

McCord Felt Mitchell Made Bugging

By John Hanrahan
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Convicted Watergate conspirator James W. McCord Jr. has sworn that he considered the Watergate break-in and bugging legal because he had received assurance that the operation had been cleared by then-Attorney General John N. Mitchell and then-presidential counsel John W. Dean III.

Had he not been so assured, McCord said, "I would not have participated." The assurances, he said, came early in 1972 from G. Gordon Liddy, then counsel to the Finance Committee to Re-elect the President and later convicted with McCord in the Watergate conspiracy trial.

McCord said he had determined that "had the operations been clearly illegal, he (Mitchell) being the top government lawyer and Mr. Dean being the top government lawyer within the White House . . . would have turned them (the plans) down at the first meeting, which was not done according to Mr. Liddy."

McCord's statements came in a wide-ranging, 383-page deposition given April 30 and May 1 in connection with civil suits that grew out of the Watergate break-in last June. The deposition was made public late Thursday.

Much of the information in the deposition had been previously reported, but attributed to sources who knew of McCord's testimony. In the deposition, McCord provides many additional details and publicly sheds light on what he describes as his own motives in joining the Watergate break-in gang and for finally deciding to cooperate with the government to implicate former high White House and administration officials.

As previously reported, most of the information linking Mitchell, Dean and others to the Watergate bugging came second-hand from Liddy, McCord said.

McCord also explained further the points he made in a letter to Judge John J. Sirica of the U.S. District Court in March when McCord agreed to cooperate with the continuing Watergate investigation.

In his deposition, McCord states, among other things, that:

• Mitchell provided the impetus for the second Watergate break-in at which the arrests were made June 17. Mitchell, according to

Liddy, was impressed by the photographed documents that resulted from the first Watergate break-in during which the phone bugs were planted on Memorial Day weekend, and "desired a second entry operation to do more photographic work" in Democratic National Committee headquarters.

• Mitchell, according to Liddy, also wanted information of a "blackmail nature" that supposedly was in the possession of Hank Greenspun, publisher of the Las Vegas Sun, for use against presidential candidate Sen. Edmund Muskie (D-Maine). Plans were made, but never carried out, to break into Greenspun's office and photograph the alleged documents. (Greenspun could not be reached for comment).

• Jeb Stuart Magruder, former deputy campaign director under Mitchell at the Committee for the Re-election of the President, lied in his testimony at the Watergate trial in January when he said he had no advance knowledge of the Watergate bugging. McCord told the grand jury last month that Liddy told him Mitchell, Dean and Magruder all had advance knowledge.

In earlier testimony before the grand jury, McCord had said that unnamed officials at the Committee for the Re-election of the President had tried to pressure fellow Watergate conspirator E. Howard Hunt to say that the break-in and bugging had been a CIA operation. McCord, in his deposition, reiterated his earlier denial that the CIA was involved.

In a more recent private memorandum to the Senate select committee that is investigating the Watergate affair and related political espionage, McCord said his own attorney, Gerald Alch, had tried to pressure him to say the bugging was a CIA operation. No mention of this is made in the deposition.

Alch yesterday said he was withdrawing as McCord's attorney. He denied putting any pressure on McCord and said he had merely asked McCord whether there was any CIA involvement.

Alch said McCord did not at first deny CIA involvement in the Watergate bugging, so he asked McCord about it again a few days later in late December. At that second meeting, he said, McCord vigorously denied CIA involvement.

In his deposition, McCord explained why he had specifically said in his letter to Judge Sirica that the Watergate break-in and bugging was not a CIA operation.

He said he specifically mentioned this because of initial pressures on Hunt to use as a defense that the bugging was done for the CIA. Also, he said, he wanted to correct certain newspaper stories that had indicated it might have been a CIA operation because of the anti-Castro background of some participants.

In his memo to the select committee, McCord said that to describe the Watergate operation as a CIA project "would have had the effect of clearing the Committee for the Re-election of the President and the White House of responsibility for the operation."

He said that some of the Cuban defendants, particularly Bernard L. Barker, had heard that Cuban money possibly was coming into the Democratic National Committee "and therefore he inferred some national interest in the operation." But, McCord said, he never heard any of the defendants say they thought they were working for the CIA.

Instead, he said, the other defendants referred to it as a "Mitchell operation."

McCord said his refer-

ences to perjury in his letter to Sirica referred only to Magruder. McCord said he and Liddy sat next to each other at the defense table at the trial and that both said to each other, "that man (Magruder) is perjuring himself."

Magruder's testimony was especially significant, McCord said, because it indicated "that Mr. Liddy was the beginning and the end of the case itself, that he financed it, that he was the director, that no one higher up than Mr. Liddy was involved in the case itself, that he ran it and that in effect he was the total package."

Magruder said this, McCord said, even though he personally had advance knowledge of the bugging and "had knowledge . . . of the superiors in the case beyond Mr. Liddy."

Asked in the deposition why he had decided to tell all he knew about the Watergate operation after the trial, McCord said the decision "involved a large number of elements that I wouldn't be able to enumerate at this point. . . ."

But, he said, some of the factors had to do with "my conclusion as to what was best for me personally and best for my family, and . . . best for the country at this point in time in terms of

stating what the truth of the entire matter was as opposed to what appeared to be the truth that had appeared up to that point in time."

Asked about the portion of his letter to Judge Sirica in which McCord expressed concern over possible retaliation "against me, my family and my friends" for deciding to tell all he knew about Watergate, McCord said:

"I worked in law enforcement for a large number of years and I know what can happen in terms of retaliation, whether we are speaking of physical retribution or whether we are talking about retribution in a wide variety of forms which the government or others can bring upon an individual, his friends, or his family, which can wreck careers, family fortunes and friendships and the reputations of innocent people who are not involved other than to be my friends or family."

Also, he said, he was concerned he might be "stabbed or killed" in prison.

McCord, former security coordinator for the re-election committee, said Liddy recruited him for the Watergate break-in and bugging team in early 1972.

He said Liddy had a budget approved by Mitchell, of more than \$225,000 for the job and that Mit-

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chell, according to Liddy, had urged in mid-April that the operation get under way within 30 days.

McCord said he and Hunt paid several visits to the Watergate before the Memorial Day weekend break-in. The decision to go back a second time was made after Mitchell said he wanted more photographed documents.

Also, McCord said, one of the bugs placed on the telephone of Democratic National Chairman Lawrence O'Brien was not properly transmitting and Liddy wanted to correct that.

McCord said he thought that the bugging operation was legal because Liddy told him Mitchell, as attorney general had authority on his own signature to authorize wiretapping either for domestic security or national security purposes. (The Supreme Court last year ruled domestic wiretaps illegal without prior court approval.)

Mitchell, according to Liddy, later received written reports on conversations monitored at Democratic headquarters, McCord said. McCord said Liddy's secretary, Sally Jackson Harmony, also knew about the plans. In an earlier deposition, Mrs. Harmony said she had typed up the logs from the bugged conversations, but didn't realize what they were until after the Watergate arrests.

McCord recounted previously reported testimony that Hunt and his late wife, Dorothy Hunt, had tried to persuade him to plead guilty, keep quiet and get presidential clemency within a year or so, plus payments for his family while he was in prison.

In all, McCord said, he received \$46,000 for legal fees and continuation of salary by the re-election committee from Mrs. Hunt, who served as an intermediary. Also, he said, he used for legal fees \$18,000 left over from the \$76,000 Liddy had given him to purchase equipment for the Watergate operation.

In addition to the Green-spun plan that was never carried through, McCord said two attempts to get inside the headquarters of presidential candidate Sen. George McGovern (D-S.D.) failed.

At one point, McCord said, he also rented an office next to the D.C. headquarters of presidential candidate Muskie for possible use in some activity against Muskie, but nothing came of it.