

Magruder Testifies To Plan Watergate

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Top Nixon campaign aide Jeb Stuart Magruder yesterday testified in rich eyewitness detail that John N. Mitchell allegedly helped plan the Watergate bugging while still Attorney General, later approved the operation, and then participated in the cover-up after five men were arrested inside the Watergate June 17, 1972.

Magruder, a former White House aide and former deputy Nixon campaign manager, reached into the inner circle of President Nixon's advisers with testimony about Mitchell, White House chief of staff H. R. (Bob) Haldeman, White House counsel John W. Dean III and several other White House and campaign officials.

Magruder said he personally told Haldeman before the Watergate trial last January that perjury would be committed. Magruder testified that he also told Haldeman during their January meeting about the bugging operation and the cover-up.

In day-long testimony before the Senate Select Watergate committee, Magruder said he also assumed that Haldeman knew in advance about the Watergate operation because Haldeman's aide, Gordon Strachan, was fully briefed at each stage of the operation about its progress. Under careful questioning, Magruder conceded that if Strachan did his job properly—and Magruder said Strachan is the kind of man who fulfilled his responsibilities—then Haldeman would have also been briefed.

In addition, Magruder testified, he assumed that White House counsel Dean, who he said also participated in the planning and execution of the bugging and in the cover-up, was representing Haldeman and special assistant to the President John D. Ehrlichman at meetings held with Mitchell.

Throughout the hearing, Magruder said repeatedly that as far as he knew President Nixon was not aware of the bugging plans or the cover-up. "As far as I know," he said in an opening statement, "at no point during this entire period, from the time of the planning of the Watergate to the time of trying to keep it from public view, did the President have any knowledge of our errors in this matter."

Magruder's testimony yesterday differed sharply with that offered to the

Mitchell Helped and Its Cover-Up

committee Wednesday by former Commerce Secretary Maurice H. Stans, President Nixon's chief fund raiser. Stans said that his knowledge of the Watergate bugging came principally from news accounts.

Magruder said yesterday he met with Stans on June 24, and told him that "things had gone wrong" and "we were certainly aware of what happened." He said Stans was told how money authorized for G. Gordon Liddy was spent. Stans could not remember this meeting.

Magruder held the rapt attention of the Senate committee and the packed hearing room as he testified under a grant of immunity that at least nine high White House or Nixon campaign committee officials knew about or participated in the bugging and cover-up.

According to Magruder's account, the decision—made by Mitchell and apparently approved by Haldeman—to bug the Democratic National Committee's Watergate headquarters was a decision made without enthusiasm. The decision to cover up the complicity of high officials in the Nixon reelection committee, according to Magruder's account, was made with little or no discussion on Saturday, June 17, the date five men were arrested inside the Watergate.

"I think there was no question that the cover-up began that Saturday when we realized there was a break-in," Magruder told the committee. "I do not think there was ever any discussion that there would not be a cover-up."

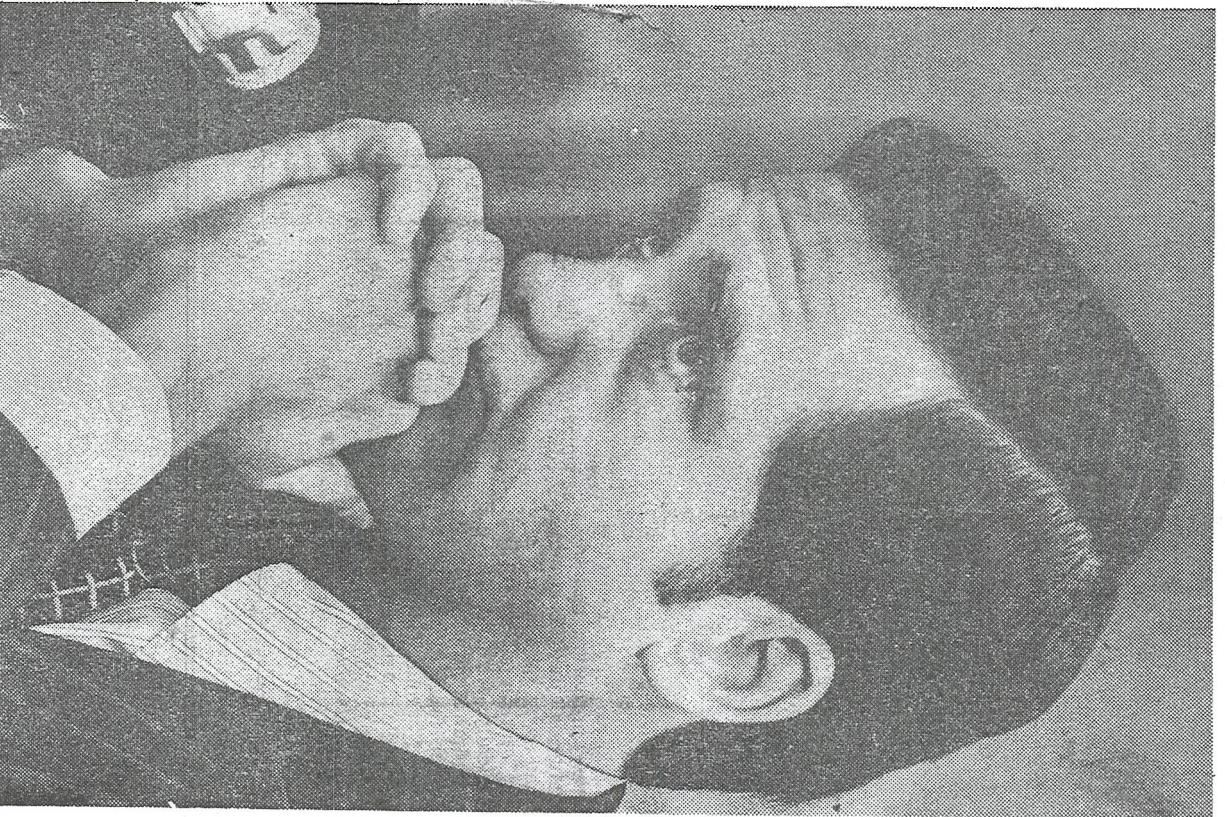
And so Magruder, a 38-year-old former cosmetics executive, impeccably

dressed and accompanied at the hearing by his wife, testified for six hours how he had participated in violations of federal wiretap, conspiracy, perjury and obstruction of justice laws—first to aid President Nixon's reelection and then to avoid having it "negated."

Magruder told the committee that he attended two meetings with Mitchell and White House counsel Dean in Mitchell's Justice Department office in which Watergate conspirator Liddy outlined the intelligence operation he was proposing.

The first proposal, carrying a budget of \$1 million, envisioned not only bugging the Democratic National Committee and the Democratic presidential

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Sen. Daniel K. Inouye (D-Hawaii), left, listens to the questioning of Jeb Stuart Magruder, right, during the Watergate hearings.

Photos by Charles Del Vecchio—The Washington Post

HEARING, From A1

candidate's campaign headquarters, but also operating a call-girl ring at the Democrats' Miami convention and kidnaping radicals to keep them away from the Republican National convention. This plan, Magruder said, Mitchell rejected with distaste at a Jan. 27, 1972, meeting in his office at the Justice Department.

The second proposal, budgeted at \$500,000, was discussed by Mitchell, Dean, Liddy and Magruder in February, Magruder said. This plan also was rejected by Mitchell, according to Magruder.

The third proposal, budgeted at \$250,000, was approved by Mitchell in Key Biscayne, Fla., on March 30. Mitchell both approved the project and indicated the "targets" he would like to seel bugged, Magruder testified.

After the bugging was executed during a May 28 break-in at the Watergate Mitchell was shown the first "fruits" of the operations—logs of wiretapped conversations — Magruder said. Mitchell then complained to Liddy, Magruder testified, that the logs contained nothing of any substance. The second Watergate break-in, at which the burglars were arrested, followed this scolding.

Mitchell also participated in the cover-up operation, Magruder told the Senate committee. When the cover-up began to fall apart this spring, Magruder said, he told Mitchell that he had decided to tell the truth.

"He (Mitchell) indicated that he would not be able to go that way," Magruder said. "He wished me luck and I wished him luck."

Mitchell could not be reached yesterday for comment. He has maintained, however, in previous public statements that although he attended meetings where the bugging was discussed, he always voiced disapproval of the operation.

Every document given to Mitchell, including the proposals and budgets for the Watergate bugging operation, was given to Haldeman's aide, Strachan, Magruder told the committee. "I had to assume that since I communicated with Mr. Strachan that these communications were known to Mr. Haldeman," Magruder said under close questioning by Sen. Lowell P. Weicker Jr. (R-Conn.).

Magruder appeared unwilling to say flatly that Haldeman knew about the Watergate operation in advance. Pressed by Sen. Sam J. Ervin Jr. (D-N.C.), the Senate committee chairman, Magruder conceded that Strachan fulfilled his role as liaison between the re-election committee and Haldeman, who

was in turn, Magruder said, the liaison with Mr. Nixon.

Either Strachan failed to perform his duties as liaison with Haldeman, Ervin said, or he performed that role.

"Senator," Magruder replied, "I'd rather let you take that choice."

"Do you think that he (Strachan) is the kind of a man who would perform the duties he obligated himself to perform?" Ervin asked.

"Yes, I do, sir," Magruder replied.

Magruder said that in addition to sending Strachan all memos about the planning and execution of the Watergate bugging, Magruder also showed the Gemstone papers—logs of wiretapped conversations — to Strachan.

Strachan was reported yesterday to be prepared to testify before the committee if given immunity from prosecution. The committee has voted to grant Strachan immunity and asked special Watergate prosecutor Archibald Cox to waive the statutory 30-day waiting period before the immunity takes effect. Cox has not responded to the committee's request.

"My indications from Mr. Strachan was that whatever decision was made by Mr. Mitchell was acceptable to the

White House on this matter (the Watergate bugging)," Magruder told the Senate committee.

After the June 17 arrests, Magruder said, he took it upon himself to fabricate the cover-up story. Magruder said he offered to take full responsibility for the operation but that he was told that if he admitted his guilt, Mitchell eventually would be linked to the operation.

"I think it was felt that if it ever reached Mr. Mitchell before the election," Magruder testified, "the President would lose the election. Since he (Mr. Nixon) was not involved, to my knowledge, I thought that was the best decision. I did not think it was a right decision, but I thought it was the best decision."

As he told it yesterday, this is Magruder's version of the events that led to the break-in and arrests at the Watergate headquarters of the Democratic National Committee on June 17 and the high-level cover-up that followed:

It was on Nov. 24, 1971, that G. Gordon Liddy, then a White House aide, met with John N. Mitchell, then the Attorney General, and John W. Dean III, then the White House counsel, and it was decided that Liddy would go to work at the Committee to Re-Elect the President as counsel and to handle "intelligence operations."

He joined the staff on Dec. 13, 1971, and went about planning a "broad gauged intelligence plan" that he said had already been discussed with members of the White House staff—particularly Dean. Liddy said he had been told he would have a budget of approximately \$1 million.

On Jan. 27, 1972, Dean, Mitchell and Magruder met in Mitchell's Justice Department office to hear Liddy's plan, which was illustrated by large color charts.

Liddy's plan included "wiretapping, electronic surveillance, photography," the kidnaping of radical leaders who were to be taken to Mexico while the Republican convention was under way and then released and the use of call girls to elicit information from Democrats. Magruder said he, Mitchell and Dean were appalled. At the close of the 30-minute meeting, Liddy was sent back "to the drawing boards (to) come up with a more realistic plan."

The results of the meeting were conveyed to Gordon Strachan, an aide to White House Chief of Staff H. R. (Bob) Haldeman, who was the President's liaison with the re-election committee. "Everything we did," Magruder said, "was staffed to Strachan so that he could alert other officials at the White House as to our activities."

A second meeting was held at the Justice Department on Feb. 4, again in Mitchell's office, and attended by Magruder and Dean in addition to Liddy. This time Liddy's plan would only cost \$500,000. Instead of the colored charts, the plan was on 8½ by 11-inch pieces of paper. Among other changes, the proposed abductions and use of call girls had been dropped.

For the first time, potential targets for the wiretaps were discussed: the Democrats' Watergate headquarters, the Democrats' campaign headquarters at the Fontainebleau Hotel in Miami Beach and the headquarters of the man chosen as the Democratic nominee.

Principally, Magruder said, they were anxious to have information that might be damaging to Lawrence F. O'Brien, the Democratic Party chairman, "because he was certainly their most professional . . . political operator (and) he could be very difficult in the coming campaign."

The second meeting ended without Mitchell giving his approval. "He just didn't feel comfortable with it even at that level," Magruder said. But Liddy was encouraged to continue his planning. The results of the session were sent to Stra-

chan, including the 8½ by 11-inch sheets Liddy had prepared.

Sometime in mid-March, Liddy and Magruder had an argument about matters relating to Liddy's work as general counsel. Liddy threatened to kill Magruder, but Magruder said he didn't take it seriously.

Magruder wanted to fire Liddy, but Liddy went to Dean who called Magruder and urged him "not to become personally concerned about Mr. Liddy, that I should not let my personal animosity about him get in the way of the project." Strachan and Fred La Rue also told Magruder that Liddy should be kept on, at least for the intelligence operations. Shortly thereafter, Liddy became general counsel of the campaign's finance committee.

At about the same time, Magruder said he heard from Richard Howard, an assistant to White House special counsel Charles Colson, about the availability of E. Howard Hunt, a former CIA agent who had "completed his assignments" at the White House and might be "very valuable" in intelligence activities. Howard told Magruder that it was essential that Hunt not be employed directly for the Nixon re-election committee, but secretly by Liddy.

In mid-March, Colson himself called Magruder and told him "in a sense, to get off the stick and get the budget approved for Mr. Liddy's plans, that we needed information, particularly on Mr. O'Brien."

But Magruder said that although Colson worked closely at the White House with Strachan, he was "not necessarily" talking about Liddy's plans for illegal activities.

On March 30, 1972, after Mitchell had resigned as Attorney General and become director of the Nixon re-election campaign, he met in Key Biscayne, Fla., with Magruder and La Rue. Liddy was not present himself. They had 30 or so decision papers to discuss relating to the campaign and "the last topic we discussed was the final proposal of Mr. Liddy's which was for approximately \$250,000."

"We discussed it," Magruder said, "brought up again the pros and cons. I think I can honestly say that no one was particularly overwhelmed with the project. But I think we felt that the information could be useful and Mr. Mitchell agreed to approve the project."

Again, the plan was drafted on 8½- by 11-inch pieces of paper, listing the number of people to be hired, the equipment to be purchased and so on. Specifically approved was entry into the Democratic head-

quarters at Watergate. Other targets would be considered later.

The entry plan, Magruder said, specifically included "electronic surveillance and photography of documents."

Liddy was informed that the plan was approved, and so was Strachan, according to Magruder. Hugh Sloan, the campaign treasurer, was informed that Liddy would be authorized to draw \$250,000 during the campaign.

Over Memorial Day weekend, (1972) the first entry was made. Liddy, Magruder said, "simply indicated that he had made a successful entry and placed wiretapping equipment in the Democratic National Committee."

A week and a half later, the first reports of telephone conversations came in. They were on Gemstone stationery, the code name for the operation. There were also photographs. The results were taken to Mitchell.

"He (Mitchell) reviewed the documents," Magruder said, "indicated as I did that there was really no substance to these documents. . . He called Liddy up to his office and . . . indicated his dissatisfaction."

Strachan was called and asked "because of the sensitive nature of the documents" to read them in Ma-

gruder's office. He, too, thought they lacked substance.

On June 17, 1972, there was a second entry at the Watergate. This time, five burglars, were caught. Among them was James W. McCord, the campaign committee's security director. Magruder said he had not known that McCord had been recruited by Liddy for the break-in.

That day, Magruder was in California along with Mitchell and campaign aides La Rue, Herbert Lloyd (Bart) Porter and Robert Mardian. A number of political activities were scheduled for the weekend. At breakfast, Magruder received a phone call from Liddy who "indicated there had been a problem the night before. He indicated that our security chief had been arrested at the Watergate. I think I blanched to say the least."

Magruder talked first to La Rue and La Rue talked to Mitchell and Mitchell talked to Mardian. That evening Magruder called Strachan. And the next morning he got a call from Halde-

man. Magruder said, "just asked me the basic background and what had happened. I just told him what had happened. He indicated that I should get back to Washington immediately."

Magruder did return and met with campaign committee officials during the day and with Mitchell, LaRue, Dean and Mardian that night at Mitchell's apartment in the Watergate apartments. It was decided to destroy the Gemstone file and any other material in committee files that might be sensitive.

Magruder said he met three times with Sloan to discuss the question of how much money Liddy had spent. "I thought," he said, "that we could work out something relating to any figure within reasonable limits."

In the next few weeks, and stretching into September, the cover-up story was evolved: Liddy was to be portrayed as the originator of the break-in and bugging plan and the leader of it, with no one higher up involved. To account for the money Liddy spent, "we simply took factual activity and we exaggerated to a great extent," Magruder said.

The story, Magruder said, was coordinated with Mitchell, Dean, La Rue and Mardian. Magruder said he offered to take the blame but it was decided to cut off the involvement at Liddy, because if it "got to me it would go higher . . . because of his past background it was felt that that would be believable that Liddy was truly the one who did originate it."

On July 5, Magruder went to the grand jury for the first time, but he was only asked questions about how the campaign committee had been organized. The day before, he had met with the committee's lawyers and told them the true story. A few weeks later he gave them the cover story. He also told the false story to the FBI and to the grand jury when he was called back again on Aug. 18.

Before that second appearance, "I was aware that I was a target of the grand jury," so he was briefed by the lawyers and Mardian and "interrogated for approximately two hours by Dean and approximately a half-hour in a general way by Mitchell." The next day, Dean called him to say he would not be indicted.

Magruder said he assumed that Dean was reporting back throughout this period to either Halde- man or John Ehrlichman, the President's chief domestic aide. "That was only an assumption from my work at the White House," he said.

In the middle of September, Magruder made a third appearance before the grand jury to answer questions

about entries in his office diaries concerning the meetings the previous January and February. Mitchell and Dean met with him to work out answers to the questions.

Dean asked if his name could somehow be removed from the entires. They could not. They decided to tell the grand jury that the first meeting never occurred, that it had been canceled and the second meeting had been to discuss a new election law and to introduce Liddy to Mitchell.

During those summer months, Magruder said he sought and received assurances that if he got into trouble, there was possibility of executive clemency and his family needs and legal costs would be taken care of.

He also wanted assurances, he said, that the seven Watergate defendants "would hold." He was told they would. Then came the trial, and again, Magruder told the false story.

In January, after the trial had begun but before he was called as a witness, Magruder met with Haldeman to discuss his employment prospects and because he had had some conversations in Dean's office about that time, which he now believes were taped, and was concerned about Dean's newly found lapses of memory.

"He indicated," Magruder said, "that wasn't it surprising how this (bugging) plan was ever put into operation and I said, 'Well, John, surely you remember the meetings we attended' and he didn't seem to remember those meetings . . ."

"So I thought I better see Haldeman and tell him what actually happened. I thought probably this was going to be scapegoat time and maybe I was going to be the scapegoat." He told Haldeman "this whole Watergate situation . . . was a concerted effort by a number of people."

Magruder said he began to realize that the cover-up was crumbling when it became certain, near the end of March, that the grand jury investigating the Watergate case was to be reconvened. "I knew," he said, "that things would be difficult to hold. I knew I could not go through the same process."

He said he was concerned about McCord's letter to U.S. District Judge John J. Sirica, who presided at the trial, alleging that there had been perjury and political

pressure. But he was also concerned that the prosecutors this time would interview his assistant at the re-election committee, Robert Reisner, whom they had unexplainedly missed the first time around.

On March 26, three days after McCord's dramatic letter to Judge Sirica, Magruder went to the lawyers for the re-election committee.

"I went over my problems with them," Magruder said, "and they agreed I had a serious problem and suggested that I retain my own counsel."

The next day, March 27, Mitchell called Magruder at his office at the Commerce Department, where Magruder was then working, and asked him to come to New York. Mitchell assured him that he would take care of things and "everything would be taken care of."

But Magruder was wary because Mitchell no longer had a direct connection to the White House, so he asked for another meeting with Haldeman at which Mitchell was present also. "Mr. Haldeman," he said, "was very careful to indicate to me that he would help me in any way as a friend, but could make no commitments for the President."

Haldeman said that the problem was "differences of opinion" about the January-February meetings and that Mitchell, Dean and Magruder should stick to their original agreement. Mitchell said he would go along with that but "Dean indicated that he had some question about it."

Haldeman urged Mitchell, Dean and Magruder to meet and work something out. The meeting took place that afternoon and still Dean "would not indicate a position."

Magruder decided he had to have a lawyer. Less than two weeks later, his lawyers went to the prosecutors, and the next day, April 13, Magruder went himself. On Saturday, April 14, he met with them formally and "cooperated" — told them everything.

While he was there, he received a telephone call from Ehrlichman asking him to come to the White House. He and his lawyers went and told Ehrlichman that the cover-up was over.