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Ehrlichman
Approved
Fund for 5

By Peter A. Jay

Washington Post Staff Writer

Former presidential assistant John D. Ehrlichman has told Watergate investigators that he approved a year ago the raising of a defense fund for the five men arrested in the burglary and bugging of the offices at the Democratic National Committee on June 17, 1972.

In a May 4 interview with the staff of the Senate select Watergate committee, Ehrlichman said he authorized Herbert W. Kalmbach, who was then President Nixon's personal lawyer, to raise the money. He said former presidential counsel John W. Dean III told him that John N. Mitchell, the former Attorney General and Nixon campaign director, wanted him to approve the project.

Ehrlichman, who is expected to testify before the committee later this month, also said in the wide-ranging interview that he borrowed \$20,000 from Kalmbach as a personal loan during the last year.

According to a summary of the interview prepared for committee members and staff, Ehrlichman also said:

• That the Justice Department knew — nearly a year before it said it did — that there had been White House involvement in the 1971 burglary of the Los Angeles office of Daniel Ellsberg's psychiatrist. The Justice Department said on April 27 at the trial of Ellsberg, who was charged with leaking the Pentagon Papers, that it first learned of the burglary on April 15, 1973.

• That L. Patrick Gray, in a telephone conversation last April 15 (while Gray was still acting director of the FBI), told Ehrlichman that he intended to deny he had received politically sensitive material from the White House safe of Watergate conspirator E. Howard Hunt Jr. and that Ehrlich-

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man would have to back him up in his denials.

• That he discussed the impending testimony before a federal grand jury of former White House aide and deputy campaign director Jeb Stuart Magruder at a meeting last summer with Dean and former Attorney General Richard Kleindienst. Magruder has testified that he perjured himself in his testimony before the grand jury.

Throughout the interview, according to the committee's staff summary, Ehrlichman lost few opportunities to suggest the deep involvement of Mitchell in the Watergate affair and especially the subsequent cover-up (The quotations are from the summary and are not necessarily Ehrlichman's own words.)

In the case of what he took to be Mitchell's request that Kalmbach raise money for the Watergate burglars, the summary quotes Ehrlichman as saying: "It probably ran through my mind that Mitchell had some interest in making sure the defendants were well defended."

Later, according to the summary, he said he was "stone-walled" by Mitchell when he began to look into the affair for the President, and the former Attorney General told him "he bore no responsibility."

Ehrlichman said he thought the money to be raised for the defendants by Kalmbach would come from

individual donors and not from campaign funds—as federal investigators later found that part of it did.

Mitchell, in his testimony yesterday before the committee, denied he had ever asked that money be raised for the defense of the Watergate burglars.

The \$20,000 loan from Kalmbach was touched upon only briefly by Ehrlichman in the interview, and his lawyers would say only that the transaction was proper and would be explained when he testifies before the committee. Kalmbach or his attorney could not be reached for comment.

With regard to the burglary of Ellsberg's psychiatrist's office, carried out by Hunt and Watergate conspirator G. Gordon Liddy, Ehrlichman said he was told by Dean "probably a year ago" that assistant Attorney General Henry E. Petersen, principal assistant U.S. Attorney Earl Silbert and Gray all knew about the incident.

The burglary became public knowledge at Ellsberg's trial in Los Angeles last April. At that time, a memo from Silbert to Petersen said the information had been received on April 15, 1973—only two weeks before.

Petersen and Silbert could not be reached for comment yesterday, but John C. Keeney, the chief of the fraud section of the Justice Department's criminal division and a close aide to Petersen, said Ehrlichman's

suggestion that the fact of the burglary was known a year ago was "absolutely untrue." The facts, he said, were those given in Silbert's memo.

Ehrlichman also talked to the committee staff at some length about Gray's handling of an envelope of politically sensitive material taken from Hunt's safe after the Watergate break-in. Gray told him, as was later disclosed publicly, that he had destroyed the documents, Ehrlichman said. The documents reportedly included forged State Department cables linking President Kennedy to the assassination of South Vietnamese president Ngo Dinh Diem in 1963 and a secret investigation of Sen. Edward Kennedy's Chappaquiddick accident in 1969.

The President asked him to telephone Gray on April 15, Ehrlichman said, and when he did he told him that Dean had told the U.S. attorney about the delivery of the envelope of documents. At that point, he said, Gray said he would have to deny, if asked, that he had ever received the material, and that Ehrlichman should back him up. Ehrlichman, according to the summary, said he told the acting head of the FBI he could not do so.

Ehrlichman, according to the summary, said he had a meeting last summer with Kleindienst, who succeeded Mitchell as Attorney General, at which he was told

Magruder would take the Fifth Amendment and refuse to testify when he went before the Watergate grand jury. (He did not do so, and has since told the Senate committee that he perjured himself.)

At the meeting, Ehrlichman said, "we discussed things such as timing of the indictments (of the Watergate defendants) and other events and other subjects concerning the operation of the Justice Department."

He said Kleindienst assured him that his investigation of the case had disclosed no White House involvement.

Ehrlichman said that last summer he had favored making a clean breast of the Watergate affair — by which he meant admitting the involvement of Hunt and Liddy. But the suggestion was rejected by the Committee for the Re-election of the President, he said, nominally by Clark MacGregor, who succeeded Mitchell as campaign director.

Despite the possibility of embarrassment to the White House, Ehrlichman said, he believed the political risks of disclosure last summer were small. He said he thought it could have been done while the President was in Hawaii meeting with Japanese Prime Minister Kakuei Tanaka. With several months to go until the election, there would have been time for adverse public reaction to die down.

Nobody told him that the disapproval of his suggestion for admitting the involvement of Hunt and Liddy came from Mitchell, Ehrlichman said, but he had a hunch it did. He said members of the re-election committee staff were reluctant to discuss their involvement in the Watergate affair, and this made him believe such involvement existed.

He also said, according to the summary, that he had suspicions of Charles W. Colson, at that time the President's special counsel and a hardened political operative, because he knew of Colson's friendship with Hunt.

The policy of candor he said he had wanted to follow last summer, Ehrlichman related, was still considered sound at the White House. "Since the genesis of the select Senate committee we have felt it was the soundest strategy to be out with the full story ahead of everyone," the summary quotes him as saying.