

Young Asserts Ehrlichman Took 'Sensitive' Memos

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WASHINGTON, July 1—David R. Young Jr., in his first public testimony, told a Federal court today that John D. Ehrlichman removed two White House "plumbers" memorandums from a master file in March, 1973, because "they were a little too sensitive and showed too much forethought."

One of the documents removed, Mr. Young testified, was a recommendation on Aug. 11, 1971, for a "covert operation" to obtain the psychiatric records of Daniel Ellsberg, who has said he gave the Pentagon papers to the press. Mr. Ehrlichman had initialed his approval on the memo and added, in his handwriting, the following phrase: "If done under your assurance that it is not traceable."

The existence of the document has been publicly known since the televised Senate Watergate committee hearings last summer, but Mr. Young's assertion was the first direct evidence that Mr. Ehrlichman apparently considered it to be potentially incriminating.

The damaging testimony against Mr. Ehrlichman, President Nixon's former chief adviser for domestic affairs, came as the plumbers trial went into its second week before Judge Gerhard A. Gesell of United States District Court here.

Defendants Listed

Mr. Ehrlichman and three other defendants—G. Gordon Liddy, Bernard L. Barker and Eugenio R. Martinez—are accused of violating the civil rights of Dr. Lewis J. Fielding, Dr. Ellsberg's former physician, by conspiring to burglarize his office on Sept. 3, 1971. At the time, the men were involved with a special investigations unit, called the "plumbers," that was set up by the President in July, 1971, and told to stop "leaks" to the press.

Mr. Young and Egil Krogh Jr., who pleaded guilty last Nov. 30 to one count of violating Dr. Fielding's right and was sentenced to six months in prison, were co-directors of the plumbers group.

At no point during his more than three hours of testimony did Mr. Young specifically link Mr. Ehrlichman to the approval in 1971 of an illegal burglary. Mr. Young, whose testimony was marked by lapses of memory, consistently referred to the Fielding break-in as the "California matter" or the "operation"—terms similar to those used by Mr. Ehrlichman in his previous statements.

'Over of Some Sort'

At one point, Mr. Young said under the questioning by William H. Merrill, an associate Watergate prosecutor, that, as he understood it, the purpose of the Fielding "operation" was "to examine the files under a cover of some sort." Nothing was said "as to how" the operation would be carried out, Mr. Young testified.

Mr. Ehrlichman's four-man team of attorneys, headed by William Frates of Miami, made clear after today's testimony

that they were pleased by Mr. Young's seemingly less-than-precise testimony about who had authorized what before the Fielding break-in. Mr. Frates was expected to begin the cross-examination of Mr. Young tomorrow, an exchange that attorneys close to the case considered crucial.

Along with his inability to testify about Mr. Ehrlichman's prior approval of a break-in—a failure that seemed to disappoint the Watergate prosecutors—Mr. Young also disclosed that he himself had tampered with potentially incriminating documents during a review of the plumbers in December, 1972, three months before Mr. Ehrlichman allegedly did the same thing.

References Deleted

Under questioning, Mr. Young acknowledged that he had removed references to Mr. Ehrlichman's prior approval of the "covert operation" from the Aug. 11, 1971, memorandums and then replaced the document, with the deletions, in the files.

Mr. Young also testified that he had destroyed copies of two psychological profiles of Dr. Ellsberg that had been prepared by the Central Intelligence Agency as well as another document—prepared a week before the break-in—that purportedly showed plans to make political use of the Ellsberg materials taken from Dr. Fielding's office.

Under questioning from Mr. Merrill, Mr. Young said he had removed the materials because they were "sensitive."

At that point, Judge Gesell asked, "What do you mean by 'sensitive?' Matters that incriminated you?"

"Yes," Mr. Young replied, "in the sense that, if disclosed, it would have certain political repercussions—if not legal repercussions."

Mr. Young was not asked to explain what he meant by "legal repercussions."

Hunt Concludes Testimony

Earlier today, E. Howard Hunt Jr., a former C.I.A. official who directed the Fielding break-in along with Mr. Liddy, concluded his testimony in which he repeatedly said he had briefed Mr. Liddy and Mr. Young about the specific break-in plans for Dr. Fielding's office.

Mr. Hunt acknowledged that he and Mr. Liddy had even listed some of the break-in tools—such as a crowbar and

a rubber mallet—that would be purchased prior to the break-in. All of this material, Mr. Hunt said, was included in a memorandum on Aug. 30, 1971, that he and Mr. Liddy provided to Mr. Krogh and Mr. Young.

In his subsequent testimony, Mr. Young denied any knowledge of the Aug. 30 memorandum.

Mr. Young, a former National Security Council aide who was assigned to the plumbers unit in mid-1971, testified under a grant of immunity. He began cooperating with the original

Watergate prosecuting team shortly after details of the Fielding break-in became known in May, 1973 and, among other things, provided the Government with copies of all of the relevant memorandums that he had photocopied from White House files.

Material Copied

Mr. Young acknowledged today that he had made copies of the more incriminating material shortly before he met with Mr. Ehrlichman on March 27, 1973—six days after Mr. Hunt's threats to expose the "seamy" doings of the White House had been conveyed to Mr. Nixon.

Mr. Hunt, Mr. Liddy, Mr. Barker and Mr. Martinez also participated in the June, 1972 Watergate bugging and break-in, and were convicted last year in that case.

Mr. Young testified at length about the March 27 meeting, which began, he said, with Mr. Ehrlichman telling him that Mr. Krough had taken full responsibility for the break-in. "My present recollection," Mr. Young quoted Mr. Ehrlichman as saying, "is that I didn't know about it until afterward." "I said," Mr. Young told the court, "that I knew about it beforehand and my clear recollection was that [Mr. Ehrlichman] also knew about it beforehand." He said he further told Mr. Ehrlichman that the plumbers files showed his prior knowledge.

'They're Too Sensitive'

Mr. Ehrlichman responded, according to Mr. Young, that "there's no questions about what actually happened. I've taken those files out because they're too sensitive and showed forethought."

After his testimony, Mr. Young submitted his typed notes, compiled shortly after the Ehrlichman meeting, in which he quoted Mr. Ehrlichman as saying he had removed the memorandums because "they were a little too sensitive and showed too much forethought."

Without mentioning that he had already photocopied the documents, Mr. Young testified, he told Mr. Ehrlichman it was possible that "there might be other copies."

Mr. Young said Mr. Ehrlichman replied, "Well, it's a chance we'll have to take."

Mr. Young testified that he then asked Mr. Ehrlichman what he should say in case Mr. Hunt testified about the break-in. "He said it was not dissimilar to a national security wiretap," Mr. Young quoted Mr. Ehrlichman as replying, "and no one liked that kind of a thing but this was undertaken in the national security interest and we'll just have to button up and hunker down."

'Run the Red Light'

"I then said to Ehrlichman," Mr. Young continued, "that the only way I could analogize the situation was to say it was like being in an ambulance going to an accident and I was in the back seat and he and the President were in the front seat. And they asked me if I recommended that they should run a red light and I recommended that they run the red light."

"I thought at the time that, with the circumstances we had to work with," Mr. Young added, "that it had been a right thing."

Mr. Young also testified about a later meeting with Mr. Ehrlichman on April 30, 1973, the day Mr. Ehrlichman resigned from the White House and more than a month after Mr. Young had left. At that meeting, Mr. Young said, Mr. Ehrlichman noted that he had just met with agents from the Federal Bureau of Investigation and had told them that he knew Mr. Hunt and Mr. Liddy had gone to California on a "covert operation" involving Dr. Ellsberg, but that he had not known that they would be involved in a break-in.

That, in essence, is the position Mr. Ehrlichman has taken in the current trial.

Mr. Young testified that he expressed his disappointment that Mr. Ehrlichman did not tell the F.B.I. "that you had approved the Hunt and Liddy mission beforehand."

"They didn't ask me," Mr. Young quoted Mr. Ehrlichman as saying.

'Next Higher Authority'

Mr. Young said he then told Mr. Ehrlichman that he had assumed that Mr. Ehrlichman had gone to the "next higher authority"—the President—before approving the covert operation on the Aug. 11, 1971, memorandum at that point, Mr. Young testified, Mr. Ehrlichman nodded agreement and quickly said that "you don't want to discuss questions" about the President.

Mr. Ehrlichman urged Mr. Young to invoke executive privilege and national security if questioned by a Federal grand jury or a Congressional committee about the plumbers unit, Mr. Young testified.