

# McCord Tells of 'Political

The following is a partial text of convicted Watergate conspirator James A. McCord's Senate testimony yesterday about what he described as "political pressure from the White House" to remain silent about his knowledge of the Watergate affair.

**Mr. McCord:** I will state as a preliminary that the dates of the telephone calls that I refer to in this statement are to the best of my recollection; they may be inaccurate by a day or two . . .

Political pressure from the White House was conveyed to me in January 1973 by John Caulfield to remain silent, take executive clemency by going off to prison quietly, and I was told that while there, I would receive financial aid and later rehabilitation and a job. I was told in a January meeting in 1973 with Caulfield that the President of the United States was aware of our meeting, that the results of the meeting would be conveyed to the President, and that at a future meeting there would be a personal message from the President himself.

**The Chairman (Sen. Ervin):** I would like to state at this point that the testimony of Mr. McCord as to what was told to him by John Caulfield would not be accepted in a court of law to connect the President with what Mr. Caulfield was doing, but it is admissible to show whether or not Mr. Caulfield was a party to any agreement to connect the President for any information on what is known as the Watergate affair, but it is not received in connection to the President at the stage.

**Senator Gurney:** I think it ought to be pointed out at that time that at this time, January, 1973, it is my understanding that Mr. Caulfield was not in the White House at all, but was employed, I think, by the Treasury Department.

**Mr. Dash:** That is right.

**Senator Gurney:** I hope we can correct these things as we go along. You have all kinds of inferences here that are inaccurate and are casting aspersions that are going to damage peoples' reputations. . .

**Mr. McCord:** The second paragraph is on the afternoon of Jan. 8, 1973, the first day of the Watergate trial, Gerald Alch, my attorney, told me that William O. Bittman, attorney for E. Howard Hunt, wanted to meet with me at Bittman's office that afternoon. When I asked why, Alch said that Bittman wanted to talk with me about "whose word I would

trust regarding a White House offer of executive clemency." Alch added that Bittman wanted to talk with both Bernard Barker and me that afternoon.

I had no intention of accepting executive clemency, but I did want to find out what was going on, and by whom, and exactly what the White House was doing now. A few days before, the White House had tried to lay the Watergate operation off on CIA, and now it was clear that I was going to have to find out what was up now. To do so involved some risks. To fail to do so was in my opinion to work in a vacuum regarding White House intentions and plans, which involved even greater risks, I felt.

**Mr. McCord:** . . . Around 4:30 p.m. that afternoon, Jan. 8th, while waiting for a taxi after the Court session, Bernard Barker asked my attorneys and me if he could

ride in the cab with us to Bittman's office, which we agreed to. There he got out of the cab and went up towards Bittman's office. I had been under the impression during the cab ride that Bittman was going to talk to both Barker and me jointly, and became angered at what seemed to me to be the arrogance and audacity of another man's lawyer calling in two other lawyer's clients and pitching them for the White House. Alch saw my anger and took me aside for about a half hour after the cab arrived in front of Bittman's office, and let Barker go up alone. About 5:00 p.m. we went up to Bittman's office. There Alch disappeared with Bittman, and I sat alone in Bittman's office for a period of time, became irritated.

Mr. Alch finally came back, took me aside, and said that Mr. Bittman had told him that I would be called that same night by a friend I had known from the White House.

I assumed this would be John Caulfield who had originally recruited me for the Committee for the Re-election of the President position.

## Pressure From

## White House'

About 12:30 p.m. that same evening, I received a call from an unidentified individual who said that Caulfield was out of town, and asked me to go to a pay phone booth near the Blue Fountain Inn on Rte. 355 near my residence, where he had a message for me from Caulfield. There the same individual called and read the following message:

"Plead guilty.

"One year is a long time. You will get executive clemency. Your family will be taken care of and when you get out you will be rehabilitated and a job will be found for you.

"Don't take immunity when called before the Grand Jury."

**Mr. Dash:** Now, Mr. McCord, did you recognize that voice at all? Do you know who was speaking to you on the telephone?

**Mr. McCord:** I do not know who the man was, the voice I heard over the telephone before in previous calls.

**Mr. Dash:** And, therefore, it is not your testimony from your reading that statement, it was Mr. Caulfield who was speaking to you?

**Mr. McCord:** That is correct.

**Mr. Dash:** And, therefore, it is somebody else telling you, you believe he was repeating a statement Mr. Caulfield but not a direct statement to you from Mr. Caulfield?

**Mr. McCord:** He so stated he was repeating a statement from Mr. Caulfield, and he repeated the statement twice, that is correct.

**Mr. Dash:** To clarify it for Senator Gurney, do you know the voice, do you know the identify?

**Mr. McCord:** I heard the voice before, I do not know the identity of the man who called . . .

Sometime in July, 1972, shortly after I got out of jail, which was in June, 1972, about midday there was a note in my mailbox at my residence and when I opened the letter, which had not been stamped nor sent through the mails it was a note from Jack Caulfield signed "Jack" which said, "Go to the phone booth on Rte. 355 near your home," and gave three alternate times at which I could ap-

pear at the phone booth for a telephone call from him.

To the best of my recollection, one of those times was very shortly thereafter, an hour or two later, and another time was the next day and that seems to me that the third time was the following evening.

I went to the telephone, to that telephone booth on Rte. 355 that afternoon, the same afternoon, as I best recall, and I heard the voice that I have referred to in this memorandum of today. I do not know the individual's identity, he had an accent that I would refer to as a New York accent. He said that he had formerly worked for Jack Caulfield. He said, "I am a friend of Jack's, I formerly worked with him. Jack will want to talk with you shortly. He will be in touch with you soon."

I received a call subsequently from Mr. Caulfield. To the best of my recollection it came to my home first and it said, "Go to the same phone booth on Rte. 355," which I did, and there Mr. Caulfield told me that he was going overseas in a few days. He said, "If you have any problems" if you have any problems, "call my

home and leave word and I will call you back from overseas to your residence."

He said, "When you call my home ask for Mr. Watson."

**Senator Gurney:** Mr. Watson?

**Mr. McCord:** Watson, He said, also, "After my return if you ever need to call me at my office," he gave a number, the office number and he said, "Simply leave word that Mr. Watson is calling."

So it was a name that both of us were to use, my name and his name. I did not contact him during the next 30 days and I next heard from him, to the best of my recollection sometime in September, 1972, on a Sunday afternoon.

I can't recall the exact date but I do recall that Mr. Clark MacGregor, then the head of the Committee for the Re-election of the President, had just finished a television appearance on one of the talk programs such as Meet the Press, and Mr. Caulfield called me at home and again asked that I go to the telephone booth on Rte. 355, which I did. He stated that he had trouble getting my home phone number because it was an unlisted number, and he stated, "We are worried about you"—this is Mr. Caulfield's statement—

(Laughter)

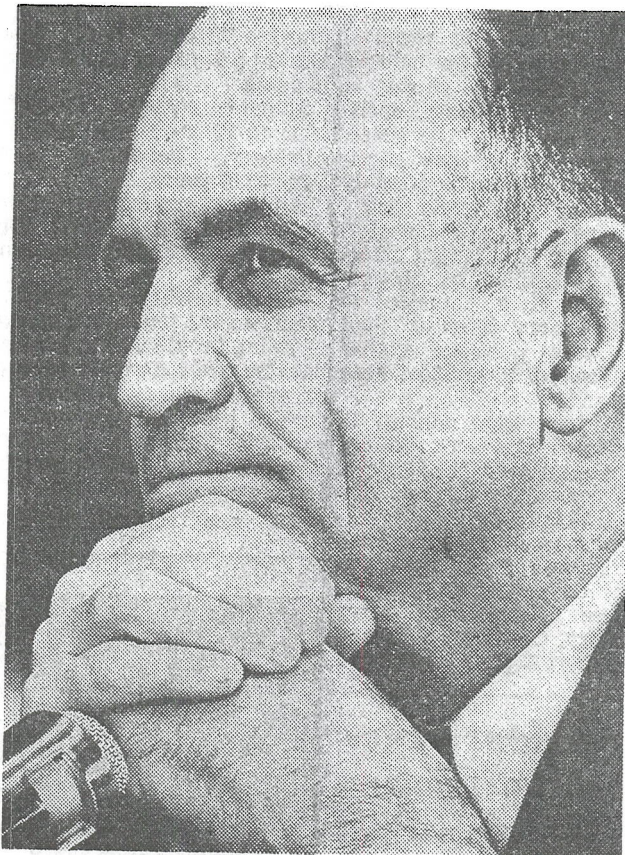
—and he went on then to read briefly the words of a deposition which he planned to give to the Democratic National Committee. I had read in the papers a few days before that he had been scheduled as a witness before the Democratic National Committee, and he read the deposition to me indicating that this was, in effect, what he planned to say in the deposition.

There was some reference during the conversation to something doing with a double agent in quotes; Mr. Clark MacGregor, as I recall, in his television appearance had referred to the possibility of there being a double agent in the Watergate operation and the inference was that it was Mr. Baldwin, and I told Mr. Caulfield that so far as I was concerned whoever had drawn that conclusion had

drawn absolutely an erroneous conclusion, that I had seen absolutely nothing that would indicate such, and I simply wanted to go on the record with Mr. Caulfield to that effect.

**Mr. Dash:** Will you proceed with the statement from where you left off, Mr. McCord?

**Mr. McCord:** . . . On Wednesday evening, Jan. 10, (1973), the same party (the unidentified voice), to the best of my recollection, called and told me by phone that Jack would want to talk with me by phone on Thursday night, the following night, Jan. 11, when he got back into town and requested that I go to the same phone booth on Rte.



By Ken Feil—The Washington Post

**James W. McCord Jr. pauses during testimony.**

355 near the Blue Fountain Inn. He also conveyed instructions regarding a personal meeting with Mr. Caulfield on Friday night, Jan. 12.

On Thursday evening, Jan. 11, the same party called me at home and told me that Caulfield's plane was late and that he — speaking of Caulfield — wanted to meet with me personally the same evening, that is Thursday evening, after arrival. I told him that I would not do so but would meet with him Friday night if he desired. Later that evening, Thursday evening, about 9:30 p.m., Caulfield called me on my home phone and insisted on talking with me but my family refused to let him do so, since I was asleep.

On Friday night, Jan. 12, from about 7 p.m. to 7:30 p.m. I met with Caulfield at the second overlook, that is . . . at the parking area for looking at the Potomac . . . on George Washington Parkway in Virginia.

**Mr. Dash:** Mr. McCord, how did you know to Washington Parkway and he on George Washington Parkway in Virginia.

**Mr. Dash, Mr. McCord,** how did you know to go there? How was it arranged?

**Mr. McCord:** I believe it was stated in the Thursday evening call at which this unidentified party said Caulfield would want to meet with me personally and on Friday night said go to the second overlook on George Washington Parkway and he specified the time and that

is what I followed through. I met with Caulfield at the second overlook on George Washington Parkway, that is the second one leaving Washington and going out to Virginia, and talked with him in his car, in his automobile. Caulfield advised that he had been attending a law enforcement meeting in San Clemente, Calif., and had just returned. I advised him that I had no objection to meeting with him to tell him my frame of mind but that I had no intention of talking executive clemency or pleading guilty; that I had come to the meeting at his request and not of my own, and was glad to tell him my views.

He said that the offer of executive clemency which he was passing along and of support while in prison and rehabilitation and help toward a job later "was a sincere offer." He explained that he had been asked to convey this message to me and he was only doing what he was told to do. He repeated this last statement several times during the course of the meeting we had then, and I might add during subsequent meetings which he and I had.

My response was that I would not even discuss executive clemency or pleading guilty and remaining silent, but I was glad to talk with him so that there was no misunderstanding on anyone's part about it.

I might explain that the trial was going on during this period, this was the first week of the trial, which began on Jan. 8.

Caulfield stated that he was carrying the message of executive clemency to me "from the very highest levels of the White House." He stated that the President of the United States was in Key Biscayne, Fla., that weekend, referring to the weekend following Jan. 8, the following meeting that we were in then, and that the President "had been told of the results of the meeting."

**Sen. Ervin:** Now the same rule previously announced, this evidence is competent to show what, if anything, John Caulfield did to induce Mr. McCord to plead guilty and keep silent; it is not any evidence at the present

state of the hearing that connects, that makes any indication whatever and has any relevancy as to the President . . .

**Mr. McCord:** He further stated that "I may have a message to you at our next meeting from the President himself."

I advised Caulfield that I had seen the list of witnesses for the trial and had seen Jeb Magruder's name, appearing as a government witness. I advised him that it was clear then that Ma-

gruder was going to perjure himself and that we were not going to get a fair trial. Further, I told him that it was clear that some of those involved in the Watergate case were going to trial, and others were going to be covered for (I was referring to John Mitchell, John Dean and Magruder) and I so named those individuals incidentally in the conversation, and I said that this was not my idea of American justice. I further—

Sen. Ervin: The same ruling applies so far as John Mitchell, John Dean and Magruder are concerned, that is that it does not connect them legally speaking.

Mr. McCord: Yes, sir. I further advised Caulfield that I believed that the government had lied in denying electronic interception of my phone calls from my residence since June 17, 1972, and that I believed that the administration had also tapped the phones of the other defendants during that time. I mentioned two specific calls of mine which I had made during September and early October, 1972, which I was certain had been intercepted by the government, and yet the government had blithely denied any such tapping. These were my words to Mr. Caulfield.

I compared this denial to the denial that the government had made in the Ellsberg case, in which for months the government had denied any such impermissible interception of the calls and yet in the summer of 1972 had finally been forced to admit them when the judge ordered, by court order, a search of about a dozen government agencies, and calls intercepted were then disclosed.

I might state separate from the record at this point, that as I have previously stated, I had no knowledge whatever of any activity, monetarily or what have you, of Mr. Ellsberg's calls as have previously come out, as have earlier come out in the newspapers in the past few days. It is purely coincidence that I happen to mention the Ellsberg case at that time, I had been following the case in the papers and I knew the history of the case.

To go on with the statement, I stated that if we were going to get a fiction of a fair trial, through perjured testimony to begin with, and then for the government to lie about illegal telephone interceptions, that the trial ought to be kicked out and we start all over again, this time with all of those involved as defendants. At least in this way, "some would not be more equal than others" before the bar of justice and we would get a fair trial.

The executive clemency offer was made two or three

times during this meeting, as I recall, and I repeated each time that I would not even discuss it, nor discuss pleading guilty, which I had been asked to do in the first telephone call received on the night of Jan. 8, from Caulfield's friend, whose identity I do not know. I told him, referring to Mr. Caulfield, that I was going to renew the motion on disclosure of government wiretapping of our telephones.

Caulfield ended the conversation by stating that he would call me the next day about a meeting that same afternoon, Saturday, Jan. 13, and that if I did not hear from him, he would want to talk with me by telephone on the evening of Monday, Jan. 15, 1973.

I did not hear from Caulfield on Saturday but on Sunday afternoon he called and asked to meet me that afternoon about an hour later at the same location on George Washington Parkway. He stated that there was no objection to renewing the motion on discovery of government wiretapping, and that if that failed, that I would receive executive clemency after ten to 11 months. I told him I had not asked anyone's permission to file the motion.

He went on to say that "the President's ability to govern is at stake. Another Teapot Dome scandal is possible, and the government may fall. Everybody else is on track but you. You are not following the game plan. Get closer to your attorney. You seem to be pursuing your own course of action. Do not talk if called before the grand jury, keep silent, and do the same if called before a congressional committee."

I might add that two congressional committees had, prior to Jan. 8—prior to that date—been conducting investigations into this case. I believe it was the Patman committee and Sen. Kennedy's committee.

My response was that I felt a massive injustice was being done, that I was different from the others, that I was going to fight the fixed case, and had no intention of either pleading guilty, taking executive clemency or agreeing to remain silent. He repeated the statement that the government would have difficulty in continuing to be able to stand. I responded that they do have a problem, but that I had a problem with the massive injustice of the whole trial being a sham, and that I would fight it every way I know.

I should make a correction in the sentence I just read in saying the whole trial being a sham, because I did not at that point in time make any reference at any time to Judge Sirica to the contrary of his being anything but an honest and dedicated judge, and I do not want the sentence to be misread.

He—talking about Caulfield—asked for a commitment that I would remain silent and I responded that I would make none. I gave him a memorandum on the dates of the two calls of mine in September, 1972, and October, 1972, that I was sure had been intercepted, and said that I believed the government had lied about them. He said

On Tuesday morning, the next morning, about 7:30 a.m., Caulfield called my residence but I had already left for court.

On Tuesday evening, Caulfield called and asked me again to meet him and I responded not until they had something to talk about on the perjured testimony and the intercepted calls. He said words to the effect "give us a week" and a meeting was subsequently arranged on Jan. 25, 1973, when he said he would have something to talk about.

About 10 a.m., on Thursday, Jan. 25, 1973, in a meeting lasting until about 12:30 a.m., correction, 12:30 p.m., we drove in his car toward Warrenton, Va., and returned—that is, we drove there and returned—and a conversation ensued which repeated the offers of executive clemency and financial support while in prison, and rehabilitation later. I refused to discuss it.

He stated that I was "fouling up the game plan." I made a few comments about the "game plan." He said that "they" had found no record of the interception of the two calls I referred to, and said that perhaps it could wait until the appeals.

He asked what my plans were regarding talking publicly, and I said that I planned to do so when I was ready; that I had discussed it with my wife and she said that I should do what I felt I must and not to worry about the family. I advised Jack that my children were now grown and could understand what I had to do, when the disclosures came out.

He responded by saying that, "You know that if the administration gets its back to the wall, it will have to take steps to defend itself." I took that as a personal threat and I told him in response that I had had a good life, that my will was made out and that I had thought through the risks and would take them when I was ready.

He said that if I had to go off to jail that the administration would help with the bail premiums. I advised him that it was not a bail premium, but \$100,000 straight cash and that that was a problem I would have to worry about, through family and friends. On the night before sentencing, Jack called me and said that the administration would provide the \$100,000 in cash if I could tell him how to get it funded through an intermediary. I said that if we ever needed it I would let him know. I never contacted him thereafter; neither have I heard from him.

That completes the statement.

that he would check and see if in fact the government had done so.

On Monday night, Jan. 15, 1973, Caulfield called me again at the phone booth on Rte. 355 near my residence. I informed him that I had no desire to talk further, that if the White House had any intention of playing the game straight and giving us the semblance of a fair trial they would check into the perjury charge of mine against Margruder, and into the existence of the two intercepted calls previously referred to, and hung up.