

# SIRICA SAID TO GET FINDINGS ON NIXON

## Grand Jury Reported to Ask Him to Give Evidence on Watergate to House

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WASHINGTON, March 1—The Watergate grand jury reportedly asked Chief Judge John J. Sirica of the United States District Court today to give the House impeachment inquiry evidence relating to President Nixon's role in the Watergate case.

The grand jury issued a sealed "report" to the judge, and investigative sources said that they understood the document contained a description of the grand jury's findings about Mr. Nixon's possible involvement in the Watergate cover-up.

Moments later, the special Watergate prosecutor's office gave Judge Sirica a large briefcase said to contain a mass of documents and other evidence sought by the House Judiciary Committee for its investigation of the President's conduct in

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office. The combined action by the grand jury and the special prosecutor could pose a new and possibly severe threat to Mr. Nixon's campaign to "fight like hell" against impeachment.

Judge Sirica was expected to decide quickly whether to make the material available to the House committee, thereby ending an impasse that has blocked the panel from gaining access to secret grand jury information about the President's Watergate role.

The potentially explosive character of the material was illustrated by the contradiction of both the President and his former White House chief of staff, H. R. Haldeman, contained in one count of the grand jury's indictment of Mr. Haldeman today for conspiracy, obstruction of justice and perjury.

#### Accused of Perjury

The grand jury accused Mr. Haldeman of having lied when

he testified under oath to the Senate Watergate committee last summer that the President had told John W. Dean 3d, then his counsel, it would be "wrong" to raise \$1-million to silence the Watergate burglars.

Two Republican members of the House committee said privately that if the grand jury evidence should support Mr. Dean's allegation and refute the explanation later given by both Mr. Haldeman and the President it could have a significant impact on the outcome of the impeachment inquiry.

Legal authorities said that Judge Sirica could withhold the material, turn all or part of it over to the committee, or make it public after giving the President 30 days to respond to any allegations contained in the sealed report. The judge said he would hold it "in a safe place" until deciding on a course of action.

Representative Robert McClory of Illinois, the second-ranking Republican on the committee, said that he hoped the developments today would "facilitate release of the documents from the special prosecutor so that we can get this [inquiry] wrapped up as soon as possible.

Sources close to the inquiry said that the prosecutor's material could take on added importance because the White House had not replied yet to a committee request for a number of documents and tapes relevant to Mr. Nixon's conduct in office.

A decision by Judge Sirica to pass along the material would resolve a dilemma faced by the special prosecutor, Leon Jaworski, and the House committee.

Mr. Jaworski has declined to volunteer the evidence, contending that rules governing grand jury secrecy do not permit him to give the material up without an order from Judge Sirica. The committee's legal advisers have avoided a direct request to the judge because they said it might set an improper precedent for involvement of the courts in the impeachment proceedings.

The grand jury foreman,

Vladimir N. Pregelj, described the sealed document as a "report." Judge Sirica later referred to both a report and a "recommendation"—which investigative sources said was a request to hand the report over to the House panel.

The grand jury's cover-up indictment appeared to avoid meticulously mention of Mr. Nixon, except for a reference in one of three counts of per-

jury against Mr. Haldeman.

Mr. Dean told the Senate Watergate committee last July that he warned the President on March 13, 1973, that the Watergate burglars were demanding pledges of Presidential clemency and funds to guarantee their silence.

According to Mr. Dean, the President had said it would be "no problem" to raise the \$1-million that Mr. Dean estimated it might cost.

When Mr. Haldeman testified at the Watergate hearings later last July, he said that the Nixon-Dean conversation actually had taken place March 21, 1973—the date the President said he first learned of the broad scope of the Watergate cover-up—and that a recording of the conversation showed Mr. Nixon had said "There is no problem in raising a million dollars, we can do that, but it would be wrong."

The grand jury, whose members had access to the tape recordings, charged today that Mr. Haldeman had committed perjury when he quoted Mr. Nixon as having added the qualifying phrase—"but it would be wrong." The indictment further charged that Mr. Haldeman had perjured himself in testifying that he was "absolutely positive" a recording of the March 21 meeting supported his version.

#### Explanation Contradicted

The perjury charge also directly contradicted the explanation that President Nixon has given in public for the discussion of the \$1-million.

Mr. Nixon said last Aug. 22, at a news conference in San Clemente, Calif., that the discussion occurred the previous March 21. He recalled it as follows:

"He [Mr. Dean] indicated in answer to my question it would probably take a million dollars over four years to take care of this defendant, and others, on this kind of basis—the problem was, how do you get the money to them, and also, how do you get around the problem of clemency, because they are not going to stay in jail simply because their families are being taken care of.

"And so, that was why I concluded, as Mr. Haldeman recalls perhaps and did testify very effectively, one, when I said, 'John, it is wrong, it won't work. We can't give clemency and we have to get this story out.'"

The first public disclosures of the White House discussions about clemency and silence payments did not emerge until the Senate Watergate hearings began two months later.