Mitchell Drew 'an Entirely

Following are excerpts of former Attorney General John N. Mitchell's third day of testimony before the Sen-ate select Watergate committee yesterday.

The excerpts begin with questioning by Sen. Daniel K. Inouye (D-Hawaii) about Mitchell's earlier testimony that he withheld Watergate cover-up knowledge from President Nixon because he feared the President would "lower the boom" on those involved in the White House, causing a public scandal that would jepardize Mr. Nixon's re-election campaign and, afterwards, damage the presidency.

Inouye asked Mitchell if the President really did "lower the boom" after he said he began learning about "major new develop-ments" on the Watergate af-fair in late March of this year.

Inouye: For the record, could you tell us where the President has really lowered the boom?

Mitchell: I think he has done so by his appointment of a special prosecutor, removing the people from the White House who were involved in the activities that were covered.

Inouye: Was not the appointment of the special prosecutor brought about because of intensive pressure initiated by the Congress of the United States? Does not the record indicate that the White House and the President resisted this?

And in the case of so-called removals of staff members, the record seems Heliners, the record seems to indicate that (H. R.) Haldeman (White House Chief of staff) and (John D.) Ehrlichman (White House domestic affairs adviser) submitted letters of resignation and the Decident tion and the President most reluctantly accepted this and said publicly that these were the two finest men he has ever known. Is this low-

ering the boom, sir?
Mitchell: No, but it shows
the streak in the President of warmth and kindness that most people have not attrib-uted to him before, I think could be considered in that

Inouye: With the exception of (White House counsel John W.) Dean, when he advised the President that he is going to do some talking here he, I presume, was

removed, but was anyone else removed?

Mitchell: Well, Mr. Haldeman and Mr. Ehrlichman

Inoye: They were not re-

moved, sir.
Mitchell: They were removed from the W House? White Inouye: If you read the public statement, they submitted their resignations and the President most reluctantly accepted this, and in so accepting the resignain so accepting the resigna-tions praised them to the

tions praised them to the highest.

Mitchell: Senator, I have an entirely different interpretation of that.
(Laughter.)

Inouye: This may be a matter of disagreement, but I have done whatever research I could do last evening to find evidence of the lowering of this boom, and I regret very much, sir, that I just could not see much evidence of this boom being lowered on any alleged par-

lowered on any alleged participant in this tragedy.

Mitchell: I believe that the matters that I have discussed, and we have discussed and I have recounted have this morning is a low. here this morning is a low-ering of the boom in the area of the prerogatives of the Executive.

Inouye: And do you be-lieve that with this soft low-ering of the boom the lid would have blown off?

Mitchell: It has, and I don't think it was necessar-

ily soft.
Inouye: But the lid wasn't blown off by the so-called removal of Mr. Haldemand and Mr. Ehrlichman. The lid was blown off, I believe, by two men in The Washington Post.

Post.

Mr. Mitchell: Well, it depends on what areas you are talking about, Senator. If you go back to our White House horror stories, I think they came out from other sources and at other times.

For much of the rest of the morning and the beginning of yesterday afternoon's session of the hearing, the Senate committee's chief (Democratic) counsel, Sam Dash, closely questioned Mitchell about his knowledge and any participation in the Watergate coverup.

participation in the Watergate cover-up.
Dash began by probing Mitchell's knowledge, both before and after the event, of the perjured testimony about Watergate that Jeb Stuart Magruder, former deputy Nixon campaign manager, gave to the federal grand jury investigating Watergate in the summer and autumn of 1972.

Dash: Mr. Mitchell, Mr. Magruder appeared before the grand jury for his second ap-pearance on Aug. 18, 1972. Now, your logs, if you have

Magruder on Aug. 17 the day before, at 2:15, and that on August 18 the day he are

peared, you spoke to (Attorney General Richard) Kleindienst at 4 o'clock on the telephone and you saw Mr. Magruder at 4:10, ten minutes afterwards, on that day.

Can you tell us whether or not the discussion with Mr. Kleindienst at 4 o'clock and the 10 minute later meeting with Mr. Magruder after he testified had to do with his testimony at the grand jury?

Mitchell: Mr. Dash, I have talked to Mr. Kleindienst quite a number of times during this period and we have never discussed the Watergate matter in any form or shape or circumstance.

To answer your question specifically with respect to that date and that conversation, no, we did not discuss Mr. Magruder or his testimony.

Dash: Your meeting with Mr. Magruder both on the 17th and the 18th at 4:10, was that for the purpose of discussing his testimony before the grand jury?

Mitchell: I don't have that recollection, Mr. Dash.

Dash: Do you have any recollection of what the discussion was about?

Mitchell: No, sir. As you know from my logs, I met constantly with Mr. Magruder about campaign matters and other things, including the Watergate and the public relations aspect of it. And as I testified earlier, there were meetings in which Mr. Magruder outlined to a group of us the nature of his testimony that he was going to give.

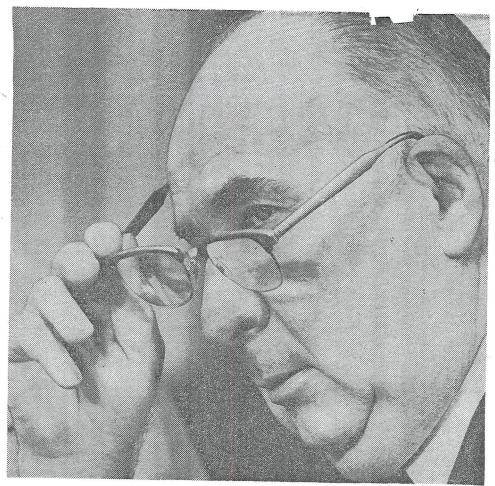
Dash: It is specifically because of that that I asked you the question, Mr. Mitchell, because on a number of occasions, you said, and especially during meetings with Mr. Magruder, Mr. Dean, (Frederick) LaRue, (Robert) Mardian (both former Justice Department employees working for Mitchell at election headquarters), you did at least have presented to you what Mr. Magruder was going to testify before the grand jury. Now, on the day he actu-

Now, on the day he actually testified, you met with him; on the day before he testified, you met with him. Would it not be consistent with your earlier discussions that you would have discussed what his testimony was going to be? . . .

Mitchell: I think, Mr. Dash, those conversations took place much earlier than the date in August that you have made reference to. If you will look at the logs, you will seee, as I say, I met with Mr. Magruder almost daily during the whole period of time on many subject matters.

Dash. Yes, but I would now draw your attention specifically to the day—did you know, by the way, when Mr. Magruder was going to appear before the grand jury?

Mitchell: I have no recollection whether I did or did not. I presume I would have been advised, yes.



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Former Attorney General John N. Mitchell listens to a question at hearing.

Dash: And at the time, whether you knew it was the 17th or 18th, or when you knew that he was going to testify, wouldn't that be an appropriate time for you to discuss what he was going to testify before the grand jury? You certainly were interested...
You testified before the

You testified before the committee, Mr. Mitchell, that you preferred, you certainly wanted him to testify in such a way that the lid would not come off. You now knew he was going to be testifying. So whatever date you can recall at this time he was going to testify before the grand jury, would you not have discussed the grand jury testimony with him?

Mitchell: Mr. Dash, I believe the sequence of events goes back to the time when Mr. Magruder and Mr. (Herbert L.) Porter went to Mr. (Kenneth) Parkinson's (a re-election committee lawyer) office and put together their proposed testimony, which at that time they felt was going to be submitted to the grand jury in deposition form. I think that was the middle of July. It was in that time frame and during or shortly thereafter that the recitation of Mr. Magruder's testimony, of the nature of his testimony, was given. I have no recollection of having sat down with Mr. Magruder the day before, the second day before he went to the grand jury and going over it with him.

with him.

Dash: Well, did you learn what he testified to when he went to the grand jury?

went to the grand jury?
Mitchell: I assume that he had testified to what he had told us he was going to testify to.

Dash: Did you just assume? Didn't anybody tell you what he testified? Didn't you in fact learn that he did testify as he did, what he had been agreeing to testify to?

Mitchell: I believe, Mr. Dash, if my memory serves me right, that he was debriefed by one of the lawyers who advised me as to what he testified to.

Dash: So in fact, you did learn?

Mitchell: I did learn.

Dash: Now, he again testified before the grand jury on Sept. 13 (1972), and at that time, it dealt with his diaries and the meeting that he had with you. Now, you saw Mr. Magruder, according to your log, Mr. Magruder and Mr. Dean, at 12:00 o'clock on that day. Did you have any discussions with him about his grand jury at that time, on Sept. 13?

Mitchell: Yes, I testified, I believe, on Monday to the fact that Mr. Dean, Mr. Magruder and I rather briefly discussed the recollection of the meetings that had taken place in the Justice Department (at which Watergate conspirator G. Gordon Liddy presented plans for, among other things, the Watergate bugging).

Dash: And what did Mr. Magruder, to your knowledge, tell you that his recollection was or what his testimony was going to be?

Mitchell: Well, if I can recall it as best I can, number one, that he thought that one of the meetings had been canceled; number two, that there were discus-

sions of the election laws, which, of course, they both testified there were. I think those were the essential parts of it.

Dash: What was your response to that, Mr. Mitchell? Did you respond to his recollection of what his testimony was going to be?

Mitchell: I have no recollection of that, Mr. Dash.
Dash: Well, did you disa-

gree with him?

Mitchell: I didn't disagree with it, no, I did not.

Dash: Did you learn after that testimony on Sept. 13 what his testimony was?

Mitchell: I believe probably in the same way, in connection with the debriefing.

Dash: Now, Mr. Mitchell, your log shows from June 17 all the way to August 29 certainly and thereafter, but certainly to August 29, you had almost daily meetings with John Dean and sometimes twice or three times. times twice or three times a day, and you knew, I think, from your testimony before this Committee, what Mr. Dean was doing during this time, that he was serving as Mr. Haldeman or Ehrlichman, White House people, and that he was not making any investigation of the Watergate case for the President.

Yet, on Aug. 29, the President did make an announcement that Mr. Dean had made an investigation to give him a report, what was your reaction to that announcement knowing, having been meeting with Mr. Dean almost on a daily basis during that whole period of

Mitchell: Well, Mr. Dash, I think your question provides an assumption that I am not willing to accept. It is perfectly conceivable in my mind so far as the involvement of personnel in the White House were concerned, that Mr. Dean was making such an investigation as to the involvement of people in the White House, and I think that was the centery of the statement the context of the statement of August, whatever date it

Dash: Well, as a matter of fact, didn't Mr. Dean discuss with you what he was doing. You said he met with you regularly, he was at your meetings, and if he were making such an investigation, would you not know about

Mitchell: I think Mr. Dean was making an investigation with respect to the involve-ment or potential involve-ment of individuals in the White House in the knowl-

edge of the Watergate break-in or participation.

Dash: His testimony was that rather than make an investigation he was engaging in a cover-up.

Mitchell: Well, I don't doubt that for a moment, and I have so stated here, that there was that aspect of it. Now, the cover-up is an entirely different thing, and the statement made by the President with respect to

the involvement of individuals in the Watergate affair and prior to the June 17th or at the June 17th activities, and I think that was the thrust of the statement.

Dash: Well, you know from what Mr. Dean I think has testified or may have indicated to you is that he indicated to (Gordon) Strachan (Haldeman's aide in the White House) and certainly as recently as the June 17th break-in, June 19th that Mr. Strachan had admitted to him that he had destroyed certain intelligence papers. Did Mr. Dean tell you about that?

Mitchell: Yes, he did even-

tually. Dash: Eventually. When did he tell you this?

Mitchell: I am not quiet certain.

Dash: Was it before August 29th?

Mitchell: I can't say that for sure, Mr. Dash, but he did somewhere along the way.

Dash: Well, if he had, you would have been somewhat surprised that Mr. Dean had said nobody in the White House

Mitchell: I think I would have been quite surprised if that had come out.

Dash: Did Mr. Dean tell you personally that he made a report to the President?

Mitchell: No, Mr. Dean did not so tell me.

Dash: Did you ever ask him after the President's statement came out whether he made such a report?

he made such a report?

Mitchell: Yes, I discussed

I am not sure that I put it quite in the form of that type of a question. We did have discussions of it, and he told me that the he told me that he, of course, had been discussing the matters with Haldeman and Ehrlichman, but that he had not specifically made a direct report to the Province direct report to the President. That whatever information he was providing was going through Haldeman and Ehrlichman, one or the other, I forget which.

Dash: From that mony or from the informa-tion you got from Mr. Dean that he was reporting to Mr. Haldeman and Mr. Ehrlichman, was it your impression that the President was being misled by that group just as you were misleading the President...
Mitchell: I would believe

that would certainly be the impression that I would have, because Mr. Dean was not talking directly to the President.

Dash: And under that assumption would the Presi-dent, then making that kind of a report you still did not feel it was necessary at least to correct the President? Because now he made a public statement to the people of the United States which you

knew was perhaps incorrect.

Mitchell: He made the statement, as I recall, having to do with the involvement of the people in the White House with respect to the prior knowledge or par the prior knowledge or participation in the break-in of the Democratic National Committee, and that state-

ment I think was factually true at the time that he made that statement so far as the information that he had, and I think possibly so far as the information I had, because I believe the Strachan matter arose at a much later date.

Dash: I think your testi-

with Mr. Haldeman and Ehrmony is that you did meet lichman and discuss (the Wasome time later on, and when asked, you said that was in July, some time in July. You did discuss with Mr. Haldeman and Ehrlichman the problem in July. man the problems involved in the Ellsberg break-in mat-ter and all the other matters you have categorized as White House horrors. Mitchell: Excuse me, Mr.

Dash, I do not believe that I said that I discussed them with Ehrlichman and Hald-

man in July.

Dash: Well, the record would show it, but I think you did say that you did discuss that later, and I

think you said in July.
Mitchell: Later on. I do
not recall that I said they
were discussed as early as
that. I think much later on
down the road we discussed

Dash: The distinction I think you said in the record is the Watergate break-in, you said you did not discous that with them until 1973, but as to the White House. but as to the White House horror activities, you did speak to Mr.Haldeman and

Mr. Ehrlichman in 1972. Mitchell: That is correct,

Dash: And in those discussions, were those discussions concerned with the strat-

egy to keep the lid on?

Mitchell: There was no question about the fact that we discussed the problems that would arise if the parties that had been involved in those activities in the White House were to come forward with all of the conversations and all of the dis-cussions and all of the information that they had relating to them.

Dash: And specifically in

this particular context, the parties that you were most concerned with, I take it, were the two defendants under indiatment (consists) der indictment, (convicted

der indictment, (convicted Watergate conspirators E. Howard) Hunt and Liddy.
Mitchell: They were the participants, yes, sir.
Dash: And there was no doubt in your mind in those discussions that Mr. Haldeman and Mr. Ehrlichman were taking an active role themselves in attempting to keep the lid on?

keep the lid on?
Mitchell: Well, I would say that they had a very active concern, just like I did. Dash: And that active con-

cern was implemented, think.

Mitchell: Well, in what way they participated in the implementation of it, I have heard more of it from the testimony up here than I knew at the paritcular time.

Dash: Mr. Dash was reporting back to you, was he

Mitchell: Mr. Dean, as I mentioned before was reporting back to me certain things, but Mr. Dean, and I think quite appropriately was not telling me everything that was happening in his conversations betwen he and the people in the White

House.

Dash: Why was there reticence on the part of Mr.

Dean when, as a matter of fact, you were really all to-gether in a common pur-pose, to protect the President?

Mitchell: Well, I believe that Mr. Dean, being a law-yer, would discuss the matters on a need-to-know basis and not go through all of the dialogues that he might have with parties in the White House, that he would consider it probably in an

Dash: As an attorney-client with Mr. Haldeman? Mitchell: I would think so. He was the White House counsel...
Dash: Would you clarify

how you heard about (former White House special counsel Charles) Colson's discussion of executive

clemency with Hunt. I think so far the testimony seems to be that you overheard it, and I am not sure, I am not sure the record is clear as to how you overheard it. who was present, who was telling

you this?

Mitchell: I think my testimony and my recollection is that it was either John Dean or Mr. (GOP attorney Paul L. O'Brien, and that it probably was John Dean because he was more closely related to it, and the recollection I have is that Mr. Hunt, in connection with his discussions, whether they were going through his counsel, Mr. (William) Bittman directly to Mr. Colson or directly to Mr. Colson, but anyway to Colson...

I recall ... that Mr. Hunt wanted assurances from Mr. Colson with respect to exec-

Colson with respect to exec-

Colson with respect to executive elemency.

Dash: Did you hear, whether it be from Mr. Dean or Mr. O'Brien, that Mr. Hunt got some assurances from Mr. Colson?

Mitchell: I believe that my recollection is that there were assurances that Mr. Hunt would have executive

Hunt would have executive

Dash: Now, you know, Mr.
Mitchell that the only person who could grant executive clemency is the President of the United States. Now when you heard that, did you inquire of anybody whether or not the Presi-dent of the United States had authorized such assurances to be made?
Mitchell: I am well aware

of, Mr. Dash, that the President is the only one that can exercise the power. It was not in that context, it was in the context that Mr. Colson would exercise his best ef-forts to obtain the executive

clemency.

Dash: Do you know whether he ever did so exercise his best efforts with the President?

Mitchell: I have no idea, sir.

sir.
Dash: Did you ever hear whether or not he did?
Mitchell: Only through the discussions of Mr. Dean in his statement, that is the only knowledge I have.
Dash: You have told Sen. (Herman) Talmadge (D-Ga) and I don't want to res-

Ga.), and I don't want to restate it too dramatically but I think you did make a dramatic statement in terms of what you thought was neceswhat you thought was necessary to get the President to assure the re-election of president Nixon, I think you did state kind of dramatically to Senator Baker that you would pretty much not you would pretty much not want to allow anything to stand in the way of re-election and I know you, of course, drew certain exceptions to that. Would you have included, and I am now talking about the time prior to the electon, perjury as an activity that would as an activity that would stand in your way in getting the President re-elected?

Mitchell: Are you talking about somebody else's part?

Dash: Or your own part?
Mitchell: I would think
that that would be a subject matter, Mr. Dash, that I would have to give very long and very hard thought

Dash: All right, now, you have told us repeatedly during your testimony on Tuesday, Wednesday and today that Mr. Mardian told you of his conversation with Mr. Liddy and I think the date on which he debriefed you was according to your testiwas according to your testimony, around February — excuse me, June 21st or 22d — and that it was 1 and that it was that de-briefing that gave you all the information of Liddy's operation, which included the so-called White House horrors and break-in.

Now, have you ever denied at any time that Mr. Mardian told you about his conversation with Mr. conversation

Mitchell: I have no recollection of having done so,

Mr. Dash.

Dash: Let me—did you give a deposition on Sept. 5th in the civil case that the Democratic National Com-mittee brought, Civil Action

Mitchell: Yes sir, I did.

Dash: Let me read you, Mr. Mitchell, and I can send it to you if you wish to look at it yourself or counsel wishes to look at it from Page 45 of that deposition. Question put to you, "Did you know whether or not Mr. LaRue had a discussion with Mr. Gordon Liddy about Mr. Liddy's involvement in the Watergate episode?" Answer by you, "I don't really know. I believe that according to my best recollection it was that Liddy—I mean (Frederick) LaRue and Mardian, one or the other or maybe both, talked to Liddy when Liddy decided he was not going to cooperate with the FBI. I am not sure which one of them.

It was either one or the other, it may have been both of them."

Question put to you, "You were not present at this conversation?" And by you. "No, I have not seen Mr. Liddy since the middle of June, I have not seen Mr. Liddy or talked to him."

Question put to you, "Did either Mr. Mardian or Mr. LaRue report to you on Question put to you, "You

LaRue report to you on

their conversation with Liddy?" Your answer, "No, only to the extent that his services had been terminated in whatever way it was.'

Now that was your testimony as of Sept. 5, 1972 in the deposition.

Mitchell: Mr. Dash, that relates to the basis of the termination of Mr. Liddy. Dash: No, the question put to you was, "Did either Mr. Mardian or Mr. LaRue report to you on their conreport to you on their conversation with Liddy?"

Mitchell: If you go back to the basis of it, it had to do with the subject matter of the termination of Mr. Liddy.

Dash: Let me ask you again the question that was put to you, and I will reread it and you may look at this on page 45, "Did you know whether or not Mr. LaRue had a discussion with Mr. Gordon Liddy about Mr. Liddy's involvement in the Watergate episode?'

And then you said, "I don't really know."—but your answer was that Mr. Mardian and Mr. LaRue did and the question was, "Did either Mr. Mardian or Mr. LaRue roper to be a larger to the same than the same and the sa LaRue report to you on the conversation with Mr. Liddy," and your answer was, "No," and it was your limitation "only to the extend his service had been to the way whatever way terminated in whatever way it was."

Mitchell: Well, the answer speaks to the termination of the services. My response with respect to the other subject matter was equivo-cal because of my recollec-

tion at the particular time.

Dash: Well, it certainly
was equivocal because you
have testified three days here that the important part of that conversation that Mr. Mardian was talking to you about was the White House horrors and the Watergate break-in and since this was Sept. 5, 1972, before the election, didn't you are no in that case as part of your willingness to keep the lid on so that if you had answered yes and had to tell that conversation you would have been opening the lid? ing the lid?

Mitchell: Mr. Dash, I have spent many, many hours reconstructing the events in connection with what happened during this period of time in preparation for the time, in preparation for the testimony of this committee, and that is one of the reasons why that I have more specific knowledge or better recollect with what had gone on than at that particu-lar time in September . . .

Dash: Mr. Mitchell, I don't want to argue with you but you put the limitation on. The question put to you was dealing with the questioning of Mr. Liddy concerning his involvement in the Watergate episode and you said that Mr. Mardian did not tell you about that conversation and all you said was except about his termination.

cept about his termination.

Now, all I am asking you is whether or not that answer no, that he did not, Mr. Mardian did not tell you about the conversation with Liddy concerning his Waterstein involvement is directly gate involvement is directly contrary to the testimony you have given here.

Mitchell: I still disagree with the interpretation that you have put on it, Mr.

Dash: This statement was made under oath, was it not, Mr. Mitchell?

Mitchell: It was made under oath, that is correct.

Dash: Now, Mr. Mitchell, you told, you have testified several times to the committee as to the circumstances under which Mr. Liddy was hired as counsel to the Committee for the Re-election of mittee for the Re-election of the President, involving Mr. Dean's introduction, your interview with him on Nov. 24, and your hiring of Mr.

Liddy, is that not correct?

Mitchell: Well, I think my testimony and my recollection as to how it happened is after Mr. Dean had brought Mr. Liddy over to meet with me on November 24, 1971, and discussed the areas in which he would be working, we met, this is Liddy, Dean and myself, we discussed it, and then, as I understand it, the sugges-tion was that since Mr. Ma-gruder was then over running the committee that Mr. Liddy be put in touch with Mr. Dean—Mr. Magruder by Mr. Dean and that the hiring of him took place over

Dash: But you were aware of the circumstances under

which he was hired.
Mitchell: I was aware of the circumstances, Mr. Dean having brought Mr. Liddy over to meet with me, and I having said that it looked to me like he could be per-fectly competent.

Dash: And you approved his being hired?

Mitchell: As counsel for

that committee? Dash: Right, and Mr. Magruder hired him on your

approval, is that not true?
Mitchell: I would presume

that that had followed.
Dash: Now, have you ever denied to anybody that you were aware of these circumstances of Mr. Liddy's em-

ployment committee? with the

Mitchell: There was one occasion in which my recollection failed with respect to who actually hired Mr. Liddy. It is still my opinion that M. Magruder hired Liddy and not John Mitch Liddy, and not John Mitch-

Dash: Without the question of who actually hired him, the circumstances under which he became employed, which would include at least your interviewing of him and your having some role, I mean have you ever denied knowing any of those circumstances?

Mitchell: I don't recall, Mr. Dash.

Dash: Under the same testitimony of Mr. Mitchell on Sept. 5, 1972, the question was put to you on Page 18 of the transcript: "Mr. Mitchell on Call do you have the transcript: "Mr. Mitchell of the transcript: "Mr. Mitchell do you have the transcript: "Mr. Mitchell do you have the transcript." the transcript: "Mr. Mitchell, do you have any information as to the circumstances under which Mr. Liddy was hired?" with reference to the Committee for the Re-Election of the President

The answer: "No sir, I do not "

Question: "Have you ever made inquiry to find out how it came that he was hired?

"Have I made inquiry?"

Question: "Yes."
Answer: "No, I have not." Now, that testimony was under oath. Could you have

been actually able to answer no to that question?

Mitchell: Very easily, because I was not aware of how Mr. Magruder ultimately hired Mr. Liddy.

Dash: Well the question

Dash: Well, the question was not really that, was it, Mr. Mitchell?

Mitchell: In the context as you have read it and as I understood it at the particular

time, the answer is yes....

Dash: Now, Mr. Mitchell,
you testified you asked Mr. Mardian to make an investigation for you as to the Watergate break-in ...Did you ever give instructions that there should be cooperation with the FBI to Mr. Mardian?

Mitchell: Mr. Dash, I don't recall the specific words. I would presume that it would be ... implicit in his actions.

Dash: Did you include yourself in that requirement

to cooperate with the FBI?
Mitchell: I would ce
tainly believe so.

Dash: Do you recall being interviewed (by the FBI on July 5, 1972) as to what knowledge you had of the Democratic National Committee break-in and informing the great-in and informing the agents that the only knowledge you had what you read in newspapers? in the

Mitchell: That is correct

Dash: Whether it was correct or not, the FBI was making an investigation and would not you want to give whatever leads of information they wanted, having been the former Attorney General and knowing how the FBI investigates, so they could check that out?

Mitchell: Mr. Dash, at that particular time, we

weren't volunteering any in-formation for the reason that I have discussed here.

Dash: Right. So that in other words, your answer to the FBI was part of the decision that you made, a strong decision for the reasons you have given, to see to it that none of these things got out.

Mitchell: It was the decision of those that were involved to not volunteer any information under any circumstances.

Dash: Mr. Mitchell, you enjoy the distinction, you have made it from time to time, that it was your purpose to not volunteer anything. Is there a distinction between your not volunteering anything and lying? . . .

Mitchell: I think we would have to find out what

the specifics are ...

Dash: In any event, it seems to me that there are two instances that I have been able to quote to you from the record—you may differ—where your testimony...on the civil deposition was diametrically opposed to your testimony before this correction. fore this committee. What I have to say to you on that, Mr. Mitchell, is that since you may have given false testimony under oath on prior occasions, is there really any reason for this committee to believe your testimony before this committee, mony before this committee, especially to the issue of whether you did or did not give final approval at the Key Biscayne meeting to the Liddy plan, whether or not you had any knowledge about the President's knowle about the President's knowledge of the cover-up or participation in the cover-up, or whether you took any active part in the payoffs or cover-up, the Watergate case or any other part of the White

Mitchell: Mr. Dash, I disagree, of course, with your interpretation of the matters that you have just read. As far as the determinations of this committee. this committee, I think they can judge their testimony—my testimony—and make their own conclusions after my appearance here