

Ehrlichman: I Was Told Mitchell Approved Bug

By Bob Woodward and Carl Bernstein
Washington Post Staff Writers

Former Attorney General John N. Mitchell gave his specific approval to plans to bug the Democrats' Watergate headquarters, according to information that former presidential deputy John D. Ehrlichman says he received this spring from two other former White House aides.

In a sworn deposition released yesterday, Ehrlichman quoted Jeb Stuart Magruder, a former presidential assistant and deputy manager of the President's re-election campaign, as saying that Mitchell gave his oral approval to the bugging operation.

Ehrlichman also quoted John W. Dean III, then counsel to the President, as saying that Mitchell gave written approval to the bugging plans and selected the Watergate and two additional sites to be placed under electronic surveillance.

Ehrlichman said in the deposition, taken two weeks ago as part of the Democratic Party's civil damage suit stemming from the bugging, that he obtained the information as part of an investigation of the Watergate affair that he undertook for President Nixon, beginning on March 30. Ehrlichman resigned from the White House Staff April 30.

Ehrlichman's sworn statement, based primarily on hearsay, represents the strongest evidence made public to date that suggests the former Attorney General was deeply involved in the Watergate operation.

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, discovered June 17, 1972, and the subsequent attempt to cover it up.

In the deposition, Ehrlichman states that:

- He was informed by a lawyer for the Committee for the Re-election of the President that Magruder's testimony to authorities about the bugging "would reach . . . the President" by repeating another White House aide's purported assertion that Mr. Nixon "wants this project to go on." However, James Bierbower, an attorney for Magruder, denied yesterday that his client's testimony "will implicate the President in any way, at any time, either directly or indirectly."

- President Nixon told him on March 30 that "it was evident to him at that point that Dean was in the thing up to his eyebrows." (Federal sources have said that Ehrlichman, Dean, Mitchell and former White House chief of staff H. R. (Bob) Haldeman are all expected to be indicted in connection with either the bugging or the cover-up.)

- Before the Watergate bugging, Charles W. Colson, then special counsel to the President, had said that the Nixon campaign "needed information on Larry O'Brien," who was then chairman of the Democratic National Committee, and urged that campaign intelligence-gathering

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plans be expedited—without specifically stating what means of intelligence-gathering were to be used.

- He was told by Haldeman's principal political aide, Gordon Strachan, that Strachan and Haldeman received what might have been summaries of wiretapped conversations. "In retrospect," Ehrlichman says he was told by Strachan, "some synopses which might have been the fruits of such an investigation or a surveillance" went to Strachan and Haldeman.

- The morning of the arrests inside Democratic headquarters on June 17, 1972, Watergate conspirator G. Gordon Liddy and former Nixon campaign press aide Powell Moore rushed to a golf course to see then-Attorney General Richard G. Kleindienst. The purpose of the visit, Ehrlichman said, was "to urge him (Kleindienst) 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 and apparently Kleindienst took no action on the alleged request.

- "Mr. Magruder told me that Mr. Liddy had threatened him—had threatened his life." According to Ehrlichman, Liddy and Magruder were constantly feuding.

- Although the initial bugging of the Watergate had been authorized by Mitchell, Magruder and others, the June 17 entry was undertaken on Liddy's orders without the knowledge of his superiors.

- The White House and the Nixon re-election committee considered issuing a full report on the Watergate bugging before last November's election, based on an assumption that only committee personnel—and not White House aides—were involved in the bugging.

Throughout the deposition, Ehrlichman returns to the theme of former Attorney General Mitchell's alleged involvement in the plans to bug the Democrats' headquarters and conduct other surveillance activities.

Based on what he was told by Magruder, Ehrlichman says that Mitchell "was made aware of the—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 installed on the telephone of then Democratic Party Chairman Lawrence F. O'Brien in late May, 1972. The failure 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 because Mitchell was so angry that the O'Brien tap was not working. Ehrlichman said in the deposition:

"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."

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

Asked where Ehrlichman received his information about Mitchell's involvement in the Watergate plans, Ehrlichman replied in the deposition:

Dean "told me that Mr. Mitchell had literally '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—apparently for reasons of exorbitant cost—plans for the electronic surveillance at two or three meetings in which such proposals were discussed early in 1972.

The first plan, allegedly presented by Liddy, had a \$1 million price tag. There was an interim plan that would have cost \$500,000, Ehrlichman stated, and that also was turned down. The final plan, allegedly approved by Mitchell, had a \$200,000 to \$250,000 price tag, according to the Ehrlichman deposition.

After rejection of the first two plans by Mitchell, Magruder and former White House counsel Dean, Ehrlichman said, "it was understood that Liddy and Magruder would then try and work out a realistic proposal for resubmission and this effort resulted in Mr. Magruder going to Florida to meet with John Mitchell . . ."

At the Florida meeting, Ehrlichman said he was told by Magruder, Mitchell specifically authorized the electronic surveillance of the Democrats' Watergate headquarters, the Fontainebleu Hotel, which was the Democrats' headquarters during the Miami Convention, and the Washington campaign headquarters of one of the Democratic presidential candidates.

In the course of investigating the Watergate affair for President Nixon, said Ehrlichman, he was visited by Paul O'Brien, an attorney for the Nixon re-election committee, who told him that "Magruder's testimony would reach Strachan, Haldeman, Colson and the President." Ehrlichman explained in the deposition:

"I said how does Magruder's testimony reach the President? He (O'Brien) said Magruder fired Gordon Liddy. Gordon Liddy went to Strachan. Strachan said to Magruder the President wants this project to go on."

However, Ehrlichman said in the deposition that Strachan subsequently denied to him that any such conversation took place.

Asked about the apparently conflicting versions yesterday, Ehrlichman told a reporter:

According to Ehrlichman's deposition, he was assigned by the President in late March to conduct an investigation that would "develop a working hypothesis for the President . . . and very specifically to try and put into context certain statements that Mr. Dean (then the White House counsel) had made to him which the President found incredible."

This apparently refers to a meeting between Mr. Nixon and Dean on March 20, in which Dean contends he told the President everything he knew about the Watergate bugging and cover-up. According to Dean's version of events, the President himself was involved in the cover-up and Ehrlichman and Haldeman directed Dean's own actions in the effort to mask the truth about Watergate.

According to the deposition, Magruder had apparently fired Liddy in the middle of planning the bugging operation or just before it was approved. Ehrlichman said in the deposition that he did not know the exact circumstances that led to Liddy's purported threat to kill Magruder, and went on to describe the incident this way:

"Magruder put his hand on Liddy's shoulder or touched him in some way and Liddy reacted very violently. He did not (strike Magruder). He just threatened to kill him."

"Strachan had a fairly recent conversation with Magruder in March or April in which Magruder said to him, 'I'm going to testify to the conversation you and I had as we walked back to the committee from the White House, in which you (Strachan) asked me to take Liddy back because the President wanted this project to go on,'" Ehrlichman continued.

"But Strachan told me that the conversation never took place . . . and that he told Magruder, 'I can't say that.' Ehrlichman then concluded: "We have a curious conflict in the evidence in what would appear to be a subject of considerable moment to the White House."

Ehrlichman said in the deposition that he informed the President of his meeting with attorney O'Brien, but said he does not remember telling Mr. Nixon that the President's name had been raised in the allegations.

However, Ehrlichman contends in the deposition, he and Haldeman assigned Dean responsibility for finding the facts relating to Watergate immediately after the June 17 arrests and that Dean misled them.

By February, Ehrlichman said in the deposition, "It was pretty clear that we were not getting the facts. He (Dean) was not being forthcoming with us on the facts either because he didn't know them or because he didn't feel that he could disclose them to us. There was also an overriding inhibition on my part and I think Mr. Haldeman's not to acquaint ourselves too intimately with the facts because we knew eventually we were going to end up here, giving a deposition in the civil cases . . . This was Dean's baby."

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."

