

2 Senators Differ on Scope of Probe

7/32/73
By Herbert H. Denton
Washington Post Staff Writer

The mystery surrounding the White House special investigation unit known as the plumbers heightened yesterday as the Senate Watergate committee chairman, Sam J. Ervin (D-N.C.), and the vice chairman, Howard H. Baker (R-Tenn.), offered differing views as to whether the committee has the authority to investigate certain activities of the unit.

The issue surfaced on Thursday during questioning of John D. Ehrlichman, former domestic adviser to President Nixon, when Sen. Baker noted that one paragraph of a White House memorandum on the plumbers investigation of the Pentagon Papers leak had been excised from the copy given to the committee.

Ehrlichman invoked executive privilege at the President's direction in refusing to say what the missing paragraph included. Ehrlichman said the missing paragraph deals with "an extremely sensitive subject relating to another country" but refused to

be more specific beyond a general, tantalizing description.

"It certainly does not bear on the Watergate," Ehrlichman said. "It is tangentially related to the special unit investigation of . . . the Pentagon Papers matter. But it is very tangential, and I think very sensitive."

On Friday, both Baker, Ervin and their two lawyers met privately with White House counsel Leonard Garment and special counsel J. Fred Buzhardt to discuss the matter.

In a televised interview yesterday on CBS' "Face the Nation" Ervin said flatly, "My position is that the Watergate committee is not authorized to investigate this matter by the resolution which established the committee . . ."

Baker, appearing on the same program, disagreed, "I think we clearly have the authority to go into it, but I'm concerned about other aspects of it . . ."

Baker did not elaborate on what he meant by "other aspects." He also refused to say whether he believed the information about the plumbers would jeopardize national security if made public.

The paragraph—"Paragraph 5" of a two-page, seven-paragraph memorandum—had been excised before the memorandum was turned over to the Watergate committee by former White House aide David Young, according to committee counsel Samuel Dash.

The memorandum was a status report dated Aug. 11, 1971, from Young and Egil (Bud) Krogh, director of the plumbers, to Ehrlichman on the plumbers' investigation of the leak of the Pentagon Papers by Daniel Ellsberg.

In the memorandum, Krogh and Young sought and got Ehrlichman's approval to conduct a "covert operation" to get psychiatric reports from Ellsberg's psychiatrist. Several weeks later, a team of the plumbers burglarized Ellsberg's psychiatrist's office in Los Angeles but reportedly failed to find any of Ellsberg's

records. Ehrlichman testified last week that his authorization of a "covert operation" did not mean approval of a burglary.

The memorandum also refers vaguely to a CIA operation for "doing a leak assessment on all leaks since January, 1969."

There is also a cryptic reference in the memorandum to an effort to assess the impact

of the Ellsberg case, the drug situation in Vietnam and an "expose of the 1963 coup" (a possible reference to the assassination of South Vietnam Premier Ngo Dinh Diem) and its effect on the South Vietnamese, U.S. elections and on peace negotiations. That assessment, according to the memorandum, was included in an appendix, which has not been made public either.