



By James K. W. Atherton—The Washington Post

Sen. Talmadge: "... the expediency of the election?"

WXPost

JUL 11 1973

A Slow, Sad Song

Mitchell Continues Loyalty Theme

By Jules Witcover

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John Newton Mitchell, former Attorney General of the United States, he of the curt and gruff—some would say arrogant—manner, sat there in the Senate Caucus Room yesterday like a fortress defying bombardment.

Where other key Watergate witnesses had come fortified with interminable statements replete with dates,

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names and places, the jowly, placidly pipe-smoking Mitchell brought only back-up papers and what he repeatedly called "my best recollection."

Through more than four hours of pointed and skeptical questioning by committee counsels Sam Dash and Fred Thompson and the senators, the man who once was known as President Nixon's closest adviser and the strong man of his Cabinet tried to hold the pack at bay.

In contrast to others whose tonsils had been lubricated by the sweet elixir of immunity from prosecution for their Senate testimony, John Mitchell sang a sad, slow song that had to be pulled from him. As a man already under indictment in the Vesco case in New York, he testified involuntarily, under subpoena.

But when it came out, although the words were dif-

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and did present a scaled down version but this version did include electronic surveillance and break-ins, did it not?

Mitchell: It did that but there again there are faulty recollections with what was discussed at that meeting, what the concept of it was. I violently disagree with Mr. Magruder's testimony to the point that the Democratic National Committee was discussed as a target for electronic surveillance for the reasons that he gave, No. 1 with respect to the Democratic back story. We are talking now about the fourth of February.

Dash: Yes, I know, former Democratic National Chairman Lawrence J. O'Brien's, the reason for centering in on Mr. O'Brien, I believe—

Mitchell: That is correct, and, of course, the newspaperman did not have his column that Magruder referred to until the 23d of February. He said we were focusing on the Democrats and Mr. O'Brien because Mr. O'Brien's vocal activities in connection with the ITT case, and (columnist Jack) Anderson did not publish his column until the 29th of February, and so that what I am pointing out is that this meeting was a relatively short meeting and it was rejected again because of the fact that it had these factors involved. But these targets were not discussed.

Dash: Were any targets discussed, Mr. Mitchell?

Mitchell: To the best of my recollection, there were none.

Dash: Do you also disagree with Mr. Magruder's testimony that you actually volunteered a particular target, which was Hank Greenspun's office in Las Vegas, for the purpose of obtaining some documents that might involve a political candidate?

Mitchell: Mr. Dash, you gave me a great opportunity to correct the record on this. You know, Mr. Magruder said that it could have been Mitchell or Dean and then when you picked up the questioning you said Mitchell, so we are now correcting that record. To the best of my recollection, there was no such discussion . . .

Dash: However, your recollection is there was no discussion of it?

Mitchell: No discussion whatsoever.

Dash: Do you recall Mr. Dean's reaction at that meeting?

Mitchell: I recall both of our reactions to it. Although it has been given, Mr. Dean's reaction has been given a different connotation and, of course, it depends on who is telling the story and under what circumstances to who looks like the White Knight and who looks like the Black Knight, of course.

The fact of the matter is that Dean, just like myself, was again aghast that we would have this type of presentation. John Dean, as I recall, not only was aghast at the fact that the program had come back again with electronic surveillance, perhaps a necessary entry in connection with it; I am not sure that entries were always discussed with electronic surveillance because they are not necessarily synonymous, but Mr. Dean was quite strong to the point that these things could not be discussed in the Attorney General's office, I have a clear recollection of that and that was one of the bases upon which the meeting was broken up.

Dash: And broke up on that basis, I believe.

Mitchell: And broke up, along with my observations.

Dash: What specifically did you say?

Mitchell: I cannot tell you specifically any more than I can tell you specifically what Mr. Dean said but my observation was to the point that this was not going to be accepted. It was entirely out of the concept of what we needed and what we needed was again an information-gathering operation along with, of course, the program to get information on and to be able to have security against the demonstrators that we knew were coming.

As you recall, Mr. Dash, at this particular time they had already started to form in substantial numbers in San Diego in connection with the proposed convention, even though that convention was not to happen until August of that year.

Dash: Well, since this re-appearance, and repression of the so-called Liddy plan to you which included these obviously objectionable portions to you as you testified, and you did not take any violent action on the preceding meeting, did you take any action against Mr. Liddy as a result of his coming back again on Feb. 4 and re-presenting it?

Mitchell: Other than to cut off the proposals, no.

Dash: Why not? Here is a man talking to you as Attorney General about illegal

wiretapping and perhaps break-ins. Why not at least, if you do not have him ordered arrested for trying to conspire to do things like this, why not have him fired?

Mitchell: In hindsight I would think that would have been a very viable thing to do. And probably should have been done. Liddy was still an employee of the campaign and I presumed that he would go back to the duties that he was performing without engaging in such activities. . . .

Dash: Did you report to anybody the Jan. 27 meeting or the Feb. 4 meeting?

Mitchell: To the best of my recollection, no, Mr. Dash.

Dash: Did you ever take it up with Mr. Haldeman or anybody in the White House?

Mitchell: No, sir.

Dash: Were you aware that Mr. Liddy left the Feb. 4 meeting believing that his plan was not objectionable in itself but only that the price tag was too high and that he reported that to (Watergate conspirators) James) McCord and (E. Howard) Hunt?

Mitchell: I cannot conceive of anybody leaving that meeting with such an understanding.

Dash: Were you aware, by the way, that Mr. McCord and Mr. Hunt were involved in the planning operation?

Mitchell: In no way. I have never met Mr. Hunt. I do not know Mr. Hunt and, of course, Mr. McCord was the security officer of the Committee for the Re-Election of the President and one of the last people I would have believed would have been involved in such activity.

Dash: Now, after the Feb. 4th meeting, did you receive any urging or pressures from anybody in the White House with regard to approving the Liddy plan?

Mitchell: No sir.

Dash: Well, now, once again, Mr. Mitchell, and for a third time, on March 30, 1972, and this time in Key Biscayne, Mr. Magruder himself, not Mr. Liddy, presented a decision paper on the so-called Liddy wiretapping political intelligence plan scaled down now to a price tag of \$250,000.

Do you recall the meeting with Mr. Magruder and yourself down at Key Biscayne on March 30?

Mitchell: Yes, I do, Mr. Dash. I was on a vacation and it gave an opportunity to catch up on some of the things that were happening in the Committee for the Re-Election of the President that I was to be associated with shortly . . . (Fred) LaRue had come down with us and was living in the house with us and he sat in on all of these meetings that we had while we were down there . . .

Dash: Would it be fair to say, Mr. Mitchell, that the so-called quarter-million dollar Liddy plan for wiretapping and break-in was actually different in degree and kind than any other agenda item that he was presenting to you?

Mitchell: Mr. Dash, you can rest assured of this. There were no other such plans in the documents that were submitted.

Dash: What would have given Mr. Magruder the idea that you would even consider this proposal again if you had indeed, as you stated, rejected it so categorically twice before?

Mitchell: Well, I would have presumed that you would ask Mr. Magruder