

On Ellsberg Break-in

Nixon Tried to Withhold Data

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By Carl Bernstein
and Bob Woodward

Washington Post Staff Writers

President Nixon attempted to prevent the Justice Department from providing information on the burglary of the office of Daniel Ellsberg's psychiatrist to the Los Angeles court where Ellsberg is on trial, according to sources close to the Watergate investigation.

The sources reported that the President urged Attorney General-designate Elliott Richardson and Deputy Assistant Attorney General Henry E. Peterson, who had

been supervising the Watergate probe, not to provide the information on grounds that it might adversely affect "national security."

The President's advice was ignored by both men, one of whom was described as "horrified" and the other as "deeply shaken" by Mr. Nixon's action.

One source said Richardson was disbelieving of the President's position at first and that the Attorney General-designate reacted "as if he were struck by a thunderbolt . . . His internal reaction was that it is inconceivable for him to think

that there can be any cover-up of any kind."

Petersen, another source reported, "didn't know what to do he was so upset. He had to get this straightened out so he could live with his own children."

In addition to the President's action, the sources reported that Mr. Nixon's former principal deputy for domestic policy, John Ehrlichman, attempted to persuade Egil Krogh Jr. not to disclose what he knew about the break-in at the psychiatrist's office. Several sources yesterday quoted

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Ehrlichman as telling Krogh: "The President doesn't want any more of this to surface for national security reasons."

The account of the President's alleged attempt to prevent release of the Justice Department information on the Ellsberg burglary, first reported by The New York Times yesterday, was confirmed by five sources, among them officials at the White House and the Justice Department, as well as lawyers involved in the Watergate case.

All the sources provided essentially the same account and variously described the President's action as "an attempt to keep the lid on" and "a message that he didn't want this thing to surface." All confirmed Ehrlichman's action as well.

One White House official, who said he was not familiar with all the facts surrounding the matter, said he believed the President acted out of "genuine concern about national security."

The Post's sources said the President's interest in the matter began on April 15, when he was informed by deputy Assistant Attorney General Petersen that the Watergate prosecutors had prepared a memoran-

dum detailing the involvement of two of the convicted Watergate conspirators in the Ellsberg break-in. The memorandum was to be submitted to the judge in the Pentagon Papers trial.

At that time, the sources reported, Mr. Nixon urged Petersen for "national security reasons" not to forward the memorandum to the Los Angeles court where Ellsberg is on trial for leaking the Pentagon Papers to the press.

Petersen, in the words of one source, "knew he couldn't live with the situation" if he withheld information that the psychiatrist's office had been broken into by a team supervised by Watergate conspirators E. Howard Hunt Jr. and G. Gordon Liddy.

After two days, all the sources reported, Petersen, a career civil servant praised by colleagues for his record of integrity, sought assistance and advice from then Attorney General Richard G. Kleindienst.

Kleindienst, the sources said, agreed with Petersen that it would be improper to follow the President's recommendation and said he would personally take the matter to Mr. Nixon.

When Mr. Nixon was confronted with Kleindienst's arguments that the material

must be forwarded to the judge in the Ellsberg trial, the President relented and the memo. was sent, the sources said.

On April 26, the government prosecutor in the Ellsberg case submitted the memorandum to Federal Judge William M. Byrne Jr. The next day, the judge released the information about the burglary at the psychiatrist's office, causing a furor at the Ellsberg trial. The judge also ordered immediate government inquiry into the circumstances of the burglary, which reportedly angered

some officials at the White House and the Justice Department.

That afternoon, Ehrlichman was interviewed by the FBI at his White House office and told agents he had been responsible for ordering a secret White House investigation into the background of Ellsberg. Ehrlichman also told the agents that the investigation was headed by his deputy, Egil Krogh, and David Young, who resigned three weeks ago from his position as a National Security Council aide assigned to Ehrlichman's office.