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What the FBI Almost Found

by James W. McCord, Jr.

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HAD FBI AGENTS BEEN PERMITTED by then Director L. Patrick Gray III, by the Department of Justice and by the White House to do the job they wanted, the Watergate Case could have broken wide open a year ago. I am convinced it would have, perhaps as early as late June or early July 1972.

What leads me to believe this? Consider factors routine in any normal FBI investigation of a major crime: search warrants, confessions, and interviews:

Search Warrants

The normal procedure in major crimes involving tangible evidence found on the scene is to search for more such evidence through the immediate execution of search warrants of the defendants' automobiles and residences.

Tangible evidence in the Watergate Case was found in abundance on the 5 arrested—large sums of money, elec-

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tronic equipment, and photography and locksmithing tools.

The same day we were arrested in the Democratic National Committee headquarters, on June 17, 1972, additional tangible evidence—equipment and other paraphernalia—was found in the hotel room across from Watergate occupied by E. Howard Hunt and G. Gordon Liddy. This was all the more justification for immediately executing search warrants to check vehicles and residences.

But when senior personnel of the FBI sought such warrants, they were turned down.

What would the FBI have found? Even if their search warrants had been executed as late as four weeks after our arrests?

In my vehicle (returned by Alfred

FIRST OF A 3-PART SERIES by James W. McCord, Jr. detailing what the American public ought to know about this Nation's intelligence agencies and their conduct in the Watergate affair.

Baldwin to my home, on June 17, 1972), they would have found tape recorders, 2 electric typewriters belonging to White House consultant E. Howard Hunt, and other electronic equipment removed from the Howard Johnson Motel by Alfred Baldwin, all rapidly traceable to their original source of purchase.

In my residence, they would have found additional electronic equipment related to the overall Watergate operation; \$18,000 in \$100 bills left over from the operation, subsequently used for lawyers fees; some carbon copies of recent wiretap logs, which I later destroyed; a copy of a letter signed by John Mitchell authorizing me to go to the Internal Security Division of the Department of Justice and obtain information regarding violence allegedly planned for the Republican National Convention; and some pencilled notes from January and February 1972 mentioning not only John Mitchell's name but the names of John Dean and Jeb Magruder as meeting with Mitchell during those early 1972 months to discuss the Watergate break-in.

All of this documentary material I destroyed during July 1972. The equipment I either buried or disposed of in the Potomac River. (One exception: the typewriters, which were returned to the Hunts in late July, 1972.)

Thus, the search that senior FBI personnel sought of my residence would have led immediately to John Mitchell, Jeb Magruder, John Dean, my equipment suppliers, the Internal Security

Division of the Department of Justice, and to White House consultant E. Howard Hunt.

Mrs. Hunt told me in late July 1972 that her husband also had to dispose of incriminating material at their residence.

Would such materials have led to the Ellsberg break in and other "plumber's operations" of the White House? My guess is yes.

Confessions

Another routine FBI procedure in major crimes is to continuously seek every avenue possible to get a confession from those involved, and to pursue every lead which may develop additional evidence or further leads.

But the FBI was precluded from doing just this. It had to clear every lead of any consequence with the Department of Justice before pursuing any of them. Apparently many such leads were killed, either by the Department of Justice or the White House.

Let me cite a situation involving me personally. During the 4 weeks immediately following my arrest and release from confinement—that is during late June and the month of July 1972—I was in a frame of mind in which I would probably have told the whole story to an FBI agent, if he had been one whom I knew and trusted. Such a man, I would have believed, would not have allowed the Watergate story to get buried or suppressed. I had no such confidence in the U.S. Attorneys handling the Grand Jury. But had I been approached by an FBI agent of maturity, and particularly one I may have known in the past, I likely would have told the complete story at that time.

Who disapproved the search warrants FBI agents proposed to execute?

There is evidence that senior supervisory personnel of the FBI tried to get ap-

...val to get to me, seeking a confession, in July 1972, but were turned down "at the highest levels."

Such an interview, combined with what would have been found had the FBI been allowed to execute its search warrants, would in my opinion have been devastating, in terms of the total picture that would have been developed. Instead, the picture is emerging only piece by piece and with painful slowness.

Interviews

Normally, the FBI would have inter-

"What would the FBI have found?"

"In my residence, they would have found \$18,800 in \$100 bills, additional electronic equipment, carbon copies of recent wiretap logs, a copy of a letter signed by John Mitchell... and penciled notes mentioning... John Dean and Jeb Magruder as meeting with Mitchell during those early 1972 months to discuss the Watergate break-in."

viewed every employee of the Committee for the Re-Election of the President in seeking further leads about Liddy and me, since both of us were on its payroll. Had they done so, they would have learned through Robert Reisner, Jeb Magruder's assistant, of the existence of the "Gemstone file" which Magruder kept for discussion with Mitchell. The Gemstone file contained results of our wiretaps on the Democratic National Headquarters and other material from Liddy's operations in the political espionage field.

I gave Reisner's name to the Senate Watergate Committee in March 1973. When interviewed, he expressed surprise that no one had tried to interview him during the many months following June 17, 1972.

Had the FBI been permitted to interview all of the CRP personnel, as would have been customary, it would also have learned from press assistant Powell Moore that he had accompanied Liddy on June 17, 1972 to visit Attorney General Kleindeinst, trying to get the defendants released on bond that same day. Of greater importance, the FBI would have learned that Moore witnessed the destruction of files by Liddy in the CRP offices that same day, June 17, 1972. Apparently Kleindeinst never told the FBI of the visit by Liddy and Moore. Why not—if not immediately, then surely after Liddy was indicted and it became patently clear that he was involved in the Watergate operation itself?

The question then is: who kept the wraps on the FBI in its investigation of the Watergate Case?

The FBI was apparently proscribed at every turn. Even routine investigative efforts were suppressed and held down to the point that its senior personnel had to clear every action of any substance with political appointees in the Department of Justice and possibly with the White House.

Why? Who approved or disapproved the leads they proposed to pursue, the search warrants they proposed to execute, the interviews they planned to conduct, the confessions they could have obtained? What justification was given for circumscribing their investigation? The FBI was boxed in—blamed on the one hand because it didn't develop the facts in the Watergate Case, but unable on the other hand to act on the leads its senior supervisory personnel proposed and knew to be necessary to develop the full story.

The FBI's senior personnel have not been allowed to tell their story. They should be—in an open forum. Only they know what really happened in a case that could quickly have been solved, but which instead has resulted in the most serious blow in 40 years to the reputation, integrity and morale of this great organization. Their new Director, Clarence Kelly, appears well qualified to give them good leadership once again. He can do a great service to that organization by letting the senior investigative personnel who were so close to getting to the bottom of the Watergate case step forward and tell the American public what really happened and who tied their hands.

If the American public is to regain its faith in the FBI—and it deserves that faith—the Bureau's story must be heard.



The Man Who Broke Watergate ... Into It, and Wide Open

A CAREER SPOOK and Lieutenant Colonel in the Air Force Reserve, James McCord saw active service from 1943 to 1945 as a B-24 and then B-29 bombardier. His 25-year career in the intelligence services of this Nation began with the Federal Bureau of Investigation in 1942 and 1943, when he worked on radio intelligence duties in Washington and New York. After WW II, he returned to the FBI as a Special Agent in San Diego and San Francisco.

He joined the Central Intelligence Agency in 1951 as a security officer, first doing field investigative work and then at CIA headquarters in classified and sensitive personnel security matters. From 1962 to 1964, he was CIA's Senior Security Officer in the European area. He attended the Air War College in 1965 and returned to CIA as Chief of its Technical Security Division and later Chief of the Physical Security Division.

He retired from CIA in 1970, having earned its Certificate of Merit (1966) and Distinguished Service Award (1970). Prior to his employment at the Committee to Re-elect the President, he lectured at Montgomery College on industrial security and criminal justice and served as Director of a non-profit scientific and educational institute doing research on and providing technical assistance in industrial security.

Currently he is associated with Security International in Rockville, Md. and doing investigative journalism through a new, private newsletter, "The Washington Media Services Newsletter," to be first published in September. His hardback book, "Watergate Sanctions," is scheduled for publication late this month (Exposition Press, Jericho, N.Y., \$10.00).

A University of Texas graduate, McCord earned his Master of Science degree at George Washington University and did higher level graduate work there and at American University on Communist Chinese studies.

His son is a first classman at the Air Force Academy.

Convicted of felony on 30 Jan. of this year for his role in the Watergate break-in, his sentence has been deferred by Federal Judge John Sirica for an indefinite period of time pending Judge Sirica's review of McCord's cooperation with the Senate Watergate Committee and the Special Prosecutor, and other factors.