

Break-in Planning Related

Young Fails To Tie Details To Ehrlichman

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By Timothy S. Robinson
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Former National Security Council aide David R. Young, a key witness against former White House aide John D. Ehrlichman in the Ellsberg break-in case, testified yesterday he could not recall ever describing to Ehrlichman the operation as a break-in before it occurred.

The prosecution had indicated that Young's testimony, supported by numerous documents, would show that Ehrlichman was intimately involved along various steps of the planning that led up to the break-in.

Instead, Young testified that in conversations with Ehrlichman he had referred to the planned break-in only as a "covert operation" to gain access to Pentagon Papers co-defendant Daniel Ellsberg's psychiatric files, held by Dr. Lewis Fielding, a Beverly Hills, Calif., psychiatrist.

Ehrlichman has maintained that he is innocent of charges that he conspired to violate Fielding's civil rights by approving the Sept. 3, 1971 break-in in advance. He has said only that he approved a covert operation, with no specific knowledge as to what it would entail.

Young did recount two meetings with Ehrlichman in the spring of 1973 that prosecutors hope will show Ehrlichman had a guilty conscience about the Ellsberg operation. Young's versions of those meetings were supported by handwritten notes that he made on May 4, 1973, six

weeks after one of the meetings and one week after the other.

Young's testimony in general was supported by numerous memos that he had copied concerning the various steps of the Ellsberg operation. However, he was seldom able to expand beyond the memos as to specific conversations he had held with alleged coconspirators, including Ehrlichman.

Those documents would appear to be most relevant to the case against Ehrlichman in two of the four additional counts of the indictment, in which he is charged with lying to federal investigators probing the break-in.

Young, a baldish 37-year-old New York lawyer who served Secretary of State Henry Kissinger as an adviser for one year when Kissinger was chief foreign policy affairs adviser in the White House, appeared nervous as he testified yesterday, fidgeting and wrinkling

See **EHRlichman, A11, Col. 1**

EHRlichman, From A1

his forehead as he answered prosecutors questions.

His appearance as the fifth prosecution witness in the Ellsberg case marked the first time he had testified publicly in Watergate-related scandals.

Young has been given immunity in the Watergate prosecutions in return for his testimony. The only indictment ever returned against him—a California state charge in the Ellsberg case—has since been dropped in favor of the federal case on trial here.

He has been somewhat of a mystery witness but prosecutors privately have described him as a "dynamite" major witness since he was first subpoenaed and brought with him copies of White House memorandums in the Ellsberg case.

Much of his testimony was to enable the prosecution to present whole memos to the jury as evidence in the break-in case. Many of these memos had to do with the intent of the White House plumbers unit, which Young headed with Egil (Bud) Krogh Jr., to obtain material for a psychological profile of Ellsberg.

Young said he had been given "so-responsibility" with Krogh for the tracking down of leaks of classified information, and had been told they

would report to Ehrlichman.

Young said that the psychological profile suggestion came from convicted Watergate coconspirator E. Howard Hunt Jr. and was first mentioned to Ehrlichman in a July 27 memorandum. The government introduced that memorandum into evidence, as well as four others addressed to Ehrlichman in which the psychological profile was mentioned prior to Aug. 20, 1971.

Young also testified that Hunt first suggested the idea of a "covert operation" to obtain information from Ellsberg's psychiatrist, describing it as the type of operation he had been involved in abroad for the CIA.

However, as each memorandum was introduced into evidence by the government, Young could not independently recollect having seen the document before.

In the second count of the indictment, Ehrlichman is charged with lying to a federal grand jury when he testified on May 14, 1973, that he could not "recall hearing of a psychological profile (on Ellsberg) until after . . . the break-in." The third count charges him with lying to the grand jury when he said he did not know of any effort directed towards obtaining information from Dr. Ellsberg's psychiatrist until after the break-in.

The first face-to-face meeting that Krogh and Young had with Ehrlichman concerning the covert operation occurred on Aug. 5, Young testified. In this case as well, however, he said he could not remember the specific dialogue of the conversation and tried to characterize the discussion in generalities before U.S. District Judge Gerhard A. Gesell sustained the objections of Ehrlichman's attorney, William S. Frates.

Young said that either he or Krogh "raised with Ehrlichman the suggestion made by Hunt . . . that one way to handle the problem (of gathering material for a psychiatric profile) would be a covert operation to examine Ellsberg's files."



By Larry Morris—The Washington Post

John D. Ehrlichman, his wife, and attorney, Spencer Boyer, arrive at courthouse.

Ehrlichman's response, said Young, was to say, "Let's think about it."

When Prosecutor William Merrill pressed on to another topic, Judge Gesell interrupted to ask Young: "And then it ended?"

"Yes," Young replied.

Young said he had brought up the subject with Ehrlichman because "I certainly felt it was beyond my authority."

The prosecutor next introduced an Aug. 11 memo from Young and Krogh to Ehrlichman in which Ehrlichman approved a "covert operation" as long as "it was not traceable."

Was there any connection

between that memo and the Aug. 5 meeting with Ehrlichman, Merrill asked?

"Yes, I think this is the result of our having gone away and thought about it," Young replied.

Gesell again asked: "Who did you tell Ehrlichman would conduct this operation?"

"Hunt said he could undertake this," Young replied.

"Was that said (to Ehrlichman)?" Gesell pressed.

"I think that was said," Young replied.

On Aug. 25, a memorandum was written from Krogh and Young to Ehrlichman in which the former top Nixon aide was informed merely: "Hunt and

Liddy have left for California." No where in that memorandum was the purpose for the trip discussed, but testimony has shown it was for the purpose of surveying Dr. Fielding's office for the break-in.

Young could not remember

any details of an Aug. 30 meeting in the Executive Office Building, which Hunt has testified concerned the final break-in plans.

Young testified yesterday and that there was no decision at the time on whether the covert operation could proceed. Instead, he said, he and Krogh called Ehrlichman later that night.

Young said that during the telephone conversation Krogh told Ehrlichman that "our investigators" were back from California and "feel that the operation can be undertaken."

Krogh told Ehrlichman he felt that the project should proceed, and Ehrlichman asked Young what he thought, Young testified. "I said I also agreed," Young said.

"Ehrlichman then said, 'Alright, let me know if anything substantive was recovered,'" Young continued.

Young said that after defendant G. Gordon Liddy told him that the operation had not been successful and that the office had to be ransacked because the original break-in plan failed, he replied: "That's not what I understood a covert operation to be."

That was his last contact with the Ellsberg operation until December, 1972, Young said, when "on my own initiative," he decided to review the files relating to the operation and limit to one copy any memorandum relating to the escapade.

At the same time, he doctored some other copies of the Aug. 11 memorandum to remove references to the operation

and returned those to other files, he added.

Ehrlichman's attorneys, in their opening statement to the jury at the beginning of the trial last week, said in part that they would prove Young altered documents "to save his own neck." It was not made clear yesterday why Young altered the documents. It is expected that the defense lawyers will explore Young's actions in this matter more fully today when they begin questioning him.

In March, 1973, he said, he

was contacted by Ehrlichman, who asked to look at his copies of the Ellsberg-related files.

He sent those to Ehrlichman in a briefcase, and met with the former top-Nixon aide on March 27, 1973. Young's notes of that meeting, to which he testified yesterday, written on May 4, include the following:

"Mr. Ehrlichman interjected that then I did not know about it (the break-in) either. I said no, I had known about it beforehand and my clear recollection was that he also had known about it.

"I explained that, in fact, his approval of the matter was reflected in a couple of the memos in the envelope in the briefcase, and I pointed to the briefcase.

"Mr. Ehrlichman replied that there was no question about what had actually happened, but that he had taken those memos out and thought he should keep them because they were a little too sensitive and showed too much forethought. I said that Mr. Hunt

and Mr. Liddy or someone else might have copies. Mr. Ehrlichman replied that he would have to take that chance."

In fact, Young testified yesterday that he had copied those documents himself before taking the file to Ehrlichman.

Young said he next met with Ehrlichman at Ehrlichman's request on April 30, 1973, the day Ehrlichman resigned his White House position as chief domestic affairs adviser to the President.

In that meeting, Young testified, Ehrlichman said he would be "vindicated eventually" but that he felt it would be best for the President if he resigned anyway.

"And then, using a football analogy, he said that he would throw a block for the President," Young said. He testified that Ehrlichman suggested that Young's files be placed in the presidential files, and added that "he (Ehrlichman) also had some papers for the presidential files."

They discussed the belief that the operation was in furtherance of national security, and Young said Ehrlichman gave him the following advice: "If Mr. Krogh or I were to be questioned (about the operation), we were to take the position we had been told by the President not to an-

swer."

Defense attorneys are scheduled to begin their cross-examination of Young today, and are expected to focus on his motives for testifying and his credibility.

Earliest in the day, Hunt, continuing his testimony from last Friday, drily gave the most detailed account so far of the Fielding break-in, which he called a "Surreptitious entry."

The operation, planned in the basement of the Executive Office Building by Hunt and Liddy, using plastic overlays on photographs of Fielding's office, was outlined to Krogh and Young of the plumbers unit on Aug. 30.

When he and Liddy outlined the break-in to Krogh and Young, they were not given immediate authorization to proceed, Hunt said.

He said he understood from Young and Krogh that authorization "would have to be considered at a higher level." The next day, said Hunt, Liddy told him, "We have a go."

The only hitch at that point, Hunt continued, was a lack of money. But as he and Liddy were waiting to leave the plumbers' office, Krogh gave them an envelope containing \$100 bills, (which testimony elsewhere said contained \$5,000).

The two men flew on separate flights to Chicago, from where Hunt called Barker in Miami and told him to take the "(entry) team" to the Beverly Hilton in Beverly Hills, Calif., that weekend, Hunt said.

The next day, Hunt testified, he and Liddy spent in Chicago buying cameras, document stands, walkie-talkies and other equipment for the break-in. They purchased the material under what Hunt called "operational aliases" of E. J. Warren and George F. Leonard, supported by documentation supplied to them and faked by the CIA.

They flew together to Beverly Hills, arrived Sept. 2, and met with defendants Bernard L. Barker and Eugenio R. Martinez and coconspirator Felipe

De Diego where the three men were given a "full description of the entry operation."

After the briefing, they made a "foot reconnaissance" of the doctor's office, calling it the "target building," Hunt continued.

They bought an escape rope, window black-out material, a rubber mallet, crowbar, glass

cutter, and putty knife.

On the night of Sept. 3, there was a final rehearsal, and Hunt left the hotel to begin surveillance of the doctor's apartment.

At that point, the well-laid plans began to go awry. The

door to the doctor's building was not unlocked, as they had arranged, so they forced it open. Meanwhile, Hunt said, "It came to my shocked attention that Dr. Fielding's Volvo was not in its accustomed slot at his apartment."

He tried to call Liddy on his walkie-talkie, but "it developed that the particular channel was being used by the Los Angeles taxi dispatchers." He drove to the office, met Liddy outside, and when the entry team emerged from the building, they gathered back at their hotel to be informed that

no Ellsberg files were found to be photographed.

"I thanked them for their cooperation and we expressed our mutual regret (for lack of success). Then I opened a bottle of champagne for morale purposes and this was quickly downed," Hunt testified.

He said Liddy made a prearranged telephone call to Krogh to report on the mission, and then they destroyed the surgical gloves used in the burglary. They flew back to Washington via New York, using a third set of aliases.