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# Harper's

## WATERGATE CONSPIRATOR DUPED FELLOW BURGLARS:

**McCord Believed  
to be Double Agent**

*New Investigation Disputes  
Previous Accounts of 1972 Burglary*



# Harper's

JANUARY 1980 FOUNDED IN 1850/VOL. 260 NO. 1556

**T. D. Allman 16 WINNING AT DOMINOES**

The extraordinary revival of American fortunes in Asia over the past five years should make us realize that our oddly appealing civilization wins the most converts when we let them discover its appeal on their own.

**Robert Nathan 30 CODDLED CRIMINALS**

Two of the top men at the Fruehauf Corporation are ex-cons—reformed, one presumes. Other companies have rehabilitation programs too.

**Jim Houghan 37 THE McCORD FILE**

The actual Watergate break-in was the least-investigated part of the great scandal. Congressional committees, prosecutors, and even the *Washington Post* accepted without cavil James McCord's account of the event. Under examination, however, the burglar's story falls apart.

**Patrick Marnham 58 AHMED AND THE GAMEKEEPERS**

The wild elephants in Africa have become one of the great symbols of the conservation movement, and the need to protect them is preached all over the non-African world. The whole weight of the movement—its money, its skill, its passion—comes from outside Africa, as does the harm it is striving to overcome.

**ARTS AND LETTERS**

**DEPARTMENTS**

**POETRY**

*Cynthia Hoyt 27 CALL THE HOUR*

*David Rosenberg 68 From ECCLESIASTES*  
*Patricia Goedicke 79 "ILLNESS AS METAPHOR"*

**BOOKS**

*Paul Zweig 69 NAIPAUL'S LOSERS*  
A bleak realism of diminishing vistas and horizonless lives.

*Hayden Carruth 77 POETS ON THE FRINGE*  
Strong voices, and cause for hope.

*Jeffrey Burke 82 IN PRINT*  
Seven by Elias Canetti.

**4 LETTERS**

5 MacNelly

*Lewis H. Lapham 12 THE EASY CHAIR*  
Teachings of experience.

*Tom Wolfe 57 IN OUR TIME*

*Hans-Georg Rauch 76 LINES OF SIGHT*

*Matthew Stevenson 88 AMERICAN MISCELLANY*  
Soap opera.

*E. R. Galli and 92 PUZZLE*  
*Richard Maltby, Jr.* Clubs for Clues.

# The McCord File

by Jim Hougan

*I had this nagging feeling that the Watergate might turn out like the Reichstag fire. You know, forty years from now will people still be asking did the guy set it and was he a German or was he just a crazy Dutchman?* —Howard Simons, Managing Editor, the *Washington Post*

**I**T IS NEARLY A YEAR since it first occurred to me that Lou Russell's story was of more than passing interest. I thought that I could spend a few weeks with faded FBI reports, visit a few of Russell's sleazy haunts, and write a discursive piece about those aspects of life in Washington that emerge only when a Congressman or his companion leaps into the city's Tidal Basin.

The article I had in mind was to be entitled

"An American Barbouze."<sup>1</sup> Having just spent four years writing a book about the private use of intelligence agents, I was determined to leave the diving bell of investigative reporting. My intention, then, was to write a meditation on the plain facts of an unexemplary life.

The facts are these: Lou Russell was a private investigator. He was also a Catholic, a drunk, a patriot, a wiretapper, and a hard guy who spent his money on whores and lived in a cheap rooming house in Washington, D.C. His life was bitter and small, interrupted by enforced resignations and catastrophes of every

<sup>1</sup> *Barbouze* is a French word whose meaning recalls the Algerian crisis under President Charles de Gaulle. *Les barbouzes* ("the false-beards") were the detritus of the intelligence agencies—shock troops and assassins in the clandestine campaign against the equally vicious, secessionist Secret Army Organization in Algiers.

<sup>2</sup> The Watergate office building, where the DNC offices were, is next door to the Watergate Hotel.

<sup>3</sup> Among the letter's highlights: "There was political pressure applied to the defendants to plead guilty and remain silent."

"Perjury occurred during the trial on matters highly material to the structure, orientation, and intent of the defendants."

"Others involved in the Watergate operation were not identified during the trial, when they could have been by those testifying."

"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."

description. A failure in professional baseball, he became an FBI agent—only to be drummed out of the bureau when his wife committed suicide under circumstances that were at once tragic and scandalous. While a staff member of the House Un-American Activities Committee (HUAC) in the late 1940s, Russell assisted Rep. Richard Nixon in the harrying of Alger Hiss, an alleged spy. Subsequently, Russell was appointed chief investigator for that committee.

In that position, Russell pursued Communists and presumed Communists until 1954, when he was dismissed for borrowing money from a committee witness. During the years that followed, Russell worked briefly for Robert Maheu's CIA-supported "mission impossible agency," once again for HUAC, and, finally, declined into an alcoholic retirement that ended with his death in 1973.

As I said, it was an unexemplary life, but not an uninteresting one. Russell belonged to that unlighted world of political footpads and spies who, for a price, carry out the illegal and unpleasant tasks sometimes required by the more respectable citizens in a city as byzantine as Washington. It was my intention, then, that "An American Barbouze" would reveal a part of that world and its subterranean impact on current events.

**A**

S IT HAPPENED, however, there was a problem with the article. It concerned Lou Russell's last year. An employee of Watergate burglar James McCord's private security firm, Russell was the subject of rumors to the effect that he had in

some way participated in the notorious break-in of June 16 and 17, 1972, at the Democratic National Committee (DNC) headquarters in the Watergate complex.<sup>2</sup> This was the break-in in which McCord and four other men were arrested, and it proved the beginning of Richard Nixon's political demise.

While it was predictable that a degree of mystery and rumor would attach to the life of a private eye, the hints about Watergate imparted to Lou Russell an interest that I assumed he didn't deserve. Rather than abandon the article, I decided to quickly dispel the rumors so that I could get on with the story at hand.

At the time, my knowledge of the Watergate affair seemed adequate, and I had little desire to learn much more; on the contrary, like

just about everyone else in the country, I thought I knew too much about it. I remembered that five burglars, led by former CIA officer James McCord, had been arrested at the Watergate in the summer of 1972. They had bugged the telephones of prominent Democrats at the DNC and photographed a pile of uninteresting papers. An alert security guard had called the police after noticing that some of the building's doors had been tampered with in a way that would have been obvious to any passerby.

As details of the burglary became known, it was apparent that McCord and his fellow operatives were incompetents. That McCord was security director for the Committee to Re-Elect the President (CRP or "CREEP"), however, made the entire incident more interesting than it might otherwise have been, as did the complicity of E. Howard Hunt (ex-CIA) and G. Gordon Liddy (ex-FBI).

I remembered that the newspapers' interest in the break-in gathered intensity when former FBI agent Alfred Baldwin gushed forth with a detailed account in the press of his monitoring of the bugs at the DNC. Until then, with fall approaching and Nixon's reelection a certainty, the government investigations had apparently come to an impasse. The burden of developing information seemed to have fallen on *Washington Post* reporters Bob Woodward and Carl Bernstein. The two—soon to be a major motion picture—had come fairly close to establishing a connection between the burglary and the upper reaches of the Nixon Administration. The public was not yet aware: that the White House was deeply involved in the cover-up, paying those arrested to maintain their silence; that efforts were being made to contain the scandal by implicating the CIA and invoking national security; and that the Acting Director of the FBI had set fire to some promising evidence. And, in airports, on obscure stretches of highway, and in telephone booths around town, executive clemency was being promised in whispers while attorneys' fees were being hand-delivered in brown paper bags.

In March, 1973, the attempt to contain the secret failed when McCord broke his silence, with a letter to Judge John Sirica, alleging, among other things, perjury and cover-up. For a time, the once-bungling McCord became a kind of hero, a righteous and intrepid defender of truth, justice, and the CIA.<sup>3</sup> Firing his attorney under circumstances that threatened to destroy the lawyer's career, McCord sang a song of culpability to the Senate Watergate Committee, only then preparing to hold hear-

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## An American Barbouze

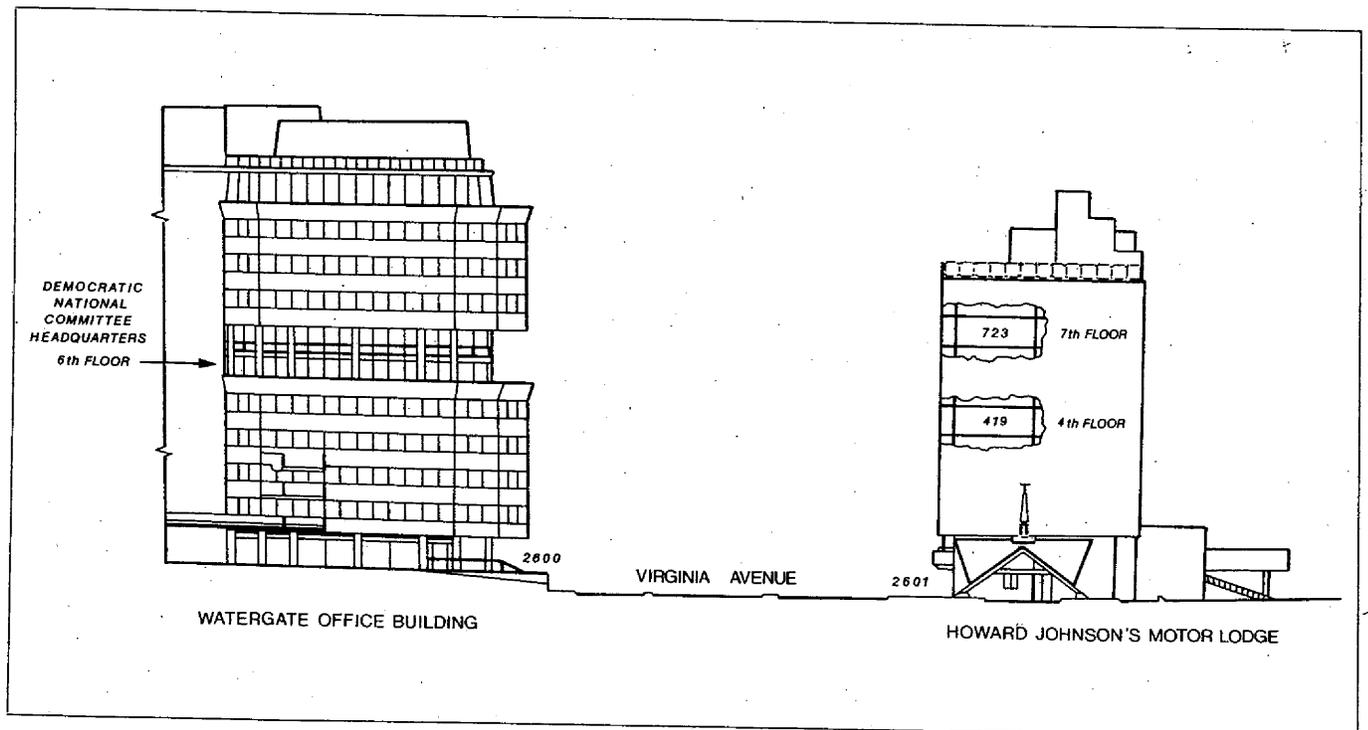
**I**T WAS IMMEDIATELY after this, in the spring and early summer of 1973, that President Nixon's fortunes began to decline. White House counsel John Dean testified before the Senate with devastating effect, and then, as impeachment talk swirled through the corridors of Congress, the existence of a "Presidential taping system" was revealed. Having bugged himself, Nixon was doomed: it was only a matter of time before the President would be hoist with his own petard. And when that time came, just as McCord had promised in a letter to an acquaintance, "every tree in the forest" would fall, it would be "a scorched desert." The ruins of the Nixon Administration would surround its namesake. The Vice-President, though untouched by Watergate, would nevertheless stand revealed as a crook and be forced to resign. The former Secretary of the Treasury, the former Secretary of Commerce, the former Attorney General, the Acting Director of the FBI, assorted undersecretaries and White House officials of the highest denomination—all would be indicted, for one reason or another, and face the prospect of spending their middle and golden years in the company of incarcerated thugs,

rapists, slashers, and conscientious objectors.

I remembered all this and I knew that it bored me. I knew also that, though the incident had been disposed of years before, it was survived by a handful of unanswered questions that threatened to occupy conspiracy theorists for years to come. These questions concerned the identity of "Deep Throat," the contents of an eighteen-and-a-half-minute gap on one of the Presidential tapes, the problem of the Democrats having had advance warning of the break-in, the role of the CIA, and so forth.

Happily, however, I did not intend or need to answer any of these questions. All that was required of me was to dispel the rumor that Lou Russell had been involved in the break-in. At first, it appeared that the rumor could easily be dismissed. On October 11, 1972, the *Washington Evening Star* had published an article with the clear innuendo that Lou Russell was present at the Watergate on the night of the break-in and knew more about the matter than he had told the FBI. This clipping might have given me pause had it not been for the fact that the *Star's* librarians had attached a yellow tag to the article, informing researchers that Mr. Russell was suing for libel.

Confident now that the issue could be resolved in an afternoon, I went to district court and looked up the records of the suit. Curiously, the suit had not been filed until eight months after the article's publication, and, what was worse, Lou Russell had died only a few days later. The record was inconclusive. The



only testimony came from the reporters—who predictably stood by their story—and from Russell's daughter. And what she had to say about her father's whereabouts on the night of June 16–17 only made matters more confusing. Eventually, the suit had been dismissed without resolving the issue.

Still curious, I began to look through the many volumes of hearings conducted by the Senate Select Committee on Presidential Campaign Activities. Because those hearings are unindexed and number more than 10,000 pages, it occurred to me that "An American Barbouze" was looking more and more like a bad idea. And then, with the help of a computer technician assigned to the Senate Rules Committee, I located the following dialogue:

*Senator Inouye: I have been advised that at the time of the break-in, you had in your employment a man named Louis Russell. Is that correct?*

*Mr. McCord: That is correct, sir.*

*Senator Inouye: Was he near the Watergate during the time of the break-in?*

*Mr. McCord: I would like to respond to that, because Mr. Russell has been very unfairly treated in terms of his name being raised in this case, and I will explain the circumstances as he has told them to me and which I believe, which are these.*

*He stated that he was not there the night of the break-in at the Howard Johnson Motel or anywhere in the vicinity. He told me that the night before, which would have been the night of June 16, I believe—June 15—the Thursday night—that he had gone to the Howard Johnson Motel restaurant to have dinner and that he had gone there with a woman companion who—they on a regular basis ate at the Howard Johnson restaurant as a custom over some years; that she normally went to the Watergate hairdresser, one of them, for her hairdo, and they would go over to the Howard Johnson restaurant and have dinner.*

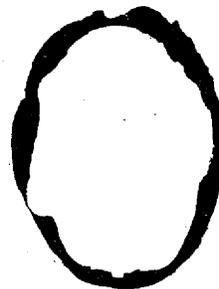
*Senator Inouye: Was he in any way connected with the bugging?*

*Mr. McCord: Absolutely none, in no form whatever.*

This appeared to be the only testimony taken in public hearings about Lou Russell—who, as it happened, was, at the moment of McCord's speech, in a hospital, his heart having given out as McCord began his first day of Senate testimony.<sup>4</sup>

McCord's testimony was virtually useless. It was only hearsay, the account of an alleged conversation between two political spies, and it contradicted the reports of nearly everyone else—including Lou Russell's own—because Russell had admitted to the FBI and to the Senate that he had been present at the Howard

Johnson's coffee shop on the night of June 16. In fact, he had sat there for hours while his employer, James McCord, waited in a hotel room upstairs for the opportunity to invade the Watergate—directly across the street and within sight of the coffee shop. I learned that Russell explained his presence in a number of conflicting ways, and that he sought to persuade his daughter to provide him with an alibi for his whereabouts on that particular evening.



VER THE NEXT several months, I learned a great deal more about Lou Russell—information forcing me to conclude that Russell knew far more about the Watergate break-in than McCord's studied remarks to Senator Inouye

suggested. Unhappily, the evidence pointing toward Russell's involvement raised more questions than it answered.

To answer these questions, and a host of others that radiated from them like the spokes of a compass rose, it was essential to understand the Watergate break-in of June 16–17 in detail. A chronology of that incident was required, one that would show what each of the participants was doing at any given time. With this in hand, I might then discover lacunae that only Lou Russell could have filled. I thought that such a record could be found in any number of places: in the newspapers, the Congressional hearings, or any of the myriad books published about the affair. In fact, however, no such record existed. This was so because the burglary itself was perhaps the least-investigated aspect of the Watergate incident. Testimony about it was scattered and *pro forma*, a legislative afterthought calculated to prove that something was rotten in Washington—after which the interrogators might move on to the more partisan questions of responsibility and motive. Accounts of the break-in were therefore inchoate. Even when the witnesses and members of Sen. Sam Ervin's Watergate Committee were discussing the same burglary (which was not always the case), and even when the testimony was syntactically intelligible (a rarity), the statements of McCord, Hunt, and "the Cubans" differed in large and small details, often contradicting one another on strategic matters.<sup>5</sup> Because the Senate Watergate Committee was not a court of law, and because it was preoccupied with "the larger issues," it was afforded the luxury

<sup>4</sup> May 18, 1973, the second day of the Watergate hearings, was the occasion of McCord's first appearance. Stricken that morning, Russell remained in the hospital until June 20. On June 21 he filed suit against the *Washington Evening Star*, and died July 2.

<sup>5</sup> That the Senators and the burglars were sometimes talking about different burglaries was owing to the fact that the June 16–17 break-in was the last in a series of unlawful entries into the Watergate in which similar methods had been used. The result of this confusion was to frustrate the Senators in their questioning, frequently leading them to abandon their original lines of inquiry.

of leaving such contradictions unresolved. This, coupled with the many questions left unasked, resulted in a public record that is worse than unsatisfactory.

A good indication of this can be found in the *New York Times's* report *The Watergate Hearings: Break-in and Cover-up*. A careful reading of this book makes it clear that the title is a misnomer: the hearings were not concerned with the break-in at all, but only with its cover-up. For instance, there is not a single reference in the work to Frank Wills (the guard who notified the police that a break-in was in progress). This, despite the book's reputation as a definitive compilation whose blurb reads: "Here is the evidence . . . Now let the people decide where the truth lies." In fact, readers of the *Times* were in no position to decide where the truth lay. More than two years after the break-in and arrests, the *Times* would still refer to Bruce Givner—who played a crucial role in the affair—as a "mystery man" whom the police had been unable to identify. In fact, Givner had volunteered his story to the FBI and other authorities on numerous occasions, though no one seems to have been much interested in what he had to say.

The failure to sort out the break-in was not the Senate's alone. Neither was it the exclusive fault of the press. Nor, in fact, was the failure entirely accidental. FBI instructions to its field offices, contained in what the bureau calls "air-tels," make it clear that the FBI and the U.S. Attorney's office agreed as early as June 17 to subpoena witnesses in order to place them under court jurisdiction. The calculated effect of this, in one case, was to prevent Watergate guard Frank Wills from answering any further questions posed by the press—specifically, questions posed by what the FBI referred to as his *New York Times* "interrogators."<sup>6</sup> (Ironically, it would prove disastrous to the Nixon Administration, for which the FBI was apparently trying to provide protection. And as we will see, the timing of Frank Wills's activities that night is crucial to an understanding of the break-in. Had Wills not been gagged at such an early date, Watergate's course would likely have been different.)

The failure to examine the break-in closely had many causes, but it had nothing to do with a lack of investigators. In the aftermath of the June 17 arrests, inquiries were launched by the local police, the press, the U.S. Attorney's office, Sen. Edward Kennedy's staff,<sup>7</sup> the FBI, the CIA, the Florida state attorney's office in Miami, and, subsequently, by the General Accounting Office, Rep. Wright Patman's House Banking and Currency Committee, the Senate's Select Committee on Presidential Cam-

paign Activities of 1972,<sup>8</sup> the Watergate Special Prosecutor's Office, and the House Armed Services Committee. In addition, private investigations were undertaken by politicians on both sides of the affair. White House official Charles Colson, hopeful of implicating the CIA in the dubious belief that this would somehow "exonerate" the President, conferred with at least two private eyes,<sup>9</sup> while still other lawyers and detectives labored behind the scenes for Republican National Committee Chairman George Bush.<sup>10</sup>

### Missed points in time



**D**ESPITE THESE, and other, efforts, the break-in was never analyzed in any detail. To those intent on proving Nixon's venality, the burglary was merely a point of departure. It set off a chain of revelations that inexorably carried attention away from the night of June 16-17: McCord's CIA background and link to the CRP; the identification of Hunt and Liddy; the whispering of Deep Throat as to dirty tricks carried out on behalf of the White House; the news of John Mitchell's responsibility; the "Huston Plan" to dismantle the New Left; Baldwin's confessions; McCord's letter to Judge Sirica; the forced resignations of Nixon's top staff members; John Dean's testimony before the Senate; the Presidential tapes . . . and so on. Each event and its telling was so laden with melodrama that the evolving story resembled a soap opera pushed toward the inevitable dénouement of Nixon's exile to Orange County. Investigators were therefore moved to follow lines of inquiry that had little or nothing to do with the supposed "bunglers" already under arrest, which is to say that the break-in was overtaken by the discoveries of corruption it engendered.

Even those who were determined to defend Nixon, or who suspected that something else had happened at the Watergate that night, were convinced that the truth could be uncovered only through a study of the most exotic possibilities: e.g., the "prior knowledge theory," the "Hughes Connection," and so forth.<sup>11</sup> Further investigation of the burglary appeared to be a waste of time. Even those who doubted the conventional view of Watergate—and there were many who did—didn't bother to think about the burglary. They chose instead to follow leads that connected Watergate to the CIA.

<sup>6</sup> Indeed, the FBI was quite active in its efforts to control the investigation. Within hours of the burglary, the bureau persuaded the Washington Metropolitan Police Department to turn over all information and evidence that it might obtain concerning the break-in and its perpetrators. At the same time, Henry Peterson, Assistant Attorney General at the Justice Department, ordered the FBI to provide him with all information that it might develop—"for passage to the White House."

<sup>7</sup> The Kennedy inquiry, an unofficial one that began a day after the arrests at Watergate, was conducted by Carmine Bellino. An "investigative accountant" who became legendary in Robert Kennedy's pursuit of Teamster president Jimmy Hoffa, Bellino had spent virtually the entirety of his government career within the gravitational field of the Kennedy family. His early inquiries about Watergate developed into a much larger investigation by Sen. Edward Kennedy's staff until, in 1973, Bellino became Chief Investigator for the Senate's Watergate Committee.

<sup>8</sup> The body was more commonly known as "the Watergate Committee" or "the Ervin Committee."

<sup>9</sup> The private eyes were Richard Bast and Gordon Novel.

<sup>10</sup> The Bush investigation subsequently formed the basis for much of Victor Laszky's book *It Didn't Start with Watergate*.

<sup>11</sup>The "prior knowledge theory" concerns individuals and organizations (e.g., columnist Jack Anderson, the CIA, various Democrats and local police officers) who are thought to have been warned that the Democratic National Committee would be the target of White House spies conducting political espionage operations. The "Hughes Connection" is a separate matter that concerns the tangled relationships of Howard R. Hughes, a covert contributor to President Nixon's campaign fortunes, who was also the employer of Nixon's *bête noire*, Larry O'Brien—the Democratic National Committee Chairman—whose office telephone was one of two that McCord chose to bug.

<sup>12</sup>Floors of the Watergate office building are denominated by numbers, with the exception of three basement floors, delineated B-1, B-2, and B-3. The B-2 level is the most convenient one for surreptitious entry in that it leads directly from the office building to an underground garage that services the Watergate complex. The B-2 exit, located just inside the garage entrance, is made up of three consecutive doors within a few feet of one another. It was from these doors that Wills later removed the tape.

It was to be hoped, of course, that the passage of time would bring new clarity to the events of June 16–17. Daily newspaper reporters and government investigators are often beset by deadlines and priorities over which they have little control. Often it is only in the aftermath of such events that, by going back to the beginning and resifting the evidence, an accurate understanding can be achieved. So it was that I turned to the books and magazine articles that had been written about Watergate, hoping to find a coherent account of that night.

I was disappointed. Of those arrested in connection with the break-in, only three had written of the event. Their efforts were less than illuminating. In *Undercover*, E. Howard Hunt deals with the incident in four confused pages; James McCord's bizarre polemic *A Piece of Tape* tells a great deal less in three pages—although much of it contradicts Hunt's version. Finally, Eugenio Martinez, writing in *Harper's*, adds a few hundred querulous words that, while interesting, do not explain what actually happened.

As for those who became principals after the fact, either as perpetrators or as investigators of the cover-up, they add almost nothing about the break-in itself. H. R. Haldeman, for instance, treats the subject in about two pages: like Martinez, he cites operational anomalies and blunders that lead him to suspect that the break-in may have been the work of agents provocateurs. But the evidence he offers is thin and circumstantial, unconvincing even to Haldeman himself. Similarly, Fred Thompson, the Watergate Committee's chief minority counsel, raises a number of "unanswered questions" in his book *At That Point in Time*—but few of them have to do with the break-in. Like Haldeman, Thompson seems convinced that McCord and the CIA set a trap for Nixon, relying on the Democrats to exploit the matter—but neither is able to prove it. Even so, the skeptical views of Thompson and Haldeman are buttressed by a number of other writers, including Miles Copeland (in *National Review*) and Norman Mailer (in *New York* magazine). But the precursor of all the dissidents is Carl Oglesby, a "revisionist historian" of left-wing sensibilities. Within months of the Watergate arrests, Oglesby pounced on the circumstances surrounding McCord's participation in the affair and, in his book *The Yankee and Cowboy War*, suggested that McCord carried out his assignment at the behest of the CIA. As for all the mea culpas and chronicles, from John Dean and Jeb Magruder to Victor Lasky and Bob Woodward and Carl Bernstein, the burglary is misunderstood and eventually ignored.

WITH A SINGLE exception: Of all the Watergate books, only Anthony Lukas's *Nightmare* provides an account of the break-in that is more than cursory. Unfortunately, Lukas provides a version that

reflects the deficiencies and biases of those who investigated it; as such it can be discarded as orthodox and inaccurate.

To understand this version, only a brief setting of scene is needed. On the evening of June 16, 1972, a White House espionage team, led by G. Gordon Liddy, prepared to bug the Democratic National Committee headquarters in the Watergate office building. While Liddy, E. Howard Hunt, and four men from Miami waited in their rooms at the Watergate Hotel, James McCord and Alfred Baldwin remained in the "Listening Post" across the street. This was a room that McCord had rented in the Howard Johnson's motel because it afforded a perfect view of the DNC headquarters. One of McCord's responsibilities, therefore, was to keep the DNC under observation that night and to notify Liddy and his cohorts when its offices were finally empty. It was only then that the break-in could proceed.

According to Lukas, the last person to leave the DNC, a law student named Bruce Givner, did so at 1:00 A.M. At about the same time, Lukas tells us, Watergate guard Frank Wills discovered tape that McCord had placed across the locks—to keep them in an open position when the doors were closed—to the basement doors that led into the office building.<sup>12</sup>

Following his discovery of the tape, Wills, in the Lukas chronology, returned to the lobby of the office building and encountered Givner as he exited from the elevator; after a brief conversation, the two men agreed that they were hungry and, together, they left the office building to grab a bite to eat at the Howard Johnson's coffee shop across the street.

Meanwhile [Lukas writes], McCord was crossing [the street] in the opposite direction. But here the participants' stories begin to diverge widely. McCord says he checked the garage-level door and found the tape still there. Hunt makes no mention of this.

(One is inclined to side with Hunt, for how could McCord have seen the lights go off in the committee and get across the street in time to find the tape still there if Wills had pulled the tape off before getting upstairs to see Givner coming down in the elevator?)

<sup>15</sup>A parallel, perhaps too neat to be worth much attention, exists between McCord's career at the CIA and his performance as an agent provocateur at the Watergate. As chief of the CIA's Technical Security Division, McCord was charged with rooting out moles, or infiltrators, from the ranks of the spy agency. In leading his accomplices at the Watergate into capture, McCord, it can be argued, was repeating his CIA duties in exposing to the authorities those who would do harm to the Republic.

At the same time, McCord's attorney had replied to my request for an interview with his client by threatening to bring suit in his behalf. And, while McCord would not discuss Lou Russell or the break-ins with me, he did take the trouble to report my interest to Alfred Baldwin and some other figures involved—all of whom, McCord informed his lawyer, also were prepared to sue.

After six months of investigation, then, I was hardly optimistic. Lou Russell, the object of my original concerns, had faded almost entirely from what I'd disconsolately begun to think of as Part I of an extended work of revisionist history.

For years, Watergate's anomalies had been dismissed as mere curiosities, an accretion of blunders, coincidences, and faulty recollections of witnesses. The public had been persuaded that, for perhaps the first time in American history, it knew the whole story behind a political scandal at the government's highest echelon. If there was disagreement among the scandal's principals, the testimony of McCord was regarded as the truth. His credibility was absolute. Having exposed the cover-up in his letter to Judge Sirica, McCord became a romantic figure, an apostate spy working in the public interest. The new evidence, however, made it clear that McCord's credibility was owing in large measure to the naiveté and myopia of the investigators. What we are doing, then, is taking a puzzle down from the attic. The picture on its box has been torn away, and we cannot be certain of the final image. Nor can we be certain that the box contains all the pieces needed to assemble the puzzle. Indeed, it may even be that the box contains pieces from another puzzle. We can be certain, however, that the puzzle's centerpiece depicts the night of June 16-17 and the actions of James McCord.

**J**UNE 16 WAS A Friday evening like any other in the Washington summer. The temperature was too high, the air polluted and uncomfortably humid. Traffic flowed along Virginia Avenue toward Rock Creek Park and Georgetown, passing the faintly seedy Howard Johnson's motel and its plush counterpart across the street, the Watergate Hotel. A few blocks away, Leonard Bernstein's orchestra began tuning up at the Kennedy Center for a performance of *The Mass*. James McCord arrived at the Howard John-

son's in the early evening, taking the elevator to the Listening Post on the seventh floor. He is a squarely built man in his late forties who speaks slowly and precisely, weighing each word. Two years before, he had completed nineteen years of service in the Central Intelligence Agency, retiring at age forty-six. He had been head of the Technical Security Division of the CIA's inner sanctum, the Office of Security, and his reputation was that of a master "tech"—a technician skilled in the arts of electronic eavesdropping and counter-intrusion.<sup>15</sup>

Whether McCord deserved that reputation is a matter open to speculation, but certainly he had the credentials. Besides his CIA experience, he was the proprietor of McCord Associates, a private security firm with a rather large number of employees and (at the time) only two clients: the Republican National Committee (RNC) and the Committee to Re-Elect the President (CRP). McCord was the CRP's director of security, a post he had obtained on the recommendation of his friend Alfred Wong, at that time chief of the Secret Service's Technical Services Division at the White House.

For months McCord had labored for the CRP, checking its phones for bugs and gathering intelligence on black and antiwar groups that were hostile to President Nixon. More recently, however, he had become involved with a series of break-ins planned and carried out by a task force of White House spies.

In the Listening Post at the Howard Johnson's, an otherwise ordinary motel room littered with electronic equipment and the remains of chocolate sundaes, Alfred Baldwin greeted McCord. Baldwin was McCord's subordinate, a former FBI agent who had resigned from one of the bureau's Florida field offices a few years before. McCord had obtained Baldwin's name from a list maintained by the Society of Former Special Agents of the FBI. Private security firms, which often advertise that they have "agents worldwide," frequently resort to that list when a client has need of investigative services in another part of the country.

There was nothing unusual in McCord's having resorted to that list—except, perhaps, that the agent he chose lived in Connecticut, a long commute from the Washington area, where literally hundreds of former FBI and CIA agents resided.

Easygoing to the point of playfulness, and possessed of a sardonic sense of humor that was not always appreciated, Baldwin had been hired as an armed bodyguard for the Attorney General's wife, Martha Mitchell. She, however,

had come to despise Baldwin, pronouncing him "the most gauche character" she had ever met. And so Baldwin had been reassigned to the Listening Post, where his new responsibility was to monitor DNC telephones, which McCord had bugged two weeks before.<sup>16</sup>

From the balcony of the motel room, Baldwin and McCord could easily observe the sixth-floor DNC headquarters across the street. A crucial assignment that night was to watch the DNC until the last worker left. They were then to notify G. Gordon Liddy, E. Howard Hunt, and the other operatives that the break-in could safely proceed.



HIS PARTICULAR break-in was a controversial one. The DNC was regarded by some GOP leaders as "a ceremonial shell" of little intelligence value. Moreover, the operation's primary target, DNC Chairman Larry O'Brien, had already decamped for the Democratic Convention in Florida, taking many of his files with him. As a result, the mission that Friday night seemed futile to some of those involved.

At ease with the customs of the clandestine services, Hunt, Liddy, and the others were used to taking orders. Like McCord, Hunt had retired from the CIA in 1970, and, like McCord, he was a family man who was burdened by medical expenses incurred by a daughter he loved. There, however, the similarity between the men ended. While McCord was a Bible-thumping technician who dressed in polyester suits, Hunt was a clandestine operative, a *bon vivant* in tweeds. The author of many pulp novels, Hunt had left the agency to join the Robert R. Mullen Company. This was a public relations firm that served as a CIA cover, and Hunt had joined the firm on the recommendation of his friend CIA Director Richard Helms. The firm's most important client was Howard R. Hughes, and it prided itself on impeccable Republican credentials. Accordingly, the firm was pleased when Hunt became a special consultant to the Nixon White House.

Liddy was a former FBI agent skilled at dangerous apprehensions: he had been appointed to a high post in the Treasury Department after his unsuccessful candidacy for Congress. Brusque and outspoken, he had been shifted to the Committee to Re-elect the President, where he served as its General Counsel. It was there that he drafted the Gemstone

Plan, the White House espionage project of which the June 16 break-in was but a tiny jewel.

Other members of the break-in team, recruited by Hunt, included four men<sup>17</sup> from Miami, each of them a standard-bearer in the anti-Castro crusades. Bernard Barker ("Macho" to his friends) was a real-estate agent who had spied for the FBI and the CIA during his years as a police official in the corrupt regimes of pre-Castro Cuba. Frank Sturgis was a man of an even more romantic disposition, a soldier of fortune who boasted of his friendship with Jack Anderson, the syndicated columnist, with whom he had collaborated on several articles.<sup>18</sup> Eugenio Martinez was a CIA agent of long standing, an exceptionally intelligent man who was credited with having infiltrated Castro's dominion on literally hundreds of occasions. Virgilio Gonzales ("Villo") was the team's locksmith.

With McCord and Baldwin in the Listening Post at the Howard Johnson's, Hunt and the others were ensconced in two rooms at the Watergate Hotel. The room occupied by Hunt and Liddy, the so-called Command Post, was on the second floor, immediately below the one in which the Miami men were staying. Since the Command Post was to the side of the Watergate office building, and four floors below the DNC, Hunt and Liddy were forced to rely on McCord and Baldwin to inform them when the Democratic headquarters was empty. Those in the Howard Johnson's Listening Post, therefore, controlled the operation's timing: until they gave the word that the DNC was empty, Hunt and the others could only wait.

So it was that Liddy's subordinates controlled a strategic part of the operation. The chain of command among the men had Liddy in charge, with Hunt and McCord as his principal lieutenants. Of these, Hunt was first among equals, having better political connections than McCord and a relatively long and successful track record with Liddy. As for the Miami operatives, they were "Hunt's men"—just as Baldwin was McCord's man. While Hunt regarded McCord as little more than "an electronic hitchhiker" (and an incompetent one at that), McCord took charge of the operation once it got under way. Of all those who were involved, it was only McCord who had access to the Watergate office building, the Command Post, and the Listening Post. Since it was also McCord who decided when the operation was "go," and since he was the only professional among those on the entry team, the Miami men heeded his orders rather than their own instincts—with disastrous results.

<sup>16</sup> Politics being what it is, there is suspicion that the concern of Baldwin's ears was not Democratic strategy—already presumed self-destructive by rational electoral observers—but conversations alleged to be taking place between someone at the Democratic National Committee and a nearby bordello, which frequently accepted indirect reservations for Senators and Congressmen. Watergate may yet become the domain of Freudians.

<sup>17</sup> There is considerable evidence that the team had at least one additional member, as yet unidentified.

<sup>18</sup> See, for example, "Soldiers of Fortune," by Jack Anderson, *Parade* magazine, June 12, 1960, and "We Will Finish the Job," by Frank Fiorini (Sturgis) as told to Jack Anderson, *Parade* magazine, May 14, 1961.

Investigating the role, if any, of the investigator Jack Anderson is no easy matter, despite his frequent railings against secrecy. In addition to his friendship with Sturgis, Anderson occasionally employed Lou Russell. The irony is that while Russell shared with Anderson an antipathy for the President, McCord, as the CRP's security chief, employed Russell alone to guard at night the most sensitive campaign offices of the Committee to Re-Elect.

Compounding the matter further, McCord Associates—a.k.a. McCord—assigned Russell to investigate Jack Anderson. Lest it be presumed that the fruits of this investigation were destined

for the White House spy group, it should be noted that both Liddy and Howard Hunt claim never to have heard of Russell—despite his numerous peregrinations. In fact, the detective's reports on Anderson did not go to the White House's secret agents. They were instead provided by McCord to Lee R. Pennington, a friend of Russell's. Pennington was a CIA agent who took the Anderson dossier to his CIA case officer—whereupon it was delivered to McCord's old bailiwick, the Office of Security.

<sup>19</sup> Unknown to all the plotters but McCord, and supposedly ignorant of the Listening Post seven floors above him that night, Russell was nevertheless moved to lie about his presence at the HoJo. Interrogated by the FBI, he said that he'd happened to be in the neighborhood when, on glimpsing the orange spires of the Howard Johnson's, he was struck with nostalgia for a former girlfriend. She, it seemed, was in the habit of having her hair styled in one of the Watergate salons—and, whenever she did, Russell would join her for a snack across the street. In fact, however, the woman was a prostitute, and the reason that she frequented the area had nothing to do with her coiffure. Moreover, Russell had not just happened to be in the neighborhood that night; on the contrary, he'd driven an hour to get there.

To another interrogator, Russell explained his presence at the HoJo in terms of the arts. He'd been at the Kennedy Center enjoying

### "We were just pawns"

**T**

HE EVENTS of the evening got under way at about 8:00 P.M. According to Frank Sturgis, it was then that he and Villo Gonzalez left their room to have dinner in the Howard Johnson's coffee shop. It was then, too, that McCord left the Listening Post, ostensibly to purchase equipment that might be needed later that night. Everybody expected that the DNC would be empty after 9:00 P.M., by which time the last worker had usually gone home. The break-in, according to Hunt, was loosely scheduled for "10:00 P.M. or so."

Sturgis and Gonzalez were not alone in the coffee shop. Unknown to them, another employee of McCord's arrived there at 8:30 P.M. That was Lou Russell, the jack-of-all-trades, who remained in the HoJo coffee shop until 10:30 P.M., idling over his meal <sup>19</sup>

Sturgis was excited—not so much by the burglary that he was about to commit but by his proximity to a movie star, Burt Lancaster.

"I saw him," Sturgis recalled, "and, you know, he's about my favorite movie actor. My wife says I look a little like him. So I went up and shook his hand. Told him I was Frank Fiorini—I didn't wanta use Sturgis—and that I thought he was terrific. He said he was in town to make a movie, and, later, when I got out of jail, I went to see it. Burt Lancaster in *Scorpio*. It's funny: the movie's about this CIA guy who's betrayed by the agency. Sorta like what happened to us, y'know. I mean, it doesn't take a genius to figure out that Watergate was a CIA setup. We were just pawns. Anyway, I met Burt Lancaster."

Howard Hunt arrived at the Watergate Hotel around 9:00 P.M. By then, Sturgis and Gonzalez had finished their sandwiches and returned to their hotel room to watch television. Before long, Barker told them to join Hunt, Liddy, Martinez, and himself in the Command Post.

According to Howard Hunt's muzzy recollection, McCord came to the Watergate Command Post at about 10:00 P.M. He told the others that the DNC was still occupied, but that he had just finished taping open the locks to the garage-level doors of the Watergate office building. Hunt's estimate of the time, however, is awry. The visitors' log maintained by the GSS guards shows that McCord signed into the office building at 10:50 P.M. According to

McCord, who generally eschews references to the clock, he "went past the guard" on the way to taping the doors.<sup>20</sup> About fifteen minutes later, he says, he returned to the Command Post to report that he had accomplished his mission. He "then returned to the Howard Johnson's motel to check to see whether anyone was still working across the street in the DNC offices. One man was still there. Shortly thereafter he left. . . ."

Leaving aside, for now, the seemingly inconsequential question of what McCord means by "shortly thereafter," it is nevertheless possible to pin down the timing of these earlier events. If, as McCord reports, it took him ten minutes to tape open the locks on the basement doors and in the stairwell of the office building after going past the guard at 10:50 P.M., then his visit to the Command Post would have occurred shortly after 11:00. By about 11:15 P.M., therefore, McCord was back in his own room at the HoJo, watching and waiting for the last person to leave the DNC.<sup>21</sup>

Having been told by McCord that the DNC was still occupied, Hunt and Liddy, according to Hunt,

*crossed the street to the Howard Johnson Motel. . . . We went into the restaurant and had a light snack, after which I drove my car out of the parking garage and positioned it in front of the Watergate Hotel. Returning to the room, I rode the elevator with French film actor Alain Delon, who was, ironically, in Washington for the filming of *Scorpio*, a story involving a fictitious CIA agent.*

*Finally McCord reported that the last sixth-floor light had gone out, and he would be coming over to join us. The lassitude that had prevailed in our room was shattered. We were tense now, alert and expectant. . . .*

That "finally" is to Hunt as "shortly thereafter" is to McCord is only partly an index of Hunt's impatience. In fact, the terms refer to two different things. As has been noted, McCord returned to the Listening Post at roughly 11:15, having just informed Hunt that he had successfully taped the basement doors to the Watergate office building. At 12:05 A.M. the last person in the DNC switched off the lights and left. This period of about forty-five minutes is what McCord refers to when he used the term *shortly thereafter*. The reason that Hunt used the word *finally* is that McCord did not tell his colleagues that the DNC was empty until nearly 1:00 A.M., roughly an hour after the last person had left the DNC and nearly two hours after McCord had apprised Hunt of the taping.

# T

HE LAST PERSON at the office of the DNC that evening was Bruce Givner, the freshman law student from Southern California. Givner had come to Washington to serve as a summer intern. He was a loyal Democrat who prided himself on voting a straight ticket—"even if it means voting for the worse man."

He had finished working on a convention manual in the DNC's library at about 9:30 P.M. Rather than going home, however, the young man availed himself of that perquisite of perks: a toll-free WATS Line in the DNC offices. From 9:30 until midnight, Givner dialed friends around the country while McCord and Baldwin watched with increasing impatience from the Listening Post.

According to GSS records, Frank Wills arrived on duty at 11:51 P.M. Wills was young, black, and the victim of an indifferent education. His work history was poor, but his supervisors remember him as a man who followed orders, "a meticulous guard." The night ahead was to prove catastrophic to Wills. He would, with a telephone call, bring about the Watergate arrests. He would then be celebrated in the media, and honored by a host of black organizations. An attorney would take him in hand and arrange a speaking tour. There would be dreams and talk of a film and a book, of *The Frank Wills Story*, and even of the "Frank Wills Detective Agency."<sup>22</sup>

Another guard, LeRoy Brown, had called in sick that night, so Frank Wills had more responsibility than usual. He was the only GSS guard on duty in the Watergate.<sup>23</sup> A second guard service, maintained by the Federal Reserve Board, was responsible only for the Fed's offices on the eighth floor and in the basement. And those guards were of the "roving" kind, having to move by jeep between the several buildings to which they were assigned.

Perhaps because of this added responsibility, or simply out of habit, Wills followed a GSS standing order to "the relieving watch at midnight": check the basement-level doors to see if they have been tampered with. After signing in, therefore, Wills descended to the basement for a look. It was nearly midnight, and Frank Wills soon found tape on the doors at the B-2 level of the office building. It was not a feat of great detection. By placing the tape horizontally across the latch (rather than vertically along the side of the doors), McCord had invited discovery. Stripping the tape away, Wills wondered what else he should

do, and then he did the right thing. Unknown to McCord or anyone else in the vicinity, he telephoned his GSS supervisors to ask for their advice.

The first person he called was Capt. Bobby Jackson, his "roving supervisor." It was impossible to reach Jackson immediately, however, since he was making his rounds in Takoma Park, Maryland, twenty minutes away by car. Wills left a message with the GSS answering service, requesting it to raise Captain Jackson on his beeper and to ask him to get in touch with Wills at the Watergate. The answering service beeped Jackson, but he didn't have the necessary change to make a phone call. As a result, Jackson was unable to reach Wills until he got to his next post, the Carnegie Institution, where he could use an office telephone.

Unable to contact Jackson for instructions, Wills did the next best thing: he called the home of another GSS supervisor, Sgt. Maj. Ira O'Neal. O'Neal remembers that the call awakened him in bed "a few minutes after midnight." Wills explained to O'Neal what he had found, and O'Neal ordered him to check the Watergate's other doors to see if they had been taped as well. If they had not, O'Neal told Wills, the tape Wills had found was probably insignificant. If other locks had been taped open, however, Wills almost certainly had a burglary on his hands. In either event, Wills was told to call O'Neal back in about fifteen minutes to let him know what he had found.

Before Wills could begin checking the other doors, however, Bruce Givner came bounding down the stairwell into the Watergate's lobby. According to Givner, he had shut off the DNC's lights at 12:05 A.M. ("I always wear a watch, and I always shut off the lights when I go out. I guess you could say I'm pretty compulsive about that sort of thing.")

Having just hung up on O'Neal, Wills stopped "the white boy" in the lobby and asked him to sign out. Givner and Wills debated the issue for a few minutes, becoming friendly, until both men agreed that they were hungry. Then, like Lou Russell, Howard Hunt, Gordon Liddy, Frank Sturgis, and Virgilio Gonzalez before them, they went together to the HoJo for something to eat. The Watergate office building was empty. And unguarded.

If the accounts of Givner, Wills, Jackson, and O'Neal are taken together, Wills and Givner must have been crossing the street to the HoJo at 12:15 or so. McCord and Baldwin were watching the DNC offices and could not have failed to notice the departure of both Wills and Givner from the building. Wills was in uniform, and the lights had gone out in the DNC. Meanwhile, Capt. Bobby Jackson, Wills's

Bernstein's performance of *The Mass*. When the last chords died out, he'd stopped for something to eat. But that didn't make sense, because the performance began at 8:00 P.M. and continued until 10:00—more or less bracketing the time that he claimed to be in the HoJo.

<sup>20</sup>At the risk of criticizing McCord's trade-craft, it should be pointed out that signing into a building that one intends to knock over is hardly an approved *modus operandi*.

<sup>21</sup>What Lou Russell did not tell the FBI, or anyone else, was his bizarre itinerary that night. It began at 5:30 when he drove in the Washington traffic to his daughter's house in Benedict, Maryland, arriving there about 6:30. Finding her absent, he made a point of chatting-up the neighbors and then excused himself by saying that he was going to visit a nearby friend. He would return in a little while, he said, and stay the weekend. In fact, he returned to Washington in his car, arriving at the Howard Johnson's shortly after 8:00 P.M. From then until 10:30, Russell dined in the coffee shop—at least, he *said* he was in the coffee shop. At 10:30 he once again got into his car and drove out to Benedict, arriving there at 11:15 or so. For upwards of an hour he visited with his daughter, until, shortly after midnight, he climbed back into his car and returned to Washington. His daughter can't recall whether he received or made any phone calls before his last depart-

ture. She does remember, however, that her father asked her to inform anyone who might ask that he'd spent the entire evening at her house. For some reason, then, Lou Russell needed an alibi for the night of the Watergate break-in.

<sup>22</sup> Almost none of it would pan out, and the effect of it all on Wills would not be healthy. Today Frank Wills is unemployed and obsessed with codes, illusion, and the occult.

<sup>23</sup> Though Brown seems not to have been at the Watergate after midnight, the GSS time sheet indicates that he was. According to the time sheet, Brown worked until 1:30 A.M.—signing out within a few minutes of Wills's realization that a burglary was in progress. The anomaly has never been explained.

<sup>24</sup> Meanwhile, Lou Russell, having just returned to his daughter's house in Benedict, climbed wearily into his car again for yet another drive to Washington. He was working for McCord that night, he told her, though what his assignment was is unknown.

<sup>25</sup> How Wills spent the intervening hour is a mystery. Wills's recollections of the evening are no help. And the only logical explanation based on the evidence available—that he spent the hour eating his meal—would put him in a class, shared only by Lou Russell, of devoted patrons to Howard Johnson's cuisine.

<sup>26</sup> And there is another possibility as well: that Baldwin

roving supervisor, was driving to the Carnegie Institution to find a phone that did not require change. And, as for Hunt and his team, they continued to wait, tense with impatience, for the go-signal from Baldwin and McCord.

One wonders why it didn't come. Not only was the DNC empty, but the only guard on duty in the building had left his post and gone across the street. The locks had been taped open on all three basement doors, providing rapid entry for those who wanted it, and no one on the intelligence team had any way of knowing that Wills had discovered the pieces of tape, removed them, and notified his superior. If anything, Wills must have seemed uncommonly serene. And yet McCord, in contact with Hunt and Liddy by telephone and walkie-talkie, continued to inform them that the DNC remained lighted and occupied.

### The unexplained delay

**H**AD MCCORD told the truth, and had the burglary begun at this time rather than much later, it would almost certainly have gone undetected. The footpads could have entered the unguarded building and, according to plan, removed the tape as they proceeded up the stairwells to the DNC. Wills, upon returning and checking the other doors (as instructed by O'Neal), would have found nothing untoward. No tape. No break-in.

Instead, McCord sat and waited.<sup>24</sup>

Whatever we may think of Wills for having left the Watergate unguarded after finding tape on the B-2-level doors, he at least had the prudence to order his food from the take-out counter—rather than sitting down to a meal. While he waited for the order to be prepared, he stood beside the seated Givner and made small talk. When the order arrived, Wills returned to his post in the Watergate lobby. He could not have been absent for more than twenty minutes.

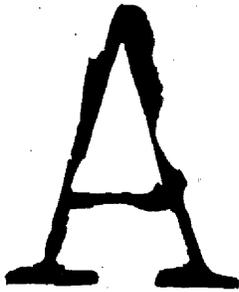
Back on duty, Wills received the call from his roving supervisor, Bobby Jackson. Jackson had reached the Carnegie Institution and logged his conversation with Wills as having taken place at 12:30 A.M. The roving supervisor gave Wills the same advice that Ira O'Neal had provided half an hour earlier: check the other locks in the building and report back in fifteen minutes. For some reason, perhaps because his dinner was getting cold, Wills waited

nearly an hour before carrying out the order.<sup>25</sup>

It was at about the time that Wills returned to the Watergate that Baldwin went downstairs to that buffet of espionage and glamour, the HoJo coffee shop. While we don't know precisely what time Baldwin went into the coffee shop, we do know that Wills was back on the job at 12:30 and that Baldwin, by his own account, was back in the Listening Post at 12:45. Since Baldwin's order consisted of chocolate sundaes "to go," it's likely that he entered the take-out line (to stand beside the seated Givner) within minutes of Wills's departure. (The calculation is based on the estimate that the sundaes took ten minutes to be ordered, prepared, and paid for, and that Baldwin needed another five minutes to go to and from his seventh-floor motel room. Since Baldwin was back in his room with the sundaes at 12:45, the estimated fifteen minutes required to obtain the sundaes suggests that he had left the Listening Post at roughly 12:30.) Reconstructing the timing is by no means an academic exercise. Not only does it help to determine the timing of subsequent events, but it raises the possibility that Baldwin may have been sent to keep Wills and Givner under surveillance.<sup>26</sup> But, whatever his reason for visiting the coffee shop, Baldwin returned to the Listening Post to find McCord on the telephone, informing someone—presumably Hunt or Liddy—that the DNC was still occupied. Gazing across the street at the Democratic headquarters, Baldwin supposedly saw lights burning in its windows, although Givner had turned them off forty minutes earlier. While McCord continued to discuss the situation by telephone with those in the Command Post, Baldwin claims that he suddenly saw the lights go out in the DNC, and so informed his boss. McCord then told Hunt that the operation was go. It was 12:50 in the morning of June 17.

While we may easily imagine an innocent explanation for the delay in notifying the others of Givner's departure, I can think of no innocent explanation for the deception practiced by McCord and Baldwin. They were, after all, looking at the darkened windows of the DNC and telling their colleagues that the offices were still occupied and bright with light.<sup>27</sup>

It would be convenient at this point to gloss over what happened next, to say simply that McCord and the others arrived at the Watergate office building at 1:10 A.M.—only to find that the tape had been stripped away from the exterior door on the B-2 level. While that is true, it is not all that happened, and the reader will forgive me for briefly digressing on McCord's whereabouts between 12:50 and 1:05 A.M. This is what so confused Anthony Lukas.



ACCORDING TO Howard Hunt, McCord was "a little delayed" in his arrival at the Command Post. McCord says that the delay was caused by his having taken a detour after leaving the Howard Johnson's. Rather than proceeding directly to the Command Post, as Hunt expected him to do, McCord claims that he first went to the garage-level door of the Watergate office building "to see if the tape [was] still on, and [if] the door could be opened from the outside." His testimony is that this occurred at "around one o'clock in the morning." The door that he refers to is the exterior door on the B-2 level, since it was this door that the team planned to use in their entry.

It is here that we enter the Twilight Zone of McCord's reportage. Allegedly, upon checking B-2, McCord says he found that "*the tape was still there.*" I have added italics to that sentence because, as the reader knows, the tape was *not* there: Frank Wills had stripped it away an hour earlier. But McCord is not done. Having made this remarkable assertion about the phantom tape, he continues (deadpan):

*I went through the Watergate hotel lobby, and into the hotel room with the six men. Picking up the various suitcases and bags needed, we left and went out a ground-floor exit of the hotel underneath the Watergate restaurant. Gonzalez, the locksmith, and one of the men went ahead to open the door. They returned with a stunned look on their face. The door was locked and the tape had been removed!*

McCord's account is literally a matter of now-you-see-it, now-you-don't. Disproving the tale can be accomplished in several ways. For instance, unknown to McCord, Frank Wills had notified his supervisors shortly after midnight that he had removed some suspicious tape from locks on the B-2-level doors. It was impossible, then, for McCord to have found that tape in place an hour later. Moreover, even if this information is left aside, McCord's story is nevertheless impossible on its face (as Anthony Lukas was the first to point out). This is so because, by his own account, McCord left the Listening Post on the seventh floor of the Howard Johnson's *after* Bruce Givner had left the DNC. Indeed, Givner's departure from the DNC was, according to McCord, the stimulus that led him to leave the Howard Johnson's for the Command Post in the Watergate office building. If McCord's

story is to be believed, the events surrounding it would have to have occurred in the following sequence:

*Givner turned out the lights and left the DNC, going down the stairwell toward the Watergate lobby. McCord then informed Hunt (or Liddy) by telephone that the DNC was finally empty and, having given Baldwin some final instructions, left the Listening Post. After waiting for the elevator, McCord then rode down to the Howard Johnson's lobby, exited, and made his way across Virginia Avenue to the office building's garage. Going down into the garage, he claims to have checked the tape and found it in place. He then left the basement area and went to the Watergate Hotel to gather the Miamians. Within seconds of McCord's departure from the basement, Frank Wills arrived at the same spot to discover the taped locks. Stripping the tape away, Wills then returned to the Watergate lobby. There he telephoned Capt. Bobby Jackson and left a message with the answering service. Then he awakened Maj. Ira O'Neal and the two men held a telephone conversation about the tape and its implications. After receiving instructions from O'Neal, Wills hung up. Then, and only then, Bruce Givner, who began with a head start, arrived in the lobby and encountered Wills.*

The scenario is absurd (not least because Givner, who describes himself as "something of a fitness nut," remembers that he *ran* down the stairs). Even if Givner had walked—indeed, barring anything short of his having been mugged and left for dead in the stairwell—it is impossible that McCord and Wills could have accomplished their respective errands in the time required for the young Democrat to descend from the sixth floor to the lobby.

Thus, McCord did not check the basement door and find the tape in place. This is not to say, however, that he checked the door and found the tape missing. On the contrary, it is extremely doubtful that he checked the door at all. I can only surmise that McCord needed a plausible reason to explain why it took him so long to arrive at the Command Post after he had left his room at the Howard Johnson's. He had to explain what he had been doing, and why it had taken him fifteen minutes to get across the street. Almost offhandedly, then, he said that he had been checking the tape and, in his ignorance of Wills's discovery, added that all was well.

was dispatched to the coffee shop to await the arrival of Lou Russell. (Having left Benedict for Washington between midnight and 12:15, Russell could have arrived at the HoJo as early as 12:30 or as late as 12:45.)

<sup>27</sup> Examples of such innocent explanations might be: McCord was showering while Baldwin was enraptured by television, so neither noticed Givner's departure. Or, both men suffered anxiety attacks and were confused for forty-five minutes. In fact, however, a third explanation is offered by McCord: while he has repeatedly refused to discuss the break-in with me, I have related some of my findings to his attorney, Rufus King, who in turn spoke with McCord about them. According to King, his client's "present recollection" is that he and Baldwin waited "half an hour or so" before notifying Hunt of Givner's departure. His (alleged) reason for the delay was to learn whether Givner would return. (This would seem to imply that McCord knew that Givner had not gone directly home after leaving the Watergate at midnight, but had instead gone to the HoJo with Frank Wills.) What's most interesting about this explanation is the following:

1. It confirms our chronology while overthrowing that of the orthodox version;
2. It contradicts the accounts of both McCord and Baldwin;
3. It does not explain why Baldwin and McCord should have misled Hunt and the others, concocting the false story about seeing the lights go out at 12:45.

## The show must go on

**I**T WAS AT ABOUT 1:10 A.M. that the entry team arrived at the B-2 level of the Watergate office building and found that the tape had been stripped from the lock, preventing their entry. The team's five members huddled under McCord's leadership, and it was decided that McCord, Barker, and Martinez would consult with Hunt and Liddy about what to do. Virgilio Gonzalez was to remain at the door and pick the lock in case the operation was to proceed. Sturgis was to stay with Gonzalez, serving as the locksmith's bodyguard, a task he accomplished by standing in a nearby telephone booth and talking animatedly to the dial tone. Barker, Martinez, and McCord returned together to the Command Post in the Watergate Hotel. There they told Hunt and Liddy of the missing tape. Over Hunt's objections, McCord argued that the operation should continue, that the tape had probably been stripped away by a maintenance man.

Hunt felt it was dangerous to proceed and advised Liddy to "scratch it." Then, Hunt recalls:

*I walked away from them, mentally and physically separating myself from the decision Liddy was in the process of making. I did not hear or even try to listen to the exchanges between Liddy and McCord, but I saw the Miami men get up and head for the door. Liddy came over to me and said, "McCord wants to go, Howard. It's his show, so I let him."*

*"We're doing this because McCord did a lousy job the first time," I reminded Liddy. "It may be 'his show,' but there are four others with him who are my responsibility." <sup>28</sup>*

By this time, Sturgis and Gonzalez had picked the B-2 locks, replaced the tape that Wills had earlier stripped away, and begun climbing the stairs to the DNC offices. Meanwhile, Barker and Martinez walked down from the Command Post, entered the office building through the garage at the B-2 level, and joined their companions on the sixth floor. There Sturgis and Gonzalez labored mightily to gain entry to the DNC. When the lock defied all efforts to open it, the men began to remove the door from its hinges.

As for McCord, he had disappeared. According to Martinez, "McCord did not come in [to the office building] with us. He said he had to go someplace. We never knew where he was going." So far as the Miami men were

<sup>28</sup> This is Howard Hunt's account. Eugenio Martinez's version of the same event differs slightly, but significantly. According to Martinez, McCord wanted the operation to continue and Hunt opposed him. The issue was

## The earlier break-ins

A look at the GSS visitors' logs, and interviews with maintenance men at the Watergate and Howard Johnson's motel, makes it apparent that over the Memorial Day weekend there were four break-ins. Up to now, it was assumed—falsely—that there had been only three and—correctly—that on the last entry McCord had installed a transmitter that failed to work properly and thus necessitated the break-in on the evening of June 16-17.

On the first night—a Friday, May 26—the plan was for Hunt, Liddy, and the Miami men to linger over a meal in the Watergate's Continental Room. McCord and Baldwin were to wait across the street in the Howard Johnson's motel, watching the DNC. Finally, the diners were to disperse—with the exception of Hunt and Gonzalez. They were to hide in a closet until the restaurant was cleared of dishes and closed for the evening. They were then to make their

way through a door into a corridor that would eventually lead them to the DNC's sixth-floor headquarters. There, Gonzalez was to pick the DNC's lock while Hunt traveled down to the garage level to admit the remainder of the team. McCord, however, had expected the operation to get under way before 11:00 P.M. That was the hour when a burglar alarm was activated in the corridor through which Hunt and Gonzalez hoped to pass. Unfortunately, McCord kept advising the pair by walkie-talkie that the DNC continued to be occupied (*déjà vu?*). By the time the word came through that the DNC was empty, Hunt and Gonzalez were locked into the Continental Room and the burglar alarm had been activated. McCord told Hunt and Gonzalez that he was unable to neutralize the alarm and they could not go into the corridor without setting it off. In fact, however, there was no such alarm: Hunt could have

done cartwheels down the hall without alerting anyone. But as a result of McCord's advice, Hunt and Gonzalez spent the night in the restaurant.

If the phantom alarm was strange, the second and third attempts at entry (undertaken the following evening) were genuinely bizarre. Appearing in the lobby of the Watergate office building, McCord and his accomplices were greeted by GSS guard Frank Wills. Telling Wills that they had business in the (recently burglarized) Federal Reserve Board (FRB) offices on the eighth floor, McCord and his cronies signed aliases—including "John Smith"—to the log book and then took the elevator up to the DNC. Though it was 12:30 A.M. in the middle of a long holiday weekend, Wills does not seem to have been disturbed by the unexpected presence, and the exotic destination, of so many men.

Neither, apparently, were the FRB's guards on the eighth floor. While Gonzalez struggled unsuccessfully with the door to the DNC's headquarters two

concerned, their operations leader had simply vanished after leaving the Command Post with them. They had no way of knowing when, or even if, he would join them inside the DNC. McCord disputes this account, contradicting the versions rendered by every other participant who has spoken of it. According to McCord, he did not accompany Barker and Martinez to the Command Post (after it was discovered that the tape was missing). Instead, he says that he proceeded directly back to the Howard Johnson's motel room to confer with Baldwin. (Asked about this, Baldwin reacted with surprise, and then denied that McCord had returned.) McCord claims that, while in the room, he spoke with Hunt by telephone, arguing vainly that the operation should not continue. According to McCord, it was Hunt who insisted that the operation should go forward despite the tape's discovery. It was with reluctance, McCord claims, that he accepted the order to carry on with the break-in.

Once again, McCord has provided us with an anecdotal account of events that never occurred. As we have seen, Baldwin, Martinez, and Hunt deny the story. According to Baldwin, McCord left the Listening Post shortly after 12:45, having just informed Hunt that the DNC was finally empty. It was weeks, not minutes, before Baldwin saw McCord again.

It would, at this point, be useful to estimate

the time. As is now known, the entry team found the tape missing at about 1:10 A.M. They conferred about this among themselves, McCord delegated various responsibilities, and then they split up. Since the men were concerned about their conspicuousness and the dangers implied by the missing tape, their conference in the garage was short. Allowing a few minutes more for McCord, Barker, and Martinez to return to the Command Post, the argument between McCord and Hunt must have begun shortly before 1:20 A.M. Since this argument required that McCord report the tape's discovery, make his recommendations, and listen to Hunt's rebuttal, this second discussion consumed about ten minutes. At 1:30 A.M., therefore, or shortly before, McCord, Barker, and Martinez left the Command Post. We do not know where McCord went at that time, but Martinez and Barker walked back to the garage beneath the office building, and entered the stairwell through the newly retaped B-2 doors.<sup>29</sup>

According to Martinez, he and Barker had been standing in the stairwell outside the DNC for five minutes prior to McCord's arrival on the scene. Having entered the building at 1:30 P.M., and having taken about five minutes to climb the stairwell to the sixth floor, Barker and Martinez presumably did not reunite with McCord until about 1:40 A.M. Wherever Mc-

resolved, Martinez says, when Hunt and Liddy adjourned to another room, apparently to make a phone call.

<sup>29</sup> As before, we do not know what McCord was actually doing on this occasion. All we can be sure of is that he was in neither the Command Post nor the Listening Post. And since he did not accompany Barker and Martinez on their trip to the garage, it is clear that he was somewhere in between all three locations.

<sup>30</sup> By my reckoning, over the numerous or attempted entrances to the DNC, Villo Gonzalez had a losing record in picking door locks at the Watergate. Such statistics may help explain why McCord was forever signing into the building to tape door locks open.

floors below, Martinez found that McCord was suddenly among the missing. Moving up the stairwell on what must have been little cat's feet, Martinez, to his passing horror, found McCord in conversation with the FRB's guards. At first, the Miami man feared that arrests were about to be made, but, upon seeing that the conversation was an amiable one, Martinez decided that McCord must be on friendly terms with the building's sentinels.

Meanwhile, Gonzalez decided that he could not open the door to the DNC with the equipment he had on hand: special tools were required, and the mission would have to be shut down until the following evening. Accordingly, McCord & Co. took the elevator to the lobby, gathered round Frank Wills, and signed out of the building. The exact time of their departure is recorded in the GSS visitors' log, but the notation is illegibly written so that all one can be certain of is that—whatever the exact time—the entry team left the building. Mysteriously, how-

ever, the log also shows that, after the team departed, four other men signed in, giving the FRB as their destination. Of these four, the signatures of two are scrawled, but the remaining signatures are identical to the written aliases of two (including "John Smith") who had entered earlier that night with McCord. What this implies is that at least two, and perhaps four, of the burglars made a second attempted entry on that same evening. Whether this entry was successful or not, and whether its participants included two who were not among those of the original entry team, is unknown.

The fourth, and final, attempt of that weekend was nominally the most successful. It occurred the following evening. After Gonzalez picked the DNC's lock, McCord installed bugs in the telephones of Larry O'Brien and Spencer Oliver—Executive Director of the Association of Democratic State Chairmen—while Barker photographed some of the DNC's documents. Nevertheless, with the bugs in place, McCord

suddenly announced that it was time for everyone to leave. Reportedly, Barker *et alii* were upset by the command, having only begun to mine the Democrats' files. But they accepted McCord's leadership and returned to their hotel.

The yield from the mission was therefore minimal: two bugs, the most important of which did not work, and a few dozen negatives showing some banal documents that the White House subsequently pronounced worthless. What is perhaps most interesting, however, is that these same photographs show surgically gloved hands holding the DNC papers against the background of a shag rug. According to the Watergate's concierge, to the building's maintenance men, and to some who worked at the DNC, however, there has never been a shag rug on the sixth (or any other) floor of that building. Which is to say that the uninteresting photographs that ultimately found their way to Liddy's principals were, in fact, taken elsewhere.

<sup>31</sup> I can imagine Lou Russell in the prompter's box for this scene.

<sup>32</sup> There are two stairwells in the Watergate office building. For reasons that apparently have to do with fire regulations, the stairwells are immediately adjacent to each other, but unconnected. Separated by a wall, they spiral round one another at the building's rear.

<sup>33</sup> While the burglars' target was undeniably the DNC, they had taped the locks to doors on other floors for several reasons. First, the B-2 level needed to be taped so that the team could gain entry to the building's stairwells and, thereby, access to the DNC. Second, doors leading to the eighth and other floors were taped as an escape route: should the burglars be surprised in the course of their felony, they hoped to elude capture by scattering to different floors.

<sup>34</sup> If this seems to have been perverse of Wills, consider his earlier inaction. Having found the doors taped at midnight, he'd been instructed by his supervisors to check the other doors and report back in fifteen minutes. Instead, he'd gone out for hamburgers and did not report back for more than an hour. What he was doing is anyone's guess: Wills's contemporary recollection is faulty in the extreme. ("Let's see: I found the tape... for the first time... about four or five o'clock in the morning...")

Cord had been, his absence was quite brief—a few minutes, and no more.

When McCord arrived at the DNC, he found Sturgis banging on the hinges of its door. Gonzalez had been unable to pick the lock (it was rusted and jammed),<sup>30</sup> so Sturgis was endeavoring to remove the entire door. Standing in the stairwell beside McCord, Martinez asked him if he had remembered to remove the tapes on his way up to the sixth floor. McCord falsely assured Martinez that he had.

In fact, the police were already arriving at the building at 1:55, having been dispatched two or three minutes earlier. In the lobby, they encountered Frank Wills, who explained that he had found the B-2-level doors taped open earlier in the evening. Subsequently, the guard said, he had found the same doors fixed with tape (but did not remove it) for a second time—twenty to thirty minutes before the police arrived. That is to say, Wills discovered the tape on the second occasion between 1:25 and 1:35 A.M.

What this means is that Barker and Martinez, who entered the Watergate at 1:30 A.M., may well have done so only *after* Wills had once again found the tape on the B-2 doors and gone to notify his supervisors and the police for the first time. Certainly Wills had already discovered the tape by the time that McCord entered the building (1:35 A.M.). The prospect this presents is one of a surpassing irony, in which the course of American history is seen to have rested on the most casual of decisions. That is, had Wills removed the tape (as he did the first time he discovered it), rather than leaving it in place (this second time), the political landscape of the 1970s might have been vastly different. *In effect, had Wills removed the tape, he would certainly have locked out McCord, and possibly Barker and Martinez as well.* Had this occurred, the police would at best have arrested only Sturgis and Gonzalez: a soldier of fortune and a locksmith with no direct ties to the CIA, to Howard Hunt, or to the Committee to Re-Elect the President.

But Wills did not remove the tape. He left it in place and walked back up the stairwell into the lobby. Close on his heels (or he on theirs) were Barker and Martinez, followed minutes later by McCord.

Capt. Bobby Jackson, Wills's roving supervisor, recalls that Wills telephoned him to report his second discovery about "an hour to an hour and fifteen minutes" after the two men had spoken together for the first time that night (at 12:30). Despite the evidence that a burglary was in progress, Wills had to be persuaded that the police should be called.<sup>31</sup>

The time, by Jackson's calculation, was 1:30 to 1:45 A.M.

Dispatched at 1:52 A.M., three policemen, each in plain clothes, arrived in the lobby at 1:55. Wills attempted to explain his discoveries while the police listened patiently, but the guard had little success. Accordingly, Wills led the cops down to the B-2 level and showed them the tape on the doors leading out to the underground garage. By this time, the four men had been joined by a Federal Reserve guard, and there ensued a discussion of the burglary at the Federal Reserve Bank offices some weeks before.

With this information, the police went up one of the stairwells to the Fed's offices on the eighth floor.<sup>32</sup> Their progress must have been noisy, because it alarmed Martinez. Turning to McCord for an explanation, he was told not to worry: it was only the GSS guards making their two o'clock rounds. As a precaution, however, McCord advised Barker to turn off his walkie-talkie, saying that its static might attract unwanted attention. Barker complied, in effect placing the entry team incommunicado with both their leaders, Hunt and Liddy, in the Command Post, and their lookout, Baldwin, in the Listening Post.

Meanwhile, the police had arrived at the eighth floor, where they found one of the doors taped in the same manner as the ones on B-2.<sup>33</sup> To their frustration, however, the Fed's guard was unable to open any of the offices with the keys that he had. After searching the hallways and trying the locks without success, the police returned to the stairwell and descended to the seventh and then to the sixth floor.

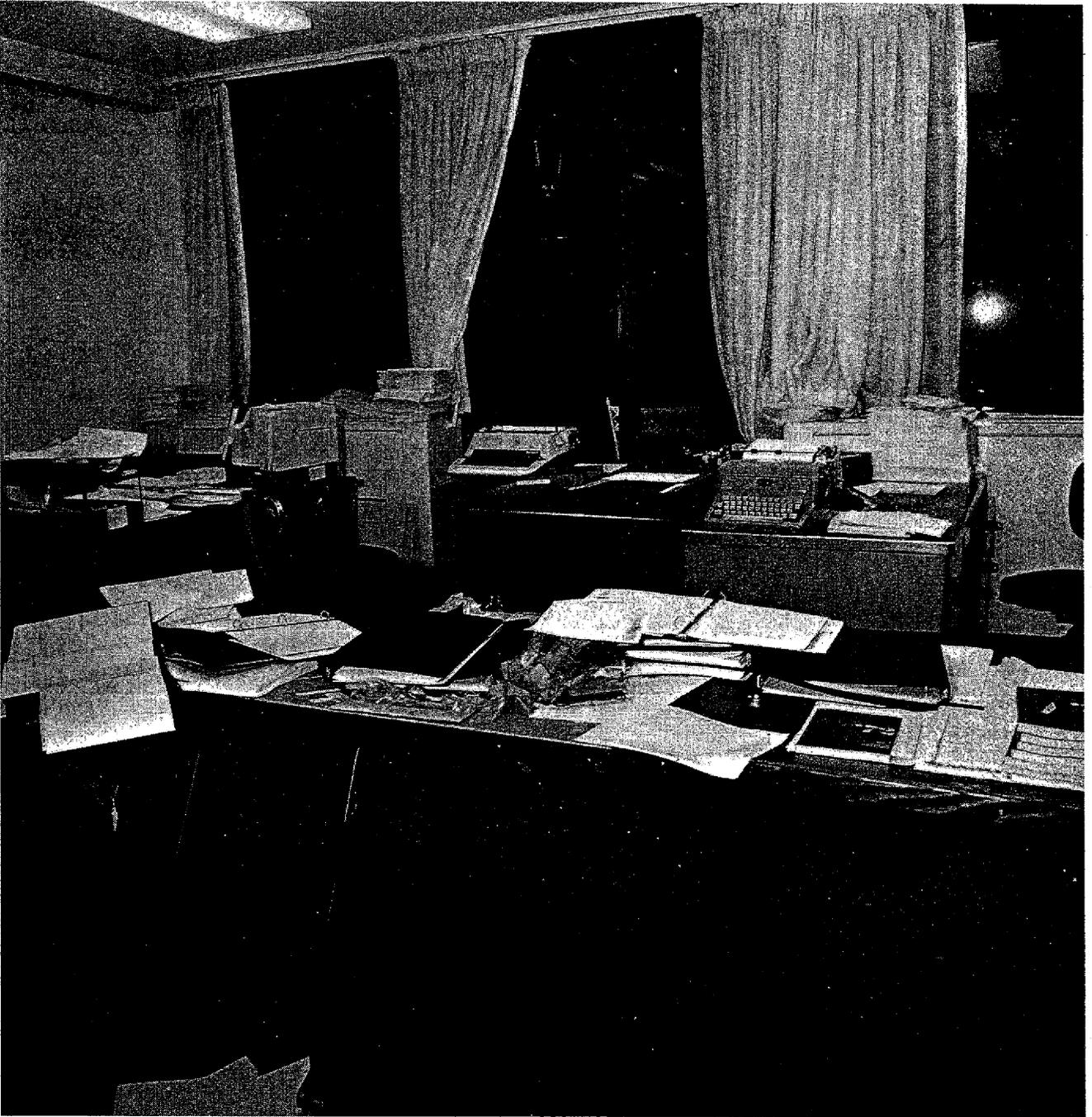
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"Looks like trouble"

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**B**

Y THIS TIME, McCord and the others had removed the DNC's door from its hinges and entered the Democrats' inner sanctum. According to McCord's testimony in a civil suit, the business with the door had consumed thirty to forty-five minutes. Given that, and the fact that McCord did not arrive on the scene until 1:40 A.M., it is clear that the entry team did not gain access to the DNC until 2:10 or even later. Which is to say that the police had been in the building for at least fifteen minutes before the actual crime was committed. According to police reports, the arrests were made at 2:30 A.M.



The Democratic National Committee offices,  
where the Watergate break-in team tapped telephones and searched,  
obviously, for needles in the haystack

<sup>35</sup> Until recently, Baldwin has always disputed Hunt's account by reversing their roles and insisting that Hunt ordered him to take the van to McCord's. This summer, however, I spoke with Baldwin and he admitted that taking the van to McCord's had been his own idea. "I didn't have much choice," Baldwin told me. "I didn't know Washington very well, and McCord's was the only place that I knew how to get to."

<sup>36</sup> In fact, though Birely claims that he was motivated by the goodness of his heart, none of this seems to have been free—but was, instead, "on account." During the 1972-73 period or until Russell's death, Birely had Russell sign papers showing that the detective owed him more than \$16,000.

<sup>37</sup> Though McCord paid Russell by check on a weekly basis (until his death in July, 1973), Russell's other employers preferred to pay the detective daily—reasoning that, in this way, his excesses could be kept under control. Russell had an unusual method of cashing his paychecks from McCord Associates. That is, he would take his paychecks from McCord to Washington attorney Bernard Fensterwald—yet another of the powerful men for whom Russell performed investigative work. Russell would sign the back of the McCord check for deposit to one of Fensterwald's bank accounts, and Fensterwald would make out a new check—one of his own—for an equal amount, payable to Louis

Al Baldwin had not been much help. He had not reported the arrival of the police until after they had already entered the DNC's offices. Even then, his report to Hunt and Liddy had a laconic air: "Any of your guys wearing hippie clothes?"

The query, received by walkie-talkie, predictably alarmed Gordon Liddy, who told Baldwin that all of his men were wearing business suits.

Baldwin then replied, "There's four, maybe five, guys running around the sixth floor. Lights are going on. One's wearing a cowboy hat, another a sweat shirt. Oh, oh, they've got guns. Looks like trouble." And then, the lookout's final report: "I can see our guys now, hands in the air. Must be cops with them."

Soon, squad cars and paddy wagons began pulling up in front of the Watergate, red lights flashing. Frank Wills, standing next to an "unidentified white male" in the lobby, admitted the uniformed police and directed them to the sixth floor. Then he opened the door so that the unknown man could leave, and began fielding questions from the police. One of the first questions was, "Who was that you let out?" Wills said he didn't know, and immediately the police began to suspect that a "sixth man" had been involved in the burglary—but that he had got away.<sup>34</sup>

Meanwhile, Liddy and Hunt, the latter with an antenna jammed down his trouser leg, sauntered out of the Watergate Hotel and got into Hunt's car. After dropping Liddy at his Jeep, Hunt circled back to the Howard Johnson's motel. Going upstairs, he found Baldwin, who, Hunt testified,

*had some binoculars and was quite obviously enthralled by this scene of people being led out of the Watergate, more and more police arriving.*

*He encouraged me to lie down on my belly on the balcony and join him in watching what was going on across the street. I thought this was a very unrealistic reaction to what was going on, and I said to him, "For God's sake, get out of here."*

*And he said, "Well, I have got all of this stuff to load."*

*I had still never seen any of the electronic equipment in the apartment. I said, "Load [McCord's] van and get out of town."*

*He said, "Where shall I go?"*

*I said, "I don't care where you go, but go far and go fast."*

*He said, "Shall I take the van to Mr. McCord's home?"*

*I said that would be the last place to take it. I said, "Anyplace but that."*

*I opened the door, left, and never saw him again until I saw him on television.*

In fact, Baldwin drove the van to McCord's house against Hunt's instructions, parked it in the driveway with all its incriminating evidence, and then returned home to Connecticut.<sup>35</sup>

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## The cover-up continues

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W

ITHIN A FEW DAYS, after the arrests of the Watergate burglars, a number of changes had taken place within the Washington area, though many of them went unnoticed for a long

while. The interior of McCord's house, for example, needed a new paint job. This was so because there had been an *auto-da-fé* in the living room. CIA agent Lee Pennington, McCord's wife, and others had fed the paper contents of McCord's study into the fireplace, destroying newspaper clippings, personal and business files, CIA documents, and a good deal more. But in their haste, they had neglected to open the flue, and as a result the walls and furniture had been blackened by soot and smoke.

News of the conflagration would reach the authorities months later, after McCord had taken the trouble to bury and drown electronics equipment that had also been in his home. The suspicious naturally regarded these incidents as a massive destruction of evidence, but McCord and Pennington dismissed the notion. The fire, according to Pennington, had been started as a kind of preemptive strike. The family had received a bomb threat, and McCord, on learning of it, feared that the papers in his study might catch fire, endangering the house—so he had ordered them burned.

Within forty-eight hours of the arrests, Kennedy aide Carmine Bellino had telephoned Lou Russell to ask what he knew about the break-in and James McCord. It is unknown what Russell told Bellino, but, overnight, Russell moved from a dilapidated rooming house near Dupont Circle to a penthouse across the District Line in Silver Spring. There, Bellino's friend and stockbroker, William Birely, provided Russell with a car, spending money, and free rent for the remainder of his life.<sup>36</sup> Indeed, his circumstances improved so much that months later, after Bellino had been appointed chief investigator for the Ervin Committee, Russell was in a position to buy and sell stock

valued at more than \$25,000, using Birely as his broker—which wasn't bad for a defrocked spy who could not afford a bank account and who concealed his "walking-around money" in a roll of Reynolds Wrap.<sup>37</sup>

**N**O MATTER WHERE I looked, it became obvious that the Watergate investigators had failed to follow obvious leads and were either ignorant of, or chose to overlook, evidence that might indicate McCord was less than an honorable fellow. Wherever I turned, the accepted version of the Watergate affair made less and less sense. I found, for instance, that McCord had established a secret liaison with the Washington Police Department's Intelligence Division. On a number of occasions in the months leading up to the break-in, he had conferred with police officer Garey Bittenbender—who had, in turn, reported to his commanding officer, Inspector Thomas Herlihy. Bittenbender and McCord had become friendly, close enough in any case for McCord to invite Bittenbender aboard the campaign plane to Miami and to give the policeman instruction in the use of electronic surveillance equipment. McCord had shown the equipment to Bittenbender on the occasion of their first meeting, and the police officer had reported the offer of instruction to his divisional chief. Herlihy agreed that McCord's offer was a good opportunity, but warned the policeman not to become involved in any actual surveillances himself. The question, of course, is: Why didn't the police arrest McCord for being in possession of such illegal equipment or at least place him under surveillance as a likely felon? That they did not is a matter of fact. McCord and Bittenbender continued their liaison up to, and even after, McCord's arrest on June 17, although, subsequently, with McCord in jail, the friendship between the two dissolved.

At this point, it is fair to say that we know more about the break-in of June 16-17 than any of the investigators to date. Indeed, the likelihood is that, with the exception of McCord, we know more about it than the principals themselves. As for McCord, it has been shown that at every juncture of the break-in he made decisions that proved catastrophic, applied "trade-craft" that was ludicrous, and misled his accomplices about matters that were either incriminating to himself or strategic to the break-in's failure—all of which

made the team's apprehension inevitable.

That a career CIA officer such as McCord should blunder so completely is about as likely as a podiatrist's accidentally decapitating his patient. Indeed, it is even less likely, since incompetence will not suffice as an explanation for McCord's fabrications. Those who choose to believe that the burglary failed through the incompetence of its perpetrators are advancing a theory that pretends toward sophistication but which is, in fact, naïve. Repeated mistakes and bad luck are one thing, but a pattern of deception is another. In the end, there is no innocent explanation for McCord's having concealed the fact that the DNC was empty while the Watergate was unguarded.

It was with proof of this that I gave up all hope of a story on Lou Russell. His involvement in the affair was beyond all reasonable doubt, which meant that even further investigation was required. To know that McCord sabotaged the break-in and that another Watergate cover-up continues into the present was not an end to the matter—merely a beginning. The questions Why did McCord do it? and For whom was he working? arose as naturally as mushrooms in a damp cave.<sup>38</sup>

Of course, these questions contain the implicit assumptions that McCord did in fact have a motive and that, in addition, he had not acted independently. The first assumption seems fair because there is no evidence for its alternative: that McCord was insane. On the contrary, more than a dozen courts had accepted his testimony as competent and, from all appearances, McCord was coolly rational. Having accepted his version of events for nearly a decade, it would be hypocritical, in light of the new evidence, to explain away his sabotage in terms of some dubious and undocumented madness. Theories of that sort begged the question Why? by implying that there was no reason and, therefore, no answer.

But the second assumption, that McCord had not acted on his own, is less secure. Might he not have been an *espontaneo*, that is to say, a spectator who, in a moment of passion, leaps into the arena, performs a few *veronicas*, sows confusion, and, typically, is gored? Of course. And yet, McCord's reputation as a man who followed orders, coupled with his manner of exposing the break-in, makes this seem unlikely. McCord's *m.o.* was that not of a conventional whistle-blower but of a careful spy. He did not expose the operation by leaping to his feet with a cry of "*J'accuse*," but rather sabotaged the mission in such a way that it led to his own arrest. All of which suggests a scheme, rather than spontaneous combustion.

James Russell. Russell would then take the wealthy lawyer's check to a nearby bank where Fensterwald was known, and cash it.

Subsequently, this became a matter of some interest to the Senate when McCord dismissed Gerald Alch as his attorney and hired Fensterwald to represent him. Because the circumstances of that dismissal were laden with serious charges—McCord alleged that Alch was engaged in a plot to blame Watergate on the CIA, while Alch alleged that Fensterwald's efforts were politically motivated—the Senate inquired about McCord's relationship with his new attorney.

A prominent figure in Washington politics, Fensterwald was an aficionado of intrigue, one of assassin James Earl Ray's former attorneys, and the founder of the nonprofit Committee to Investigate Assassinations (CtIA). According to Fensterwald and McCord, they had just become acquainted. While Fensterwald had risked \$45,000 in cash toward McCord's bail, and while he had been cashing McCord's checks for Lou Russell during the course of many months, the two men had only just met for the first time. The check-cashing episode, therefore, was no more than a coincidence.

<sup>38</sup> Besides his many jobs for Fensterwald, Anderson, McCord, Birely, the GSS, and the CRP, Lou Russell was also engaged in what appears to have been a blackmailing scheme. In the spring of 1972, he acquired \$3,000 worth of electronic eavesdropping

equipment and installed it in the bedrooms of call girls at the prestigious Columbia Plaza Apartments, located a block from the Howard Johnson's and the Watergate.

Such an endeavor could perhaps be dismissed, given Russell's erratic past, in a boys-will-be-boys category did it not coincide with the suspicion that Al Baldwin may have had similar vicarious interests. If there is an answer to their suspected pursuits, it lies in the Gemstone file, the typed transcripts of the DNC phone calls monitored at the Howard Johnson's.

I have not seen these files. They are not part of the public record, since to disclose the contents of illegally intercepted telephone conversations is a crime. But acquaintances who have seen the file tell me that it is a mixture of phone conversations at the DNC and passionate exchanges, presumably not the stuff of a party headquarters.

All this, nonetheless, still appears to be a weird diversion from a Howard Hunt novel, except when it is remembered that Gordon Liddy once proposed to Attorney General Mitchell that a yacht be leased in Florida and crewed by prostitutes who, in the course of cruises for prominent Democrats, would acquire lurid details about members of the opposition. Liddy never got his yacht and was told to scale down his plans, which perhaps he did.

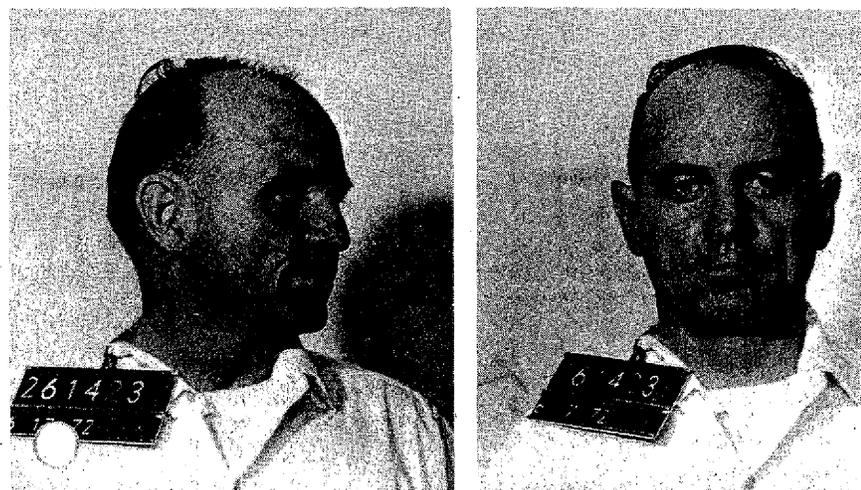
**I** AM REMINDED of the surgeon who, in the course of delving a mere anomaly of flesh, finds that the patient is shot through with knots of serpentine and cankered tissue. Etherized upon the table, the patient might somehow be saved if all the resources of the profession are brought to bear, but the will is lacking. To know, by dissecting the Watergate burglary, that our understanding of the affair as a whole is fatally flawed is to know also that nothing will be done. The political transformations whose pathogenesis can be traced to the evening of June 16 have been institutionalized and accepted. There is nothing to do, then, but sew the patient up, cluck one's sympathy, and mail the bill.

It is conventional, of course, for journalists as well as for physicians, to prescribe remedies even in the absence of hope. We might call for a new investigation. We might "demand" that the CIA finally respond to the informational requests made years earlier by Sen. Howard Baker. We might appeal to the judiciary to make public the Presidential tapes. We might insist that, in the public interest, the *Washington Post* reveal the identity of "Deep Throat" so that the public can judge whether journalism has been blessed by the altruistic con-

cerns of a closet liberal within the Nixon Administration or whether, as seems likely, the *Post*—and therefore "Watergate"—was manipulated for political reasons. There are many things we might call for or do.

But Senator Baker is running for President. Congress is content with the established order (and with the established history). Those destroyed by the affair have begun to mend or, at the least, no longer have the heart for controversy. The CIA remains truculent, the former President a virtual recluse. The only continuing victim of the affair, then, is the public. And while the public may be said to have a proprietary interest in the affair—for, after all, the ultimate target of McCord's deception was not his accomplices, but, rather, you and I—there is no reason to believe that anything will be done. Honed to an unusual bluntness of vision by years of Monday night football, we have come to accept the referee's decision even when instant replay reveals the judgment to be wrong. The priorities of daily life—inflation, high interest rates, crabgrass—have forced us to delegate the responsibility for understanding our own history. So it is that we place our faith in appointed caretakers, television commentators, and syndicated pundits, who, nightly and in the morning, assure us that the present is in good hands.

It is not. □



James McCord on the night of his arrest