

# Ehrlichman Linked Nixon to Sanction For Covert Inquiry

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LOS ANGELES, Oct. 1—President Nixon specifically authorized the use of covert tactics by White House assistants to gather information about Dr. Daniel Ellsberg, according to grand jury testimony by John D. Ehrlichman, formerly the President's chief domestic adviser.

The grand jury transcript, released here today, leaves unclear whether the President authorized, or even knew about, their principal "covert" effort—the break-in at the office of Dr. Ellsberg's former psychiatrist in September, 1971.

In the past, Mr. Ehrlichman and Mr. Nixon have both denied that the President had foreknowledge of any "illegal" acts, such as burglary, undertaken by a White House unit known as the plumbers which was assigned to investigate information leaks.

Mr. Ehrlichman's testimony asserts that the President took a direct, active role in establishing and supervising the plumbers. His words recalled the contention of John W. Dean 3d, the dismissed White House counsel, that Mr. Dean had been told by the head of the plumbers that the orders to burglarize the psychiatrist's office came "out of the Oval Office" of President Nixon.

During his appearance before the Senate Watergate com-

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mittee last July, Mr. Ehrlichman insisted that the Ellsberg burglary was "well within both the constitutional duty and obligation of the President." It is considered likely that the four men indicted in the case will argue that their actions were justifiable in the name of national security.

The head of the plumbers, Egil Krogh Jr., was indicated here last month for burglary conspiracy, and solicitation for a burglary for his role in the break-in at the office of Dr. Lewis Fielding in Beverly Hills. Two other plumbers, G. Gordon Liddy and David R. Young Jr., and Mr. Ehrlichman were indicted on similar charges with Mr. Ehrlichman also facing a perjury charge.

Ten days after the final defendant was arraigned here in Superior Court, the 727-page grand jury transcript was released to the public, and it contained the following points:

Charles W. Colson, the former White House special counsel, testified that Mr. Ehrlichman had asked him to raise the \$5,000 that was used to finance the break-in here. The money was eventually repaid by a "political committee," Mr. Colson said, which means that campaign funds may have financed the break-in.

The plumbers were organized partly out of concern that protracted information leaks, such as Dr. Ellsberg's release of the Pentagon papers, might jeopardize "national security." But several witnesses indicated that the White House was concerned about the political implications of the case, and wondered whether it was advis-

able to bring Dr. Ellsberg to trial and thus to give him a "political platform" prior to the Presidential election of 1972.

The plumbers gather extensive personal information about Dr. Ellsberg that included details of his sex life and experimentation with drugs, according to testimony by E. Howard Hunt Jr., another member of the plumbers and a convicted Watergate defendant.

According to Mr. Ehrlichman's testimony, the plumbers were set up by President Nixon at a meeting on July 24, 1971, shortly after the Pentagon papers were made public. The original approach, he said, was for the group to gather and analyze second-hand information provided by other Government agencies, such as the Federal Bureau of Investigation.

But Mr. Krogh and Mr. Young became dissatisfied with the information and proposed that they do some "first party investigation," Mr. Ehrlichman said. In particular, the plumbers wanted to send Liddy and Hunt to "California and see if they could develop some facts which Krogh felt he badly needed," Mr. Ehrlichman explained.

Later, the following exchange took place between Mr. Ehrlichman and the District Attorney who was questioning him:

Q. Now when this new approach came into being, that seems to be characterized as a "do-it-yourself" approach as distinguished from a coordinated approach. Would you agree with that observation? A. It was a fallback. It was a last resort.

Q. Did the President know about this change of approach? A. Yes, he did.

Q. Did he specifically approve it? A. Yes, he did.

Mr. Ehrlichman then described the proposed mission to California as "a quiet investigation of facts," and he was asked whether he associated that investigation with the expression "covert activity." His answer: "I would think so, yes."

The former White House adviser has often said that while he—and, it now appears, the President—authorized "covert" actions, there was no thought that they would be criminal. But under questioning, Mr. Ehrlichman conceded that the plumbers were not expressly told to refrain from illegal acts.

"I don't know that any [limitations] were expressly imposed," he asserted. "I don't think anybody said, 'now don't go out there and break the law,' or something of that kind."

According to his testimony, Mr. Ehrlichman was told about the break-in shortly after it oc-

curred, and ordered the plumbers to stop all such activity. But he did not consider discharging any of the aides, he testified. Nor did he make any effort to find out who had specifically authorized the break-in. As he explained:

"I certainly wasn't in any position to blow the investigation [of Dr. Ellsberg] by calling the police or anything of that nature. We're in the middle of what we thought was a very hot national security investigation. It could involve spies or we didn't know what. And I had to obviously weigh the main chance here."

### Political Committee

In his testimony, Mr. Colson said that Mr. Ehrlichman called him in late August, 1971 and asked him to raise \$5,000 "rather quickly" for Mr. Krogh. He secured the money from Joseph Baroody, a public relations executive who was helping him generate support for the President's economic policies, Mr. Colson said.

Asked if the money was ever

repaid, Mr. Colson said, "Yes, I made arrangements for repaying that money through a political committee in the District of Columbia that was at that point raising funds."

Mr. Colson said he could not recall the name of the committee, but until the campaign spending law was changed last year, it was common practice for fund raisers to set up committees in Washington to collect campaign funds. And in this period, the fall of 1971, the President's re-election organization was already starting to build its treasury.

Mr. Colson has been told that he is the target of a grand jury in Washington now investigating the Ellsberg break-in. He is also mentioned in the grand jury transcript here by Hunt, who worked for Mr. Colson at the White House.

Hunt contends that he frequently discussed his plumbers activities with Mr. Colson, but both men denied that Mr. Colson knew about the break-in before it happened.