

# Colson: Ordered to Stop Leaks

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President Nixon ordered then-White House aides Charles W. Colson and H. R. (Bob) Haldeman in 1971 to do "whatever has to be done . . . whatever the cost" to stop leaks of classified government information, Colson said in a sworn affidavit filed here yesterday.

Mr. Nixon issued the orders just a few weeks after publication of the top secret Pentagon Papers and about a month before other White House aides actually organized the special investigations unit known as the "plumbers" to stop the leaks, according to the affidavit.

Colson also said he had been told by former White House aide John Ehrlichman that Mr. Nixon told a high Justice Department official in April, 1973, that he approved the "Ellsberg operation" after consultation with former FBI Director J. Edgar Hoover.

The Colson affidavit does not explain further what was meant by the term "Ellsberg operation." The President has acknowledged setting up the plumbers unit but has said that he did not authorize it to commit any illegal acts.

Colson, Haldeman and Ehrlichman—who left the White House in 1973—are among six persons indicted on civil rights conspiracy charges here as a result of a break-in by members of the plumbers unit

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at the office of Dr. Lewis Fielding, psychiatrist for Pentagon Papers codéfendant Daniel Ellsberg.

The break-in was for the purpose of acquiring Ellsberg's psychiatric records, according to former White House aide Egil Krogh, the ex-director of the plumbers unit who is serving a six-months sentence in connection with the burglary. Krogh pleaded guilty to a conspiracy charge in the case.

Colson's affidavit, filed in support of a preliminary move by the defense to use "national security" as a defense against the conspiracy charges, was the most detailed account yet made public of the President's anger over leaks of classified information.

The President previously has said, however, that "because of the emphasis I put on the crucial importance of protecting the national security I can understand how highly motivated individuals could have felt justified in engaging in specific activities that I would have disapproved had they been brought to my attention."

Colson said in the affidavit filed yesterday that one meeting between himself, Haldeman and the President concerning the leaks was in late June, 1971, and took this form:

"On that occasion, the President, speaking to Mr. Haldeman and to me, said in effect: I don't give a damn how it is done, do whatever has to be done; to stop these leaks and prevent further unauthorized disclosures; I don't want to be told why it can't be done.

"This government cannot survive, it cannot function if anyone can run out and leak whatever documents he wants to . . . I want to know who is behind this and I want the most complete investigation that can be conducted.

"The President ent on: I want to know how and why the 'counter-government' is at work. If we do not stop them, if we do not find out who is involved and why, we will endanger everything that this government is trying to do in the most sensitive foreign policy and national security areas. I don't want excuses, I want results. I want it done, whatever the cost."

Colson said at one point in his affidavit that Dr. Henry Kissinger, then the President's top foreign policy adviser and now Secretary of State, was "even more alarmed over the leaks than the President."

Dr. Kissinger "believed that the leaks must be stopped at all cost . . . I had the clear impression that Dr. Kissinger

was reacting to conversations he had had at various times with the President . . ." Colson said.

The President "expressed his dissatisfaction" on one occasion with the lack of aggressiveness of the probe of Ellsberg, Colson added.

Colson said his April, 1973, conversation with Ehrlichman concerned whether he could discuss the operations of the plumbers unit with the prosecutors who were investigating the Watergate coverup.

"Mr. Ehrlichman said that he had discussed the matter with the President. According to Mr. Ehrlichman, the President, in Mr. Ehrlichman's presence, had telephoned Assistant Attorney General Henry Petersen, at which time the President told Mr. Petersen that he, the President, had authorized the Special Investigating Unit to investigate Dr. Ellsberg on national security grounds, that he had approved the 'Ellsberg operation' after consulting with J. Edgar Hoover and that Mr. Petersen should not pursue the matter any further.

"Mr. Ehrlichman then told me that the national security restrictions about which I had inquired were still very much applicable and that I was not at liberty to discuss the matter with the United States attorney's office—or with anyone else," Colson said.

Colson said that he met with the President at least 10 times between the publication of the Pentagon Papers in mid-June, 1971, and July 2, 1971, to discuss news leaks of classified information. Colson added that the presidential logs might not show all of those visits, since "the presidential logs are, I believe, incomplete."

Colson enumerated other meetings at which the President discussed the organization of the unit with White House aides. Among those participating in those discussions were White House aides Haldeman, Ehrlichman, Krogh, Kissinger, Robert Mardian, CIA Director Richard Helms, then-Attorney General John N. Mitchell, then Secretary of State William Rogers and then Defense Secretary Melvin Laird.

Some of those meetings were conducted by Ehrlichman if the President did not attend, Colson added. The unit was actually set into operation at a July 24 meeting between the President, Ehrlichman and Krogh.

Colson also disclosed that at least three foreign governments—Australia, Canada and Great Britain—had expressed concern over the inability of the U.S. government to pre-

vent the leaks of classified information.

The former White House aide also suggested there might be additional documents in White House files illustrating the President's concerns over news leaks. He said the President often dictated dictabelts to Haldeman of what went on during the day.

"Based on my knowledge of the President's habits, I believe that these notes, memos and written instructions should be somewhere in the presidential files," Colson said.