

WXPost AUG 12 1973

Documents Missing From Cox' Office

By John Hanrahan
Washington Post Staff Writer

At least three important documents are missing from the security-conscious, tightly protected offices of special Watergate prosecutor Archibald Cox and his staff, The Washington Post has learned.

A spokesman for Cox acknowledged late Friday that the documents are missing, but said that it is believed they are still in the office and have merely been mislaid or misfiled.

The three documents contain information relating to Charles W. Colson, Robert C. Mardian and Harry Flemming, The Post has learned. Colson is a former White House aide; Mardian is a former assistant attorney general and Nixon campaign aide; Flemming is a former White House aide and Nixon campaign official.

The Post was provided with copies of two memos that informed various staff members in the special prosecutor's office that the documents are missing.

One of the copied memos advises the staff that two documents relating to Colson and Mardian were reported missing last Tuesday morning from the desks of two staff attorneys. The memo warns the staff to "please keep sensitive materials locked up overnight."

A second memo, dated last Wednesday, notes that a document pertaining to Flemming is missing. Neither of the memos indicates whether it is believed that the documents were stolen, or lost or misfiled.

Thus far, the special prosecutor's headquarters has received much news media publicity for the tight security measures in effect at its ninth-floor offices at 1425 K St. NW in downtown Washington.

News reports have noted that the offices' high-rise

windows have alarm tapes on them; that closed-circuit television cameras monitor everyone who gets off the elevators; that guards stand 24-hour-a-day watch on the offices; that visitors must wear special badges and are escorted every step of the way in the headquarters and that documents are kept in file cabinets with combination locks or in special rooms.

John Barker, a press spokesman for the special prosecutor's office, said late Friday that the three documents about which the Post submitted questions "are the only ones missing."

"This is the only time we've ever had to send around a memo saying some documents are missing"

Barker said the office is highly security-conscious, but that "we think this incident does demonstrate the need for constant care, and the need to periodically re-evaluate our security procedures."

Throughout the Watergate investigation, missing or destroyed documents have played an important role. Several witnesses, in testimony before the Senate select committee on Watergate, have testified that they or other persons shredded or burned documents after the Watergate arrests on June 17, 1972.

In his testimony before the Watergate committee last Tuesday, assistant attorney listed the lack of record listed the lack of records as one of the major roadblocks encountered in the investigation, saying: ". . . There were no records. Things were destroyed."

The Watergate investigation was removed from Petersen and the Justice Department and turned over to the special prosecutor's office in May.