

All Testimony on Watergate

Petersen Asks for Secret Jury

By Lawrence Meyer
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The Watergate prosecutors have been instructed by Assistant Attorney General Henry Petersen to send him the minutes of all grand jury testimony in the Watergate affair, according to principal assistant United States Attorney Earl J. Silbert.

Silbert told reporters of Petersen's directive as the prosecution team held a series of discussions yesterday with former Nixon re-election committee officials and the lawyer for two top White House aides, H. R. Haldeman and John D. Ehrlichman.

Horace Webb, deputy information director for the Justice Department, said that Petersen wants to see the minutes "only in his capacity as the person who is responsible for the investigation at the Justice Department."

According to Webb and deputy White House press secretary Gerald L. Warren, the grand jury minutes will not be shown to anyone else, including President Nixon, members of the White House staff and other Justice Department officials.

Warren said that Mr. Nixon has "specifically directed" Petersen "not to send him any information relating to the grand jury." The President's directive, Warren said, covers not only grand jury minutes, but also excerpts, digests, summaries or any other account of the grand jury's investigation.

"No one" on the White House staff "is receiving information" from the grand jury investigation and no White House member is supposed to receive any, Warren said.

Petersen, Webb said, "has not read the transcripts before and he wants to do it. He has read portions of the transcripts when he has had to make a decision, but he has not read them verbatim." Webb declined to say what decisions have prompted Petersen to read excerpts.

Asked who in the Justice Department will see the transcripts, Webb said, "So far as I know, Henry Petersen, period."

The issue of access to the grand jury minutes became a sensitive point between the White House, the Justice Department and the prosecutors after columnist Jack Anderson printed verbatim excerpts from the transcripts. President Nixon reportedly told Kleindienst that the transcripts seemed to be coming

from the prosecutors, and the Justice Department accused the prosecutors of leaking the minutes.

Petersen, assistant attorney general in charge of the criminal division, is the Justice Department official supervising the Watergate investigation and receives direct reports from the prosecution team on their progress. Since Attorney General Richard G. Kleindienst removed himself from the case April 19, Petersen is, in effect, the attorney general for purposes of the Watergate inquiry.

Anderson met Wednesday with the prosecutors and later said he assured them that the transcripts were not coming from anyone connected with the prosecution. Anderson also said he would turn his copies of the transcripts over to Chief U.S. District Judge John J. Sirica. Although Anderson made no firm commitment, he said it is "unlikely" he will publish further extracts

from the secret grand jury testimony.

During the Senate confirmation hearings on the appointment of L. Patrick Gray III as permanent FBI director, Gray revealed that he had turned over 82 files on the FBI's investigation to White House counsel John W. Dean III. Dean subsequently has been implicated in the Watergate affair. Gray's revelation that he had provided Dean with FBI reports created an uproar that contributed in Gray's asking the President to withdraw the nomination.

Warren, although declining to "get into the process of the President's investigation," said that Mr. Nixon's directive to Petersen against discussing grand jury testimony with the President did not necessarily extend to information obtained outside the grand jury.

Although the Watergate jury was in the U.S. District Courthouse yesterday, it

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could not be determined whether the panel heard any testimony. Powell Moore, a former official of the Committee for the Re-election of the President, met with prosecutors yesterday.

Hugh W. Sloan jr., former re-election committee treasurer, also was seen outside the office of principal Assistant United States Attorney Earl J. Silbert, who is directing the investigation.

John J. Wilson, the lawyer for White House aides Haldeman and Ehrlichman, also met with the prosecutors yesterday. Wilson told reporters his two clients had not been subpoenaed to appear before the grand jury, but the lawyer replied, "No comment," when asked if they had been invited to testify.

In addition to meeting with the prosecutors, Wilson has met at least twice with the President and also has met with Petersen.