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 NY Times  
**KALMBACH CALLED  
 READY TO TESTIFY  
 ON NIXON EX-AIDES**

**Believed Willing to Help U.S.  
 in Any Watergate Trial of  
 Haldeman or Ehrlichman**

**NO IMMUNITY REPORTED**

**Associate Asserts Lawyer  
 Has Given His Records to  
 Prosecutor and Senate**

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, June 8—Herbert W. Kalmbach, President Nixon's former personal attorney and long-time associate, has agreed to testify for the prosecution against H. R. Haldeman and John D. Ehrlichman and other former White House officials, if needed, in any Watergate criminal trials, sources close to the case said today.

Mr. Kalmbach, who served as a chief Republican fundraiser for Mr. Nixon's presidential campaigns in 1968 and 1972, "has not asked for nor has he been given immunity" from prosecution in return for his testimony, the sources said.

Mr. Kalmbach is specifically prepared to testify, they added,



Associated Press

**Herbert W. Kalmbach**

that he received personal assurances from Mr. Ehrlichman that Mr. Kalmbach was offi-

cially authorized to collect the cash to be used to pay the Watergate defendants and their attorneys after the break-in at the Democratic headquarters.

**Source of Orders**

In addition, the sources said, Mr. Kalmbach is prepared to state that he received most of his day-to-day orders concerning campaign contributions from Mr. Haldeman and any of a number of Haldeman deputies in the White House.

One of Mr. Kalmbach's associates said that his cooperation was expected to help him to avoid Federal indictment in the cover-up of the Watergate scandal or, at the least, result in far less serious charges being placed against him.

The Kalmbach associate said that the Newport Beach, Calif., lawyer decided eight weeks ago to cooperate fully and had al-

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ready turned over all his available records and files to the Federal prosecutors and to the Senate Watergate committee.

Mr. Kalmbach has been linked in newspaper reports and Federal grand jury and Senate testimony to a variety of secret Republican campaign funds. These were used, among other things, official sources said, to finance the sabotage activities of Donald H. Segretti beginning in late 1971 and in an unsuccessful attempt to defeat George C. Wallace in his 1970 race for the Democratic nomination for Governor of Alabama.

**G.A.O. Accusation Recalled**

Mr. Segretti, allegedly acting under White House orders, organized a widespread net of undercover provocateurs and espionage agents to operate against Democratic candidates in the 1972 primary elections.

In a report released last month, the General Accounting Office accused Mr. Kalmbach of raising at least \$210,000 in cash after the June 17, 1972, Watergate break-in for distribution to "the Watergate defendants or their attorneys" through unnamed intermediaries.

The Kalmbach associate, in a telephone interview today denied also the often asserted that Mr. Kalmbach was a close personal friend of Mr. Nixon's. "He's the President's personal attorney," the associate said, "so most people think he would be privy to everything in the White House."

"That's not so," the associate added. "Herb did not see the President frequently; perhaps only five times in the past four years. A number of his assignments came from Ehrlichman and Haldeman."

However, in a deposition in a civil suit taken April 30 and released yesterday, Mr. Kalmbach responded "yes" when

asked whether he considered his relation with President Nixon to be close. Asked if he had kept the President personally informed about the political activities on his behalf, Mr. Kalmbach said no. "I feel that it is somewhat inappropriate for me to regard myself as reporting to the President in this area," he added.

Mr. Kalmbach, 51 years old, has been an active campaign worker for Mr. Nixon since 1960, according to newspaper accounts. He was a law school classmate of Robert H. Finch

the former White House adviser and became friendly with Mr. Ehrlichman and Mr. Haldeman about 10 years ago, an associate said.

The Kalmbach associate gave the following account of Mr. Kalmbach's role in the disbursing of cover-up payments to the Watergate defendants:

"He was asked at the outset [after the break-in] by John Dean [the former White House counsel] to raise some funds for the purpose of paying fees to the attorneys who would be retained by the Watergate defendants and for their families. He was told that this was perfectly proper, and that this would be done in a secret fashion so that the opposition—the Democratic party—would not learn of it and make political capital."

"So far, so good—no red flags were raised. But as this went on, Herb began to get queasy about it—perhaps because of some press articles or other signs—and he wants to confirm the authority of the directive from John Dean. He goes to Ehrlichman and receives this assurance.

"So he makes a second request for funds [among Republican contributors] and acts again as a disbursing agent. Thereafter, there's more talk about the thing, and Herb's uneasiness prevails to the point that from September on through January [1973] he just does no more fund-raising."

**Trust Fund Reported**

Throughout his fund-raising career, the associate said, Mr. Kalmbach took most of his orders from Mr. Haldeman, who was in charge of political activities for President Nixon.

At one point in the last eight weeks, Mr. Kalmbach has reportedly said under oath that about \$350,000 in unspent 1968 campaign contributions was left in a trust fund held, in part, by France Miller Raine Jr. of suburban Los Angeles, a brother-in-law of Mr. Haldeman. Mr. Raine is a real estate agent who helped to handle the purchase of San Clemente in 1969.

The Kalmbach associate described Mr. Kalmbach as "an honest man who was simply a big boob" in his dealings on campaign funds with Mr. Haldeman and Mr. Ehrlichman.

"Insofar as his testimony is relevant to Haldeman and Ehr-

lichman," the associate said, "Herb would, of course, be called as a witness. We have never conditioned our cooperation. But, of course, our prayers are that he will not be indicted, because we don't think he's guilty of any crimes."

One Government official, however, who has been involved in many of the recent discussions with Mr. Kalmbach, had a sharply contrasting view of the Presidential attorney's responsibilities.

"Look," the official said, "he knew what he was doing, and he still did his job."

On May 3, The New York

Times reported that Mr. Kalmbach had destroyed all his campaign finance records before the new Federal campaign finance law took effect April 7 last year. The article said that he had told investigators that he had taken the action to prevent any public disclosure of the donors' names.

Such destruction of records could be a violation of the Federal Corrupt Practices Act of 1922, which calls for the maintenance of such files for at least two years.

At least part of Mr. Kalmbach's collections before April 7 were used to maintain a secret cash fund in a Newport Beach bank. The fund was said to contain between \$200,000 and \$500,000 used to pay Mr. Segretti and for others, as yet unknown, activities. It has been reported that all the deposits in the account were made in cashier's checks that were bought with cash at a nearby bank.

On May 1, the White House announced that Mr. Kalmbach had been discharged as Mr. Nixon's personal lawyer. The announcement came about two weeks after Mr. Kalmbach began to cooperate with Federal and Senate officials, Mr. Kalmbach's associate said.

As Mr. Nixon's lawyer, he was also involved in the President's \$1.4-million purchase in San Clemente. The full details of that purchase have not been made public by the White House.

Mr. Kalmbach was also actively involved in raising a reported \$3-million in funds for key Republican Congressional campaigns in 1970 and has been linked in court testimony to the solicitation of more than \$300,000 in 1971 contributions from dairy cooperatives. The solicitation followed the Nixon Administration's decision to raise milk price supports.

Mr. Kalmbach's law firm, Kalmbach, Demarco, Knapp & Chillingworth, with offices in Newport Beach and Los Angeles, has grown both in influence and size since Mr. Nixon's election in 1968. Its clients include United Air Line Travelers Insurance Company, the Marriott Corporation and the Music Corporation of America.