

Ehrlichman Reaffirms Acting Legally

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By Peter A. Jay

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John D. Ehrlichman ended five grueling days of testimony before the Senate select Watergate committee yesterday with a stern reaffirmation of his belief his own actions and those of his President have been beyond reproach.

The austere former presidential assistant for domestic affairs apologized for nothing under sharp and increasingly testy questioning and portrayed himself to the last as a man who fought every effort to cover up the growing Watergate scandal.

As he finished his testimony, Ehrlichman looked at the television cameras and called to "Young America" not to shun public service but to seek it—though he warned that those who come to Washington will "encoun-

ter a local culture that scoffs at patriotism, family life and morality just as it adulates the opposite."

Ehrlichman recalled that a previous witness, 30-year-old former White House aide Gordon S. Strachan, told the committee that after his searing experience in the center of American political power he would advise young people "to stay away."

"Gordon said 'stayaway,' and your gallery laughed," Ehrlichman said, referring to the highly partisan and sometimes obstreperous audience that has packed the hearing room day after day. Ehrlichman said he did not agree with Strachan, and declared that unless young people "come and do better," the government will be lost to "seatwarmers and hacks."

Yesterday, Ehrlichman sparred repeatedly with Samuel Dash, the committee's chief Democratic counsel as Dash went back over testimony of the last five days and sought to underscore apparent contradictions between Ehrlichman's version of the complicated events of the last year and the accounts of other witnesses.

But although Ehrlichman made it plain he considered himself to be on hostile ground, he said at the end of his nearly 24 hours of testimony he thought the committee was making a serious effort to unravel the Watergate affair.

"It's an earnest effort on the part of the committee to do its job effectively and they're finding it hard to do," said the 48-year-old lawyer, smiling and apparently re-

laxed, to a group of reporters as he left Capitol Hill.

Though the members of the committee evidently could have prolonged Ehrlichman's questioning further, chairman Sam J. Ervin Jr. (D-N.C.) moved the session along at a brisker pace than in the past.

Several senators, and chief Republican counsel Fred Thompson, relinquished their allotted time so that Ehrlichman's former White House colleague, H. R. (Bob) Haldeman, could take the stand by mid-afternoon and begin reading a two-hour prepared statement.

Yesterday, as earlier in
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Ehrlichman's testimony, the committee focused its attention on a few areas—especially White House efforts to conceal any connection from it to the June 17, 1972 burglary of the Watergate offices of the Democratic National Committee.

But Ehrlichman stiffly maintained that he did not know of any White House involvement in the break-in—other than the fact that convicted conspirators E. Howard Hunt Jr. and G. Gordon Liddy had been employed in the White House—until this spring, and that he promptly turned over information he acquired to federal prosecutors.

He did change his testimony under questioning on one point yesterday, however, and told the committee that he now believes he did discuss the Watergate break-in with President Nixon on June 20, 1972. Earlier, he had testified that the subject did not come up at that meeting.

"I have rechecked what sketchy notes I have and find that I was in error on that," he said yesterday. "I am sure there must have

been some discussion of the Watergate with the President on that occasion."

Earlier in the day, Sen. Lowell P. Weicker (R-Conn.) noted a contradiction between what Ehrlichman was saying in internal White House telephone conversations and what he was telling newspapermen at the same time. But this inconsistency between internal discussions and what the press was told was shrugged off by the witness as routine.

Weicker read an interview Ehrlichman gave the Chicago Tribune, published April 2, in which Ehrlichman discussed the pending nomination of L. Patrick Gray—a friend of Weicker—to be permanent director of the FBI. "The President supports Mr. Gray's nomination enthusiastically and has from the beginning," Ehrlichman said in the interview. "No one else is under consideration at all."

In a telephone conversation last March 7 or 8 between Ehrlichman and Dean, recorded by Ehrlichman and placed in the hearing record, Ehrlichman said Gray—whose nomination was in trouble—should be left to "twist slowly, slowly in the wind," and Dean said

the President had told him he didn't think Gray was "smart enough" to head the FBI.

Asked by Weicker to explain the discrepancy, Ehrlichman was unruffled. "What I may say to John Dean privately, the in-house disenchantment with that nomination, certainly would never be reflected in statements to the press," he said.

"Until the President decides that he is going to have to withdraw that nomination, then by George . . . we are going to root for the team."

"Can we paraphrase 'By George' (as meaning) 'we are going to lie to the press?'" Weicker said.

"We are certainly not going to indicate to the press our disenchantment, that is right," Ehrlichman said. Gray's nomination was withdrawn April 7, five days after the Tribune interview appeared.

Ehrlichman made it clear at the outset of his testimony last week that he wanted to provide answers to all the questions about his possible involvement with all the Watergate-related matters before the committee, and he said yesterday he believed he had done so.

But he also had a secondary objective, he said: "To raise a voice for the President, who is unrepresented here. As your questions developed," he went on, "I had no opportunity to do so as his advocate, I only shed some light on facts which disproved a few of the false allegations which have been advanced against him here.

"I do not apologize for my loyalty to the President any more than I apologize for my love of this country. I only hope that my testimony here has somehow served them both."

If Ehrlichman had satisfied himself that he had put to rest all the questions, he had clearly not satisfied all the members of the committee and its staff—and particularly not Dash.

Dash, a Georgetown Law School professor, and Ehrlichman have each demonstrated a facility for getting under the other's skin—and the friction between the two was never greater than yesterday. Neither lost an opportunity to needle the other.

In marked contrast to previous witnesses, who have submitted docilely and even apologetically to sharp questioning, Ehrlichman seldom failed to counterattack.

Following are a few sample exchanges, more notable for their tone than their content:

Ehrlichman: I do not know, Mr. Dash. I was more interested in your assertion than anything else.

Dash: I was just reading (from a transcript). I was not inserting.

Ehrlichman: No. Assertions, not insertions.

Dash: Well, you do know, as a matter of fact, the reason for that is that after Mr.

Ehrlichman: Are you going to testify now, Mr. Dash?

Dash: No. no.

Ehrlichman: Well, I couldn't possibly agree to that very long question, Mr. Dash. There are so many things wrong with it.

Ehrlichman: You have a way of festooning your questions, Mr. Dash, with facts that are apparently only in your knowledge.

Ehrlichman again denied yesterday Dean's testimony regarding politically sensitive documents found in Hunt's safe in the White House after the Watergate break-in.

Dean has testified that Ehrlichman told him to "deep-six" them—sink them in the Potomac. Ehrlichman said he suggested no such thing, and had them given personally to Gray for safekeeping because he feared the Washington field-office of the FBI would leak them to the press. (Gray later destroyed them, he admitted publicly this year.

Ehrlichman remarked to the committee that Dean "testified I told him to get

rid of the briefcase, not the contents." Dash observed that Dean didn't testify that Ehrlichman told him to empty the briefcase first.

On another subject, Ehrlichman also said that when he learned last fall of White House links to Donald Segretti, a political saboteur who sought to disrupt the campaigns of Democratic presidential candidates in 1972, he recommended they be disclosed. But he indicated he was overruled.

The hearing was marked from time to time by angry clashes among lawyers, chiefly involving Dash, Thompson and John J. Wilson, Ehrlichman's attorney.

At one point, with Thompson and Dash snapping at one another across the committee chairman's pounding gavel, committee vice chairman Sen. Howard Baker (R-Tenn.) broke in and remarked that "I think what we are going through now is evidence that this committee is in fact tired" from its

heavy schedule since the hearings began May 17.

Both Baker and Ervin once again were forced to caution the audience, which despite repeated admonitions showed a continuing tendency yesterday to demonstrate a clear partisan preference for the committee over the witness.

Thompson, foregoing his final round of questioning at the end of the hearing, took note of this.

"I am a lawyer and I am used to courtroom procedure," he said, "and this witness has been the subject of moans and groans from the audience, hisses, applause, . . . other demonstrations. And as far as I know, he is the only witness who has been subjected to all these things.

"I think it's unfair to the witness. I don't think it does the work of this committee any good. . . . I, for the last few days' testimony, have regretted this situation and found it personally embarrassing."

Shortly before Ehrlichman finished his testimony, he was asked by Weicker if he saw any conflict in the fact that his attorney, Wilson, is also representing Haldeman.

Wilson, a 72-year-old Washington lawyer who has been as quick as his client to snap back at the committee, angrily raised his voice. "There is no conflict between these two gentlemen (Haldeman and Ehrlichman)," he said. ". . . I say that without qualification on the basis of more years of practice of law than any one of you sitting on that committee, including the chairman."

Ervin, a former North

Carolina Superior Court judge, is 76.

Ehrlichman said he did not prepare his testimony on the basis of conversations with Haldeman, a close friend who also resigned

from the White House April 30; though he said they "discussed the subject matter very extensively."

Since Haldeman left Washington for California several weeks ago, he said,

they have talked with one another seldom.

Ehrlichman said that he has "spent virtually every day since my termination at the White House" preparing to testify.

When Dash asked him if when he did talk with Haldeman, it was in anticipation of his committee appearance. Ehrlichman drew a laugh when he responded "Mr. Dash, you are not the only girl in town. There are lots of other inquiries going on."

After the hearing, asked by reporters if he thought he is in danger of indictment as a result of an investigation conducted by special Watergate prosecutor Archibald Cox, Ehrlichman said he didn't think so.

"I know of no reason why I should be indicted," he said. But he observed that "the prosecutor has a real political problem with all this foofaraw on television" and will be under pressure to produce indictments as the result of his investigation.

In his final statement before leaving the witness stand, Ehrlichman urged young people not to be repelled by government and stay away, as Gordon Strachan advised.

"Our government and our politics are only as idealistic (and) as honest as the people . . . who administer the laws and run the campaigns and fulfill the traditions," he said.

"We are either going to have highly motivated able people running the political campaigns and filling the offices in government or we will surely have seat-warmers and hacks who will fill those places, and the country will be worse for it.

"People must be attracted who will come here to fight for what they believe in and to work long hours to get things done. I hope young people don't stay away . . . I hope they do come and do better."



John D. Ehrlichman faces the Senate select Watergate committee for a fifth and final day in the witness chair.

By Bob Burchette—The Washington Post