

The story so far (cont.)

ing for '72. The two-tiered game plan called for a posture of unusual conciliation by the President and a stance of extra combativeness by his political operatives.

In January, the President handed the chairmanship of the Republican National Committee to Senator Robert Dole of Kansas, known for his hard-nosed partisanship. But nobody expected the real reins of the campaign to be held at the National Committee. "We knew we had a damn tough fight," one former Presidential aide recalls, "and we weren't going to entrust it to the bunch of cautious old hacks down at the committee." It was entrusted instead to the Committee for the Re-election of the President (CREEP), which in March, 1971, opened its offices in a glass and steel tower at 1701 Pennsylvania Avenue.

The CREEP offices—replete with deep orange pile carpeting, color-coordinated décor and new electric typewriters—were nothing if not convenient, barely 150 yards from the White House gates. It was an easy stroll for the brisk young men in double-knit suits who began shutting back and forth across Lafayette Park that spring. A floor up

were the law offices of Murray Chotiner, one of the President's key political operatives, and right down the fourth-floor hallway from CREEP were the Washington offices of Mudge Rose Guthrie & Alexander, the Wall Street law firm which was alma mater to Richard Nixon and John Mitchell. Mitchell, who headed one faction jockeying for supremacy in the President's inner circle, initially placed one of his protégés, Harry S. Flemming, in charge of CREEP. But, in May, 1971, H. R. (Bob) Haldeman, the President's chief of staff, who headed the rival faction, countered by sending over one of his own lieutenants, Jeb Stuart Magruder. Soon he was running the committee.



Named by his father, a Civil War buff, after the dashing Confederate cavalry general, Magruder hardly cut a dashing figure as a merchandiser of cosmetics, facial tissues and women's hosiery. The Magruder family had lived in Maryland since the 17th century, but young Jeb grew up in Staten Island. From an early age, he was fascinated by

merchandising—selling cosmetics to work his way through Williams College and promoting Vicks cough medicines during the summer. With a business degree from the University of Chicago, he started with the Jewel Tea Company and eventually became president of two small companies in California. Meanwhile, he faithfully put in his time as a Republican worker, "coordinated Southern California" for Nixon in 1968 and moved with him to Washington the next year—first as deputy director of communications, then as a special assistant. A self-styled "Nixonian Republican" who found himself "in complete agreement with the President," Magruder developed a reputation for loyalty. "He'll do what he's told to, maybe even to the point of sublimating his own judgment," says a former associate. And he had an open, easy-going manner (riding his 10-speed bicycle to work, even showing up on Saturdays in a sport shirt) which helped him earn others' loyalty. One colleague recalls: "I performed things for Jeb I wouldn't have done for anyone else."

There was a lot to do. As the spring wore on, it looked increasingly as though Nixon might indeed be a one-term President. In February, 1971, the Harris Poll showed Muskie leading Nixon 43 to 40. In March, it was 44 to 39. In May, 47 to 39.

State of Siege

All these things going on and we were powerless.

—Justice Department official on radical unrest of 1969-71.

MAY, 1971, was a time of torment in Washington. After weeks of more orderly antiwar protests, the Mayday Tribe descended on the city determined to "stop the Government" with an unprecedented wave of civil disobedience and disruption. For days, the motley legion of young demonstrators blocked streets and bridges with automobiles, trash cans, lumber and their own bodies. The Government responded with new "get tough" tactics, flying in the National Guard and Marines to augment police, arresting some 13,500 demonstrators and holding them for hours in large outdoor stockades. As tear gas swirled around some of the nation's most revered shrines and demonstrators blocked entrances to major Government buildings, the capital was in a virtual state of siege.

The events of that May fulfilled the worst fears of the men in the White House, fears that had been building for two years. As the Vietnam war dragged on and racial tensions persisted, the late sixties and early seventies were a period of nearly perpetual protest in America. Campus unrest, building through the decade, reached a peak in 1969-70 with nearly 1,800 demonstrations, many of them accompanied by bombings and other violence. The disorders reached a crescendo after the Cambodian invasion and the killing of six students at Kent State and Jackson State in May, 1970, with more than 440 colleges closed down or otherwise disrupted. Meanwhile, sporadic gun battles were continuing in communities across

the country between militant blacks and police.

The President did his best to project an air of lofty disdain for such activities, letting word leak out that he had been watching football on TV during one march. But it now appears that he and the men around him were far more concerned, even desperate, than they let on. John Dean, former counsel to the President, says advance men for Presidential trips were instructed to insure that demonstrators remained "unseen and unheard" by the President and for that purpose Haldeman authorized "any means—legal or illegal."

One day, the President looked out his window and saw a man (later identified as Monroe Cornish, a Maryland schoolteacher) with a 10-foot banner stretched out in front of Lafayette Park. Dean says one of Haldeman's assistants told him of the President's "displeasure" and Haldeman's decision that "the sign had to come down." Dean says he then ran into Dwight Chapin, the President's appointments secretary, who said he was going to get some "thugs" to remove the man. Instead, Dean called the Secret Service, who got the Park Police to convince the man that he should move across the park, where the sign would be out of the President's sight.

The President's suspicion of critics and demonstrators was reinforced among his advisers. One official recalls a feeling at the White House then that "we were faced with one of the most serious domestic crises we've had." There is little doubt that in the superheated atmosphere of 1969-70, the President and the men around him perceived the unrest as a genuine threat to "national security." But, apparently, they felt another kind of security was at stake, too—the President's political security.

During the October, 1969, antiwar moratorium,

David Broder wrote a column in The Washington Post which said: "It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969. The likelihood is great that they will succeed again. . . ." According to a former White House aide, Broder's column was "read and discussed very thoroughly in the circles around the President and had quite an impact. We took the warning very seriously." A Justice Department memo reinforced this fear by contending that antiwar leaders had devised "a three-phase program designed to defeat President Nixon in the 1972 Presidential election."

By 1969-70, the White House was increasingly pervaded by what one former Presidential aide calls the "us vs. them" outlook. "It didn't matter who you were or what ideological positions you took," the aide recalls. "You were either for us or against us, and if you were against us we were against you. It was real confrontational politics and there were a number of men around the White House who clearly relished that sort of thing." One of those men was Charles (Chuck) Colson, the special counsel to the President.



"If you've got 'em by the —, their hearts and minds will follow," reads the Green Beret slogan over the bar in Chuck Colson's den. Colson is a "tough guy," who once served as the youngest company commander in the Marines and kept a Marine poster in his office. A friend calls him



Repository for secrets: A paper shredder in Washington, D.C.

"a technician who enjoys combat" and combat has been his specialty in or outside the White House. Long before he formed his "attack group" to besiege Democratic candidates, he was on the attack: feeding damaging information on Senator Joseph Tydings of Maryland to a Life reporter or orchestrating an attack on A.F.L.-C.I.O. president George Meany as "sadly out of step" with the working man. Colson prides himself on being in touch with the working man, particularly the "hard hat" ethnics whom he saw as the potential heart of the President's "new majority." Growing up in Massachusetts as an upwardly mobile middle-class Yankee, he deeply resented the Brahmin aristocracy which ruled the Commonwealth. Granted a scholarship to Harvard and told by the dean of admissions that nobody had ever turned one down, he did just that and stamped off to Brown. Although he once worked for Senator Leverett Saltonstall, a Brahmin if ever there was one, his three heroes are cut from a different mold: Lieut. Gen. Lewis B. (Chesty) Puller ("the greatest blood and guts marine who ever walked"), John Wayne and Richard Nixon.

John Dean says Colson played a major role in developing the Administration's "enemies list" (Colson says it was his former assistant, George Bell, now dead). This list, continually updated in a series of memoranda called "Opponents List, Political Enemies Project," included several hundred persons, among them the presidents of Harvard, Yale and the Massachusetts Institute of Technology; Thomas J. Watson, board chairman of IBM; Julian Goodman, chief executive officer of the National Broadcasting Company; Robert McNamara, president of the World Bank; James Reston; Barbara Streisand; Steve McQueen and Joe Namath.

To deal with such enemies, the White House needed some undercover operatives. So, in March, 1969, barely two months after the inauguration, John Ehrlichman, then counsel to the President, called John Caulfield, a New York City policeman, and asked him—according to Caulfield—whether he would set up "a private security entity in Washington for purposes of providing investigative support for the White House." Caulfield proposed instead that he join Ehrlichman's staff, and on April 8, 1969, he entered the White House.

"My father has never gotten over that," he says of the 1958 Meritorious Police Award he won for his seizure of contraband weapons destined for Ireland. John Caulfield is an Irish cop. He comes, in his own words, "from a humble background" in the Bronx. His basketball exploits at Rice High School won him a partial athletic scholarship at Wake Forest, but he had to leave after two years for lack of money. Walking a patrolman's beat in the early fifties, he helped uncover a robbery ring and won promotion to detective, serving from 1955 to 1966 in the city's Bureau of Special Services and Investigations "monitoring the activities of terrorist organizations." Caulfield proudly tells of his role in arresting "the prime Castro agent" in the U.S.; the "bazooka attackers" at the United Nations, and the French Canadians who plotted to destroy the Washington Monument and the Statue of Liberty. During the 1960 Presidential campaign, he helped guard both candidates and got to know the Secret Service agent in charge of Nixon's detail. That led to a temporary job with Nixon's 1968 campaign and eventually to Ehrlichman's call.



Caulfield brought with him another member of the New York Bureau of Special Services, Anthony T. Ulasewicz. Hired by Ehrlichman after a clandestine meeting at La Guardia Airport, Ulasewicz was not on the White House payroll but instead was paid \$22,000 a year by Herbert Kalmbach, the President's private lawyer. But he worked for Caulfield and during the next few years the two ex-New York City cops kept busy on a variety of assignments, first from Ehrlichman and then, after July, 1970, from John Dean.

If "us vs. them" was the White House battle plan, the first of the "them" may have been Senator Edward Kennedy, then a favorite for the 1972 Democratic nomination. According to Dean, Ulasewicz sped to Chappaquiddick within six hours after the body of Mary Jo Kopechne was pulled from the car driven by Senator Kennedy on July 18, 1969. Dean says Caulfield "posed as a newspaper reporter and always asked the most embarrassing questions at any press gathering." Senate sources say that soon afterward Caulfield and Ulasewicz had a wiretap installed on the phone in the Washington house Miss Kopechne had shared with three other girls. Dean says Caulfield was instructed to follow Kennedy during the Senator's 24-hour stopover in Hawaii in August, 1969 (his report uncovered a press conference and a tennis match, but no bar hopping). That fall, Dean says, Haldeman ordered "24-hour surveillance of Kennedy," but Dean talked him out of it.

Another "enemy" investigated was Dan Schorr, the C.B.S. newsman who had done some reporting the Administration resented. According to Dean, Haldeman ordered an F.B.I. investigation of Schorr. Later, when that was discovered, the Government said Schorr was being investigated as part of his consideration for a Presidential appointment.

Schorr ("a real media enemy") was on a special 20-name version of the "enemies list" apparently selected for specific and immediate reprisals. Others on this short list included Edwin O. Guthman, national editor of The Los Angeles Times ("it is time to give him the message") and Maxwell Dane of Doyle Dane Bernbach ("they should be hit hard, starting with Dane"). What the White House had in mind is suggested in a memo from John Dean in which he shows "how we can use the available Federal machinery to screw our political enemies." Dean said that the "project coordinator" should "determine what sorts of dealings these in-

Siege (cont.)

dividuals have with the Federal Government and how we can best screw them (e.g., grant-availability, Federal contracts, litigation, prosecution, etc.)." Finally, the coordinator should have "the full support of the top officials of the agency or department in proceeding to deal with the individual."

One agency from which the White House particularly wanted such cooperation was the Internal Revenue Service. Dean says the President specifically urged "the use of the Internal Revenue Service to attack our enemies." As early as July, 1969, the White House began pressuring the I.R.S. Ultimately, the agency did set up a Special Service Group to move against left-wing organizations, but it was not moving fast enough for the White House. At least two audits were later made of the Administration's "enemies": one of Harold J. Gibbons, a Teamsters Union vice president who, Colson complained, was "an all-out enemy," and the other of Robert W. Greene, a Newsday reporter, after Dean was told he should have "some tax problems" as a result of a series he wrote on Charles (Bébé) Rebozo, one of the President's closest friends.

If harassment of "enemies" was half of the White House strategy, then the other half was support for "friends." So Caulfield looked into I.R.S. tax audits on Billy Graham and John Wayne—two Presidential friends — and recommended that Wayne's be dropped; Colson and Rebozo sought to influence a U.S. Parole Board decision on a Jewish co-defendant of Jimmy Hoffa's in hopes of winning some Jewish votes.

All the while, the White House kept talking in lofty terms of "national security." By early 1970, the President and the men around him seemed convinced that much of the domestic disorder was being financed or fomented from abroad. Specifically, the White House held that Black Panther leaders were being covertly supported by Caribbean and North African countries; that blacks were getting insurgency training in North Korea; that the Weather-

men and other radicals were being aided by various Communist regimes.

The C.I.A. carefully examined these contentions and in two lengthy reports—submitted in 1969 and 1970—failed to find any supporting evidence. "We said the radicals were clean and that we couldn't find anything," recalls one official who worked on the studies. "We tried to show that the radical movements were homegrown, indigenous responses to perceived grievances and problems that had been growing for years." But the White House discounted these reports.

In April, 1970, 29-year-old Tom Huston, then a White House staff assistant, started preparing studies looking toward a new domestic security program.



Indiana is a stronghold of "libertarianism," that brand of intense individualism which can serve as an ideological underpinning for everything from freewheeling radicalism to rigid conservatism. Tom Charles Huston of Logansport, Ind., began as a Stevensonian Democrat, but in high school became a "Jeffersonian Republican" who admired Cato and John C. Calhoun and wished he had lived in the 18th century. At Indiana University, where he gained bachelor's and law degrees, he became national chairman of Young Americans for Freedom. In 1966, he endorsed Nixon for President—a maverick move when many young conservatives preferred Ronald Reagan—thus earning himself a White House speechwriter's job in 1968. Beyond two years in Army intelligence, the tall, bespectacled Huston brought little experience to his security job. But he justified his role in terms of "libertarian" doctrines. "The real threat to internal security is repression. But repression is an inevitable result of disorder. Forced to choose between order and freedom, people will take order."

Huston confronted several obstacles which the White House believed were severely hampering domestic security and intelligence-gathering operations. One was the F.B.I.'s discontinuance of its domestic espionage programs carried out against suspected foreign agents and some domestic radicals since the start of World War II. With the formal or tacit approval of successive Administrations, the bureau had burglarized suspects' homes and headquarters, tapped phones, bugged rooms, read mail, infiltrated organizations and even blackmailed foreign diplomats. "The boys would do what they had to," recalls one F.B.I. man. "And if they got caught, Hoover would disavow them." But in 1966, according to President Nixon, J. Edgar Hoover, the F.B.I. director, had given orders to discontinue these "special programs." Then, in May, 1970, Hoover compounded the bureaucratic paralysis by cutting off all F.B.I. liaison with the C.I.A. The White House felt its defenses gravely weakened. "My God, we've got to do something about this," said one official.

So, on June 5, 1970, the President called a meeting in his Oval Office attended by Hoover, Richard Helms, director of the C.I.A., Lieut. Gen. Donald V. Bennett, director of the Defense Intelligence Agency, and Adm. Noel Gayler, director of the National Security Agency. This committee, with Hoover as chairman, was instructed to come up with a plan to strengthen the Government's domestic intelligence gathering.

A working group, with Tom Huston sitting in, deliberated for less than three weeks and on June 25 submitted a 43-page report. It called for (1) intensified electronic surveillance of both domestic security threats and foreign diplomats; (2) monitoring of American citizens using international communications facilities; (3) increased legal "mail coverage" (exterior examination to determine sender, postmark, etc.) and relaxation of restrictions on illegal mail coverage (opening and reading); (4) more informants on college campuses; (5) lifting of restrictions on "surreptitious entry"; (6) establishment of an Interagency Group on Domestic Intelligence and Internal Security, with representatives from the White House, the F.B.I., the C.I.A., the N.S.A., the D.I.A. and the three military counter-intelligence agencies.

The report noted that some of the proposed steps were hazardous. Some risks it dismissed out of hand. The only argument against legal mail covers, for example, was said to be "Mr. Hoover's concern that the civil liberties people may become upset [and] this risk is surely an acceptable one." Of "surreptitious entry" it warned: "Use of this technique is clearly illegal; it amounts to burglary. It is also highly risky and could result in great embarrassment if exposed. However, it is also the most fruitful tool and can produce the type of intelligence which cannot be obtained in any other fashion."

The President approved the committee's recommendations and on July 23 a "decision memorandum" outlining the approved steps went to the agencies. The President has said the plan was "operational" for only five days. Huston says that on July 28 Haldeman told him to have the agencies return their copies of the memorandum, but that it was never formally rescinded. According to the President, the obstacle again proved to be J. Edgar Hoover. Hoover had opposed many of the steps within the committee and recorded his objections in footnotes to the report. When the President overrode him, Hoover is said to have gone directly to John Mitchell, who got the memorandum withdrawn later that month. According to one official, Hoover refused to go along with the plan unless the President gave him specific written approval to violate the law—which the President refused to do.



Watergate door: Security guard Frank Wills noticed the tape and called the Metropolitan Police.

Huston says Hoover's real objection was to any board overseeing or evaluating the way he ran the F.B.I. (and, indeed, that very month, he cut off remaining liaison with all other Federal agencies except the White House). Others say Hoover was afraid an F.B.I. agent would get caught in a grossly illegal act and thus blot the director's carefully guarded image.

For a time after the intelligence plan was withdrawn, Huston lobbied vigorously for his baby. In an Aug. 5 memo to Haldeman, he wrote, "All of us are going to look damn silly in the eyes of Helms, Gayler, Bennett and the military chiefs if Hoover can unilaterally reverse a Presidential decision. . . ." But Hoover could and did. All Huston's efforts led only to the loss of his intelligence assignment (his duties were transferred to John Dean) and his eventual resignation.

Hoover's intransigence blocked efforts to gear up the domestic intelligence program for about six months. Then, in December, 1970, the White House tried again. It established an Intelligence Evaluation Committee composed of representatives of the White House, F.B.I., C.I.A., N.S.A., the Secret Service, and the Departments of Justice, Treasury and Defense. The group was supersecret and,

reporting directly to the White House, was lodged under strict security precautions in the Justice Department's Internal Security Division. According to the President, the committee was "instructed to improve coordination among the intelligence community and to prepare evaluations and estimates of domestic intelligence." Among other things, it sought to predict the size of demonstrations and their potential for violence. "We were paper shufflers," says one Justice Department official who worked on the committee. "We didn't get into the operational side."

But someone seems to have been operational out there. There have been repeated reports of burglaries which fit the "surreptitious entry" section of the intelligence plan. Two defense lawyers and one defendant in the "Seattle 7" case have reported break-ins just before, during and after the December, 1970, trial. Senate investigators have been told that Government agents were involved in other burglaries at defense offices during the trials of Philip Berrigan, the Chicago Weatherpeople and the "Detroit 13." An attorney for Scott Camil, an indicted member of Vietnam Veterans Against the War, says Camil's papers were stolen from her office on July 8, 1972. Gerald Lefcourt, an attorney for

many protesters, says his New York office was burned and burglarized several times between 1970 and 1972. These reports remain unverified and the perpetrators unidentified.

Jeb Magruder, who was at the White House during this period, has suggested that the Administration's willingness to engage in illegal acts was related directly to the illegality on the part of the radicals and antiwar demonstrators. For Magruder, the most telling exemplar was William Sloane Coffin, under whom he had studied ethics at Williams College: "We saw continuing violations of the law by men like William Sloane Coffin. He tells me my ethics are bad. Yet he was indicted for criminal charges. He recommended on the Washington Monument grounds that students burn their draft cards and that we have mass demonstrations, shut down the city of Washington. . . . we had become somewhat inured to using some activities that would help us in accomplishing what we thought was a cause, a legitimate cause."

And thus, in May of 1971, as the Mayday Tribe was laying siege to the city, inside the White House men were preparing their own direct-action plans. Within a month, the President would feel impelled to set them in motion.

Leaks, Leaks, Leaks

I don't find wiretapping a particularly attractive procedure. I similarly don't find the leakage of documents a particularly attractive procedure.

—Henry Kissinger, news conference, May 23, 1973.

ON the morning of June 13, 1971, the Sunday edition of The New York Times plunked down on doorsteps along the East Coast bearing a laconic headline at the top of Page 1: "Vietnam Archive: Pentagon Study Traces 3 Decades of Growing U.S. Involvement." Inside were three more pages of stories and three pages of documents—the first installment of what were to become known as "The Pentagon Papers."

The President's early reaction to the Papers' publication was remarkably relaxed. He told Republican Congressional leaders at the White House the next Tuesday that since the massive Defense Department study of policymaking on Vietnam covered a period ending in early 1968, it was far more likely to embarrass former President Johnson and his aides than anybody in the Nixon Administration. But Sanford Ungar, in his book on the Papers dispute, reports: "A contrary attitude was developing among key White House advisers, especially in the office of Henry Kissinger."

According to Ungar, Kissinger argued that unhindered publication of the papers could damage two sets of secret negotiations then under way: the highly sensitive feelers through Pakistan to arrange Kissinger's trip to Peking (which, in turn, was to pave the way for the President's visit and the historic *rapprochement* with China); and, second, the secret negotiations which had then been going on for nearly two years with North Vietnamese officials in Paris seeking an end to the

Vietnam war. Kissinger argued that the Chinese and the North Vietnamese might back out of these negotiations because they feared the United States could not be counted on to negotiate secretly and keep confidences with other nations.

If these were the arguments being made to the President that week, it is unlikely that he needed much persuasion. For he had long been preoccupied with the need for Government secrecy, particularly in the development and execution of foreign policy. And his deep distaste for news leaks had been aggravated less than four months after his inauguration. On May 9, 1969, The New York Times carried a front-page story by William Beecher, then its Pentagon correspondent, which began: "American B-52 bombers in recent weeks have raided several Vietcong and North Vietnamese supply dumps and base camps in Cambodia for the first time, according to Nixon Administration sources, but Cambodia has not made any protest." This story is said to have caused "dismay and outrage" at the White House. It was regarded, one official recalls, as "a serious security breach." Of course, the bombing was no secret to the Communist forces in Cambodia, or to the villagers on whom some of those bombs were falling. But the story was a severe embarrassment to the White House because it emphasized that Cambodian authorities were acquiescing in this expansion of the war, indeed "cooperating with American and South Vietnamese military men at the border, often giving them information on Vietcong and North Vietnamese movements into South Vietnam." Officials feared that the story's publication would force the Sihanouk Government to curtail or even halt such cooperation.

Suspicion for the Cambodian leak fell at least partly on Morton Halperin, a senior member of the Kissinger staff. Halperin fell under almost automatic suspicion as a Johnson "holdover"—he had

served as a Deputy Assistant Secretary of Defense in the Johnson Administration. Moreover, from the start he and some of the other young "liberals" on the Kissinger staff had been regarded with open hostility by ideological conservatives in Nixon's inner circle. Finally, Kissinger recalls, there were other reasons to suspect a leak on the National Security Council staff. The Cambodia story, he says, "was not an isolated event: It capped a whole series of leaks, including those of detailed discussions of N.S.C. meetings on the Middle East and of other internal discussions."

Kissinger told Halperin he was believed to be the source of the leak. "I told him I was not," Halperin recalls. But shortly thereafter a tap was placed on Halperin's phone at his home in the Maryland suburb of Bethesda. It remained there for more than a year, even after Halperin resigned from the Security Council staff that September and became a relatively inactive consultant to Kissinger. The tap never produced any evidence against Halperin, although it did pick up several phone calls made by Daniel Ellsberg in late 1969 and early 1970, while he was a guest of the Halperins. (Later, Halperin and his wife, Ina, were to wonder just what had been overheard: their young sons—David, Mark and Gary—asking their friends out to play; anxious calls to New York about a relative's surgery; or perhaps those obscenities whispered by an unknown voice in the middle of the night.)

Halperin was one of 13 Government officials whose phones were tapped beginning in May, 1969, the month of Beecher's story. Most or all of the others were also members of Kissinger's National Security Council staff. Meanwhile, taps were placed on the phones of four newsmen suspected of receiving leaked material: Beecher; Hedrick Smith, a diplomatic correspondent of The New York Times; Henry Brandon of The (London) Sun-