

White House Slap at Dean 'Not Nixon's'

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The White House sought yesterday to dissociate President Nixon from Wednesday's counterattack on the Watergate testimony of John W. Dean III by the President's special counsel, J. Fred Buzhardt.

Buzhardt, declaring that "there seems to be some confusion," said that the 12-page memo he gave to the Senate select Watergate committee "does not represent the White House position" and "was not reviewed by the President."

Buzhardt said, however, that Mr. Nixon had been "briefed" on the memo, which calls Dean "the principal actor in the Watergate cover-up" and places much of the blame for the scandal on former Attorney General John N. Mitchell. There was no attempt by Buzhardt or other White House officials to disavow any of the contents of the memo — only its interpretation as an official position paper.

Although described by Buzhardt as an attempt at clarification, the announcement that the memo was only "an hypothesis prepared as a basis for cross-examination" of Dean was de-

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scribed as confusing and obfuscatory by members of the committee.

"I don't know what they mean" by saying Buzhardt's memo is not an official document, said Sen. Daniel K. Inouye (D-Hawaii), to whom it was initially sent. "It was prepared in the White House and sent to me by official communication."

Buzhardt told Inouye in a telephone conversation yesterday morning that although the President had been "briefed" on the contents of the memo before it went to the committee, it still did not represent an official

White House position.

The Buzhardt memo of Inouye was a revised and updated version of a document already given the committee staff; it was provided, with a list of questions to be asked Dean, after Inouye said publicly he would put to the witness questions the White House might wish to have asked.

During the hearing on Wednesday, Inouye said the questions furnished by Buzhardt "should serve as a substitute, admittedly, not the very best, but a substitute for cross-examination of Mr. Dean by the President of the United States."

Administration spokesmen were prompt to say it should not be considered any such thing. At San Clemente, Calif., deputy press secretary Gerald L. Warren told reporters the President feels it would "serve no purpose" to respond now to Dean's charges that he was aware of the Watergate operation and subsequent cover-up.

"While the hearings are in progress it would not be beneficial to the committee, or the White House, for us to respond piecemeal," Warren said.

"The President's advice was not sought" in the preparation of Buzhardt's memo, Warren said, and Mr. Nixon was unaware it was to be submitted to the committee.

Warren described the memo as "a working document from one attorney to another," Washington Post staff writer Carroll Kilpatrick reported from San Clemente.

Committee member Sen. Lowell P. Weicker Jr. (R-Conn.) was sharply critical of the Buzhardt memo yesterday, especially its allegations concerning Mitchell. The memo "makes statements of (alleged) fact concerning John Mitchell . . . without an admission or conviction."

The memo states that after the June 17, 1972, break-in at the offices of the Democratic National Committee in the Watergate, Dean "must

have immediately realized that his patron, Mitchell, would also be involved." At the time, Mitchell was directing the President's re-election campaign.

Dean, commenting Wednesday as Inouye read from

Buzhardt's memo, said that the "document has obviously been prepared by somebody who was not at the White House at the time this was all occurring. It sounds like they are putting it together through newspaper accounts."

He wasn't far wrong. Buzhardt said his memo was put together from various public sources, including newspapers.

In a note yesterday afternoon, to the committee's majority counsel, Samuel Dash, Buzhardt said the "sole purpose" of his memo "was to facilitate examination of Mr. Dean as to matters on which others as well as Mr. Dean testified or made statements to the investigating bodies or the press."

The Buzhardt memo, the first public White House reaction to testimony at the hearings, was widely seen as an effort to discredit Dean — who in his four days as a witness before the committee this week has linked the scandal more closely than ever to the President and his top assistants.

Dean's testimony has been especially damaging to former presidential assistants H. R. (Bob) Haldeman and John D. Ehrlichman, who resigned April 30. The Buzhardt memo relies heavily on sworn statements by Haldeman and Ehrlichman given in depositions in a related civil suit and in interviews with the Senate committee. Although it is embellished by added commentary, the version of events it provides is basically the version given by the two former aides.

It was unclear yesterday exactly what prompted the sudden White House effort to establish the memo as entirely Buzhardt's doing and not at all the President's, especially as there was agreement that Mr. Nixon had been told about the memo even if he had not seen it.

The retreat from the document began Wednesday night, well after the close of the committee hearings that day, when White House aides began suggesting to journalists on an off-the-record basis that Buzhardt's "hypothesis" wasn't quite official.

By yesterday morning,

when Inouye talked to Buzhardt on the telephone just before that day's hearings began, the White House position had begun to jell, and by yesterday afternoon Buzhardt had issued his written clarification and Warren, in California, had echoed it.

The White House aides still stood by the memo and its contents, but firmly maintained that it was meant to be a hypothetical guide for further committee investigation and in no sense an attack on Dean. And the President, they repeated in both Washington and California, had had nothing to do with it.