

# Nixon Rejected Clemency Right Off, Ehrlichman Says

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John Ehrlichman, former White House chief domestic adviser, says President Nixon categorically turned down any consideration of clemency for the Watergate burglary last July.

Breaking his two-week silence on the testimony of former White House counsel John Dean III, Ehrlichman said the clemency subject never came up again after that July meeting.

Dean told the Senate

Watergate committee what seemed to be a devastatingly detailed story of obstruction of justice by Ehrlichman and others in the White House.

"It was a deliberate and studied effort by John Dean to spin a web around former White House staff chief H. R. Haldeman and me," said Ehrlichman, interviewed Sunday at his home in Great Falls, Va. "It came right out of right field—and whole cloth."

Ehrlichman's answer leaves the Watergate committee—and the public—confronted with a decision on which of the former high officials is telling the truth.

On point after point, the former Seattle zoning lawyer said "not true" to charges by Dean, while explaining that a "lack of total commitment by the FBI—Hoover had a hangup"—caused him to "reluctantly" authorize an investigation of Daniel Ellsberg.

Ehrlichman said he was shocked when he learned

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that the White House "plumbers" had broken into the office of Ellsberg's psychiatrist and ordered their operations suspended. The plumbers, who were seeking to plug governmental leaks, continued to work elsewhere, without E. Howard Hunt and Gordon Liddy, the Ellsberg operatives.

The heart of Dean's charge against Ehrlichman was that he obstructed justice by ordering plumber Hunt's White House papers destroyed, then sought executive clemency for Hunt and the other Watergate burglars.

Ehrlichman, tanned and

relaxed after a week's vacation in the Caribbean, will spend most of his time before the Watergate committee later this month answering those charges.

He blamed his and Haldeman's resignations from two of the most powerful positions in the United States on the allegations made by Dean to U.S. prosecutors here last spring.

"Essentially what I'll tell them stems from Dean's story," he said. "I've some reasonable cause for righteous indignation."

Ehrlichman defended the use of the White House "plumbers" as a necessary means for stopping what they considered dangerous national security leaks. In the Ellsberg case—the leak of classified documents dealing with Vietnam—he said at the time there was a question that a foreign power might have been involved.

But, he said, he was "appalled" at the White House "enemies" list and the alleged use of the IRS. The first he knew of it was from Dean's testimony last month.

Those things are a more serious threat to civil liberties than the use of the plumbers, Ehrlichman suggested.

Why did Dean make all these allegations about him?

Ehrlichman said he could only surmise personal bitterness, perhaps the result of his recommendation that none of the White House staff be granted immunity from prosecution in the Watergate affair.

Dean unsuccessfully negotiated for immunity from prosecution before he told the committee that

Ehrlichman got a promise of clemency for all the Watergate burglars from President Nixon on Jan. 4.

"I raised the matter with the President) of clemency for all the Watergate defendants in July," said Ehrlichman. "I said, 'Sooner or later you're going to be confronted with a suggestion by somebody that these fellows be given clemency.'"

"I said, 'The fact that you would entertain a conversation on the subject could be argued to be some kind of

ratification or approval of their acts. It's an extremely dangerous subject for you to ever get into.' He agreed. He said: 'Let's agree right now this is a subject we'll never discuss.'"

"I adhered to that. It was never discussed."

Contrary to what Dean said, Ehrlichman claims he never gave instructions to, as Dean put it, "get Hunt out of the country."

"No, but that's an interesting tale," said Ehrlichman.

He claimed that in late March or April, Dean came to his office, a floor above the President's and "suggested that I had ordered Hunt out of the country. try.

"Since then, in talking with other people, I've discovered that during that same period he was going around making suggestions to other people about events that supposedly took place.

"He was salting the mine, in effect."

Ehrlichman called Dean's claim that he ordered the stuff in Hunt's White House safe "shredded" and a Hunt briefcase tossed into the Potomac "ridiculous."

They don't use a shredder in his office, said Ehrlichman. They use "burn bags."

Ehrlichman says he doesn't know who, if anyone, gave orders to then Acting FBI Director L. Patrick Gray III to destroy the Hunt documents.

He learned about it long after the fact, said Ehrlichman. But had they known of the destruction of the documents, Gray would not have gotten the White House appointment to the post, he said.

"It was somewhat iffy anyway," said Ehrlichman.

On their last meeting in the President's office, Dean testified he said, "It's time everybody started thinking about telling the truth," and then suggested that Haldeman, Ehrlichman and himself were all indictable for obstruction of justice.

Ehrlichman said he had no recollection of such a statement, but that several weeks earlier in another meeting among the three men—Mr. Nixon not present Dean, in effect, said the opposite.

"Dean said that Haldeman had no problem, except for

the bad appearance of having okayed the transfer of the \$350,000 fund from the Committee (to Reelect the President) to be used by the defendants," said Ehrlichman. He added:

"Dean said I had no liability, except I gave the green light to (presidential attorney Herbert) Kalmbach to raise money for the defendants. that was more a matter of appearance than a technical violation of the law."

Ehrlichman said he looked on it "as another defense fund, like one the Berrigan brothers, Angela Davis or anyone else would have had."

His okay was needed, said Ehrlichman, because under an existing arrangement Kalmbach was not to raise money during the campaign.

"Dean came to me and said, 'We need your sign-off to get Kalmbach to help Mitchell raise attorney fees for the defendants,'" said Ehrlichman. I said, 'If you consider it necessary, consider it done.' That's the only reason I was consulted."

He dismissed Dean's claim that the White House counsel acted as a go-between Haldeman and Ehrlichman in the White House and John Mitchell, reelection committee chairman, on the Watergate cover-up.

"That's a lawyer's contrivance of a conspiracy," said Ehrlichman. "It's ridiculous. We had meetings twice a week with Mitchell on campaign strategy in my office." We didn't need a go-between."

Jeb Magruder, another reelection official, told the Senate committee that Mitchell authorized the break-in and burglary of Democratic national headquarters at Watergate in order to get information about national chairman Larry O'Brien.

Dean said Ehrlichman and Haldeman discussed Mitchell's removal from the committee in the last ten days of June.

Not so, said Ehrlichman.

The first he knew of Mitchell's leaving was the day before when Haldeman told him it would take place.

Nor did he know of Mitchell's alleged involvement in Watergate until this spring, said Ehrlichman.

"I want to make sure I'm understood, that all I know is what others told me this year," said the former domestic adviser. News reports have placed Ehrlichman and Haldeman at odds with Mitchell, the former attorney general.

Ehrlichman was asked whether he had second thoughts on the use of the plumbers to run covert inquiries for the White House.

"Given the circumstances at that time," he said, he would do the same again.

"They were originally set up not for investigation, but to stimulate security people in the various departments," he said. "In the SALT talk leaks that's exactly what they did. They got the agency people to do the job.

"The Pentagon Papers was different.

"Had the FBI treated that case as a top priority where Ellsberg was concerned I don't think the recommendation would ever had been

made by (White House assistant Egil) Krogh that the plumbers staff be used.

"There was a serious operational problem in the bureau. I don't propose to talk about it in detailed terms. I told the McClellan committee there was some problem with Hoover. It was a thing which Krogh came to me on, he went to the attorney general on, and the attorney general came back and said, 'I can't make progress.'

"And so, reluctantly and I thought with as much precaution as was reasonable, we used these two fellows. It was a hot item. It was urgent. I wasn't comfortable at the time with the idea of the White House having investigators out."

Ehrlichman said he'd waited until Sunday to answer the Dean accusations because "his story shifted so much—I wanted to see where it would settle."

He's remaining in Washington until after his testimony before the Senate committee. When finished, he'll go to his former home on Hunt's Point in Seattle for a month's vacation.

"After that, we'll see," he said.