

WATGATE JUL 21 1973
**Aide Admits
Destroying
Documents**

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Gordon Strachan, once a top aide to White House chief of staff H. R. (Bob) Halderman, testified yesterday that he destroyed a memo discussing campaign political intelligence gathering and "several other documents" following a meeting with Haldeman shortly after five men were arrested inside the Watergate on June 17, 1972.

Although two previous witnesses before the Senate Watergate committee have testified that Strachan played a key liaison role in the Watergate operation, Strachan indicated yesterday that he was told little about the Watergate break-in or the cover-up by the people "I closely associated (with) during my employment at the White House . . . who have confessed to criminal wrongdoing."

Reading from a 15-page statement, Strachan suggested that his testimony will conflict with what former Nixon deputy campaign manager Jeb Stuart Magruder and former White House counsel John W. Dean III

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Hunt apparently suffered a stroke in prison. Page A11.

Liddy refuses to take oath at hearing. Page A11.

HEARING, From A1

have told the committee about Strachan's activities in connection with the Watergate affair.

The Senate committee adjourned yesterday without questioning Strachan (pronounced "Strawn"). Earlier the committee completed the questioning of Robert Mardian, former assistant U.S. attorney general.

Strachan's statement appears to place major responsibility for the Watergate operation on Magruder and indicates that Strachan himself relayed little substantial information about the Watergate affair to Haldeman.

Although Magruder and Dean disagreed on many points in their testimony before the Senate committee, both were firm and clear in asserting that Strachan had detailed knowledge prior to the June 7 break-in at the Democratic National Committee's Watergate headquarters, that he was well informed about the subsequent cover-up, and that they assumed he passed on this information to Haldeman.

Dean told the committee in June that Strachan had told him last summer, prior to a grand jury appearance, "that he would, if necessary, perjure himself to prevent



GORDON STRACHAN
... disputes Magruder

involving Haldeman in this matter." Dean said he told Strachan "that was certainly not necessary in my estimation, but he was indeed most loyal to Haldeman for taking that position."

Although Strachan referred yesterday to Magruder's testimony about him as having been "very general, carefully hedged and characteristically vague," Magruder was specific in describing what information he gave to Strachan—to be relayed to Haldeman—about the Watergate operation.

At one point, Strachan asserted in his statement yesterday that "Mr. Magruder's testimony has established that I never received his wiretap data." Magruder, however, specifically testified that Strachan had seen logs of wiretapped conversations in Magruder's office.

Following yesterday's Senate committee session, chief Democratic counsel Samuel Dash said Strachan's statement left "gaps" that the committee would take up with Strachan on Monday.

Testifying under a grant of limited immunity from the committee, which prevents his Senate testimony from being used against him in a court proceeding, Strachan told the committee he was assigned by the White House to be its political liaison with the Committee for the Re-election of the President, the Republican National Committee and campaign personnel in "key" states and cities during the 1972 campaign.

"Periodically," Strachan said, "I was to report political matters to Mr. Haldeman. I wrote him many long reports, entitled political matters memos, describing the current status of pending political matters."

"As to the subject of political intelligence gathering, however, John Dean was designated as the White House contact for the Committee to Re-elect the President. I have advised the committee where the documentary proof on this point is located.

"As a result," Strachan said, "my inquiries about political intelligence were slight. Mr. Haldeman seldom had me attend meetings on the subject. He rarely asked me a question about the subject and so I seldom reported about it to him."

Strachan, left the White House after the 1972 campaign to become general counsel to the United States Information Agency, resigned from that position on April 30 as the Watergate cover-up was unraveling. (Haldeman resigned from the White House on April 30.) As he read his statement in a high-pitched voice, his face flushed, Strachan appeared even younger than his 29 years.

Dean, Strachan said, did not "report to me about all his activities in the area of political intelligence." When he followed up on political intelligence matters discussed at meetings he did attend, Strachan said, any time he brought up "political intelligence operations" with Haldeman, "he (Haldeman) responded that I should let Dean handle it. When I followed up with Mr. Dean, he rarely advised me in any detail about the status of intelligence matters. Instead, he dealt directly with Mr. Haldeman."

Strachan said that neither Haldeman, Dean nor Magruder "ever told me" about meetings conducted with former Attorney General John N. Mitchell and Watergate conspirator G. Gordon Liddy at which Dean, Liddy, Magruder and Mitchell discussed the Watergate operation. "I certainly did not attend any of them," Strachan said.

Magruder has testified that he "automatically" sent all memos, including documents describing the Watergate operation, to Strachan.

Strachan gave a different account yesterday. "Mr. Magruder's reporting practices were marked by two features. First, he considered it a burden to report through me. My role—as Mr. Haldeman intended it—was somewhat of a constraint upon Mr. Magruder's ability to have free reign at the committee, independent of the scrutiny of the White House.

"As a result, Mr. Magruder frequently tried to avoid the reporting system. When Mr. Magruder did report, he reported as much as possible on successful developments that reflected favorably on his campaign leadership and as little as possible on projects that were not going well.

"On projects that went smoothly or portrayed him in a good light, Mr. Magruder would often give a full report directly to Mr. Haldeman or Mr. (Lawrence) Higby (a Haldeman aide)."

"On ineffective or failing

projects he would seldom do more than make brief mention to me on the general subject matter—just enough to protect himself from later criticism that he had withheld information from the White House in case the project went totally sour," Strachan said.

Concerning political intelligence, Strachan said, Magruder "has testified . . . that he assumes he either automatically sent me materials about or called me and gave me a general description of intelligence plans." Strachan emphasized the word "assumes."

Magruder told the Senate committee in June that he had told Strachan "the general nature" of Liddy's proposal to conduct a clandestine intelligence plan after the first meeting with Mitchell and Dean.

Magruder also testified, however, that "everything that I did at the committee, everything that we did was staffed to Mr. Strachan so that he could alert other officials at the White House as to our activities."

As to the second meeting where the clandestine operations were discussed, Magruder testified, "I sent the documents that Mr. Liddy had given us at the meeting to Mr. Strachan . . . I automatically sent all documents to Mr. Strachan."

Strachan said that Magruder never told him details of the first—Jan. 27, 1972—meeting with Mitchell, Dean and Liddy where Liddy outlined plans for kidnaping, prostitution, "goon squads" and wiretaps. "I certainly would never forget it," Strachan said. "Mr. Magruder never gave me that information and certainly not those details."

"It is true," Strachan said, "that Mr. Magruder called me after he returned from the March 30, 1972 meeting at Key Biscayne with Mr. Mitchell and Mr. (Frederick) LaRue and reported on about 30 major campaign decisions."

One of those decisions, Strachan said, was that—"and I am repeating his words rather precisely—sophisticated political intelligence gathering system has been approved with a budget of 300." Unfortunately, he neither gave me, nor did I ask for, any further details about the subject."

Magruder has testified that Mitchell approved a \$250,000 budget for the Watergate operation at the March 30 meeting; Mitchell has testified that he rejected the proposal.

"Soon thereafter," Strachan testified, "I wrote one of my regular 'political matters' memos for Mr. Haldeman. This particular memo for early April was eight to 10 pages long with more than a dozen tabs or attachments, but it contained only one three-line paragraph on political intelligence.

"That paragraph read almost verbatim as Mr. Magruder had indicated to me over the phone. I wrote in the memo to Mr. Haldeman—again this is almost a quote—'Magruder reports that 1701 (re-election com-



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mittee headquarters) now has a sophisticated political intelligence gathering system with a budget of 300' (meaning \$300,000).

Strachan said he attached a sample of the type of information being obtained from a source identified as "Sedan Chair II."

At the time, before June 17, 1972, Strachan said he gave little thought to what Magruder meant by "sophisticated political intelligence gathering system. Nor did I give much thought to the real identity of Sedan Chair II, but I remember that the information dealt with Sen. (Hubert H.) Humphrey's Pennsylvania organization."

One June 17 and after, Strachan said, he began to wonder if the Watergate break-in was related to the "sophisticated political intelligence gathering system."

"I met with Mr. Haldeman on June 19 or 20," Strachan said, "and showed him the April political matters

memo that mentioned the intelligence gathering system. After speaking to him, I destroyed that memo and Sedan Chair II as well as several other documents. I have told this committee and the (Watergate) prosecutors about."

Concerning his role in turning over \$350,000 to campaign official LaRue that was subsequently used to buy the silence of the Watergate defendants, Strachan said, "I was not told by anyone, nor did I know what use was being made of this money . . . At no time did Mr. Dean or Mr. LaRue advise me that was being done with the money or that payments were being made to the defendants.

"Neither of them ever asked me to do or say anything that I can interpret as being part of a cover-up. In fact, there was only one occasion when I was expressly asked to do something that I knew was improper and which I could see was aimed at a cover-up. That related to my upcoming grand jury testimony of April 11, 1973, and I refused to do it," Strachan said.

He did become "more than a little suspicious," however, Strachan said, when he noticed that LaRue, in picking up some of the \$350,000 from him, "donned a pair of gloves" before touching the money, "and then said, 'I never saw you.'"

Although Strachan said that Magruder gave him only a vague description of the March 30, 1972 decision on Liddy's intelligence plan, Magruder's testimony is radically different. "With Mr. Strachan," Magruder told the committee last month, "I discussed it in detail."

Magruder was asked during his testimony, "Would you say that Mr. Strachan, on the evening of June 16, was as well briefed on the intelligence operation in the Committee to Re-elect the President as anybody within the campaign organization?"

"Yes, sir," Magruder replied.

Dean testified: "I was aware that Gordon Strachan had close, daily, liaison with Magruder and had carried information relating to wire-tapped conversations into the White House and later destroyed incriminating documents at Haldeman's direction."

Dean also testified that Strachan told him the materials destroyed "included such matters as memoranda from the re-election committee, documents relating to wiretap information from the DNC, notes of a meeting with Haldeman and documents which reflected that Haldeman had instructed Magruder to transfer his intelligence-gathering from Sen. (Edmund S.) Muskie to Sen. (George S.) McGovern. Strachan told me his files were completely clean."

Dean also mentioned Strachan, along with himself, Magruder, Mitchell, Haldeman and White House aide John D. Ehrlichman as someone who "likely" would be indicted.

On Thursday, special Watergate prosecutor Archibald Cox turned over a sealed file to Chief U.S. District Judge John J. Sirica. The file is believed to contain evidence against Strachan and was turned over to Sirica so that Cox can later prove his evidence against Strachan did not result from Strachan's immunized testimony.

Robert Mardian, who completed two days of testimony before the Senate committee yesterday, was pressed hard to explain why he never told authorities about illegal activities described to him by Watergate conspirator G. Gordon Liddy or about his suspicion that Jeb Stuart Magruder was going to perjure himself in his Watergate grand jury testimony last year.

Mardian contended that his position as a lawyer for

1972, the day of the Watergate arrests, made it ethically impossible for him to disclose what Liddy told him. And he said that his mere "suspicion" that Magruder might perjure himself was not worth telling a court about it.

Though he was not Liddy's personal lawyer, Mardian maintained that because Liddy was employed by the re-election committee their conversation June 19, 1972 about the Watergate break-in and other illegal activities was protected by attorney-client confidentiality.

"I gave a man my word under my oath that he could confide in me," Mardian said. "I thought I was just investigating one crime"—the Watergate break-in—but Liddy "imparted to me knowledge of other felonies, and as I read my oath, I was duty-bound not to disclose that confidence."

Had he gone to the police and disclosed what Liddy told him, Mardian said, "I think I would have been subject to disciplinary action" by the bar association.

Mardian, a former assistant U. S. attorney general, finally did disclose the Liddy conversation to a federal grand jury this spring under a court order to do so. Had Liddy's disclosures not been made under protection of an attorney-client relationship, and had instead occurred two months earlier when Mardian was an assistant Attorney General, Mardian said, "I would have had him arrested."

Both Sen. Daniel K. Inouye (D-Hawaii) and assistant Democratic counsel James Hamilton challenged Mardian's decision to keep confidential the information he received from Liddy.

trial as required by law, and was a contributing factor in the dismissal of the charges against Ellsberg earlier this year.)

During the meeting with the President, Mardian said, Mr. Nixon discussed the Pentagon Papers case and other instances in which high-level classified information was leaked to the press.

"Most of that meeting concerned his expressions to me about the fact that his very ability to govern was threatened," Mardian recalled, and that "the peace of the world was threatened . . . if he could not maintain the confidentiality of the White House."

Under questioning by Sen. Lowell P. Weicker (R-Conn.), Mardian echoed a

If an attorney-client relationship prevailed, Inouye asked, why did Mardian pass on Liddy's disclosures to committee chairman John N. Mitchell—as Mardian has testified he did? Mardian responded that Liddy had agreed in advance that Mardian could tell Mitchell.

Hamilton suggested that Mardian's proposal—subsequently vetoed by Mitchell—to write a memo for Mitchell's files containing the known facts of the Watergate affair also would have violated any legal confidential relationship that he might have had with Liddy. Mardian disputed this, saying he would not have disclosed the source of his information.

The committee's chief Democratic counsel, Samuel Dash, noted later outside the hearing room that an attorney who is told of past criminal activities by a client is obliged to keep them confidential—but that he must disclose information concerning plans to commit a crime in the future. Dash said he thought that Mardian, in his testimony on the ethical situation in which he found himself, "answered fairly well on that point."

Because he did have knowledge—received from Liddy—of the involvement of re-election committee employees in the Watergate burglary, Mardian said, he sought on several occasions to dissuade Mitchell and Clark MacGregor, his successor as the campaign director, from issuing public statements denying any such involvement existed.

Neither heeded his warnings, he said, and MacGregor refused even to discuss the matter with him.

Mardian was also closely questioned about his foreknowledge of testimony Magruder gave last year to a grand jury investigating the Watergate affair. The testimony, Magruder has since admitted, was perjured.

If Mardian knew Magruder was going to give false testimony to the grand jury, Hamilton wanted to know, why had he not disclosed it at the time?

Mardian replied that he had only "suspicions" that the story Magruder planned to tell was untrue, and that he was unwilling to go to the authorities unless he had facts put before them.

On another matter, Mardian told the committee that in July, 1972, Associate FBI Director William Sullivan told him of his fears that the late J. Edgar Hoover, the FBI's aging director, might use some "highly sensitive" tapes of wiretapped telephone conversations for political purposes.

The tapes, Mardian said Sullivan told him, should be removed from Hoover's office. Mardian flew to California and spoke with President Nixon, who he said ordered him to get the tapes from Sullivan and give them to Ehrlichman, at the White House, for safekeeping.

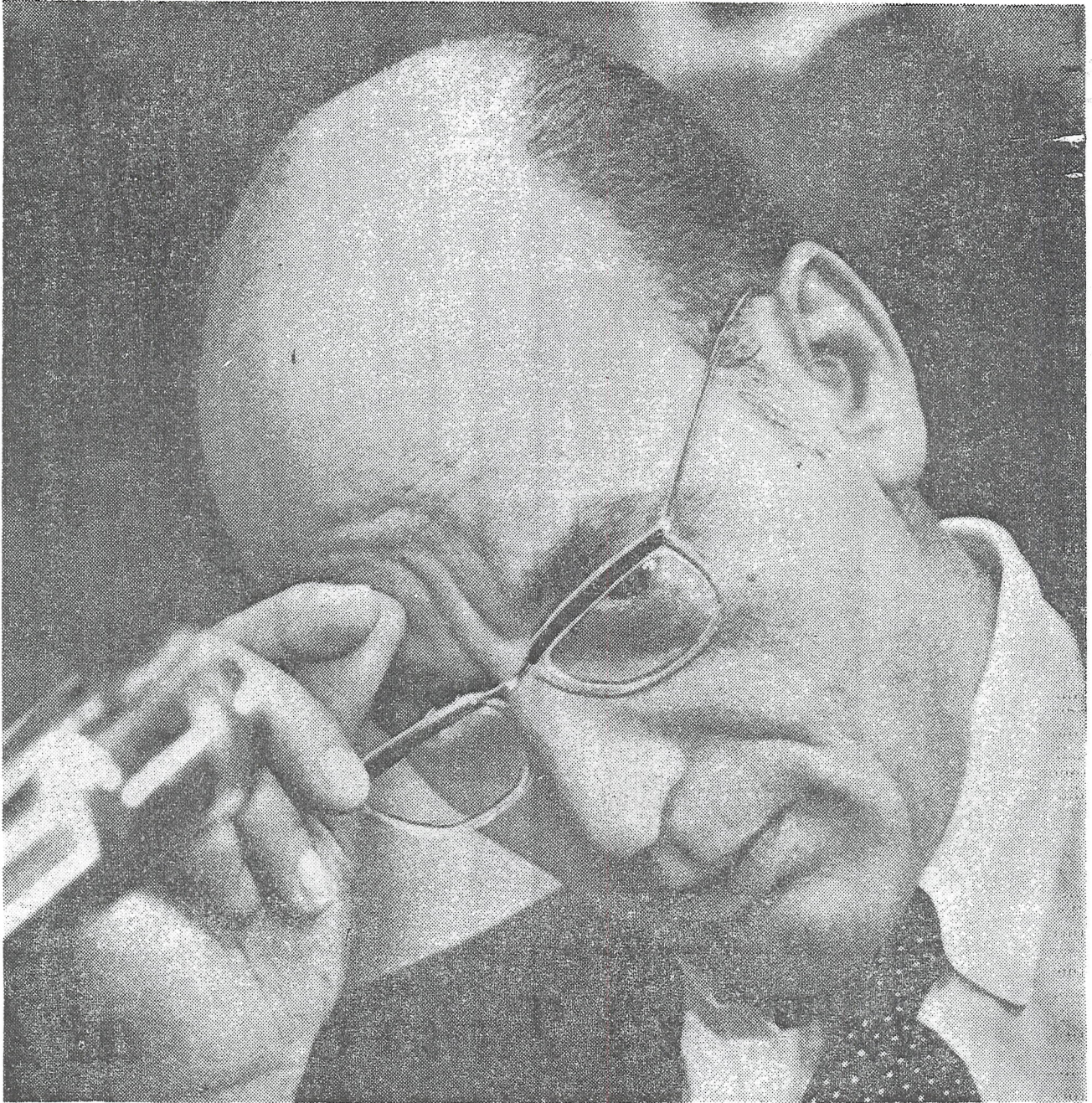
(The FBI has said publicly that the records were the classified transcripts of 17 telephone taps ordered by the White House on reporters and National Security Council aides as part of an investigation into news leaks. Included was at least one conversation in which Pentagon Papers defendant Daniel Ellsberg had been overheard. The tap was not disclosed at the Ellsberg

note that has been sounded by other former administration officials who have preceded him to the witness stand. In 1972, he said, "there was an extreme concern in the government with respect to leaks, certainly (leaks) out of the White House."

But while he was at the Justice Department from November, 1970, until May, 1972, as head of the Internal Security Division, he said, the division "never ordered a single wiretap."

He vigorously denied Weicker's suggestion that the Internal Security Division had been used "to stifle political dissent in this country," or that it concerned itself with peace groups beyond the control of large demonstrations with "a potential for civil disorder."

The hearings resume on Monday at 10 am, when Strachan will be questioned by the committee.



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Robert Mardian, former assistant U.S. attorney general, ponders answer to question posed by Watergate panel.