

# HIGHER-UPS' ROLE

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## Witness Says He Does

### Not Know if Nixon

### Approved Offer

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WASHINGTON, May 22—A former White House official told the Senate Watergate committee today that John W. Dean 3d, the deposed Presidential counsel, had ordered him to offer executive clemency to James W. McCord Jr.

The witness, John J. Caulfield, testified that he had "no knowledge of my own" that President Nixon had approved

Excerpts from statements and testimony, Pages 31, 32.

the offer, regarded by McCord as an effort to keep him from talking about the Watergate scandal.

But Mr. Caulfield, now an official on leave from the Treasury Department, said that Mr. Dean had cited authority for the offer "from way up at the top" and that he had thought such a phrase would cover "at least" John W. Ehrlichman.

#### Nixon Issues Statement

The President, in a statement issued at the White House, denied authorizing executive clemency for any of the Watergate defendants and said that he had been unaware of "any such offer."

Mr. Ehrlichman resigned as assistant to the President for domestic affairs on April 30. Neither he nor Mr. Dean, whose resignation was demanded on the same day, could be reached immediately for comment.

Mr. Caulfield, looking grim and reading at a slow, measured pace, took more than an hour to get through a 26-page statement that thrust responsibility directly into the White House for the overtures to McCord.

It will be up to Mr. Dean, whose appearance as a witness has been stalled for several weeks by the Justice Department, to confirm or deny the Caulfield account and to say whether he consulted with higher-ups on any clemency offer.

McCord testified previously

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that Mr. Caulfield had said at their initial meeting that the President was aware of their session, that he would be informed of the results and that a message from Mr. Nixon might come later.

Mr. Caulfield testified today that "at no time in our first meeting do I recall saying anything about the President." There were two subsequent sessions. While the witness denied citing the President at the first of these, he did not foreclose the possibility that Mr. Nixon in fact knew of the offers.

Mr. Caulfield appeared at the witness table in mid-afternoon after some slow, tedious and repetitive testimony by McCord this morning.

The attention of the audience continued to wander as Mr. Caulfield began by describing his background. But few eyes in the Senate Caucus Room left him as he made the following major points:

¶ In March, 1969, Mr. Ehrlichman sought unsuccessfully to persuade him "to set up a private security entity . . . for purposes of providing investigative support for the White House."

¶ A New York City detective, Anthony Ulasewicz, was paid through President Nixon's personal attorney, Herbert W. Kalmbach, to perform "a variety of investigative functions, for the White House."

¶ When Mr. Caulfield told Mr. Dean that McCord was being stubborn about accepting the clemency offer, the young White House lawyer was quoted as saying, "Well, what the hell does he know, anyway?"

¶ It was suggested for the first time that one of McCord's lawyers, Gerald Alch of Boston, had been in contact with the White House about the case.

McCord, in winding up a two-day appearance, told the

committee of plans to use a plane owned by Howard Hughes, the industrialist, to get out of the country after the burglary of Hank Greenspun, a Las Vegas newspaper publisher.

He then moved a few rows back from the witness table and sat expressionlessly, his arms folded across his chest, as Mr. Caulfield, a friend to his confirmed much of his testimony on executive clemency. "I realized . . . that I was involved in questionable activity," the witness testified at one point, "but I felt that it was important for me to carry this message [on clemency] for the good of the President."

As he began to testify, Mr. Caulfield, his dark brown hair in slight disarray, cleared his throat and gripped his written statement at the top.

He began with his date and place of birth—March 12, 1929, in the Bronx—and said that as a policeman in New York he had received promotions and "a number of awards." Newspaper accounts have described his record as undistinguished.

#### Was Security Agent

Mr. Caulfield worked as a security agent in the Republican Presidential campaign of 1968 and afterward pressed various officials for important jobs in the Administration and, later, in the Nixon campaign of 1972.

A few days after the 1968 election, Mr. Caulfield said, he told Mr. Ehrlichman that he wanted to be Chief United States Marshall, but that word came from John N. Mitchell, who later became Attorney General, that the Administration wanted to "semi-militarize" that office, and that a "retiring high-military official" was under consideration.

In a "counterproposal" to Mr. Ehrlichman's suggestion that he set up "a private security entity," Mr. Caulfield proposed joining the White House staff to provide liaison with law enforcement agencies.

That would make him available, he said, "to process any investigative requests from the

White House" and would mean using Mr. Ulasewicz, a colleague on the New York police force.

Mr. Caulfield started work at the White House on April 8, 1969, and Mr. Ulasewicz started work—on a monthly retainer from Mr. Kalmbach's Newport Beach, Calif., law firm—on July 9, 1969.

The Senate committee put off its examination of Mr. Caulfield until 10 A.M. tomorrow. The nature of the investigative work centered in the White House was not made clear in the opening statement.

Mr. Caulfield said that he could not "fully recall all of the investigations performed," but he said that he had a list of those he did remember.

#### Attended Drug Meeting

In early January, 1973, Mr. Caulfield said, he was at a "drug conference" in San Clemente, Calif., site of the Western White House, when Mr. Dean first approached him about making the clemency offer to McCord.

Mr. Dean asked Mr. Caulfield—as Mr. Caulfield and Mr. Ulasewicz are later said to have asked McCord—to go to a public telephone for discussion of the clemency offer.

When Mr. Caulfield got to the pay phone and called Mr. Dean, the President's lawyer reportedly said that a three-part message should be given to McCord, and that, although it seemed cryptic, the conspirator should understand it.

"A year is a long time," the message reportedly began apparently a suggestion that executive clemency could be granted after this time without great public outcry. The message also reportedly said:

"Your wife and family will be taken care of; you will be rehabilitated with employment when this is all over."

The witness said that he immediately perceived that he had been "asked to do a very dangerous thing" and suggested to Mr. Dean that the task should be carried out by Mr. Ulasewicz in an effort to mask its source.

But Mr. Ulasewicz wasn't very enthusiastic, either. The audience snickered when Mr. Caulfield said that his colleague

"did not wish to convey the message at first, but I convinced him to do it merely as a matter of friendship to me."

#### Meeting Arranged

Mr. Dean called Mr. Caulfield later said that McCord wanted a meeting, the witness testified. The White House lawyer finally overcame Mr. Caulfield's reluctance, he said, and the meeting took place on January 12.

McCord was pictured an angry because he was on trial while "people who I am sure are involved are sitting outside with their families," and he was said to have proposed a plan to win his freedom.

Mr. Caulfield confirmed McCord's attempt to abort the prosecution by establishing that he had been wiretapped by the Government, and that the case against him had thus been "tainted."

McCord was alleged to have accomplished this by placing calls to two foreign embassies in Washington that he thought were wiretapped. He did not name the missions, but The New York Times has reported that they were those of Israel and Chile.

Mr. Caulfield said that he had relayed this scheme to Mr. Dean, and that the White House lawyer first promised to "check on that" and then reported "there wasn't much likelihood that anything would be done about the wiretap situation."

"Jack, I want you to go back to him [McCord]," Mr. Caulfield quoted Mr. Dean as saying after the first meeting, "and . . . 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." Mr. Caulfield continued:

"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.'"

A report on plans by the House Commerce Committee to question Mr. Dean today [Wednesday] in connection with the removal of documents of the International Telephone and Telegraph Corporation from the Securities and Exchange Commission appears on Page 65.