

Ehrlichman Was Told Mitchell Approved Bug

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Former Attorney General John N. Mitchell gave his specific approval to plans to bug the Democrats' Watergate headquarters, according to former presidential deputy John D. Ehrlichman's sworn account of information he received from two other former presidential aides.

In a deposition released yesterday, Ehrlichman quoted deputy presidential campaign manager Jeb Stuart Magruder as saying that Mitchell gave oral approval of the bugging operation.

Ehrlichman also quoted the then presidential counsel John W. Dean III as saying that Mitchell approved the plans in writing and selected the Watergate and two additional sites to be placed under electronic surveillance.

Ehrlichman said in the deposition, which is part of testimony taken in the Democratic Party's civil suit in the case, that he obtained the information as part of a Watergate investigation he undertook beginning on March 30 at the President's direction.

Although portions of the Ehrlichman deposition appear certain to be disputed by some of the persons mentioned in it, the document offers a fascinating look into elements of the decision-making process and atmosphere that led to the Watergate bugging and the subsequent attempt to cover it up.

The sworn statement is the strongest evidence made

public to date showing that the former Attorney General was deeply involved in the Watergate operation.

In addition, Ehrlichman said, Magruder stated that Mitchell "was given the results of the surveillance. I don't know whether it was logs or in what form, but he was aware of the unsatisfactory results."

The "unsatisfactory results" stemmed from the failure of a tap on the telephone of then-Democratic Party Chairman Lawrence F. O'Brien in May, 1972, to work. This infuriated Mitchell, according to what Ehrlichman said he was told by Magruder.

Ehrlichman said he concluded that the June 17 break-in at the Watergate was undertaken by Watergate team leader G. Gordon Liddy because Mitchell was so angry that the O'Brien tap was not working.

Ehrlichman specifically said: "Mr. Magruder told me that Mr. Mitchell very vigorously criticized Mr. Liddy in Mr. Liddy's—to his face, so to speak, and that the second entry was not by reason of any prior planning on the part of either Mr. Mitchell or Mr. Magruder or others responsible, but was a reaction by Mr. Liddy to the heavy criticism that he received for the inadequate results of the first entry.

"In other words, he was a self-starter."

Asked where Ehrlichman got his information about Mitchell's involvement in the Watergate plans, Ehrlichman said that Dean "told me that Mr. Mitchell had liter-

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ally 'signed off' in the sense of having evidence in writing, that is, in some form of writing, his decision, and Mr. Magruder having, told me on the other hand that Mr. Mitchell's acquiescence had been entirely oral."

Ehrlichman said that Mitchell had originally turned down plans for electronic surveillance at two or three meetings during which such proposals were discussed.

The first plan, allegedly presented by Liddy, had a \$1 million price tag. There was an interim plan that would have cost \$500,000, and that also was turned down. The final plan, that Mitchell allegedly approved, also called for electronic surveillance, according to the Ehrlichman deposition, and had a \$250,000 price tag.

At another point in the deposition, Ehrlichman said that he was informed in April during his investigation that Magruder's testimony about the plans for the Watergate operation would "reach" the President.

James Bierbower, the attorney for Magruder, quickly denied the report yesterday, saying: "I deny that Magruder's testimony will implicate the President in any way, at any time, either directly or indirectly."

Ehrlichman said that he was informed by Paul O'Brien, an attorney for the President's re-election committee, about Magruder's expected testimony against the President.

Magruder was expected to testify, according to the Ehrlichman deposition that Magruder had been told by former White House aide Gordon Strachan that "the President wants this project to go on."

Strachan is the former political aide to former White House chief of staff H. R. (Bob) Haldeman.

Ehrlichman said in the deposition that Strachan has denied that such a conversation ever took place.

Ehrlichman said that he informed the President of his meeting with Nixon committee attorney Paul O'Brien, but said he does not remember telling the President that the President's name had come up in the allegations.

According to the O'Brien account, Ehrlichman said "Magruder's testimony would reach Strachan, Haldeman, (former special presidential counsel Charles W.) Colson and the President."

Magruder had apparently fired Liddy in the middle of the bugging operation or just before it was approved, and the President's name was introduced when Strachan allegedly said that Mr. Nixon wanted it to proceed, the Ehrlichman deposition said. So Magruder told Ehrlichman he kept Liddy on.

The Ehrlichman deposition, perhaps more than any document or statement yet on the public record, portrays constant concern on the part of the Nixon administration with secret operations as part of the political process.

As early as January of 1971—18 months before the bugging of Democratic headquarters—Ehrlichman says he was approached by White House aide John J. Caulfield with a plan to engage in intelligence-gathering activities during the 1972 presidential campaign. Ehrlichman, formerly the President's principal aide for domestic policy, says on Page 19 of his deposition:

"Jack Caulfield came to me with a prospectus for the creation of a private detective agency, is about the

best way I can describe it, which he proposed to leave the government to go out and form. His concept, if I understand it right, was to contract with the presidential campaign for all kinds of intelligence services."

Caulfield "had worked for me formerly and so he was sort of shopping this (intelligence-gathering plan) around and looking for a sponsor, so to speak," Ehrlichman says in the deposition.

"I told him that in my then capacity in the domestic affairs end this just wasn't anything that I knew anything about or could get into," Ehrlichman continued. "So I gave him this prospectus back and sent him on his way."

(Caulfield is the former New York City policeman who testified before the Senate Watergate committee two weeks ago that he had conveyed an offer of executive clemency from John Dean to one of the Watergate conspirators in an attempt to buy silence.)

Later in the deposition, Ehrlichman gives this account—based on statements by Magruder—of concerns 14 months later by Colson, then special counsel to the President, that campaign intelligence-gathering plans were not yet operational.

"Magruder told me that . . . during that period of indecision (when the bugging had not yet been approved) he received a telephone call from Mr. Colson urging him to go forward with intelligence-gathering operations . . . He said that in conversations and, in fact all conversations that he had ever had with Mr. Colson, there were no suggestions that illegal or electronic or bugging or taping or other such activities should be conducted.

"He said that the thrust of Mr. Colson's conversation with him on the occasion of this call was that there was no information-gathering capability in general but he did not in that conversation make any specific proposal as to means or methods."

Ehrlichman also made the following points in the 242 page deposition taken on May 22, 23 and 24:

- Former special White House counsel Colson had said that the Nixon campaign "needed information on Larry O'Brien," but Colson did not have knowledge that illegal wiretapping would be used.

- Liddy and former Nixon campaign press aide Powell Moore visited Attorney General Richard Kleindienst June 17 "on a golf course to urge him to release the defendants from the jail on the day of the break-in or within hours thereafter." The five defendants were not released from jail until they posted bond days later.

- Haldeman said that a \$350,000 cash fund was taken to the White House to conduct political polling "to verify the representations that were being made to him by the campaign committee or to see how effective the campaign committee was without the necessity of letting the campaign committee know that he was doing that."

- President Nixon said that "Dean was in the thing up to his eyebrows." This was after Ehrlichman gave what he said was a comprehensive oral report on Ehrlichman's investigation to the President.

(Ehrlichman resigned April 30, a month after he began his Watergate investigation. Federal sources have said that Ehrlichman, Haldeman and Dean, along with others, are expected to be indicted for their alleged role in the Watergate cover-up.)

- Strachan said that he and Haldeman received what he now realizes "in retrospect" were "some synopses which might have been the fruits of such an investigation or a surveillance . . ." Strachan said that "he wasn't sure whether Mr. Haldeman had ever read those or not."

- "Mr. Magruder told me Mr. Liddy had threatened him—had threatened his life." in Liddy file - AP