

KROGH FILES PLEA OF GUILTY IN RAID ON PSYCHIATRIST

'Plumbers' Leader Appears on Civil Rights Charge— Other Counts Dropped

HE VOWS COOPERATION

Tells Federal District Judge He Will Await Sentencing Before Giving Testimony

By **ANTHONY RIPLEY**

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WASHINGTON, Nov. 30 — Egil Krogh Jr., who headed the special White House investigation unit known as "the plumbers," pleaded guilty today to a civil rights charge growing out of the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist in 1971.

All other charges against him are being dropped, and he told

Text of the Krogh statement is printed on Page 16.

Judge Gerhard A. Gesell in United States District Court that he intended to cooperate after he was sentenced with the Watergate special prosecutor.

The plumbers operation is believed to be one of the most sensitive areas of the entire Watergate investigation.

Meanwhile, the White House announced that Alexander M. Haig Jr., President Nixon's chief of staff, would testify in Federal court next week about the discovery of an 18-minute "gap" in one of the subpoenaed Watergate tapes. [Page 16.]

Faced Perjury Counts

Krogh pleaded guilty to an information, filed today with the court, citing seven overt acts that constituted "conspiracy against rights of citizens," specifically the rights of Dr. Ellsberg's former psychiatrist, Dr. Lewis Fielding.

He had been charged with two counts of perjury for false statements before a Watergate grand jury and also indicted in California under state law on burglary and conspiracy charges. The District Attorney

said that he would move Monday to dismiss the state charges.

Last May 22, the President said that he had personally instructed Krogh to have the plumbers unit "find out all it could about Mr. Ellsberg's associates and his motives."

A Search for Background

The President continued, "Because of the extreme gravity of the situation, and not then knowing what additional national secrets Mr. Ellsberg might disclose, I did impress upon Mr. Krogh the vital importance to the national security of his assignments."

Dr. Ellsberg had been indicted for allegedly supplying a top-secret study of the Vietnam war to the press in what became known as the Pentagon papers case.

In the search for psychological background on Dr. Ellsberg, Krogh is said to have ordered two fellow plumbers, G. Gordon Liddy and E. Howard Hunt Jr.,

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to break into the psychiatrist's office.

President Nixon said that he had neither authorized nor had knowledge of "any illegal means used to achieve this goal." Adding that "as President, I must and do assume responsibility for such actions."

He said that he had put "emphasis on the crucial importance of protecting national security."

Krogh, in a short statement read to the court today, said in part:

"The sole basis for my defense was to have been that I acted in the interest of national security. However, upon serious and lengthy reflection, I now feel that the sincerity of my motivation cannot justify what was done, and that I cannot in conscience assert national security as a defense.

"I am therefore pleading guilty, because I have no defense to this charge."

Mr. Nixon's supporters have long been known to be concerned about what Nixon might do and the impact of any such action on Mr. Nixon.

One man with close ties to the White House said earlier this month, "He's the last guy in the world I'd want to see angry at the President."

Judge Gesell noted that the United House had refused Krogh access to documents and tape recordings that might have aided in his defense.

"In everyday common decency, you should be given access to your papers," the judge said.

But Krogh showed no anger toward Mr. Nixon.

In speaking to reporters after his appearance in court, he said that the prosecution team,

headed by William H. Merrill, had handled the case very well.

"They're very good," he said.

One of Mr. Merrill's tactics was to bring the perjury charge in an attempt to secure Krogh's cooperation.

Mr. Merrill said that Krogh went before the Watergate grand jury in August, 1972, before the special prosecutor's office was set up, and later sought out Assistant United States Attorney Earl J. Silbert, who was then handling the investigation.

According to Mr. Merrill, he told Mr. Silbert, "I'm sorry I lied."

Since Krogh was leader of the plumbers unit and the perjury case seemed tight, the special prosecutor's office found itself in a strong bargaining position.

Krogh, in an unusual move, has insisted that he be sentenced before offering any cooperation so he will not seem to be seeking favor from the courts for his cooperation.

The overt acts listed in the information filed against Krogh failed for the most part to identify any of the co-conspirators. However, many of the acts seem to relate to matters already made public. The acts were as follows:

On Aug. 11 "the defendant sent a memorandum to an official of the United States." On that date, John D. Ehrlichman, former assistant to the President, approved a memo sent by Krogh recommending a "covert operation" to obtain Dr. Fielding's files on Dr. Ellsberg, "if

done under your assurance that it is not traceable."

On Aug. 11, Krogh had "a conversation with an official of the United States Government." This may refer to a meeting with Mr. Nixon. John W. Dean 3d, former Presidential counsel, has testified that Krogh got his orders "right from the Oval Office."

On Aug. 27, Krogh met with Hunt "and an official of the United States Government." This may refer to meetings held after he returned from a trip to Los Angeles to evaluate chances for a break-in.

On Aug. 30, Krogh had a "telephone conversation with an official of the United States Government." At about this time, Krogh and David R. Young Jr., another plumber, called Mr. Ehrlichman at Cape Cod, where he was vacationing, to discuss the status of their investigation.

Two other counts deal with the delivery of cash to pay for the break-in. According to Senate testimony, the money came from Charles W. Calson, then a White House aide, and went to Hunt and Liddy.

On Sept. 7, "the defendant had a conversation with an official of the United States Government." Krogh is believed to have met with Mr. Ehrlichman after the break-in, which took place over the Labor Day weekend.