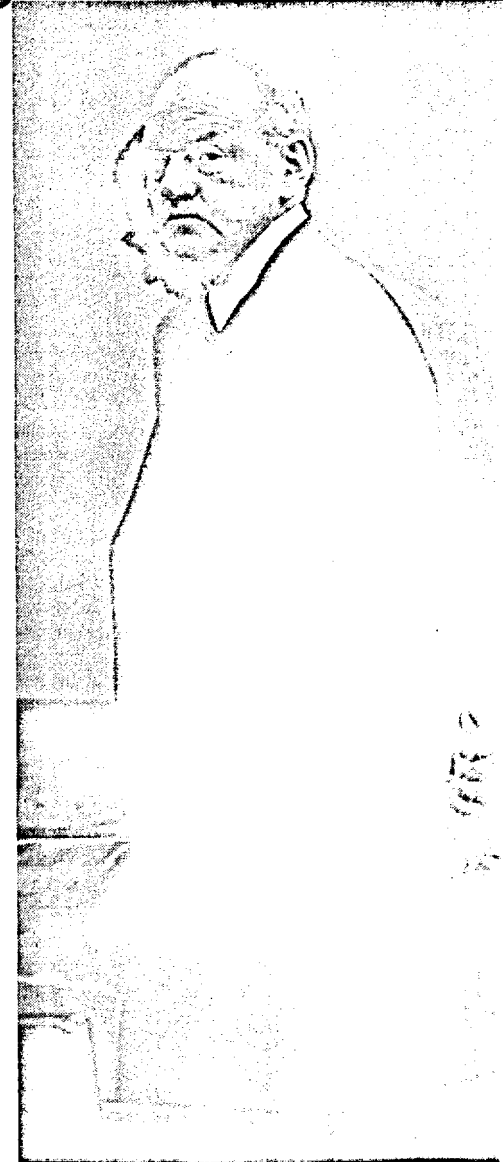
"Here's Gray saying Dean lied, and here's McCord saying the trial is rigged," said one White House aide. "God Almighty, that's about as bad as you can get—it says the FBI, the U.S. Attorney and the President's counsel were all playing footsie. Where the hell's our credibility if we don't clean this up?"

McCord seemed an unlikely figure to have provoked such a stir. He was a technician among adventurers on the Watergate raid—an unprepossessing career Federal agent who had neither the flair of the ringleaders, Liddy and E. Howard Hunt, nor the anti-Fidelista ideological fervor of the émigré Cubans on the task force. Like most of the others he was recruited out of the CIA old-boy network; he had been with the agency for nineteen years before his retirement in 1970, mostly as a specialist in security—preventing bugging, among other in-

trusions. He was a quiet sort, pin-striped and gray, a family man and a churchgoing Methodist whose defense at the trial was that he was only trying to protect the election process—and the President's life—against left-wing dissidents. Investigators trying to fathom his turnabout guessed that his brief taste of imprisonment after his arrest had got to him. "He had a bad time in D.C. jail," one source said. "He has a retarded child and a ruined business, and he simply cannot bear to be away from them."

His letter to Judge Sirica thus could be read as a plea for mercy at sentencing time. Throughout the trial, Sirica, a starchy, Hoover-vintage Republican of 69, had made manifest his annoyance that he wasn't getting all the answers, and he has since kept on pressing through McCord's probation officer. McCord's reply, with just three days' freedom left, protested that he was "whipsawed" among contending legal claims and that his family feared for his life if he talked. He wouldn't go that far himself, he said, but he did expect "retaliatory measures ... against me, my family and my friends ... Such retaliation could destroy careers, income, and reputations of persons who are innocent of any guilt whatever." He couldn't even "feel confident" talking to the FBI or anyone else from the government, he wrote; he accordingly asked Sirica for a private audience in chambers.

He was careful to keep his schema for this session tempting but general. He gave no hint as to who had applied the pressure on the seven to hush up, who had given what perjured testimony, who the "others involved" might be. He said one witness "unfortunately" left the impression that he was lying or withholding evidence when in fact he wasn't. The best guess was that he meant either Watergate wiretap monitor Alfred C. Baldwin III or campaign treasurer Hugh W. Sloan Jr., both of whom were causti-



Harry Natchayan—Washington Post

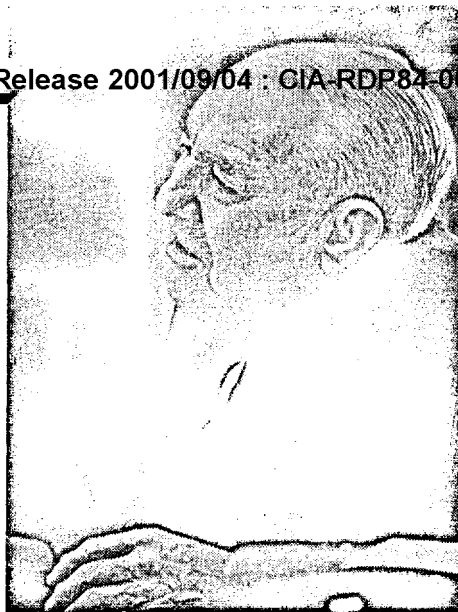
Gray: 'A point of finality'



Weight—Miami Daily News

Witness for the defense: Was it necessary for a case of runaway candid?

*The Washington Post reported at the weekend that Mrs. Mitchell was particularly fond of McCord—and that her picnic at his home led to her own celebrated threat to leave the White House.



Wally McNamee—Newsweek

Adversary proceeding: Ervin (above) was waiting, Dean wouldn't come

cally questioned by Judge Sirica over their spotty recollection of critical details, but once again McCord supplied no clues. He said that the Cubans among the seven might have been tricked "by others" into thinking they were on a CIA operation when it wasn't. And he said his own motives were "different than those of the others involved . . . [and] were not limited to or simply those offered in my defense during the trial."

The judge said nothing about the letter until the seven were assembled before him for sentencing, and then he introduced it with almost studied understatement—"I have a preliminary matter which will be considered before arguments on the motion and sentencing." He read the message, his voice dry and gravelly in the suddenly dead-silent courtroom. McCord, expressionless, took off his horn-rimmed glasses and tapped them gently against his lips. His lawyer, whom he had not tipped in advance, stared blankly at him, then at the judge. His co-defendants looked stunned; even Liddy, 17 pounds lighter after two months of prison food, momentarily lost his onstage smile.

The Judge Was Unmoved

Gaveling into the din, Sirica recessed the court briefly, then began the sentencing. First came Liddy, brown suit bagging around his gaunt frame, with a plea for consideration of his record of service from Korea to the White House. But Liddy stood mute on the substance of the case, and Sirica was unmoved; he called the Watergate burglary "sordid, despicable and thoroughly reprehensible," and topped off the stiff prison sentence with \$40,000 in fines.

The others followed one by one, Hunt with an appeal for leniency on the ground that he had lost his livelihood and his wife (who died in a plane crash)

because of Watergate and that he was "destroyed as a man." The judge sentenced them each "provisionally" to maximum terms of 35 and 40 years and left them time to think about talking to a grand jury and the Ervin committee, "I recommend your full cooperation," he said pointedly. "... I hold out no promises or hopes of any kind . . . but I do say that should you decide to speak freely I would have to weigh that factor in appraising what sentence will finally be imposed in this case."

The denouement was left to this week. Sirica conferred with McCord briefly in chambers and agreed to give him a closed hearing; the judge insisted that his testimony be sworn, however, and he made no commitment to keep it secret. What he might do with it—whether, for example, he might turn it over to the Ervin committee—remained uncertain. But one source said that he was contemplating calling a new Watergate grand jury in de facto competition with the ongoing old one—and that he might even name a special prosecutor of his own choosing rather than turn the inquiry over to the U.S. Attorney's men who had prepared the original case for trial.

The immediate question was how much McCord might actually have to say—and the guess among investigative sources was a lot. There was, for one thing, his proximity to Mitchell and Stans; he might shed some light on how much they did or didn't know about the clandestine campaign activities surfaced by Watergate. He could almost surely say who if anyone in the campaign management gave the immediate marching orders, and who bankrolled him to buy the bugging and wiretapping equipment the raiders used. He has been implicated in earlier plots to bug the Edmund Muskie and George McGovern campaign offices—and so

might speak revealingly on who was doing what to whom and at whose orders the Watergate blew their cover.

he intimated in his letter, he might also identify the sources of political pressure on the defendants and specify the witnesses who he says perjured themselves at the trial—possibly including several senior campaign officials. And Sirica will presumably press him to name the "others" involved; they might, of course, turn out to be small fry, but one defense source doubted it. "I can assure you," he said, "that he's not talking about simply some more Cubans."

'Hard Thinking'

Question No. 2 was whether others of the seven would now bend to the obvious temptation to talk in hopes of getting off lightly. One insider guessed that Liddy would never break. "His life is shattered anyway," this source said. "I'm sure he told McCord, 'You're stupid, buddy. There's always reversible error. Keep appealing, keep appealing.'" This source likewise believed that the Cubans originally kept silent out of a mix of machismo, patriotism and the assurance of continuing wages while they did their time. But now that McCord has cracked, one of their friends was less certain. "They are," said this man, "going to do some hard thinking in those cells."

That left Hunt—and while he had earlier vowed never to talk, intimates now describe him as "extremely bitter" both at the ruin of his life and at the latest turn of affairs. "I thought I stood up and took my medicine like a good little man," he told one friend, "but then I find out that a stand-up guy is one who stands up and tells what he knows." His earlier silence had been predicated in part on his assurance that, as he put it to another acquaintance, "They're going to take care of my family



Wally McNamee—Newsweek

Colson (above), Chapin with Mr. Nixon: Washington guessed at names—and the President said, 'I have nothing to hide'

NATIONAL AFFAIRS

Approved For Release 2001/09/04 : CIA-RDP84-00499R000200010002-2

if I take the rap." Now, however, he has lost his wife and some of his trust in the Nixonians as well. He is said to have been incensed at the news that his safe in the Executive Office Building had been cracked on orders from Dean, the President's counsel, and most of its contents turned over to the FBI; he was, by this account, only somewhat mollified on learning that a notebook and an address book he considered sensitive never made it to the bureau.

The case of Dean and the safe came back last week to haunt Pat Gray in the waning hours of his confirmation hearings, and quite possibly to pound the last nail in his coffin. He had by then testified at length to his uncritical faith in Dean—a trust that resolved any doubts in Dean's favor on the premise that "the President wouldn't appoint him to investigate if he thought he were involved." He thus kept making documents available to Dean after learning that Dean and Liddy were friends; after hearing reports that Dean might have made some of the papers available to unauthorized persons; even after the President himself announced that Dean's inquiry was complete and that it had turned up nothing unsavory about anybody now working for the Administration. He did this, he said, without going through his own boss, Attorney General Richard Kleindienst, despite a memo from the bureau's counsel that he ought to—and he would keep on doing it today if Dean asked him to. "I'm going to cooperate," he said. "That is my duty."

And there matters stood when, on Gray's eighth and very likely last day of testimony, Sen. Robert Byrd of West Virginia got into the record that Dean had had Hunt's safe opened on June 19—two days after the Watergate break-in and the night before Hunt was publicly implicated—and had held onto the

contents for a week before turning them over to the FBI. Byrd asked whether that didn't cause "some kind of suspicion or wonderment" in Gray's mind. "No," said Gray. "... This man is counsel to the President." Nor did his faith appear to have been damaged when, as he recounted it, two of his agents asked Dean on the 22nd whether Hunt had an office in or around the White House, and Dean said he would have to check. Dean was by then not only aware of the office but was in possession of the contents of the safe as well. "Dean lied to you, would you say?" pressed Byrd, to which Gray in plain embarrassment replied: "I would say, looking back on it now, I would have to conclude that that probably is correct."

'He Doesn't Need Enemies'

The exchange was only another instance of Gray's runaway candor, but it made him look naïve to the senators and intractably gabby to the White House (which put out a statement refining the story and rebutting the accusation against Dean as "reprehensible, unfortunate, unfair and incorrect"). Gray's superiors had in fact tried earlier in the week to curb his tongue; after three weeks of doing his own name-naming, he suddenly announced that he was under orders from Kleindienst not to discuss the substance of the Watergate inquiry any more. The directive piqued tempers on the committee and left Gray floundering, unhappily declining to answer questions and once refusing to produce an innocuous memo on the not very plausible ground that enemy agents might be watching. "We need to feel a bit of pity in our hearts for Mr. Gray," said Indiana's Birch Bayh. "With friends like he has in the White House, he doesn't need any enemies."

Gray by then was clearly orphaned, for all the continuing professions of support emanating from the White House, and the wear began to show in his pouchy eyes, his wan face, the sudden slope of his shoulders under the carefully tailored Oxford grays. "Out of a sense of honor and decency," he pleaded at one point, "I do not want to get this pattern going where I am submitting and submitting and submitting [evidence]... I think I can sit here pretty long and chat quite a bit with you, but we do have to reach a point of finality, do we not, where you have to vote up or down on me? I am entitled to some kind of judgment." The opposition, at one point inclined to hold his nomination hostage for Administration cooperation in the Ervin hearings, had begun to lean toward precisely that—an up-or-down vote in which, by most current counts, the ultimate verdict is likely to be down.

Gray's cause might conceivably be helped if Mr. Nixon made Dean available to testify



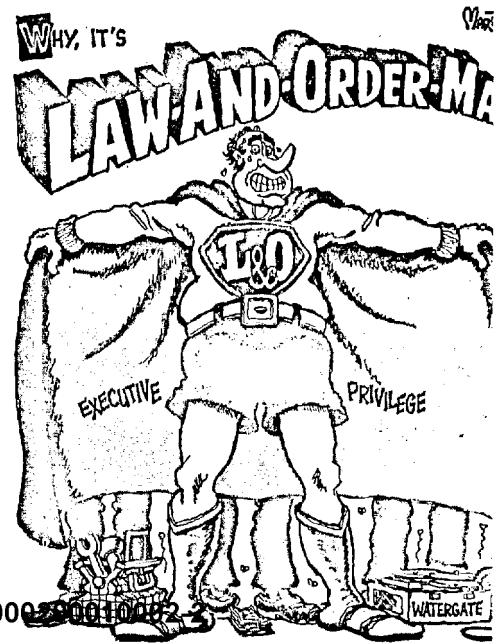
John Mitchell: Talk of the town

before the committee. But Mr. Nixon's impulse in the matter of Gray's nomination, and in the Watergate case from the very beginning, has been to resist inquiry from outside the executive branch and to shield his own people behind a claim of Executive privilege unmatched in recent history. Thus Dean is not available to testify; thus Gray may not discuss substantive questions germane to his record in and competence for high and sensitive office; thus no White House staffer past or present will, by the President's own word, testify before any Congressional committee.

White House people insist privately that this position is not as inflexible as the President himself has at moments made it seem—that the Administration will provide Congress any information it requires on any subject short of direct communi-



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Marlette—Charlotte Observer

cautions between the President and his staff. But Mr. Nixon's posturing alone has already exacerbated hostilities with Hill, and it has soured members of his own party. "Their attitude has been totally defensive," says one Republican strategist. "They thought they could finesse Watergate, and now the President and the Republican Party are being done in."

The irony was that Mr. Nixon, who reads history, may have missed its lessons. When President Warren Harding asked Secretary of Commerce Herbert Hoover early on about how to handle the scandal that came to be known as Teapot Dome, Hoover replied: "Publish it, and at least get credit for integrity on your side." Harding instead sat on the news, and the result was an enduring stain on the reputation of his Presidency and his party.

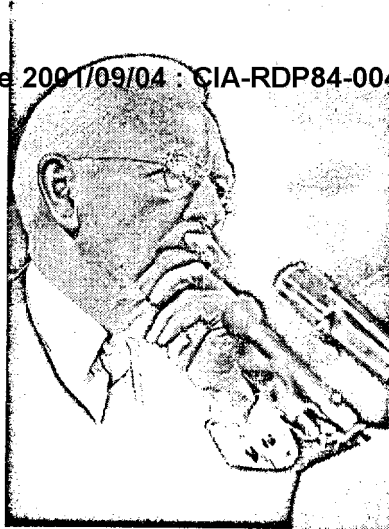
The history of the Watergate scandal has been no more promising. In the absence of some full public accounting, the story has come together piecemeal in the most damaging ways—in newspaper headlines and Congressional committee hearings—and now, with Ervin set to open his marathon televised inquiry in early May, the news is likely to get worse before it gets better. Some of the President's best friends wish he would retrieve the initiative and mount his own definitive housecleaning, whatever the cost. "For 40 years," said one Republican senator, "we carried the image of being the party of the Great Depression. Now are we going to spend another 40 as the party of Watergate?"

... and More on ITT

Like the Watergate scandal, the tangled affairs of ITT keep coming back to plague the Nixon Administration. New disclosures before Congress last week lined out more strongly than ever the cozy relationship between the White House and the giant multinational corporation. And the common denominator was ITT's demonstrated eagerness to wheel and deal with Nixon officials behind the scenes so that official policy would mirror its own—whether the question was corporate-merger policy or the fomenting of revolution in Chile.

Part of the ITT scandal relates directly to the 1972 Presidential election and ITT's offer of funds—at least \$200,000 that was to be used to help underwrite the Republican National Convention—at a time when the company was seeking relief from government antitrust action. A House subcommittee began raking up those old coals last week by releasing summaries made by staffers of the Securities and Exchange Commission last October from some 34 boxes of ITT documents subsequently put under wraps by the Justice Department.

Some of the memos themselves were later made public by Idaho Sen. Frank Church's new Senate subcommittee investigating the influence of multinational



McCone: The uncool million

al corporations on U.S. foreign policy. Taken together, they showed the breezy familiarity of top ITT officials with Vice President Spiro Agnew, three top White House aides and three Cabinet Secretaries—including former Secretary of the Treasury John Connally—and the company's ultimate success in having the antitrust action favorably settled.

Memo: In the summer of 1970, top ITT executives saw Justice antitrust chief Richard McLaren as a fanatic opponent of mergers who was charging toward a courtroom showdown against Administration policy. An Aug. 7 note from Edward J. Gerrity, ITT senior vice president for corporate relations, to "Ted" Agnew—along with an accompanying memo—confirmed that Gerrity and the Veep lunched together on the same day that ITT president and chairman Harold Geneen and William R. Merriam, then head of the ITT Washington office, conferred on the subject with White House assistants John Ehrlichman and Charles Colson. And the memo indicated that Geneen had previously had "a very



Merriam: A letter to Connally

friendly session" with then Attorney General John Mitchell, who has publicly denied any involvement with the case. John made plain to him [Hal Geneen] that the President was not opposed to mergers per se," said the memo. "John said he would talk with McLaren and get back to Hal..."

Both ITT and Administration officials have always insisted that their talks were not improper because they dealt only with antitrust "policy," not specific ITT cases. The documents released last week did not clearly refute that claim, but they did show a steady campaign to influence McLaren—with hints that specifics may indeed have been discussed. A letter from Merriam to Connally, dated April 22, 1971, mentions a 30-day delay in court proceedings that followed a visit with Connally by Merriam and Geneen. "We are certain," Merriam wrote, "that you and Pete [Peter G. Peterson, then an assistant to the President and later Commerce Secretary] were most instrumental for the delay."

Merriam and Gerrity also showed up at the Church subcommittee hearings to tell about ITT plans for heading off the election of Marxist Salvador Allende Gossens as President of Chile. That ill-fated plot was first disclosed a year ago by columnist Jack Anderson, but testimony and documents made available last week suggested far more extensive consultation between the company, the CIA and the Department of State than had previously been suspected. Various plans envisioned creation of "economic disturbance," outright "chaos" and possibly military uprisings—all designed to prevent nationalization of ITT's \$150 million Chilean holdings.

Spellbound: But the week's star witness was diminutive, distinguished John A. McCone, formerly boss of the CIA and now a director of ITT. He held the subcommittee nearly spellbound as he told of personally transmitting an offer of up to \$1 million in ITT funds to Henry Kissinger and CIA director Richard Helms, McCone's "close friend." McCone said Geneen was prepared to support any government plan for creating a coalition to oppose Allende. Helms said he could provide funds for "some minimal effort" to stop Allende, McCone testified, but Kissinger never responded to the offer.

In any event, said McCone, the money was intended for housing, agriculture and technical assistance—not political sabotage. But none of the senators could accept the notion that after the expenditure of \$1.4 billion in U.S. aid to Chile, a mere \$1 million for "good works" could be expected to turn an election around in the six weeks before a parliamentary run-off. Under questioning, McCone agreed that he would be "very disturbed" if the expenditure of \$1 million by a foreign corporation were to influence a close American election. Snapped Church: "Don't you think the Chileans feel the same way?"

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THE EVENING STAR and DAILY NEWS
Washington, D. C., Thursday, February 22, 1973

O'Brien Again Sues on Watergate

Former Democratic official Lawrence F. O'Brien, responding to a Republican lawsuit which was filed in response to his own lawsuit against the Republicans in the Watergate

case, has sued the Republicans again.

The score in the Watergate civil lawsuit sweepstakes now stands even, with two filed by Democrats against Republ-

cans, and two filed by Republicans against Democrats.

However, with yesterday's action the Democrats took the lead in total damages asked. The Democrats are asking \$3.2

million for conspiracy, trespass and invasion of privacy, and \$11 million for abuse of the judicial process — a total of \$14.2 million.

The Republicans are asking \$2.5 million for abuse of process and \$5 million for libel — a total of only \$7.5 million.

It began on June 20 when O'Brien, then chairman of the Democratic National Committee, and the committee itself filed a \$1 million invasion-of-privacy suit naming the Committee for the Re-Election of the President (CRP) and a number of affiliated persons.

The suit followed the arrest of five persons inside Democratic headquarters in the early morning hours of June 17, which revealed the celebrated Watergate affair and led to the recent criminal trial in which five defendants pleaded guilty and two others were found guilty by the jury.

On Sept. 11, the suit was amended to name the CRP, the Finance Committee to Re-elect the President, former FCRP chairman Maurice H. Stans, former FCRP treasurer Hugh W. Sloan Jr., and Watergate defendants G. Gordon Liddy and E. Howard Hunt Jr.

On Sept. 13, then CRP Chairman Francis L. Dale and Stans filed suit against O'Brien, charging him with abuse of process. The next day, Stans sued O'Brien for libel.

On Sept. 21, all action in the civil cases was held up pending the outcome of the criminal trial. Yesterday, O'Brien replied to the Stans-Dale suit for the first time, and in that reply counterclaimed for abuse of process.

4 News Publications Move To Bar Bugging Subpoenas

Reporters and officers of four news publications have filed motions to block subpoenas served on them in connection with the Watergate civil lawsuits.

The four separate motions were filed in U.S. District Court yesterday, accompanied by affidavits from those who have been subpoenaed and from about two dozen more journalists, many of them nationally known.

At the same time, the Reporters Committee on Freedom of the Press requested permission to file a "friend of the court" brief on behalf of those subpoenaed.

Signed by 425

Attached to the committee's motion was a petition opposing the subpoenas, and signed by some 425 journalists representing news organizations from the largest daily newspapers to the national broadcasting networks to such specialized journals as *Mayor* and *Manager* magazine.

The journalists, from *The Star-News*, the *Washington Post*, the *New York Times* and *Time* magazine, were subpoenaed by attorneys for the Committee for the Re-election of the President, to give pre-trial statements in the four pending civil matters arising from the Watergate bugging.

The subpoenas would order the 10 to bring with them voluminous notes and records dealing with news coverage of the Watergate affair and related political controversies, and CRP attorneys have said that they might ask for confidential information or the names of news sources as well.

Agree on Main Points

arately, but each made basically the same arguments, including:

- The recent Supreme Court decision in *Branzburg vs. Hayes*, while holding that newsmen do not have an absolute constitutional right to refuse to reveal sources and confidential information, did state that "without some protection for seeking out the news, freedom of the press could be eviscerated."

- If reporters were made to reveal sources and confidential information, sources of news would dry up and the public's access to important information would be damaged.

- The *Branzburg* decision, and subsequent court decisions, have differentiated subpoenas served on journalists in criminal and in civil matters, and a recent decision by the 2nd U.S. Court of Appeals held that "there are circumstances, at the very least in civil cases, in which the public interest in non-disclosure of a journalist's confidential sources outweighs the public and private interests in compelled testimony."

- The subpoenas issued in this case are too broad, and the re-election committee has shown no evidence that it was necessary to subpoena these journalists.

Guarantees of Anonymity

"These subpoenas," said the motion filed on behalf of four *Star-News* reporters, "would require the revelation of confidential information and sources that would breach the guarantees of anonymity by the information necessary for

effective functioning of the press in covering the Watergate story."

The motion asks that the subpoenas be quashed "to prevent this ominous, and for all that is known, unnecessary threat to the free press guaranteed to reporters, newspapers, and most importantly to the public, by the 1st Amendment to the Constitution.

Those subpoenaed are reporters Joseph Volz, Patrick Collins, Jeremiah O'Leary and James R. Polk of *The Star-News*; reporters Carl Bernstein and Robert Woodward, managing editor Howard Simons and publisher Katherine Graham of the *Post*; reporter John Crewdson of the *Times*; and reporter Dean E. Fischer of *Time*.

SENTENCE DATE SET IN BUGGING

Associated Press

March 23 has been set as the date for sentencing of seven men found guilty on various charges stemming from burglary and attempted bugging of Democratic headquarters.

Two of the seven were convicted Jan. 30 by a U.S. District Court jury. They are G. Gordon Liddy and James W. McCord Jr., both of whom have filed motions for a reversal or new trials.

The other five pleaded guilty during the trial. They are E. Howard Hunt Jr., former White House consultant, and four Miami men with CIA backgrounds, Bernard L. Barker, Eugenio R. Martinez, Frank A. Sturgis and Virgilio R. Gonzalez.

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X

THE EVENING STAR and DAILY NEWS,
Washington, D. C., Tuesday, March 13, 1973

Sentencing Date Set for Five in Watergate Trial

Sentencing for at least five and perhaps all seven of the defendants in the Watergate break-in and bugging case will take place March 23, it was announced today.

In a notice filed at U.S. District Court, Chief Judge John J. Sirica said that the five men who pleaded guilty in the case — E. Howard Hunt Jr., Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez — will be sentenced on the 23rd.

The two who continued with the trial and were found guilty — G. Gordon Liddy and James W. McCord Jr., — have filed motions for a new trial, and these motions will be argued on that date as well, Sirica said.

Four in Watergate Lose Bond Appeal

The U.S. Court of Appeals today denied a motion by four defendants in the Watergate break-in and bugging trial for reduction of their bond pending sentencing.

The order affects only the four defendants from Miami—Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez, and Eugenio R. Martinez. However, it probably sets the pattern for similar requests by the two men convicted at the end of the trial, former White House aide G. Gordon Liddy and former Nixon campaign security chief James W. McCord Jr.

McCord already has moved for a reduction in his bond, and Liddy is expected to do so.

Chief Judge John J. Sirica of U.S. District Court imposed the same \$100,000 bond on all seven defendants in the case. The seventh, former White House consultant E. Howard Hunt Jr., who also pleaded guilty, is the only one who has been able to raise bond.

The appellate court split 2-1 on today's decision, with Judges Harold Leventhal and Spottswood W. Robinson III ruling against the bond motion. Judge George E. MacKinnon would have set bond for the four men at \$60,000.

No date has been set for sentencing of the seven men.

Sen. Howard H. Baker Jr. of Tennessee, ranking Republican on the Senate committee to investigate the Watergate bugging case, said he will approach the allegations of Re-

publican-sponsored spying and sabotage against the Democrats with "absolute neutrality" and "I think there will be a minimum of problems" from the White House.

Baker was one of seven members — four Democrats and three Republicans—named to the special committee by Majority Leader Mike Mansfield and Minority Leader Hugh Scott.

Sen. Sam. J. Ervin Jr., sponsor of the resolution setting up the committee, will act as chairman with Daniel K. Inouye of Hawaii, Herman E. Talmadge of Georgia and Joseph M. Montoya of New Mexico filling out the Democratic membership.

Joining Baker on the Republican side will be Lowell P. Weicker Jr. of Connecticut and Edward J. Gurney of Florida.

The federal grand jury which indicted seven men in the June 17, 1972, break-in and bugging is expected to reconvene in a few weeks, according to the New York Times.

Earl J. Silbert, federal prosecutor in the recently-concluded trial that resulted in conviction of two men and guilty pleas by five others, told the Times all seven would be called before the panel.

Silbert was quoted as saying that the grand jury would "explore every conceivable avenue" of possible involvement of other persons. He said the jury would be reconvened following the sentencing of Liddy and McCord. This is expected early next month.

THE STAR and NEWS
Washington, D. C.
Tuesday, Feb. 6, 1973

HELMS SAYS CIA DIDN'T BUG DNC

Former CIA Director Richard Helms said yesterday the agency had nothing to do with the bugging and wiretapping of Democratic National Committee headquarters at the Watergate.

He said two former CIA agents who participated in the raid, E. Howard Hunt Jr. and James W. McCord Jr., were no longer connected with the intelligence organization, and that "I have no control over anyone who left."

He told the Senate Foreign Relations Committee, when Chairman J. William Fulbright, D-Ark., asked him about the Watergate case, that "they both have been retired at least two years."

Helms, being succeeded at the CIA, appeared yesterday at the confirmation hearing on his nomination to be ambassador to Iran.

The Evening Star

and

The Washington Daily News

CROSBY N. BOYD, *Chairman of the Board*

JOHN H. KAUFFMANN, *President*

NEWOLD HOYES, *Editor*

A-18

THURSDAY, FEBRUARY 1, 1973

Watergate: End of the Road?

At the start of the Watergate trial, Judge John J. Sirica noted a number of issues that might have been dealt with in the course of that proceeding. But the early guilty pleas of five defendants, and the convictions of two others on the basis of evidence which stopped short, to say the least, of exploring all the political ramifications involved, have left important questions unanswered to the frustration of nearly everyone.

What happens now? The drive on Capitol Hill for a legislative investigation would seem to present the best avenue still open to pursue those matters. We think that such a probe, as reportedly planned by Senator Sam Ervin's Constitutional Rights subcommittee, is fully warranted. The bare facts of the illegal entry, bugging and burglary of the Democratic National Committee headquarters at the Watergate complex last June, and some of the circumstances surrounding that incident, are clear enough. But a great deal more still should be known about the motivations of the culprits, whether this was part of a broader conspiracy of political espionage and indeed — if there was one — the degree to which others in the hierarchy of the Nixon administration were or were not involved.

Several factors could adversely affect the course of such a full, free inquiry. Obviously, if appeals are filed, a delicate situation will prevail. For that, and perhaps other reasons, crucial testimony could be hard to secure. The five guilty pleaders among the Watergate Seven reportedly are to be questioned further, in a separate governmental action, by a grand jury. A civil suit brought by the Democrats against the Republicans is still pending. The very passage of time, as other controversies evolve during a session which already promises bitter

conflicts between the executive and legislative branches, also could lessen public interest in the whole affair.

For all those reasons — not to mention the ripe opportunity for outbursts of purely partisan politics — it may be a long time before the full story of the Watergate unravels, if it ever does.

Yet the effort should be made. We urge it in no sense of certainty as to what a full disclosure would reveal. Conceivably nothing of real consequence might emerge. According to one prosecutor, the government's investigation, said to be the most thorough since that which followed the assassination of President Kennedy, turned up nothing to implicate any principals who were not involved in the trial. Could this have been a case of over-zealousness on the part of those who master-minded the Watergate break-in, for personal reasons or to advance causes that were not specifically those of higher-ups in government? It is, we suppose, possible.

The point is, however, that no one now is sure. It is apparent that many threads of evidence that might have been followed were not pursued. And it is necessary, especially in an atmosphere of growing public cynicism over politics, to clear the air to the extent that that is possible — for the sake of the future more than the past.

The phrase *clean politics* may well be an anachronism. But accepting that strong probability is far from assuming that actions which are illegal or which skirt the law in the name of political activity are to be a way of life in presidential elections, not worth worrying about. The incredible growth of electronic surveillance techniques, in particular, presents some brand new challenges, which assuredly should not go unwatched, or unchecked.

THE EVENING STAR and DAILY NEWS
Washington, D. C., Thursday, February 1, 1973

Watergate Jury Suspected 5 in Case Pleaded Guilty

By JOY ASCHENBACH
and BARRY KALB
Star-News Staff Writers

The eight women and four men of the Watergate jury—although never told the reason—suspected immediately that the five defendants who disappeared from the courtroom early in the trial had pleaded guilty.

But, according to one juror, this did not influence the decision to convict the remaining two defendants because the prosecution's case was so strong that all seven would have been found guilty anyway.

The jury took less than 90 minutes Tuesday to agree on a guilty verdict for the two former officials of President Nixon's re-election committee on all charges connected with the bugging and break-in of Democratic national headquarters at the Watergate.

Attorneys for both men—G. Gordon Liddy and James W. McCord Jr.—were seeking to obtain a court hearing on their request for bond for their clients pending sentencing. U.S. District Judge John J. Sirica jailed Liddy and McCord without bond after their convictions.

In court papers filed yesterday, Liddy's attorney asked for a \$10,000 non-surety bond, and McCord's attorney sought a \$40,000 non-surety bond.

In its reply today, the government suggested both men should either be held without bond pending sentencing or a high surety bond should be set which would assure their appearance for sentencing.

In McCord's case, the government said, he was technically convicted of a crime of violence — second-degree bur-

glary. As for Liddy, the government said that he received some \$235,000 from the Committee for the Re-election of the President, but only between \$50,000 and \$60,000 has been accounted for and Liddy therefore is suspected of having enough money to flee if he wished.

Sirica, however, was not expected to grant a bond lower than what he set for the five who pleaded guilty—\$100,000 surety each.

The defendants would have to post the full amount of a surety bond, but only 10 percent of a non-surety bond.

"Needless to say, I was surprised," the juror recalled, on returning to the courtroom on the fourth day of the trial to find one defendant missing and then, on the sixth day, to find four more gone.

"Naturally, my first reaction was: Why? None of us knew for sure," the juror explained, "because as you know, we stayed at the courthouse and were not allowed to look at television or read the newspapers about the trial. But, my guess was that they had pleaded guilty."

When contacted yesterday, the juror was reluctant to speak and declined to answer some questions because Sirica had "strongly" urged jurors at the end of the trial not to discuss the case with anyone. Other jurors who were called refused to comment at all.

The jury deliberately was not told why the five were absent from the trial for fear that it would influence their verdict on the remaining two defendants. McCord's attorney plans to use the judge's refusal to declare a mistrial after

the five pleaded as grounds for appeal.

But the juror insisted that the verdict would have been the same. "The evidence was against them, that's all," she said.

McCord and the four defendants from Miami — Bernard L. Barker, Frank A. Sturgis, Eugenio R. Martinez and Virgilio R. Gonzalez—were arrested inside Democratic headquarters June 17 and had in their possession a variety of burglar tools and electronic eavesdropping equipment.

The four Miami defendants and former White House consultant E. Howard Hunt were the five who pleaded guilty.

Although Liddy was not linked to the plot until later, the juror said there was no question in her mind or, she thought, in the minds of other jurors that the "evidence pointed to his guilt."

Sirica yesterday rescinded an order he issued prior to the trial barring witnesses and attorneys from discussing the case outside the courtroom.

Witnesses, however, still were reluctant to discuss the case because of an expected congressional investigation of the Watergate incident and the wider charges of political espionage and because of pending civil suits related to the break-in, including a \$3.2 million damage suit filed by the Democrat against the Republicans.

McCord Hints Dean Role

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By MARY McGRORY and
JERRY OPPENHEIMER
Star-News Staff Writers

Former CIA agent James W. McCord Jr. hinted today that he had told Senate investigators that John W. Dean III and Jeb Stuart Magruder knew in advance of the Watergate bugging.

Dean, White House counsel, and Magruder, a former White House aide and top official in President Nixon's reelection campaign, have denied such knowledge.

McCord met Friday and Saturday with aides to the special Senate committee which is investigating the Watergate incident. Yesterday, those aides announced that McCord had given them additional names of persons involved, but the staff members refused to reveal the names.

However, McCord, encountered on a Washington street today, told a reporter that published accounts of what he had told the Senate aides were correct. He would not elaborate.

McCord apparently was referring to reports by the Los Angeles Times that he had named Dean and Magruder.

After the Times' article was published last night, Magruder made a denial to the Associated Press, saying he had had no advance knowledge. White House Press Secretary Ronald L. Ziegler said in Key Biscayne, Fla., that Dean "had absolutely no knowledge whatsoever of the Watergate incident. The story is flatly incorrect . . ."

Dean could not be reached for personal comment last night. Magruder had testified under oath as a witness in the Watergate trial that he had never received any specific intelligence concerning the Democratic National Committee headquarters at the Watergate.)

Press Is Blameless for McCord's Bomb.

Page A-7

Samuel Dash, chief counsel and staff director of the Select Committee on Presidential Campaign Activities, announced yesterday that McCord had met with him for six hours on Friday and Saturday and has "named other persons" who were involved in

last year's bugging of Democratic National Headquarters "and will continue to do so."

The chance encounter with McCord came on upper Connecticut Avenue this morning. He had been sitting in his car reading a newspaper account of his weekend session with Dash. He was asked if the

press "had got it right" and he said yes.

Asked if he had anything to add he said, "Not now."

Was there any chance he would change his mind about making the disclosures he had promised Judge Sirica next Thursday?

"None," he replied. "I've already talked to the Senate committee."

The judge's statement in See WATERGATE, Page A-2

Watergate: McCord Gives Hint of Dean Role

Continued From Page A-1
court on Friday had "practically encouraged" the defendants to tell what they knew to the Senate Committee, McCord said. He made the initial move to Dash through his lawyer Bernard Fensterwald the same afternoon, he said. "I asked 'Bud' how to go about it," McCord said, "and he made the arrangements."

Was he concerned about his own physical safety? McCord said he was not. He struggled his shoulders when he was asked about the physical safety of his family. McCord said that he had not taken the stand in his own defense at the trial because he feared a civil suit. So far, the investigation and an appeal.

Judge Sirica's pre-sentencing investigation, he indicated, had given him the first opportunity to record "mitigating circumstances." He had "no idea" if his fellow-defendants, G. Gordon Liddy, will follow his example, he said. McCord thinks his action "will make it easier for the others," but would not explain why.

He was asked if he knew that government sources were claiming he is "erratic" and



—Associated Press

Counsel Samuel Dash at a news conference.

der, he could be cited and punished for contempt of court. However, there has been no indication whether Liddy plans to reveal any new facts—or whether, in fact, he has anything to reveal.

In an interview with The

terday. Dash said that McCord and "hopefully" other defendants in the case will be called as witnesses before the committee at a public hearing "to testify fully and completely to everything" about the Watergate matter.

Dash said the information supplied so far by McCord will "require further investigation." He has told us some of what he knows and promised he will give us everything he knows, including documentary material.

Dash refused to disclose the details of the information, which was tape recorded at McCord's request but was not taken under oath.

"What he's saying has to remain private until later," Dash said. "We have to follow up on the information he is giving us. To make it public now would endanger our investigation."

Dash said the seven-member Senate panel, headed by Sam Ervin, D-N.C., will meet today and might begin public hearings as early as May.

McCord's lawyer, Bernard Fensterwald, told Dash by telephone shortly after lunch Friday that he "wanted to give the committee all the informa-

tion he had about the Watergate affair."

They met for three hours in Fensterwald's downtown office Friday afternoon on Saturday. Present were McCord, McCord and Fensterwald, a staff investigator, Harold Lips-

The Friday meeting took place shortly after Chief U.S. District Judge in J. Sirica made public letters he had written by McCord in which he said other people were involved in the bugging operation and "political pressures" was applied to the seven defendants "to plead guilty and remain silent."

In that letter, McCord requested a private meeting with Sirica because he said he lacked confidence in government representatives, including the FBI.

At yesterday's news conference Dash said McCord got in touch with the committee "in response" to Judge Sirica's urging that he cooperate fully with the same committee.

At the same time, Dash said that McCord clarified what he meant in his letter to the judge about "his not trusting the FBI."

The lawyer said McCord made the statement because of revelations that came out in Judiciary Committee hearings on the confirmation of acting FBI Director L. Patrick Gray.

It was testified that information obtained by the FBI in the Watergate investigation was given to White House officials.

"Mr. McCord said that he did not believe that he had further information concerning the FBI that would be helpful to the Judiciary Committee in the Gray hearings,

and that he preferred to give all the information he had to us," Dash said.

Dash said that McCord also told him he "feared" that any information he might give the grand jury investigating the bugging affair in the presence of Justice Department representatives "would be made immediately available to White House officials."

Dash refused to comment as to whether he has had any discussions with the White House since McCord came forward to testify. He also refused to say whether any of the individuals named by McCord are currently employed at the White House.

Dash's announcement yesterday also included the first disclosure of the names of some of the men he has enlisted as investigators for the Senate Committee. Among them are:

LaVerne Duffy, a veteran investigator on the staff of the Senate's permanent investigation subcommittee headed by Sen. John McClellan, D-Ark.

Carmine Bellino, also a long-time Senate investigator, on the staff of the administrative practices and procedures subcommittee chaired by Sen. Edward Brooke, R-Mass.

Harold Lipsitz, Chief of Staff to McCord, who, like Dash, has particular expertise in the field of electronic eavesdropping.

In his letter to Sirica, McCord said his family feared for his safety. Dash told reporters that he was "considering protective measures" for McCord, but added that during their two meetings there was no indication by Mr. McCord that his life was a major concern.

Watergate Lawyer To Seek Rehearing

By Carl Bernstein
and Bob Woodward
Washington Post Staff Writers

Attorney Henry B. Rothblatt, formerly the lawyer for the four Watergate conspirators from Miami, intends to re-enter the case to demonstrate that his clients were pressured into pleading guilty, according to informed sources.

Rothblatt refused to comment yesterday on reliable reports that he plans to seek a court hearing to show that money and clemency were offered to the four men in exchange for their guilty pleas.

Final sentencing of the Miami men has been deferred by the Watergate trial judge, John J. Sirica of U.S. District Courts, to give them an opportunity to provide their "full cooperation" in the continuing investigation of the case.

Rothblatt's plans appear to buttress the contention of another of the Watergate conspirators, James W. McCord Jr., that "there was political pressure applied to the defendants to plead guilty and remain silent."

McCord, the former security coordinator of the Committee for the Re-election of the President, also said in a letter to Judge Sirica that persons as yet unnamed had knowledge of the conspiracy and that government witnesses



HENRY B. ROTHLATT
... lawyer for conspirators

in the trial committed perjury.

McCord and former White House aide G. Gordon Liddy were convicted of all the charges against them, after former White House consultant E. Howard Hunt Jr. and the four Miami defendants entered guilty pleas in the opening days of the trial.

According to sources close to the case, Hunt visited Rothblatt's clients at an Arlington apartment during the trial and induced them to follow his lead and plead guilty.

The sources reported yesterday that Rothblatt intends

See WATERGATE, A8, Col. 1

Text of McCord's Letter

United Press International

Here is the text of the letter written by convicted Watergate defendant James W. McCord Jr. on Monday to Chief U.S. District Judge John J. Sirica regarding his knowledge of the break-in and bugging at Democratic party headquarters on June 17

To Judge Sirica:

Certain questions have been posed to me from Your Honor through the probation officer, dealing with details of the case, motivations, intent, mitigating circumstances.

In endeavoring to respond to these questions, I am whipsawed in a variety of legalities. First, I may be called before a Senate committee investigating this matter. Secondly, I may be involved in a civil suit, and thirdly, there may be a new trial at some future date. Fourthly, the probation officer may be called before the Senate committee to present testimony regarding what may otherwise be a privileged communication between defendant and judge. As I answered certain questions to the probation officer, it is possible such answers could become a matter of record in the

Senate and therefore available for use in the other proceedings just described.

My answers would, it would seem to me, violate my 5th Amendment rights, and possibly my 6th Amendment right to counsel and possibly other rights.

On the other hand, to fail to answer your questions may appear to be non-cooperation, and I can therefore expect a much more severe sentence.

There are other considerations which are not to be lightly taken. Several members of my family have expressed fear for my life if I disclose knowledge of the facts in this matter, either publicly or to any government representative. Whereas I do not share their concerns to the same degree, nevertheless, I do believe that retaliatory measures will be taken against me, my family, and my friends should I disclose such facts. Such retaliation could destroy careers, income and reputations of persons who are innocent of any guilt whatever.

Be that as it may, in the interest of justice, and in the interest of restoring faith in

the criminal justice system, which faith has been severely damaged in this case, I will state the following to you at this time which I hope may be of help to you in meting out justice in this case:

1. There was political pressure applied to the defendants to plead guilty and remain silent.

2. Perjury occurred during the trial in matters highly material to the very structure, orientation and impact of the government's case, and to the motivation and intent of the defendants.

3. Others involved in the Watergate operation were not identified during the trial, when they could have been those testifying.

4. The Watergate operation was not a CIA operation. The Cubans may have been misled by others into believing that it was a CIA operation. I know for a fact that it was not.

5. Some statements were unfortunately made by a witness which left the court with the impression that he was stating untruths, or withholding facts untruths, or withholding facts only honest errors of memory were involved.

6. My motivations were different than those of the others involved, but were not limited to, or simply those offered in my defense during the trial. This is no fault of my attorneys, but of the circumstances under which we had to prepare my defense.

Following sentence, I would appreciate the opportunity to talk to you privately in chambers. Since I cannot feel confident in talking with an FBI agent, in testifying before a grand jury whose U.S. attorneys work for the Department of Justice, or in talking with other government representatives, such a discussion with you would be of assistance to me.

I have not discussed the above with my attorneys as a matter of protection for them.

I give this statement freely and voluntarily, fully realizing that I may be prosecuted for giving a false statement to a judicial official, if the statements herein are knowingly untrue. The statements are true and correct to the best of my knowledge and belief.

(Signed) James W. McCord Jr.

A BIT WARMER—Clear tonight, low ranging from mid-20s to 30. Sunny tomorrow, high about 60. Yesterday's high, 47 at 11:02 a.m. Today's low, 35 at 5:30 a.m. Details: Page B-6.

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McCord Ties Others to Plot; Liddy Gets 6 to 20 Years



James McCord arrives at Federal District Court this morning.

McCORD

By HARRY KALB
Star-News Staff Writer

James W. McCord Jr., one of the seven convicted Watergate conspirators, says that other people were involved in the bugging operation and that "political pressure" was applied to the seven defendants "to plead guilty and remain silent."

McCord's assertions were made in a letter sent to Chief U.S. District Judge John J. Sirica on Monday and read by Sirica this morning before he issued sentences.

McCord requested a private interview with the judge because he said he lacked confidence in government representatives including FBI agents. The judge granted the request and postponed sentencing of McCord until next week.

The judge said he would feel free to pass on everything McCord told him to a federal grand jury and a special Senate committee looking into the Watergate incident.

Doesn't Identify Others

McCord did not identify anybody other than himself and his six co-defendants as being involved in the operation, nor did he say in his letter who applied the political pressure.

McCord's sensational claims are sure to figure importantly in a reopening of the grand jury investigation into the incident.

Next Monday, federal prosecutors plan to begin bringing the seven men before the grand jury which had indicted them last Sept. 15.

After the trial in January, Asst. U.S. Atty. Earl J. Silbert, the chief prosecutor, said that once the sentencing had been completed, he would have the grand jury question the men in an attempt to learn whether anybody else was involved in or had knowledge of the bugging plot.

McCord's letter to Sirica, if believed by the grand jury, could form the basis of new charges, thus widening the Watergate case.

After today's hearing, McCord refused to comment to newsmen. His attorney, Gerald Aich, said McCord's meeting with Judge Sirica would be "sometime" next week.

See WATERGATE, Page A-6

SENTENCE

Chief Judge John J. Sirica of U.S. District Court today gave Watergate conspirator G. Gordon Liddy a sentence of six to 20 years in jail and \$40,000 in fines, but deferred final sentencing for six others in the case.

In the case of the five men who had pleaded guilty, Sirica said he did not have enough information on the men. He gave them "provisional" sentences—subject to change later—of the maximum terms for the crimes to which they pleaded guilty.

May Consider Leniency

However, Sirica as much as told the men that if they decide to cooperate with the federal grand jury still investigating the Watergate bugging and with the special Senate committee investigating the bugging and related allegations of political espionage, he would consider giving them lenient sentences.

In the case of James W. McCord Jr., who told Sirica in a letter revealed today that others were involved in the Watergate affair, Sirica postponed sentencing until next Friday at 10 a.m.

The judge agreed to a request by McCord for a private conference, saying he had never agreed to such a conference with a criminal defendant before. McCord offered in his letter, and through his attorney today, to provide all information he has on the bugging incident.

Sirica told McCord, however, he would hold the meeting only in court with an official court reporter present, and with the understanding that he could release, if he wishes, any information McCord gives him to the grand jury or to the Senate committee.

Former White House Aide

Liddy, 42, a former White House official and Nixon campaign aide, and McCord, 53, Nixon campaign security chief, were both found guilty on various charges of conspiracy, burglary, attempted eavesdropping, possession of illegal eavesdropping devices and wiretapping at the end of a three-week trial in January.

The other five men—former White House consultant E. Howard Hunt, Jr., 54, and four Miamians, Bernard L. Barker, 55, Frank A.

See SENTENCE, Page A-6



G. Gordon Liddy sentenced to serve 6 to 20 years.

Watergate: McCord Ties Others to Bugging Plot

Continued From Page A-1

As soon as the judge finished reading the letter, Sirica called a brief recess. During the recess, the three prosecutors who had led the investigation—Assistant U.S. Atty. Earl J. Silbert, Donald E. Campbell and Seymour Glanzer—said they had known nothing about the letter. The three men had said repeatedly in the past that their investigation had turned up no evidence that anybody else had been involved in the bugging.

Fears for Life

McCord, who was security chief for the Republican National Committee and the Committee for the Re-election of the President when he was arrested inside Democratic national headquarters June 17, said that members of his family have expressed "fear for my life if I disclose knowledge of the facts in this matter."

He said he does not share this concern "to the same degree," but does believe "that retaliatory measures will be taken against me, my family and my friends" if he reveals previously undisclosed facts about the case.

Nevertheless, he said in the letter, in reply to questions Sirica posed to him through the probation office, he will make the following points:

1. "There was political pressure applied to the defendants to plead guilty and remain silent."
2. "Perjury occurred during the trial in matters highly material to the very structure,



VIRGILIO GONZALEZ



EUGENIO MARTINEZ



E. HOWARD HUNT



BERNARD I. BARKER

orientation, and impact of the government's case, and to the motivation and intent of the defendants."

3. "Others involved in the Watergate operations were not identified during the trial, when they could have been by those testifying."

4. "My motivations were different than those of the others involved, but were not limited to, or simply those offered in my defense during the trial. This is no fault of my attorneys, but of the circumstances under which we had to prepare my defense."

The defense McCord raised at trial was that he feared violence would be directed at Republican campaigners dur-

ing the presidential election by leftwing groups, and that by bugging the Democratic National Committee headquarters he might be able to obtain advance information about planned violence.

McCord also said in the letter that the Watergate operation "was not the CIA operation," but that the four defendants from Miami, who had worked with the CIA during the 1961 Bay of Pigs invasion of Cuba, "may have been misled by others into believing that it was a CIA operation."

The four men from Miami are Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez, and Eugenio R. Martinez. They told Sirica as they

pleaded guilty on Jan. 15 that they had been recruited by another defendant, E. Howard Hunt Jr., and that they thought that the bugging operation would in some way be a blow against Cuban Premier Fidel Castro.

Hunt, who pleaded guilty on Jan. 11, was a CIA agent and one of the top planners of the unsuccessful Cuban invasion. The four Miami men worked under him.

McCord and G. Gordon Liddy were the only two to continue with the trial, and were found guilty on all counts. McCord's letter said that after sentence is passed he would like to speak with Sirica "privately in chambers. Since I can not feel confident in talking with an FBI agent, in testifying before a grand jury whose U.S. attorneys work for

the Department of Justice, or in talking with other government representatives, such a discussion with you would be of assistance to me."

He said he had not discussed the contents of the letter with his attorneys, Gerald Alch and Bernard Shankman, "as a matter of protection for them."

McCord did not say what form the retaliation he feared might take, but did say, "such retaliation could destroy careers, income and reputations of persons who are innocent of any guilt whatever."

As Sirica read the letter, a murmur rippled through the jammed courtroom.

There have been allegations since the arrests inside Democratic Headquarters last June 17 that others—particularly "higher ups" in the Nixon administration and re-election committee—were involved in

or had knowledge of the bugging, but this was the first statement to that effect by anyone actually involved in the case.

Sirica revealed as court recess ended today that on Wednesday, McCord came to his chambers with the letter in hand and attempted to speak with the judge. Sirica said that, following his policy not to speak with defendants regarding their cases, he refused at that time to meet with McCord.

McCord's letter did not reveal exactly what questions Sirica had asked of McCord. It said only, "certain questions have been posed to me from your honor through the probation officer, dealing with details of the case, motivations, intent and mitigating circumstances."

"Legalities" Cited
The letter said McCord found himself "whipsawed in a variety of legalities" in deciding whether to reply to these questions.

He noted that a Senate committee investigating the case might call him as a witness, that he had been named as a defendant in a civil suit by the Democrats, that "there may be a new trial at some future date."

Answering the questions, McCord wrote, might violate his constitutional right. "On the other hand, to fail to answer your questions may appear to be non-cooperation, and I can therefore expect a much more severe sentence."

Despite the feared but undefined retaliation, McCord wrote, "in the interests of justice, and in the interests of restoring faith in the criminal justice system, which faith has been severely damaged in this case," he said he was making the revelations to Sirica.

After today's developments, Democratic members of the Senate Judiciary Committee, which is considering the nomination of L. Patrick Gray III to be FBI director, were discussing the advisability of having McCord appear before the committee to testify about his reasons for distrusting the FBI, sources said.

There was no immediate indication whether a motion would be made to request McCord's appearance when the committee reconvened, at the earliest, in the middle of next week.

Judiciary Committee members generally said today that the proper forum for a full investigation of McCord's charges is the Senate's special Watergate committee.

SENTENCE

Liddy Gets 6 to 20 Years

Continued From Page A-1

Sturgis, 37, Virgilio R. Gonzalez, 45, and Eugenio R. Martinez, 49—pleaded guilty to all counts shortly after the trial began.

Sirica gave Liddy a sentence ranging from six years and eight months to 20 years in jail. The lower figure represents one-third of the maximum sentence, the period after which federal prisoners become eligible for parole.

Liddy's sentence included a maximum five to 15 years for the burglary counts. The judge gave him 20 months to five years for the conspiracy count, but this will run concurrently with the burglary sentence. Another 20 months to five years was added for the remaining counts, to run following the burglary sentence.

Sirica sentenced the five who had pleaded guilty under a provision calling for a study of their circumstances by the Federal Bureau of Prisons. That study is due within three months, at which time Sirica could sentence the men to anything from probation to maximum terms.

Maximum Sentences
The maximum sentence Liddy could have received was 35 years in jail and \$40,000 in fines. The maximum for Hunt is the same.

The four Miami men could receive a maximum of 40 years in prison and \$50,000 in fines each, and McCord—the only one of the seven found guilty on all eight counts—faces a maximum of 45 years and \$60,000 in fines.

At today's sentencing hearing, Asst. Atty. Earl J. Silbert, the chief prosecutor, said that the crimes of all the defendants "are not the most serious offenses known to the law," but in another sense, "they are far more harmful and injurious to the public interest" than such crimes as murder and rape.

Not only did the seven men violate the freedom of association of a major political party, Silbert argued, but also their actions have served

"to generate a fear, whether realistic or not, that this illegal act . . . is both widespread and condoned."

Silbert suggested an especially heavy sentence for Liddy, who made no statement on his own behalf. The prosecutor described Liddy as the leader of the operation and his conduct was "the most blameworthy."

Sirica, also speaking of the offenses in general, said the crimes "can only be described as sordid, despicable and thoroughly reprehensible," and said that in sentencing in this case, "it seems obvious to the court that rehabilitation is not the principle purpose to be served."

The judge, agreeing to a request by Liddy's attorney, Peter Maroulis, said he would recommend that Liddy serve his sentence at the federal penitentiary in Danbury, Conn. Liddy, who has lost a considerable amount of weight since the guilty verdict on Jan. 3, has been at Danbury since that time.

Hunt Speaks

Hunt was the only defendant to speak in his own behalf. Reading from a statement, he admitted his guilt, but begged for leniency, saying his motives "were not evil."

"As a man already destroyed by the consequences of his acts, I can present no threat to our society" now or in the future, he said.

"Because of what I did," he continued, "I lost virtually everything I cherished in life—my wife, my job, my reputation."

Hunt's wife, Dorothy, was killed in a plane crash in Chicago last fall. He said the only reason she had gone to Chicago was because both he and she had lost their jobs as a result of the Watergate affair, and she was taking money there to invest in securities.

The real victims of the Watergate conspiracy, as it turned out, Your Honor, are

the conspirators themselves," Hunt said.

Silbert did not go so far as to recommend leniency for the five who had pleaded guilty, but did suggest that Sirica take into account mitigating factors in their cases, along with the fact that all five had pleaded guilty.

Sirica said that the Bureau of Prisons study of the five men's cases is due within three months, although he can grant an extension of up to three months.

However, in the interim, he said, he suggested that the men consider giving their "full cooperation to the grand jury and the Senate Select Committee" investigating the case.

He said he was making no promises about leniency, but said that if they did cooperate, "it would have to weigh that factor" in setting sentence.

Sirica had pushed through the trial the facts which he said he felt the government had failed to uncover, and his message to the five men clearly seemed to be that it would be in their best interest to tell everything they knew.

Lawyer Criticized

In his remarks about the four men from Miami, prosecutor Silbert included some implicit criticism of the men's former attorney, Henry B. Rohblatt of New York.

Silbert noted that none of the four had cooperated with the government prior to trial, but said that the fact that Rohblatt represented all of them had precluded individual cooperation.

He also noted that the four had wanted to plead guilty before the trial began, but that Rohblatt had talked them out of it. "As matters turned out, they were his captives," Silbert said.

Because of this and because they were recruited by one of the plot's organizers—Hunt, Silbert said, "although their guilt is clear, their moral culpability was of a lesser degree."

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Last Of Howard Hunt's Once Plush World Crumbles

By CLARK HOYT

Beacon Journal Washington Bureau

WASHINGTON — A pale, hollow-checked E. Howard Hunt Jr. stared grimly into space Wednesday as the last of his once-comfortable world crumbled around him.

Seven months ago, the 54-year-old former CIA agent, who favors dark ~~ivy League~~ suits and belongs to the Army and Navy Club, appeared to have it made — a beautiful wife, a \$100,000 home in an exclusive suburb, a job with a prestige public relations firm and a \$100-a-day White House consulting post.

WEDNESDAY, Hunt sat in the United States Courthouse at the foot of Capitol Hill and announced through his attorney that he wished to plead guilty to three felonies.

A man who had spent most of his adult life operating for

his government under code names and through false identities stood accused of being part of an illegal spy plot aimed at the Democratic Party.

Before he decided to offer a guilty plea, charges in the so-

**Intensely
private,
unobtrusive**

called Watergate case were only part of Hunt's mounting troubles.

He was first suspended and then fired from the Robert R. Mullen Co. after dropping from sight when his name was publicly linked to the Watergate case.

Then, on Dec. 9, Hunt's wife, Dorothy, carrying an

unexplained \$10,000 in her purse, was killed in the crash of a United Airlines jet at Midway Airport in Chicago.

IT WAS a blow from which, sources say, Hunt has not recovered.

His attorney, William O. Bittman, arguing against immediate imprisonment of his client, said Hunt has lost 14 pounds in the last month because of his personal troubles.

Bittman mentioned, health problems which he said have beset Hunt since the death of his wife, who left behind not only her husband, but also four children aged 9 to 22.

Hunt, trained for secrecy and guile, was always an intensely private, unobtrusive man. When his name popped into the public prints, having been found in the address books of two of five men arrested June 17 inside the Democratic national headquarters, neighbors and co-workers could not even supply a detailed physical description.

When Hunt moved his family to Witches Island, in posh Potomac, Md., he let the yard near the road grow up in high underbrush to shield the house from view.

HUNT'S claim to a modest sort of notoriety was as the author of more than 40 novels, many written under pseudonyms such as John Baxter and Gordon Davis.

He began writing the novels, many of them spy and adventure stories, during World War II when he was a war correspondent, script writer and editor for newsreels and later an officer in the Army Air Force.

His career of 20 years with the CIA, but it has been reported

he was operational director of the ill-fated Bay of Pigs invasion in 1961.

During the Bay of Pigs, one of Hunt's lieutenants was said to be Bernard L. Barker, a Miami realtor and another Watergate defendant.

AT THE White House, where Hunt was hired as a consultant after his retirement from the CIA, he was assigned to a group known as "the plumbers," who were responsible for plugging administration news leaks.

Hunt was sponsored for the job by Charles Colson, a special counsel to the President who was said to have charge of the White House "department of dirty tricks."

When Hunt's office in the Executive Office Building, across the street from the White House, was searched after the arrests in the Watergate, authorities found an unloaded pistol and electronic equipment.

Chief Assistant U. S. Attorney Earl J. Silbert, who outlined the government case Wednesday, indicated Hunt was drawn into what was to become the Watergate affair late in 1971.

Silbert said Hunt "embarked on a security cam-

narrowly missed being arrested inside the Democratic offices at the Watergate.

According to Silbert, Alfred C. Baldwin III, a key Government witness, saw Hunt and Liddy walk out of the Watergate building shortly after police arrived and arrested the other defendants.

Baldwin was allegedly watching from the Howard Johnson's Motor Inn across the street, where he was manning equipment set up to monitor bugs planted in the Democratic offices.

Silbert said Hunt burst into Baldwin's room after the arrests, threw a walkie talkie on the bed, and said with great agitation: "Got to call a lawyer, got to call a lawyer."

Hunt's friend Barker once told a reporter the country could never repay Hunt for his services.

**Just missed
arrest inside
Watergate**

paign" for President Nixon's reelection committee at the behest of another Watergate defendant, G. Gordon Liddy.

THE FIRST serious crack in Hunt's world appeared early in 1972, when, according to the prosecution version, he

HS/HC-858

WASHINGTON STAR
19 JAN 1973

Pact Involving Hunt Defended by Agency

By RONALD SARRO
Star-News Staff Writer

An Office of Education spokesman says the agency was "shocked" last June to learn that the director of a contracted program to improve federal assistance to handicapped children had been linked to the Watergate case.

But the spokesman added that the disclosures about program director E. Howard Hunt's connection with the Watergate case were not considered relevant in a decision to extend the contract for a year through June 15, 1973.

Rep. Edith Green, D-Ore., told the House yesterday that the Office of Education's Sole Source Board approved continuation of the \$738,548 contract the day after Hunt was publicly linked to the Watergate case.

She said the board acted despite its knowledge of Hunt's ties to the Watergate break-in and the fact that he also was working as a \$100-a-day consultant to White House aide Charles W. Colson.

The contract, has been in effect since 1969 between the education office and the Robert R. Mullen Co. public relations firm of 1700 Pennsylvania Ave., NW. Hunt was a vice president for Mullen but was fired after he failed to report for work after the June 17 break-in at the Democratic National Committee in the Watergate complex.

Responding to Mrs. Green's statement, Dr. Edwin Martin, associate commissioner of the Bureau of Education for the Handicapped, said: "We didn't give them (the Mullen firm) the contract on the basis of

Hunt and we wouldn't take it away on that basis."

Martin said he could confirm that the Watergate incident was discussed when the Sole Source Board met June 21 and approved continuation of the contract.

"The Hunt thing was a shock to us. . . . Someone brought it up at the time, my staff told me. . . . Our feeling

was that that wasn't relevant to the contract.

He said the Office of Education was pleased with Mullen's work, that the June extension was for a final year, and that under a policy decided upon "a couple of months" before the renewal, competitive bid-

Consumer spending indexing would be held on the contract in the future.

4 Offered Cash for Guilty Pleas

A Miami group proposes to pay Watergate defendants if they end their trial

By Martin Schram

Newsday Washington Bureau Chief

Washington—Four Watergate defendants are being urged to cut their trial short and plead guilty by a group that promises to pay them \$1,000 each for every month they spend in jail, plus a lump sum when they are released.

Sources close to the defendants identified the group only as "friends from Miami," including a prominent figure in the Bay of Pigs invasion. These so-called friends have made their offer this week in private meetings with the defendants. The four defendants in question have been identified by these sources as Bernard L. Barker, Eugenio Martinez, Frank Sturgis, and Virgilio Gonzalez. All are from Miami and worked with the Central Intelligence Agency on the Bay of Pigs invasion of Cuba.

The attorney for these defendants, Henry Rothblatt, is said to be strongly urging his clients to reject the offer and continue to stand trial. Rothblatt is said to have told his clients that if they decide to enter guilty pleas they will have to first fire him as their counsel.

In making the offer, the Miami group apparently hopes to end the trial before information is brought out in the federal court proceedings that could damage their undisclosed interests.

While the offer has created divisions among the defendants, sources said that so far the four men have not decided whether to plead guilty. Another of the defendants, G. Gordon Liddy, a former member of President Nixon's White House staff and his campaign committee, was said as of last night to be "standing firm" in his desire to insist on his innocence and stand trial. The remaining defendant, James W. McCord, former security chief of the Nixon campaign committee, has so far given no indication of wanting to change his plea of innocent.

Among the mysteries still unsolved in the Watergate aftermath is who is paying the attorneys for the defendants. There are at least eight high-priced attorneys representing the defendants. Rothblatt has said publicly that he has not been paid as much as he expected and so far, in fact, has had to spend much of his own money on pre-trial costs. Sources close to the defendants contend that there is a group of people bankrolling the defense costs. But they say this group has so far not come through with funds in amounts as large as expected.

So far only one of the Watergate defendants, for-

mer Nixon White House consultant E. Howard Hunt Jr., has pleaded guilty. Hunt originally offered on Tuesday, the second day of the trial, to plead guilty to three of the six counts on which he was indicted. But U.S. District Judge John J. Sirica, dealing firmly with Hunt, rejected this initial offer. Yesterday, Hunt pleaded guilty to all six counts. Hunt was then jailed briefly, only to be released after posting a \$100,000 bond. Hunt faces a maximum sentence of 30 years in prison and a \$40,000 fine.

The offer of the Miami group was not the first incident to bring division to the camp of the defendants.

According to informed sources, Martinez, one of the defendants, had been keeping a diary during the team's espionage efforts, without his cohorts knowing it. This diary has since fallen into the hands of federal investigators. Defense sources say that Martinez had continued since the Bay of Pigs to do work for the Central Intelligence Agency and that in fact, he was keeping the diary at the urging of his CIA case officer (or supervisor).

After the FBI found the diary in the trunk of Martinez' car parked at Miami International Airport, Martinez sought to assure his Watergate colleagues that the book contained nothing that would damage them during the trial. But Martinez' fellow defendants are known to have remained apprehensive—and angry—despite these assurances.

Meanwhile, another Watergate defendant, Sturgis, is known to have contacted New York publishing interests about the possibility of writing a book. Sturgis made contact with the publishers through a freelance writer who served as an intermediary, Andrew St. George. Some of the other Watergate defendants are known to be unhappy with the knowledge that Sturgis is interested in writing a book.

Washington—Watergate defendant E. Howard Hunt Jr., after pleading guilty to all six charges against him yesterday, told reporters after the court session that he knew of no higher officials in the Nixon administration involved in political espionage.

He said the government was "substantially correct" in its opening statement Wednesday that he and G. Gordon Liddy, both former White House aides, principally organized the bugging of Democratic National Committee offices and led unsuccessful attempts to plant an eavesdropping device in the Washington headquarters of Sen. George S. McGovern (D-

S.D.). Meanwhile, the trial of Liddy and five others accused in the Watergate episode continued.

Thomas James Gregory, 25, a student at Brigham Young University, testified that Hunt hired him for \$175 a week from February through June 15 to infiltrate the Washington headquarters of McGovern and Sen. Edmund S. Muskie (D-Maine).

He said Hunt wanted information about the senators' schedules, public appearances, campaign personnel and any dissension or quarrels in their organizations. "I would meet Mr. Hunt, whom I knew as Ed Warren, at the back of a drug store each Friday," Gregory said. "I would give him a white envelope with my reports."

Gregory said Hunt later introduced him to Liddy and three other defendants—James W. McCord Jr., who was then the security director for President Nixon's reelection campaign, and Frank Sturgis and Virgilio Gonzalez, both of Miami. He said Hunt, Liddy and McCord enlisted him in attempts to bug McGovern's headquarters, but the efforts were unsuccessful.

Gregory testified that the FBI did not contact him until three weeks ago. "An agent came to my apartment in Provo, Utah," Gregory said. "He asked me if I knew Hunt. I told him to sit down, that I had quite a bit to tell him."

On Capitol Hill, Senate Democrats voted yesterday for a full investigation of the Watergate case and designated Sen. Sam Ervin (D-N.C.) to lead it.

Dr. Carl Bernstein and Bob Woodward... The Watergate bugging trial was marked by questions not asked of witnesses, answers not given, witnesses not called to testify and some lapses of memory by those testifying under oath.

News Analysis

Five of the seven original defendants in the case pleaded guilty in the opening days of the trial, narrowing its scope from the start. All seven men were indicted by a federal grand jury on charges of conspiring to obtain information from the Democrats

by breaking into their headquarters at the Watergate, stealing their documents, photographing their correspondence, wiretapping their telephones and planting electronic eavesdropping devices in their offices. The presiding judge said repeatedly that he wanted the trial to probe deeply into the bugging of the Democrats' Watergate headquarters, its sponsorship for a purpose and possible relationship to allegations of a wider campaign of political espionage and sabotage.



JOHN J. SIRICA... pursued questions

See WATERGATE, A15, Col. 1

Trial Fails to Uncover Who Hired, Paid Watergate Spies

WATERGATE, From A1

Twice Sirica ordered the jury from the courtroom after the prosecution's examination of key witnesses and then questioned them himself about matters not probed by the prosecution. On Jan. 13, during the trial's second week, Sirica addressed four of the defendants after they had pleaded guilty and outlined some of the issues he said he expected to be developed in the courtroom. Sirica said that the jury is "going to wonder who, if anyone, hired you to go in there. If you were hired, I am just assuming that they (the jury) will be asking themselves these questions: Sirica continued as the four men stood before him. "They are going to want to know who there are other people, that is higher-ups in the Republican Party or the Democratic Party or any party who are mentioned or who are involved in this case and should be in this case, you understand that?"

Howard Hunt Jr. pleaded guilty in the trial's fourth day, and the four Miami men arrested inside the Watergate on June 17 followed his lead two days later. But all the five defendants were dropped from the case. It was no longer legally permissible to ask the jury the details of any conversations they might have had outside the general perimeters of the conspiracy alleged in the grand jury's indictment—May 17 to June 17. That applies to statements reportedly made by Hunt and some of the Miami men that high presidential aides had advanced knowledge of the Watergate bugging and other undercover activities against the Democrats. Since the guilty pleas were entered, the prosecution did not call about 10 persons on its witness list who could have provided information on matters relating to the five men. It did not call Hunt and the four others who pleaded guilty as witnesses against the two remaining defendants. There was legal precedent for this, but Sirica said he would prefer to have this money came from who was the money man, who did the paying off. "They are going to want to know a lot of things."



The 12 jurors in the Watergate trial listen intently during yesterday's session. They heard 60 witnesses in 16 days.

presidential candidate, neither of whom he named. According to investigators, the candidate was Sen. Edmund S. Muskie, apparently the principal target of the Nixon campaign's undercover operations. "Why was the \$235,000 never accounted for by responsible campaign officials in either internal audits or campaign spending reports filed with the General Accounting Office? In its opening statement, the prosecution said that federal investigators have only been able to trace \$50,000 of the total. "Why were records of the transactions involving the \$235,000 destroyed, and what other records relating to undercover activities were destroyed? Porter and Sloan testified that they destroyed their records because they did not see any need for them. Ode testified that, hours after the Watergate break-in, he led Liddy to the biggest paper shredder in the offices of the Committee for the Re-election of the President.

Sirica: I want specific answers to my questions. I am not satisfied. Sirica did not get specific answers. Martinez repeated the charges in the indictment and acknowledged their truth. The four Miami men, who are either Cubans or have close ties with Cuba, said they were not paid except for expenses and became involved because they thought their actions would help free Cuba from Fidel Castro's rule. Numerous reports and government records say that all four worked at one time or another for the CIA. Sirica asked them if they had. He got answers of either, "No, your honor" or "Not that I know, your honor." When defendant Bernard L. Barker, a Miami real estate agent, was asked who sent him a \$25,000 cashier's check issued for the President's re-election campaign, he responded: "For a definite fact I cannot state who sent that money."

The judge later asked: "Don't you think it was strange that amount of money came through the mail without being registered or anything?" Barker responded: "No, I don't think it is strange, your honor. Like I said, I have no idea who sent that money." "Did you have any other operations which took the strangeness out of that as far as I was concerned?" Sirica asked. "I don't know, your honor. I believe you," when Barker said he did not know "in the mail in a blank envelope."

"The question will arise, undoubtedly, what was the money for? Did you have any other operations which took the strangeness out of that as far as I was concerned?" Sirica asked. "I don't know, your honor. I believe you," when Barker said he did not know "in the mail in a blank envelope."

"The truth will come out," the judge declared last Tuesday. Then he paused and added: "I hope it will come out to the satisfaction of the prosecution, lawyers for the defense and the judge. The question will arise, undoubtedly, what was the money for? Did you have any other operations which took the strangeness out of that as far as I was concerned?" Sirica asked. "I don't know, your honor. I believe you," when Barker said he did not know "in the mail in a blank envelope."

The testimony of Sloan was different from the prosecution's account. Sloan said he was authorized to make those payments. Sirica: You verified it with Sloan? Sloan: Yes, Sirica. Sloan testified Tuesday that he was authorized to make those payments. Sirica: You verified it with Sloan? Sloan: Yes, Sirica. Sloan testified Tuesday that he was authorized to make those payments. Sirica: You verified it with Sloan? Sloan: Yes, Sirica.

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Watergate 'Bombshells' Must Come From Somewhere Else

By BARRY KALB
Star-News Staff Writer

No one who spoke with the prosecutors before the Watergate trial began should have expected many political revelations to emerge from it.

"Don't expect any bombshells," they said, and they were right.

Guilty pleas by five of the defendants early in the trial reduced the number of witnesses and the amount of cross-examination and eliminated whatever contributions those five might have made to public knowledge.

Also, the prosecution purposely avoided going into related political matters, though it admitted having some knowledge in that area. The government was conducting a criminal prosecution, one prosecutor maintained, not a political inquisition.

That decision narrowed the area of focus to a conspiracy to bug the headquarters of Sen. George S. McGovern and of the Democratic National Committee.

The possibility exists that there is no important information regarding the Watergate affair that did not come out in trial, that no "higher-ups" in the White House or the Committee for the Re-election of the President were involved.

Hill Hearings Due

But in narrowing their field of concentration, the prosecutors drew a sharp line between the Watergate affair and allegations of a large-scale campaign of political espionage and sabotage on the part of the Nixon administration. That alleged campaign is expected to be one subject of upcoming congressional hearings.

Prosecutors said privately that the government investigation, which the Justice Department called the most extensive since its probe of the assassination of President John F. Kennedy, turned up no evidence to implicate anyone not charged in the Watergate trial. "Nobody else could have been involved without leaving some trace," one prosecutor said.

In the closing minutes of the trial yesterday, the government suggested a plausible motive for the bugging that could, if true, preclude anyone else's active knowledge of the plot.

The government suggested it was all an attempt by G. Gordon Liddy, counsel to the Committee for the Re-election of the President, to curry favor with his superiors by providing them with more political intelligence than they had asked for when they assigned him to check on possible campaign violence.

'Wanted to Move Up'

"He wanted to move up, isn't that the motive?" asked Asst. U.S. Atty. Earl J. Silbert.

To back up that suggestion, the government provided some plausible conjecture on the motives of Liddy's six cohorts. E. Howard Hunt Jr., former CIA agent and a planner of the Bay of Pigs invasion of Cuba, was in it because he feared a liberal Democratic presidency might mean renewal of relations with Castro's Cuba, according to this conjecture.

James W. McCord Jr. went along because he sincerely believed, as his attorney said during the trial, that in bugging the Democrats he might be able to forestall some planned violence by left-wing groups.

Fighting Communism

The four Miami men — Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez — were in it because Hunt, their superior during the Bay of Pigs operation, told them it was part of the fight against Castro and communism.

In his closing statements yesterday, Silbert also made a plausible suggestion about what had happened to logs of the wiretapped Democratic conversations prepared for McCord by a key government witness, Alfred C. Baldwin III. On June 17, the day McCord and the four Miami men were arrested inside Democratic headquarters, Hugh W. Sloan

conceded that "there is something to it."

Judge Had Doubts

People who are convinced that the Nixon administration was behind the entire operation contend that the prosecution—whose members work for the Justice Department—did not bring out everything it knew because it wanted, or was under orders, to protect

the administration.

Sirica obviously had doubts, and he intervened in the questioning a number of times, saying that all the facts had not been brought out.

On the other hand, Sirica's interruptions, made with the jury both in and out of the room, went to unusual lengths at times. The defense is hoping, and the prosecution is

fearing, that Sirica might have intervened often enough ultimately to cause a reversal of the convictions and force a new trial.

This will not be a consideration when the Watergate and related affairs go to Congress or hearings chaired by Sen. Sam J. Ervin, D-N.C. A spokesman for Ervin's constitutional rights subcom-

mittee of the Senate Judiciary Committee said Ervin definitely plans to hold hearings, but they cannot begin before mid-March and their scope has not been determined.

The Watergate affair and related charges of political espionage also will be probed further in a civil lawsuit filed by the Democrats against the Republicans. Additionally, Silbert

has said he will call the five who pleaded guilty to testify before the grand jury that handed down the original seven indictments.

Ervin's congressional committee does not possess the swift and sure contempt power with which a judge can compel testimony, and Nixon administration officials, whom Ervin says he plans to include

among his witnesses, may claim executive privilege and refuse to show up at such hearings.

On the other hand, there can be no question about how far the Ervin hearings can probe into the political questions. If politics have no place in the courtroom, they are never more at home than on Capitol Hill.

Interpretive Report

Jr., then treasurer of the CRP's finance arm, met Liddy on the third floor of CRP headquarters. Sloan testified that Liddy had with him a pile of papers about a foot thick which he wanted to destroy in the committee's paper shredder. These papers, Silbert suggested, were the missing logs.

Cash Fund Verified

The trial did confirm one point central to any discussion of allegations that the Watergate caper was part of a larger campaign of espionage and sabotage.

Several CRP officials testified that the CRP kept a cash fund of several hundred thousand dollars — no exact figure has ever been given — that was used for political intelligence activities such as Liddy's assignment to look into possible anti-Nixon violence and to find out whether a major backer of an anti-pollution Democratic candidate owned a company that was a major polluter.

Bits of testimony elicited by the government also served to reinforce the suspicion that indeed others were involved.

The most tantalizing of these was a statement — given two different ways — by Sloan during his testimony on Jan. 23. Sloan was talking of meeting Liddy on June 17, the day after the first Watergate trial, and he said Liddy told him, "My boys got caught last night. I made a mistake. I used somebody from here, which I said I'd never do. I'm afraid I'm going to lose my job."

Both former Atty. Gen. John N. Mitchell, the re-election committee's director at the time of the bugging, and former Commerce Secretary Maurice Stans, who directed the committee's financial arm, have vigorously denied knowledge of any illegal activity.

But Sloan testified at the trial that both men had approved disbursement of large sums of money by the committee's deputy director, Job S. Magruder, some of which the government showed went to Liddy for security intelligence operations.

Quote Changed

When Judge John J. Sirica personally took over the questioning as he did several times during the trial, Sloan changed the quote slightly: "My boys were caught last night. I made a mistake by using somebody from here, which I told them I would never do . . ."

Both quotes, Sloan said, were taken from "the best of my recollection." Either could suggest that in a moment of confusion and panic, Liddy had let slip a hint that people other than he and his "boys" were involved.

Even more interesting at this point are the allegations about the broader espionage-sabotage campaign, for prosecutors have admitted in private — after carefully isolating the Watergate conspiracy — that there is something to the allegations.

In acknowledging this, the prosecutors are quick to point out that at no time did they turn up any evidence that any such campaign involved illegal activity, although they said they personally questioned its morality.

Segretti Testified

It is known that one of those called before the Watergate grand jury was Donald H. Segretti, a California attorney who reportedly criss-crossed the country trying to recruit people to infiltrate and at times disrupt Democratic campaigns.

There have been reports that Segretti was paid directly from the White House with money from the cash fund, and that he was one of many operatives. While suggesting that news reports had blown this activity somewhat out of proportion, one prosecutor has

Last 2 Guilty in Watergate Plot



G. Gordon Liddy, left, and James W. McCord Jr. arrive at court before conviction.

Ex-Aides Of Nixon To Appeal

Jury Convicts Liddy, McCord In 90 Minutes

By Lawrence Meyer
Washington Post Staff Writer

Two former officials of President Nixon's re-election committee, G. Gordon Liddy and James W. McCord Jr., were convicted yesterday of conspiracy, burglary and bugging the Democratic Party's Watergate headquarters.

After 16 days of trial spanning 69 witnesses and more than 100 pieces of evidence, the jury found them guilty of all charges against them in just under 90 minutes.

Chief U.S. District Judge John J. Sirica ordered Liddy, who was also a former White House aide, FBI agent and prosecutor, and McCord, a veteran of the CIA and the FBI, jailed without bond. Sirica said he would hold a hearing on bail after defense lawyers file formal written motions.

Lawyers for both Liddy and McCord said they would appeal the convictions, with McCord's lawyer attacking the conduct of Judge Sirica during the trial.

Five other men who were indicted with Liddy and McCord, including former White House aide and CIA agent E. Howard Hunt Jr., pleaded guilty early in the trial to all charges against them.

Liddy, 42, had maintained a calm, generally smiling exterior throughout the trial. He stood impassive, with his arms folded, as deputy court clerk LeCount Patterson read the jury's verdict, repeating six times, "guilty" once for each of the counts against him.

McCord, 55, also showed no emotion as Patterson read the word "guilty" for all eight counts against him.

Liddy, former finance counsel for the Committee for the Re-election of the President, could receive a maximum sentence of 35 years. McCord, former security director for the committee, could receive a maximum sentence of 45 years. Sirica set no date for sentencing.

Before being jailed by deputy U.S. marshals Liddy embraced his lawyers, Peter I. Maroulis, patted him on the back, and in a gesture that became his trademark in the trial, gave one final wave to

See TRIAL, A15, Col. 1

2 Former Nixon Re-Election Aides Guilty in Watergate Plot

TRIAL, From A1

Jan 11, Strica questioned him in an attempt to find out if anyone besides the persons indicted was involved in the conspiracy.

Hunt's lawyer, William O. Bitman blocked Strica's question, saying the prosecution had told him it intended to call Hunt and any other defendants before the grand jury.

An apparent purpose of renewed grand jury testimony would be to probe the involvement of others in the buging. Asked yesterday what steps he intended to take, Silbert said, "I don't think I'll comment on anything further."

According to testimony in the trial, Liddy was given \$232,000 in campaign funds purportedly to carry out a number of intelligence-gathering assignments given him by deputy campaign director Job Stuart Magruder.

The prosecution said it could account for only about \$50,000 of this money, and that the remainder was used in the conspiracy, testimony in it was operation against the Democratic Party.

In his statement to the jury, Liddy called the "mastermind" of the operation, the boss, the "man who had made of the five who had pleaded guilty." The jury, money-maker of the operation, through the trial, was attempted to put the blame on never told of the guilty pleas.

Liddy's trusted friend, "From the evidence here, it can well be inferred that Mr. Liddy got hurt by that trust," Maroulis said.

McCord's lawyer, Gerald Alch, told the jury that McCord "is the type of man who does what he thinks is right." At one point, Judge Strica interrupted and told Alch he was only giving his "personal opinion."

Alch criticized Strica during a recess, saying the judge "did not limit himself to acting as a judge—he has become in addition, a prosecutor and an investigator." Not only does he indicate that the defendants are guilty, but that a lot of other people are guilty. The whole courtroom is permeated with a prejudicial atmosphere.

Alch said that "in 15 years of practicing law" he had not been previously interrupted by a judge while giving his final argument.

McCord and Liddy were each convicted of the following counts:

- Conspiring to burglarize, wiretap and electronically intercept and eavesdrop on the Democratic Party's Watergate headquarters, (Maximum penalty—five years imprisonment and a \$10,000 fine.)
- Burglarizing the Democratic headquarters with the intent to steal the property of another. (Maximum penalty—15 years imprisonment.)
- Burglarizing the Democratic headquarters with the intent to unlawfully wiretap and eavesdrop. (Maximum penalty—15 years.)
- Endeavoring to eavesdrop illegally. (Maximum penalty—five years imprisonment and a \$10,000 fine.)
- Endeavoring to wiretap illegally. (Maximum penalty—five years imprisonment and a \$10,000 fine.)
- Illegal wiretapping. (Maximum penalty—five years imprisonment and a \$10,000 fine.)

As a result, Liddy's maximum sentence could be 35 years and a \$40,000 fine and McCord's maximum could be 45 years and a \$60,000 fine.

In addition to Liddy, McCord and Hunt, four men from Miami were named in the indictment—Bernard L. Barker, Frank Sturris Virgilio R. Gonzalez and Eugenio E. Martinez. All four pleaded guilty Jan. 15 to the seven counts with which they were charged.

They face maximum sentences of 40 years in jail and fines of \$50,000. The four men were arrested, with McCord, by Washington police in the Democratic Party headquarters at 2:30 a.m. on June 17.

The arrests marked the beginning of the Watergate affair.

These five men, dressed in business suits and wearing rubber surgical gloves, had electronic bugging equipment and sophisticated cameras and film in their possession or their rooms they had \$5,300 in \$100 bills.

The story unfolded slowly. The day after the arrests, it was learned that one of the five men was the security coordinator for the President's re-election committee. That was McCord, one of the two defendants left in the Watergate trial yesterday.

Two days after the breakthrough, White House consultant Hunt was linked to the five suspects. Hunt pleaded guilty to all counts in the opening days of the trial.

Near the end of July, it was learned that the finance committee was fired because he refused to answer FBI questions about the Watergate bugging and break-in. The counsel was Liddy, a former Treasury and White House aide who was the other defendant to remain in the trial.

On Aug. 1, The Washington Post reported that a \$25,000 cashier's check intended as a contribution to the Nixon re-election effort had been deposited in the Miami bank account of one of the Watergate suspects. The General Accounting Office, the investigator of an immediate audit of an Nixon campaign finances.

The audit report concluded that former Commerce Secretary Maurice H. Stans, then chief Nixon fundraiser, had a possible illegal cash fund of \$550,000 in his office safe. The \$25,000 from the cashier's check and another \$89,000 from four Mexican checks passed through that fund, the GAO concluded.

Last Friday, the Finance Committee to Re-elect the President pleaded no contest in U.S. District Court to eight violations of the campaign finances law. The complaint charged, among other things, that finance committee officials failed to keep adequate records of payments to Liddy. The committee was fined \$8,000.

In September, reports surfaced that a former FBI agent and self-described participant in the bugging had become a government witness in the case. He was Alfred C. Baldwin III, who later was to testify that he monitored wiretapped conversations for three weeks from a listening post in the Howard Johnson Motor Lodge across the street from the Watergate.

On Sept. 15, the federal indictment against the seven original defendants was returned.

The next day, The Post reported that the \$550,000 cash fund kept in the Stans safe was used in part, as an intelligence-gathering fund. On Sept. 29, The Post reported Segretti was not called as a witness in the trial.

Watergate investigation that former Attorney General John N. Mitchell controlled disbursements from the "secret fund" or so-called "secret fund."

On Oct. 10, The Post reported that the FBI had concluded that the Watergate bugging was just one incident in a campaign of political sabotage and sabotage directed by the White House and the Nixon committee.

The story identified Donald H. Segretti, a young California lawyer, as a paid political spy who traveled around the country recruiting others and supervising the campaigns of Democratic presidential contenders.

Five days later, the President's appointments secretary, Dwight L. Chapin, was identified as a person who hired Segretti and received reports from him. Segretti's other contacts was Watergate defendant Hunt. Segretti received about \$55,000 in pay for the disruption activities from Herbert W. Kalmbach, the President's personal attorney, according to federal investigators.

This Monday it was announced that Chapin was resigning his White House job. Segretti was not called as a witness in the trial.

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