

# Excerpts From Transcript of Testimony

Special to The New York Times

WASHINGTON, May 22—

Following are excerpts from a transcript of testimony today in the third day of hearings on the Watergate case by the Senate Select Committee on Presidential Campaign Activities:

## MORNING SESSION

James W. McCord Jr.

MCCORD. One of the statements that we did not get into on the last meeting, I think primarily because of the factor of time, was a memorandum which I had written to the committee dated May 4, 1973, the subject of pressure on the defendants to blame the Watergate operation on C.I.A. and other matters. I am prepared to go into that statement at this time. If it has your approval.

SENATOR BAKER. Thank you very much. Is that letter a part of the record?

[At this point McCord read into the record the memorandum to the committee charging pressures on the defendants to put the blame on the Central Intelligence Agency for the Watergate operation. The text was printed in The New York Times of May 9.]

MCCORD. I have a further addition relevant to that in the statement which I could read at this time.

The topic of it is the December, 1972, letter to John Caulfield. This letter is relevant to the May 4, 1973, memo submitted to Senate Watergate committee and the Federal grand jury, on the subject of pressure to place the blame on C.I.A. for the Watergate operation.

A letter was written to John Caulfield during the week of Dec. 25, 1972. Reference to this letter appeared in the press last weekend. And geared—speaking of my own feelings and at the time the letter was written—and geared because of what appeared to me to be a ruthless attempt by the White House to put the blame for the Watergate operation on C.I.A., where it did not belong, I sought to head it off by sending a letter to Caulfield.

This letter was couched in strong language because it seemed to me at the time that this was the only language that the White House understood. The letter read in substance as follows, to the best

of my memory:

"Dear Jack: I am sorry to have to write you this letter. If Helms goes and the Watergate operation is laid at C.I.A.'s feet, where it does not belong, every tree in the forest will fall. It will be a scorched desert. The whole matter is at the precipice right now. Pass the message that if they want it to blow, they are on exactly the right course. I am sorry that you will get hurt in the fallout."

The letter was unsigned.

WEDNESDAY, MAY 23, 1973

## to Senate Group Investigating

# Watergate

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### Sirica Statement Cited

Now, the above letter to Caulfield brings to mind another set of communications of mine on Dec. 6, 1972. On Dec. 4, 1972, Judge Sirica had stated in open court that the jury in January, 1973, would want to know who had hired the men for the Watergate operation and why.

On December 6, 1972, The Washington Star carried an article which appeared to me to be an Administration-planted story answering Judge Sirica's query stating that "reliable sources state that McCord recruited the four Cubans and that they believed that they were working for the President on an extremely sensitive mission." This was untrue.

This appeared to me to be laying the groundwork for a false claim at the trial that I was the "ringleader" of the Watergate plot. This would draw attention away from Hunt and Liddy, and I believe possibly away from the White House, since both of them had formerly worked at the White House and I had not.

That same evening Dec. 6, 1972, I sent telegrams to William O. Bittman, attorney for Hunt, and Bernard Barker's residence in Miami, Fla., stating that the story was untrue as they both knew, and I asked for comments by return mail from Barker. I also wrote Hunt a letter on the matter stating that, as he also knew, the story was untrue and he could either correct it or I would do so.

With the letter to Caulfield in late December, 1972, I was trying to head off an effort to falsely lay the Watergate operation off on CIA. In the telegrams and letter to Hunt and the others in December, 1972, that I have just referred to, I was trying to head off an effort to falsely lay the recruitment of the Cubans off on the writer which would, in turn, shift the focus of the trial off of those formerly connected

with the White House, namely, Liddy and Hunt, than from those who in effect had actually recruited them, namely Mr. Hunt.

### Blame Is Laid to C.I.A.

Newspapers over the weekend have also referred to some calls to some local embassies. I will try to explain those in the statement that I will read at this time.

In July, 1972, Mrs. Hunt

had told me that Paul O'Brien, attorney for C.R.P., had told her husband that when the Watergate case broke in June, the Committee for the Re-election of the President told O'Brien that the Watergate operation was a C.I.A. operation. I believe I referred to this in the earlier statement. She said that Howard Hunt had exploded at this and told O'Brien that this was not true; that it was not a C.I.A. operation.

A few days later Mrs. Hunt told me that the C.R.P. lawyers were now reporting that the Administration was going to allege at the trial that Liddy had stolen \$16,000 and had bribed Hunt and McCord to perform the operation. I told her that it looked like they were now changing their cover stories, referring to the Administration, and I would not sit still for either false story, and I shortly wrote my attorney, Gerald Alch, repeating this information and setting forth these same views of mine.

In September, 1972, the indictments came out and no one was being indicted among the higher-ups, so there looked like a further cover-up to me.

Also in September and October, 1972, there began to be a series of telephone anomalies on my phone that indicated to me that the phone had been tapped.

In an effort to test the truthfulness of the Government on a forthcoming motion for disclosure of wiretapping of the defendants' phones in the Watergate case, including my own, I made two calls in September and October, 1972, to two local embassies. On Oct. 10, 1972, I asked for the filing of a motion for Government disclosure of any interceptions and two weeks later the Government came back with a denial of any, saying

to the pressure and plead guilty, and he put it in just about those words, and to accept the executive clemency.

He was not the only one. His family, his wife and his daughter, related the same pressure to me, sometimes in his presence.

Q. Did any of the other so-called Cuban Americans besides Mr. Barker relate similar pressure? A. Yes, sir, all of them.

Q. Every one of them? A. Yes, sir.

#### Clemency First Mentioned

Q. Now, did Mr. Hunt or Mrs. Hunt ever give you any information that they were sent to you by the Committee to Re-elect the President or the White House or anybody to do this? A. Executive clemency?

Q. Yes. A. Yes, sir.

Q. Will you relate that?

A. Yes, sir, during the meetings, personal meetings and telephone meetings, beginning in July, 1972, concerning money beginning in October, 1972, concerning executive clemency—the term “executive clemency” I first heard, I believe, from Mr. Hunt in early October—late September or early October—when I would see him at the courthouse or when he would call me by telephone.

Thereafter, he subsequently mentioned it in almost every call. His wife referred to it. In substance, what they were saying was that the defendants were being promised executive clemency if they went off to prison and had to serve time. Sometimes the word “executive clemency” would be followed or accompanied by other statements about financial support and rehabilitation.

Q. Did Mrs. Hunt state who gave her authority to make such a promise? A. My recollection of her conversations were that she was saying that she was transmitting this word to me from her husband. She did not specifically mention that I can recall now who gave it to him. I can draw only one conclusion as to where it came from, because—

Q. She did not state the source of her authority to make that promise, though? A. I can't recall such statements on her part.

Q. Who did she say she was in communication with? A. With the attorneys for the Committee to Re-elect the President, the attorneys for the committee.

Q. Who specifically? More than one individual is involved with the committee. I want you to name specific names if you know.

A. She stated that she herself was in communication with Mr. Kenneth Parkinson, one of the attorneys for the Committee to Re-elect the President. She stated that her husband, Mr. Hunt, had been in touch in July with Mr. Paul O'Brien, also an attorney with Mr. Parkinson for the Committee to Re-elect the President.

SENATOR GURNEY. Did they [the other defendants] ever tell you who was applying pressure to them?

A. My recollection is that they stated Mr. Hunt. There was some, I have a vague recollection that the names of, it was put in the same context that Mr. Barker did that others were doing so. That is a very vague recollection. I can be sure only about the name of Mr. Hunt.

Q. Well, now, let's take them one by one. When and where did Martinez say to you that pressure was being applied to him?

A. In the corridors of the—I believe it is called the—outside the ceremonial courtroom of the District Court Building in Washington, D. C., to the best of my recollection, on at least each of the first four days of the trial beginning on Jan. 8, during breaks in the court session.

Q. And in these conversations, what names did Martinez mention? A. Mr. Hunt.

Q. Did he mention any others? A. No, sir.

Q. What about Sturgis?

#### 3-Way Conversation

A. If I may explain, usually Mr. Martinez and Mr. Gonzalez were together during these conversations and the conversations were in the form of something like a three-way discussion between me, Mr. Martinez and Mr. Gonzalez. Mr. Sturgis, I would say, mentioned it to me perhaps at the most once or twice that week. The others mentioned it, I would say, the first four days of the first week of the trial.

Q. But none of these men ever mentioned any other name other than Mr. Hunt? A. No sir.

Q. And none of them ever either mentioned or speculated who was giving Hunt the authority to apply this political pressure or offer of executive clemency to all of you?

A. No, sir. There, the focus of their concern was—it was in terms of what should they be really doing about it and what concern they had if they did not do it or, if they turned it down, what would be their future, what was going to happen during the trial, so there wasn't much at all in the way of who was doing it and where it came from. Our general context of our discussion was that everybody understood that there was

only one place that executive clemency can stem from, so nobody had any reason for discussing it.

#### Statements 'Shocking'

Q. You mentioned in the statement about the C.I.A.—at least the statements were certainly very shocking. They involve a new man coming on board the C.I.A., a change from Mr. Helms to another man and the fact that the new man could be, could work with and dealt with, and your records might have been able to have been doctored, all in this so-called C.I.A. cover-up. Would you go into that at more length. Where did you get this information?

A. What I transmitted to you, sir, and this is the source of it, were the words as I best recall it transmitted to me, communicated to me, by Mr. Alch in the two meetings that I referred to, one at the Monocole Restaurant here in Washington, near a couple of blocks from here about, on Dec. 21, and the second—

Q. Who is us? Did he have someone else with him? A. Well, he had Mr. Bernard Shankman, my local attorney. He did not meet with us.

Q. Now, would you recall again what he said specifically about the C.I.A.?

A. I stated as I best recall, that he had just come from a meeting with William O. Bittman, attorney for Mr. Howard Hunt. He stated that he had a suggestion concerning what I use as my defense during the trial, which was that I use as my defense that the Watergate operation was a C.I.A. operation. I do not recall exactly what I said in response except to say something to the effect that you are my attorney, what is your counsel on this, do you think I should?

And his response was, “Yes, I think so,” and he proceeded to discuss, to ask some questions of me. He said — he asked me whether I could be ostensibly recalled from my retirement. That is, a person once retired, can he recalled, and I said, yes, he can, and he said, “Well, you can ostensibly, we could use as our defense you could ostensibly have been recalled to the C.I.A. to undertake the Watergate operation, could you not?” and I said it is technically possible or words to that effect. That he said if so, then, my personnel records at C.I.A. could be doctored to reflect such a recall, and this is my best recollection of the exact words.

Q. Well, now, who was going to do that?

A. He did not say.

Q. Did you ask him?

A. No. I was listening to the rest of the story. I wanted to hear the rest of the statement out. He said that Schlesinger, the new director of C.I.A., whose appointment had just been announced, could be subpoenaed and would go along with it, that was his quote.

Q. Did he offer any evidence as to how he knew that Mr. Schlesinger would “go along with it”? A. No, sir.

Q. Go on.

A. He went on to mention some testimony. He did not have any paper with him but he went on to mention some testimony by Mr. Gary Bittenbender, and he recited testimony that he said Bittenbender had given in which Bittenbender purportedly claimed that I told him the day of the arrest that the Watergate operation was a C.I.A. operation. My response was that, if such a statement had been made, it was perjured testimony or a false statement.

Q. Why did he bring that up, do you know? A. I can give you an impression if you want an impression.

Q. Yes. A. Which was that, and that impression stems from what I later saw in his office, which was a written statement — my impression was that he had received access to some type of inter-

view with Mr. Bittenbender in which such a statement was obtained, perhaps by the Federal authorities in some case.

Q. Go on. A. He said he could be interviewed—correction. He went on to mention the name of Mr. Victor Marchetti, who he referred to as writing a book about C.I.A., and he said we could subpoena Marchetti and have him testify about customs and traditions of C.I.A. agents in case they are arrested, or caught, wherein they are trained to deny any connection with C.I.A.

SENATOR WEICKER. Mr. McCord, did you actually receive any F.B.I. reports while at the Internal Security Division? A. I saw some material that was attributed to the F.B.I. I did not take any with me, I made extracts of some of the material that was shown to me.

Q. You have indicated recently that the Vietnam Veterans Against the War had an office in the Democratic National Committee or McGovern headquarters. Where did you receive that information? A. I do not recall the source of it now, except that it came to me some time during the Summer of 1972.

#### Talks With Mardian

Q. When you say in the summer of 1972, was it before June 17? A. No, sir.

Q. After June 17? A. Yes, sir.

Q. How many times were you personally in contact with Robert Mardian? A. I can recall two of three times.

Q. Was this at the time that the Internal Security Division or at the time he had left that division and was working for the Committee to Re-elect the President? A. Only after he had come to the Committee to Re-elect the President.

#### AFTERNOON SESSION

MR. DASH. I think that one of the areas that has not been covered is the role of the person who was on the other side of the wiretap which you installed in May, the end of May, 1972. Now, did you employ Mr. Baldwin, Mr. Alfred Baldwin, for that purpose?

McCORD. Yes, I did.

Q. What was his particular assignment with regard to monitoring the wiretap? A. His assignment was to listen on a radio receiver that received the transmissions from the Democratic National Committee telephones in which the electronic devices had been installed in connection with the two dates of Memorial Day weekend and June 17, 1972.

Q. In his monitoring, ho!" "as he recording what he was hearing? A. He was listening with headphones to the conversations that were being transmitted and would take down the substance of the conversations, the time, the date, on the yellow legal-sized scratch pad, and then ultimately would type them up a summary of them by time, chronological summary, and turn that typed log in to me and I would deliver them to Mr. Liddy.

Q. Did you deliver them to Mr. Liddy directly? A. Yes.

Q. Now, did there come a time when you were delivering those logs that they were retyped? A. I know of at least one instance in which that occurred because I saw them being retyped.

Q. What was the purpose of retyping the log? Did Mr. Liddy explain that to you? A. I believe some general explanation, in substance, that he wanted them in a more final complete form for discussion with Mr. Mitchell and whoever else received them.

Q. Now, who did this retyping? A. Sally Harmony, who was the secretary to Mr. Liddy at the Committee for the re-election of the President.

Q. As a matter of fact, could you briefly describe, without going into any of the contents, what a log would be, what actually would be entered on the log which Mr. Baldwin would first type and then be retyped by Miss Harmony?

A. It would be similar to any other telephone conversation that one person might make to another beginning with a statement on the log of the time of the call, who was calling who; a summary of what was said during the conversation itself, including names of persons who were mentioned that Mr. Baldwin apparently believed were of sufficient significance to set forth in the log.

Q. [Would it] be true that anybody reading would have no difficulty knowing it [the log] came from a telephone conversation? A. That is correct.

#### John J. Caulfield

CAULFIELD. My duties at that time [April, 1969] consisted of being a White House liaison with a variety of law enforcement agencies in the Federal Government, through arrangements worked out with Mr. Ehrlichman, Mr. Herbert Kalmbach and Anthony Ulasewicz. Mr. Ulasewicz retired from the New York City Police Department and was paid on a monthly basis by the Kalmbach law firm, that employment commencing on July 9, 1969.

During the next three years, first on orders from Mr. Ehrlichman and later in some instances, on orders from Mr. John Dean, Mr. Ulasewicz, under my supervision, performed a variety of investigative functions, reporting the results of his findings to the White House through me. I do not fully recall all of the investigations performed in this fashion but have available a list of those which I do recall if the committee wishes to examine it.

In July of 1970 Mr. John Dean became counsel to the President and Mr. Ehrlichman was named to the position of Presidential assistant for domestic affairs. Thereafter I worked directly for Mr. Dean, but on occasion, Mr. Ehrlichman continued to call upon me directly for investigative work involving the services of Mr. Ulasewicz.

In the spring of 1971, I began to notice that, for some reason, the amount of investigation work handled by Mr. Ulasewicz through me had diminished. Much of the talk around the White House was beginning to center more and more on the 1972 Presidential election and I began to examine ways in my mind in which I might become involved. Since I had performed security duties in the 1968 election campaign, and realized some of the security demands of a Presidential campaign, I wished to become involved in the security area of the campaign.

Toward the end, I composed a memorandum suggesting that an outside security capability be formed to handle the demands of the 1972 campaign. Such an organization would have a capability to perform various security functions to ensure the security of the traveling staff, the Committee to Re-elect the President headquarters, the convention site and would employ various guards and security people. In short, I was suggesting the formation of a capability to cover all the security needs of a Presidential campaign. The name I gave to this suggested operation was "sandwedge."

#### Proposal Turned Down

Ifurther suggested that I leave the White staff and set up its security entity, if it were approved, and suggested a budget of approximately \$300,000 to \$400,000. I gave the memorandum to Mr. Dean and got the strong impression from him that it went to higher levels, but I have no

knowledge of who saw it.

I was disappointed [when] my memorandum [was] refused. I next spoke with Mr. Dean concerning obtaining a position as a personal aide to John Mitchell when he became campaign director. Mr. Dean agreed to ask Mr. Mitchell if such a position was available. He did so and, on Nov. 24, 1971, he accompanied me to an interview at Mr. Mitchell's office.

I explained to Mr. Mitchell that what I wanted was a position similar to that occupied by Dwight Chapin in relation to the President and that, in addition to handling the kinds of activities that Chapin handled for the President, I could be of value to Mr. Mitchell as a bodyguard. Mr. Mitchell listened to what I had to say but was non-committal as to what status I would occupy with him. He said, however, that we would "get that all straightened out when I arrived at the re-election committee."

He was unsure as to when he would join the re-election committee but that it would be sometime in January or February of 1972. I left his office and walked back to the White House by myself. Mr. Dean remained and as I was walking through Mr. Mitchell's outer office I noted Mr. Gordon Liddy sitting with Mr. Dean, evidently waiting to see Mr. Mitchell.

Ultimately, on the first of March, 1972, I went to the re-election committee to commence my duties there. It soon became clear to me that Mr. Mitchell regarded me only as a bodyguard which was not what I had had in mind at all. During March I took two trips with Mr. Mitchell outside of Washington, one brief one to New York City and the other to Key Biscayne, Fla. Since Mr. Mitchell regarded me as his personnel bodyguard I carried a revolver in my briefcase.

Mr. Fred LaRue had joined us in Florida after our arrival, and upon my departure he asked that I leave my revolver in his possession since Mrs. Mitchell would "feel better" if there were a revolver on the premises. I gave my revolver to him.

On April 28 I started working for the Treasury Department and then became a staff assistant to the Assistant Secretary of Treasury for Enforcement and on July 1, 1972, I became acting assistant director for enforcement Bureau of Alcohol, Tobacco and Fire Arms.

#### Anonymous Letter

In July of 1972, after [McCord's] arrest, I had Mr. Ulasewicz call his home and tell him to go to a designated public telephone booth near his house where I would be calling him. I called him at that public telephone and simply asked him if there was anything I could do for him or his family at this time of personal difficulty.

I did not see or hear from Mr. McCord again until I received an anonymous letter at my home in December of 1972. It was typewritten, a note of approximately two paragraphs in length and, to the best of my knowledge said, "Dear Jack—I am sorry to have to tell you this but the White House is bent on having the C.I.A. take the blame for the Watergate. If they continue to pursue this course, every tree in the forest will fall and it will be a scorched earth. Jack, even you will be hurt in the fallout."

In early January of 1973, I was attending a drug conference in San Clemente, Calif., when I received a telephone call in my hotel room from John Dean. He asked that I go outside the hotel and call him back from a public telephone, which I did. He told me that he had a very important message which he wanted me to deliver to James McCord, that Mr. McCord was ex-

pecting to hear from me and McCord would understand what the message referred to. He said the message consisted of three things:

1. "A year is a long time";
2. "Your wife and family will be taken care of";
3. "You will be rehabilitated with employment when this is all over."

I immediately realized that I was being asked to do a very dangerous thing and I said to Mr. Dean that I did not think it was wise to send me on such mission since Mr. McCord knew, as many others did, that I had worked closely with Mr. Dean and Mr. Ehrlichman at the White House and therefore it might be quickly guessed that any

messages I was conveying were probably from one of the two.

The reason I raised this question with him was because, frankly I did not wish to convey the message. Mr. Dean asked if I could think of any other way to do it and I suggested that perhaps I could get Mr. Ulasewicz to convey the message over the telephone anonymously, stating the message came from me. Mr. Dean felt this would be all right, so I hung up the telephone and called Mr. Ulasewicz in New York.

He did not wish to convey the message at first but I convinced him to do it merely as a matter of friendship to me. Mr. Ulasewicz called Mr. McCord's home and, presumably, delivered the same message which Mr. Dean had given to me. He then called me back, in California, and reported that he had delivered the message and Mr. McCord's attitude had been one of satisfaction.

#### Meeting at Parkway

I called Mr. Dean and told him that the message had been delivered by Mr. Ulasewicz and that Mr. McCord had seemed satisfied.

The next day I received another telephone call from Mr. Dean at my hotel in which he said that Mr. McCord wanted to see me as soon as I got back. I objected to seeing Mr. McCord, but finally Mr. Dean got my concurrence to do so. I was not instructed to say anything more than what had been in the message to him.

Mr. Ulasewicz had conveyed instructions to Mr. McCord for holding our meeting on Friday night, Jan. 12. At approximately 7 P.M. that evening I met with Mr. McCord at the second overlook on the George Washington Parkway.

I said, "I guess you received the message then?" Mr. McCord then said words to the effect, "Jack, I am different from all the others. Anybody who knew me at the C.I.A. knows that I always follow my own independent course. I have always followed the rule that if one goes (I took this to mean going to jail) all who are involved must go. People who I am sure are involved are sitting outside with their families. I saw a picture in the newspaper of some guy who I am sure was involved sitting with his family. I can take care of my family. I don't need my Joes, I want my freedom."

I stated that I was only delivering a message and had nothing to do with its formulation or had no control over what was being done.

I did say that the "people" who had asked me to convey the message had always been honorable toward me and "sincere offer."

He asked me who I was speaking with at the White House and I said I could not reveal any names but that they were from the "highest level of the White House."

He continually said that all he was interested in was his freedom and that he was not pleased that others who he felt had been involved were not suffering the consequences that he was. In the

immediate freedom, he said that he knew of a way in which his freedom could be obtained and asked me if I could convey his plan to the people at the White House with whom I was talking.

His plan, simply, was as follows: On two occasions, one in September, 1972, and the other in October, 1972, Mr. McCord told me that he had called telephone numbers at foreign embassies in Washington and he stated he was sure these embassies were subjects of national security wiretaps. On both occasions he had stated that he was a man involved in the Watergate scandal and, without giving his name, had inquired as to the possibility of acquiring visas and other traveling papers necessary to travel to these foreign countries.

#### Report Made to Dean

It was Mr. McCord's theory that if the Government searched its wiretap records it would find records of these two calls. Meanwhile, Mr. McCord and his attorneys would make a motion in court, aimed at dismissing the case against Mr. McCord because of the use of wiretap evidence by the prosecution.

At no time in our first meeting do I recall saying anything about the President but I specifically renewed the offer of executive clemency, as indicated above and referred to it as coming from

"the highest levels of the White House." At some point in the conversation Mr. McCord said to me, "Jack, I didn't ask to see you." This puzzled me since my clear understanding from Mr. Dean was that McCord had specifically asked to see me.

In any event, I called Mr. Dean on Friday night, Jan. 12, and reported that Mr. McCord did not seem interested in accepting the offer made in Mr. Dean's original message to him, that Mr. McCord wanted his immediate freedom and that he, Mr. McCord, felt that he had a way to obtain that freedom.

The following day I saw Mr. Dean in his office in the White House and explained to him Mr. McCord's suggestion for obtaining his freedom, as Mr. McCord had described it to me. Mr. Dean said, "Well, I'll check on that." He then turned the conversation back to the offer of executive clemency. To the best of my knowledge he said, "Jack, I want you to go back to him and tell him that we are checking on these wiretaps but this time impress upon him as fully as you can that this offer of executive clemency is a sincere offer which comes from the very highest levels of the White House."

I said, "I have not used anybody's name with him, do you want we to?"

He said, "No, I don't want you to do that but tell him that this message comes from the very highest levels."

I said, "Do you want me to tell him it comes from the President?"

He said words to the effect, "No, don't do that. Say that it comes from way up at the top."

At the meeting with Mr. Dean he also impressed upon me that this was a very grave situation which might someday threaten the President, that it had the potential of becoming a national scandal and that many people in the White House were quite concerned over it. Mr. Dean said that none of the other then defendants in the Watergate burglary "were any problem," and that Mr. McCord "was not cooperating with his attorney."

At no time, either before or after this meeting with Mr. Dean, did I ever speak to any other White House officials about this offer of executive clemency. I specifically never spoke to the President of the United States and have no knowledge of my own as to whether he personally had endorsed this offer or, indeed, whether anyone had ever discussed it with him.

#### Second Talk Set Up

Since I had worked extensively for Mr. Dean and Mr. Ehrlichman and had formed an impression that Mr. Dean rarely made decisions on matters of consequence without speaking to Mr. Ehrlichman, my guess was that when Mr. Dean referred to "high White House officials" he at least meant Mr. Ehrlichman. I know that he was in conversation with someone about my contacts with Mr. McCord since, when I was in his office on Jan. 13, he received a telephone call and I heard him say, "I'm receiving a report on that right now" to the party on the other end.

At any rate, I then called Mr. McCord and arranged a meeting with him, again at the second overlook of the George Washington Parkway early in the afternoon on Sunday, Jan. 14. On this occasion we both got out of our cars and walked down a path from the overlook toward the Potomac River.

This meeting lasted only 10 to 15 minutes. I did most of the talking. I told Mr. McCord that the White House was checking into the wiretapping situation and that I had been asked to impress upon him once again that the offer of executive clemency was a sincere and believable offer coming from the very highest levels of the White House.

I explained to him that among the reasons why I believed that such a commitment would be kept were that the White House officials with whom I was in contact were extremely concerned about the Watergate burglary developing into a major scandal affecting the President and therefore such a promise would not be given lightly. I told him that the White House officials with whom I was talking were complaining because they did not feel that Mr. McCord was the only one of the Watergate burglary defendants who was refusing to cooperate.

At no time on this occasion or on any other occasion do I recall telling Mr. McCord to keep silent if called before the grand jury or any Congressional committees.

#### Calls McCord Adamant

Later on Sunday I telephoned Mr. Dean to report on my meeting with Mr. McCord. I told him that in my opinion McCord had absolutely no interest in the offer of executive clemency. I told Mr. Dean that Mr. McCord was still adamant in his belief that the White House had the power to have the charges against him dismissed if it would merely pursue the wiretaps which he had mentioned.

Mr. Dean said that I should

tell him that there wasn't much likelihood that anything would be done about the wiretap situation and, in response to my comments about McCord's refusal to consider executive clemency, he said something like, "Well, what the hell does he know, anyway."

On Tuesday, Jan. 16, I again called [McCord] an attempt to meet with him, and he again was highly irritated about the White House's failure to do something about the wiretap situation and again mentioned Mr. Magruder. I said I would inquire further about something for him "in a week or so."

wiretaps and I might have

Subsequently I called him and arranged to meet with him again, the exact date of this meeting being unsure in my mind. We again met at the overlook on the George Washington Parkway. He got into my car and we drove out the parkway, pursuing a course in the general direction of Warrenton, Va.

I gave him my private telephone number at the Treasury Department and told him that if he or his wife ever wanted me to do anything for them, they should feel free to call. I told McCord that if he or his wife should decide to call me, to simply use the name "Watson" and I would know who it was. Frankly, this was merely a device to save me from any possible embarrassment.

I do not have a specific recollection as to how it arose, but I believe he asked me if he was still the only one of the Watergate defendants that the White House was concerned about. I said that I thought he was, but that I had no knowledge of what relationship existed between the White House and the other Watergate defendants. He said the Cuban defendants were quite nervous and in his opinion might make a statement at any time and that I "could pass that along for whatever it was worth."

#### Bail Question Raised

I again asked if there was anything I could do for him. He said one thing that I could do was to see whether bail money could be raised for him pending an appeal in his case. I said I would check into this.

Toward the end of our conversation, realizing that he definitely was going to make a statement on the Watergate burglary at a time of his choosing and that such a statement would in all probability involve allegations against people in the White House and other high Administration officials, I gave him what I considered to be a small piece of friendly advice.

I said, words to the effect that, "Jim, I have worked with these people and I know them to be as tough-minded as you and I. When you make your statements don't underestimate them. If I were in your shoes, I would probably be doing the same thing."

I later called Mr. Dean and advised him of Dr. McCord's request for bail funding and he said words to the effect that, "Maybe we can handle that through Alch."

Sometime later, Mr. Dean called me and asked me to tell McCord that the bail money presented too many problems and that maybe consideration could be given to paying premiums. I later called McCord and reported this. His reaction was, "I am negotiating with a new attorney and maybe he can get it handled."

This is the last conversation I have had to date with James McCord.



The New York Times/George Tames

Senator Howard H. Baker Jr., ranking minority member of the committee investigating Watergate, covering a microphone as he conferred with Samuel Dash, chief counsel, during yesterday's session.

# Figures in Senate Inquiry

Special to The New York Times

WASHINGTON, May 22—Following are the names of individuals who figured today in hearings by the Senate select committee on the Watergate case:

## COMMITTEE MEMBERS

Sam J. Ervin Jr., Democrat of North Carolina, chairman.

Herman E. Talmadge, Democrat of Georgia.

Daniel K. Inouye, Democrat of Hawaii.

Joseph M. Montoya, Democrat of New Mexico.

Howard H. Baker Jr., Republican of Tennessee.

Edward J. Gurney, Republican of Florida.

Lowell P. Weicker Jr., Republican of Connecticut.

## COMMITTEE COUNSEL

Samuel Dash, chief counsel and staff director.

Fred D. Thompson, chief minority counsel.

## WITNESSES

James W. McCord Jr., convicted participant in Watergate break-in; free on \$100,000 bail while awaiting sentence.

John J. Caulfield, former employe of the Committee for the Re-election of the President.

## PERSONS NAMED IN TESTIMONY

John N. Mitchell, former Attorney General.

John W. Dean 3d, former counsel to the President.

G. Gordon Liddy, former White House aide, convicted of conspiracy, burglary and wiretapping in the Watergate case; in jail.

E. Howard Hunt Jr., former Central Intelligence Agency agent and White House consultant; pleaded guilty to spying in the Watergate case; in jail.

Jeb Stuart Magruder, deputy director of Committee for the Re-election of the President.

Mrs. E. Howard Hunt Jr., wife of Watergate spy, killed in plane crash Dec. 8.

Eugenio R. Martinez, pleaded guilty as Watergate spy; in jail.

Virgilio R. Gonzalez, pleaded guilty as Watergate spy; in jail.

Frank A. Sturgis, pleaded guilty as Watergate spy; in jail.

Bernard L. Barker, pleaded guilty as Watergate spy; in jail.

Gerald Alch, attorney for James W. McCord Jr.

William O. Bittman, attorney for E. Howard Hunt Jr.

Bernard Shankman, attorney for James W. McCord Jr.

Austin Mittler, attorney for E. Howard Hunt Jr.

Robert C. Mardian, official of Committee for the Re-election of the President.

Frederick C. LaRue, former White House aide, chief deputy to John N. Mitchell at Committee for the Re-election of the President.

Thomas J. Gregory, student who testified to conducting espionage.

James R. Schlesinger, Director of Central Intelligence, nominee as Secretary of Defense.

Kenneth W. Parkinson, attorney for the Committee to Re-elect the President.

Paul O'Brien, attorney for the Committee to Re-elect the President.

L. Patrick Gray 3d, former acting director of the Federal Bureau of Investigation.

Cary Bittenbinder, member of the Washington Metropolitan Police Department.

Victor L. Marchetti, former C.I.A. agent.

Hank Greenspun, publisher of The Las Vegas Sun.

Howard R. Hughes, billionaire industrialist.

Alfred C. Baldwin 3d, former F.B.I. agent.

Sally H. Harmony, former secretary to G. Gordon Liddy.

John Martin, chief of the evaluation section of the Internal Security Division of the Justice Department.

Joel Lisker, deputy to John Martin.

Anthony Ulasewicz, former detective, New York Police Department, aide to Mr. Caulfield.

Herbert W. Kalmbach, the President's personal attorney.

Caught with him was a young lady who had in her possession four letters which said, "We have just bombed the offices of the Committee to Re-elect the President in New Hampshire." Found in her apartment were the makings of other pipe bombs. It was clear to me and to others that the intentions of the two were to go on from the police station and drop off other bombs at the C.R.P. offices in Manchester, where there had been demonstration and trouble a few days before.

a search of Government records had been made. I knew that that two weeks was too short a time to search 12 different Government agencies for such records, and believed the Government was not telling the truth.

## Sees Mitchell Sanction

There is an attachment to this, The New York Times of today's date. The title of the article "Warning Against Blaming of C.I.A. Laid to McCord."

Continuing on a separate subject in a statement. The topic of this memorandum is sanction of the Watergate operation.

John Mitchell, by virtue of his position as Attorney General of the United States, and John Dean, by virtue of his position as counsel to the President, by their consideration and approval of the Watergate operation, in my opinion, gave sanction to the Watergate operation by both the White House and the Attorney General's offices.

I had been accustomed to working in an atmosphere where such sanction by the White House and the Attorney General, was more than enough. As with White House staffers, it was not my habit to question when two such high offices sanctioned an activity—it carried the full force and effect of Presidential sanction.

For the preceding 30 years I had been working in an environment where, if there were ever any question of the legality of a matter or an activity, it would always be sent to high legal officials for a legal decision on the matter; where, if they sanctioned it, that was sufficient.

I can elaborate on this another way. Left alone, I would not have undertaken the operation. I had plenty of other things to do in connection with my security work at the Committee to Re-elect the President.

Liddy wanted help. He came to me seeking that help with the word that it had the approval of the Attorney General and the counsel to the President. He said that it was part of the C.R.P. mission, in order to obtain the information regarding not only political intelligence but also regarding violence-oriented

groups who would be planning violence against the committee in Washington, and later at the August convention site, thereby endangering the lives and property of the committee and its personnel. My mission was protection of such lives and property.

## Worried by Bloodshed

Uppermost in everyone's minds at that point in time, and certainly in mine, was the bloodshed which had occurred at the 1968 Democratic Convention in Chicago, and I constantly sought intelligence from any source which might help forewarn us and help us avoid in 1972 that danger to the lives of our people.

In 1969 we had seen the bombing of the Capitol Building itself. In May, 1972, we had seen the bombing of the Pentagon with the equivalent of 18 sticks of dynamite. In February, 1972, there were four pipe bombs emplaced at a police station in Manchester, N. H., one of which went off prematurely, and mangled the arm of the young man who had reportedly emplaced them.

Only their arrest pre-empted that action. A few days later in Oakland, Calif., another pipe bomb was emplaced on the first floor of the Republican county headquarters and blew out all of the windows and damaged a pillar to the building. Already in February there was a pattern then of bombings beginning to develop against the committee and against Republican offices.

Subsequently, in Austin, Tex., the offices of Senator Tower were destroyed by a fire bomb which, I believe, as I recall, did a million dollars worth of damage and destroyed irreplaceable files. So the concern was not of a theological threat, but of a realistic threat of violence, and I wanted advance notice from anywhere I could receive it, of action planned against us of this sort—advance notice, advance warning, so we could take measures to protect against it and protect our people's lives. Property could be replaced. Lives could not.

## Florida Indictments

Questions were on my mind like, who are these people who bombed in New Hampshire, in Oakland, the Pentagon building, the Capital Building; how are they funded; who are they working with? Is anyone in collusion with them, encouraging them or funding them? The Vietnam Veterans against the War was one violence-oriented group that was already saying in the spring of 1972 that they were going to cause destruction to life and property at the August Republican convention, using, in their own words, their own bodies and weapons as the spearhead of the attack there—these are their exact words, and some of them have since been indicted in Tallahassee, Fla., with additional plans to damage the life and property in the convention.

Later in the summer of 1972 the V.V.A.W. did, in fact have offices in the D.N.C. in Washington, as I understand. I had also received information from the Internal Security Division in May, 1972, that some individuals in Florida planned to forge college press credentials to get into both the Democratic and Republican convention sites, and blow up the communication centers of both parties there and cause havoc on the convention floor.

Now, we also had word

from C.R.P. sources alleging that the McGovern committees had "a pipeline" directly into the offices of the Committee to Re-elect the President in Washington; allegedly, they were feeding out, on a regular basis, policy position papers, i.e., plans and strategy, which were rather important to the success of a candidate's campaign. If the other side is reading your poker hand, he can negate your plans.

We had word that one of the volunteers at the Committee to Re-elect the President had, in fact, prior to coming aboard the committee, threatened the life of John Mitchell and of other persons. This was at about the same time Governor Wallace was almost killed in an assassination attempt. There

were numerous threats in writing and by phone against John Mitchell and his wife. One such call came to the unlisted telephone of Mrs. Mitchell at their apartment and got her greatly upset, as it would any woman, because it appeared that even the unlisted telephone number appeared then no longer safe.

#### Danger to Life Feared

We certainly had sufficient indications that violence-oriented groups were out to endanger both life and property. With some 250,000 demonstrators planning to go to the convention in early 1972 and there were statements that some would be out to commit violence. The questions were, who are such people, who is funding them, encouraging them, who is in collusion with them, what are they planning next and where? Are any of them being supported and encouraged by any staff members of the McGovern committee or D.N.C.?

I had no indication whatever that Larry O'Brien or Senator McGovern had either any knowledge of or part in such—just the contrary, I was completely convinced that they did not. But I was not so sure that, without their knowledge, other staff members might not be working behind their backs to quietly encourage groups such as V.V.A.W. McGovern's early political base was with some of the radical groups.

My questions were, what was the extent of such encouragement, if any, and how far did it go? Did they let such groups use their telephones and work in their offices? There were indications in the summer of 1972 that such groups actually did just that in California and in D.N.C. headquarters, in Washington.

My next statement has to do with the intelligence advisory committee I previously referred to in the C.I.A. memorandum, which I referred to Mr. Robert Mardian.

In May, 1972, Robert Mardian had told me that he, John Mitchell, Robert Halde- man and John Ehrlichman were key members of an "intelligence advisory committee." I now assume that this was the Intelligence Evaluation Committee, referred to, I believe, in The New York Times of May 21, 1973.

I have previously submitted a tape to the Senate Watergate committee which I believe contains material which was the product of that committee, and which I obtained from the evaluation section of the Internal Security Division of the Department of Justice, a contact established through Mr. Robert Mardian, in May 1972.

#### Mardian Role in Miami

I have no knowledge of the sources of that committee.

Robert Mardian, during a brief conversation in June 1972, stated that he was going to be "in charge of intelligence operations at Miami during the convention." He did not elaborate further.

The next item is headed "Las Vegas Matter," which was referred to in the previous testimony on Friday.

In January or February, 1972, Gordon Liddy told me that he was going out to Las

Vegas, Nev., in connection with casing the office of Hank Greenspun, editor of The Las Vegas Sun.

Liddy said that Attorney General John Mitchell has told him that Greenspun had in his possession blackmail type information involving a Democratic candidate for President, that Mitchell wanted that material, and Liddy said that this information was in some way racketeer-related, indicating that if this candidate became President, the racketeers or national crime syndicate could have a control or influence over him as President. My inclination at this point in time, speaking of today, is to disbelieve the allegation against the Democratic candidate referred to above and to believe that there was in reality some other motive for wanting to get into Greenspun's safe.

Liddy told me one day in February, 1972, that he was going out to Las Vegas, and might need my help if there was an alarm system in the offices, when an entry operation was mounted to enter a safe in Greenspun's offices to get the information. A few days later Liddy told me that he had been to Las Vegas and looked over the offices and that there was no such alarm system, and my services were not needed.

#### Plan to Flee Country

Subsequently in about April or May, 1971, Liddy told me that he had again been to Las Vegas for another casing of Greenspun's offices. Liddy said that there were then plans for an entry operation to get into Greenspun's safe. He went on to say that, after the entry team finishes its work, they would go directly to an airport near Las Vegas where a Howard Hughes plane would be standing by to fly the team directly into

a Central-American country so that the team would be out of the country before the break-in was discovered.

Around the same time Liddy made this last statement to me about the Howard Hughes plane, Hunt told me in his office one day that he was in touch with the Howard Hughes company and that they might be needing my security services after the election.

He said that they had quite a wide investigative and security operation and asked me for my business card and asked if I would be interested. I said I would like to know more about what was involved, gave him a card, but never heard from him again on this subject. However, I did read in the newspapers after July 1, 1972, that Hunt had apparently handled a Howard Hughes campaign donation to the Committee to Re-elect the President sometime in 1972. Gordon Liddy told me in February, 1972, that he, too, had handled a Howard Hughes campaign check, a donation to the 1972 campaign. This is the extent of my knowledge on this matter.

That completes my prepared statement and I will be glad to answer any questions.

SENATOR BAKER. Mr. McCord, speaking of electronic surveillance, do you know or did you ever investigate the bugging of Republican headquarters of the Committee for the Re-election of the President headquarters—here, New York, or elsewhere?

A. Yes, sir.

Q. Would you describe that for the committee? A. It was a regular ongoing activity at the offices in Washington and at the New York arm of the Committee for the Re-election of the President, which was referred to as the November Group. They had offices, I believe, on Park Avenue in New York.

#### Signs of Illegal Acts

Q. Did you discover any incident of that sort? A. There was one incident on June 16 of some concern at the New York office of the Committee for the Re-election of the President. There had been earlier signs of possibly some illegal activity at those offices prior to June 16 which I could

describe, if you would like.

Q. I would like.

A. On the afternoon of June 16, 1972, about mid-afternoon, I received a call from the head of the office of the November Group in New York City, who stated that he and his entire office staff were quite concerned about an incident that had just occurred. He went ahead to relate that one of the secretaries at the office had received a call from a male individual in Los Angeles, Calif., and that she had immediately told that party that she would call him back on the WATS line, which is a leased line, call him back on that line and immediately did so.

And during the conversation that the two of them had, about a few minutes into the conversation there was a click over the phone which was heard by her and by the male on the other end of the line, and what appeared to be a tape recording was played over the telephone line which was, as she described it when I talked with her, an anti-Nixon and antiwar harangue.

Q. Were there other incidents of telephone tapping against the Republican National Committee or the C.R.P. or any other Republican-affiliated groups brought to your attention or which you investigated?

A. There were two earlier occasions at the November Group offices when I was called to the November Group offices from Washington in which they had highly suspicious telephone anomalies, as it is known. Telephone conversations within the office itself when another person picking up a telephone extension on a different line, for example, not connected with the one in which the call was being made, could overhear the



conversation that was going on. Other strange anomalies, clicks and so on, of a wide variety that indicated some problems in the telephone area.

#### Source of Taps Unknown

Q. Mr. McCord, I am not trying to create the impression that, because there were apparently taps in the Republican phones, that that justifies taps on the Democratic phones. I do not believe that but I am anxious to know your state of mind and the reason and rationale for your security operations, including the break-in into the Watergate.

Now, my final question in that respect is, did you ever discover the source or responsibility for any of these efforts at electronic interception on the Republican operations?

A. No, sir.

Q. You recognize the term Gemstone?

A. Yes, sir.

Q. Can you describe for us what it means?

A. That term I first heard, first read about in the newspaper itself referring to, according to the newspaper accounts, referring to—it as a code name for the monitoring, the typing of final monitoring logs of report or logs coming out of the National Democratic Committee. I did not as such know it during the operation but I know something about the nature of the paper that it was on. I think that code name had some reference to that.

Q. Where is the information that you gained? Is it in the Gemstone file? Does the U.S. Attorney's office have it? Where is it? A. The material which I had received from—Mr. Baldwin was doing the monitoring. Alfred Baldwin—was turned over, all of it, to Mr. Liddy, Gordon Liddy.

SENATOR TALMADGE: Mr. McCord, among other things in your testimony this morning, you stated that many efforts were made to persuade you or to coerce you to state that the bugging operation on the Democratic National Committee was a C.I.A. operation. Will you state the individuals who urged you to do that? One you stated was Mr. Hunt. Am I correct?

A. Sir, I believe I will correct that impression if I left it. I had heard from Mr. Bernard Barker specifically that Mr. Hunt had brought pressure to bear upon Mr. Barker and the Cubans to use as their defense that this was a C.I.A. operation. Mr. Hunt did not directly put that pressure upon me. Others did.

#### Defense Attorney Named

Q. Barker reported to you that Hunt had urged you to do so, is that correct? A. That is right.

Q. Barker, as I understand it, was one of the people involved in the Watergate operation, was he not? A. Yes, sir.

Q. Barker, I believe, has been granted immunity and has not been convicted. Is that correct? He pled guilty and was convicted? A. Yes, sir.

Q. Now, who else besides Barker was involved in urging you to blame this on the C.I.A.? You stated two other names. I think one of them was Bittman and the other one was named Alch? A. Yes, sir, I referred to conversations with Mr. Gerald Alch and Mrs. Hunt.

Q. Now, who is Mr. Alch? A. He was my defense attorney through the trial in January, 1973, whose services I had engaged at that time.

Q. All right, now, Mr. Alch and who else urged you to do that? A. I believe I have stated in my testimony that stories were circulating earlier stemming out of the Committee for the Re-election of the President that the committee lawyers themselves had been told that early in July . . .

#### Seeks Source of Pressure

Q. Let's get specific now. I don't want stories circulating. I want to name the days, names, and places. That is evidence. Rumors are not. A. Yes, sir.

Q. And I believe in your own testimony in chief, the memorandum you read, you also referred to a man by the name of Bittman, did you not? A. Yes, sir.

Q. Now, who is Mr. Bittman? A. Bittman is the attorney, William O. Bittman, the attorney for E. Howard Hunt, one of the other defendants.

Q. All right, did he have any connection with the Government in any way or any connection with the Republican National Committee or the Committee to Re-elect the President?

Q. What I am trying to get at, is the source of this pressure that you have contended was brought upon you to blame this on the C.I.A. Thus

far, you have not connected that either with the Committee to Re-elect the President or the White House or any other individuals, to my knowledge. One was your own lawyer, one was engaged in the crime with you, and the third one was the lawyer for Mr. Liddy, was it—Bittman?

A. Mr. Hunt.

Q. He was Mr. Hunt's law-

yer. And those three individuals are the only ones that urged you to blame this on the C.I.A. Is that a fair statement? A. Yes, sir, that is essentially correct.

Q. So no one else anywhere whatever urged you to blame it on the C.I.A. except these three individuals, is that correct? A. None that I can recall at this time, no, sir.

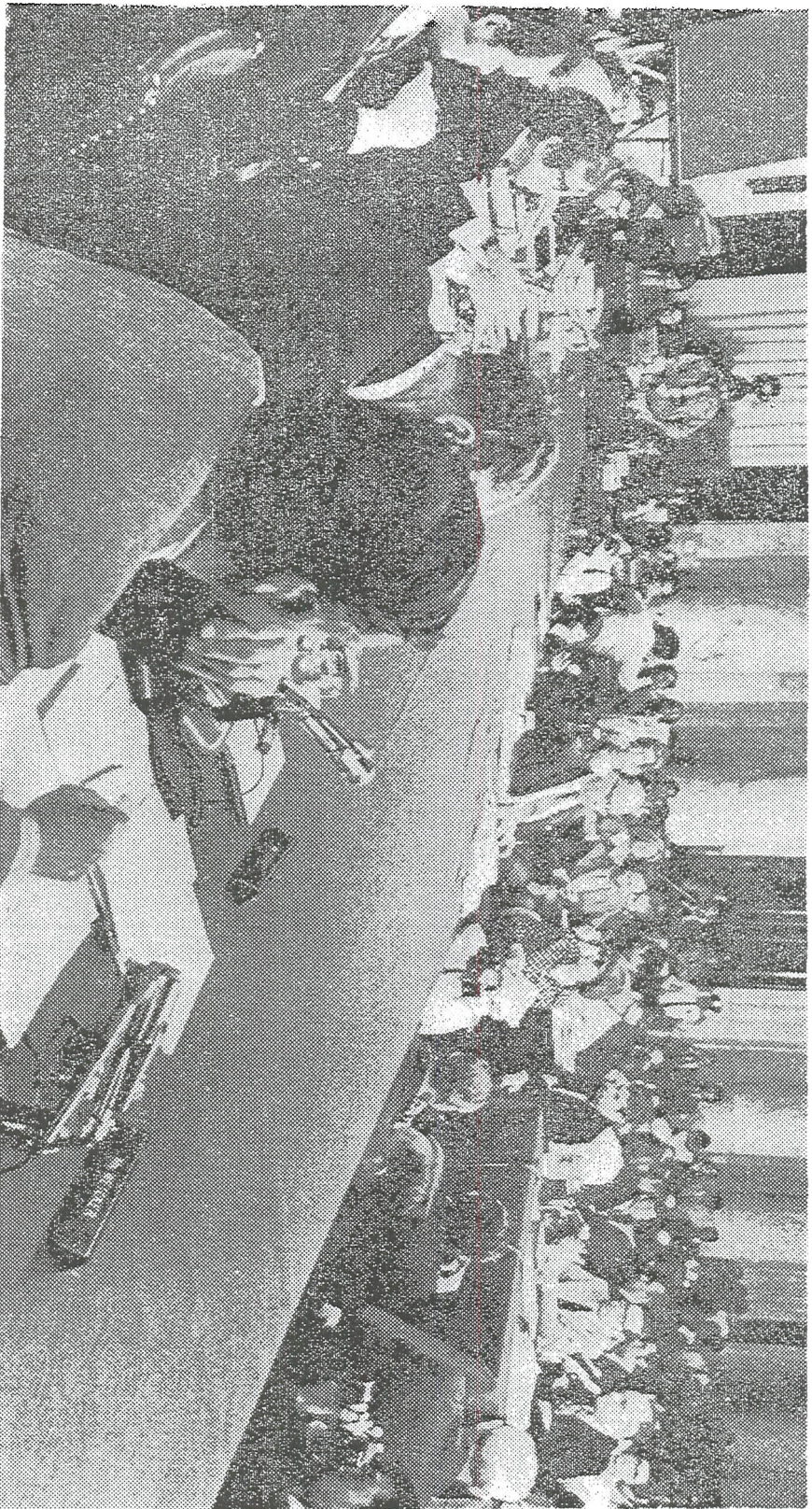
Q. Now, did Mr. Barker or the other of the so-called Cuban Americans ever come to you during the trial and tell you that they had been offered executive clemency by offered executive clemency by Mr. Hunt? A. Yes, sir.

Will you describe the attitude and demeanor at that time?

A. Yes, sir, Mr. Barker specifically—I can recall specifically during the first week of the trial and beginning on the first day, on Jan. 8, Mr. Barker came to me in the corridor outside, I believe, the courtroom of the U.S. District Court building in Washington during breaks in the court proceedings and proceeded to relate to me the pressure which he said was being imposed upon him and upon the other men who were defendants—Mr. Sturgis, Mr. Gonzalez, Mr. Martinez—pressure that he stated was stemming from Mr. Hunt and other unnamed individuals, to plead guilty and to go off to jail or prison and ultimately to receive executive clemency and to receive financial support for their families while they were in prison and promises—and he stated promises were made that they would be given help in obtaining a job or "rehabilitation" at the prison. Mr. Barker spoke to me several times during that week regarding that particular pressure upon him which he described as intense.

He stated first that he was planning not to plead guilty and then subsequently, as the days progressed during the week itself, he began to tell me what he was thinking more and more seriously about it, and as I recall, about Wednesday of that week, roughly, in that week sometime, he seemed to have his mind made up that he would go ahead and accede

Cont'd on Following Page



Senator Howard H. Baker Jr., gesturing at upper left, questioning James W. McCord Jr., in dark suit at table, upper right, at hearing

The New York Times/George James