

# Dean's Name Constantly

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From the planning stage of the Watergate break-in and bugging to the subsequent cover-up and to the present day, the name of John W. Dean III persistently appears at key points in the public testimony and private statements of persons involved in the Watergate affair.

Through associates and his own occasional public statements, the former chief presidential counsel has pictured himself as a loyal White House aide who was only following orders and who, as time went on, agonized over what Watergate was doing to President Nixon.

Conflicting with this image are statements by other Watergate figures that appear to implicate Dean deeply in the bugging and its aftermath and show him to be something more than a reluctant participant who was only trying to please the boss.

Dean was brought once again to center stage Tuesday when former White House aide John J. Caulfield testified before the Senate select Watergate-committee that he was acting at Dean's direction when he offered executive clemency to Watergate conspirator James W. McCord Jr. Caulfield described several conversations he had with Dean concerning the overtures to McCord, which Caulfield admitted yesterday were wrong.

And President Nixon, on the same day, said that Dean had been a member of a supersecret unit within the White House designed to protect national security interests. Nixon said he had instructed the FBI, the CIA and his top White House aides, after the Watergate arrests last year, to avoid in-

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vestigating areas that might harm national security.

Caulfield's testimony and the President's statement once again raised a central question about Dean: Was he acting under orders from superiors in the Watergate affair, as he and his associates have indicated, or did he seize the initiative and commit apparently illegal acts on his own without receiving orders from higher-ups? Or was it a little of both?

A sampling of testimony and news stories to date shows the extent of Dean's involvement in Watergate, even if it does not give a clear picture of his motives:

- Jeb Stuart Magruder, former White House aide and later deputy campaign chief for the Nixon re-election committee, has told investigators that Dean participated in the planning session for the Watergate bugging, along with former Attorney General John N. Mitchell, convicted Watergate conspirator G. Gordon Liddy and Magruder.

- Convicted Watergate conspirator McCord has testified that Liddy told him that Dean, Mitchell, Magruder and Liddy were involved in the Watergate

planning. McCord has said that he assumed the operation was legal because it had the approval of the top legal experts in the administration, Mitchell and Dean.

- Dean was named by President Nixon last summer to conduct an in-house investigation of the Watergate affair. The President said last Aug. 29 that Dean's investigation cleared "present employees" of the White House of having advance knowledge of the Watergate bugging. Dean now says he never prepared such a report.

In his statement Tuesday, the President said that, in the aftermath of Watergate, "I asked for, and received, repeated assurances that Mr. Dean's own investigation (which included reviewing files and sitting in on FBI interviews with White House personnel) had cleared everyone then employed by the White House of involvement."

- Dean, in leaving his White House post, took with him documents that, associates indicated, could show clandestine, illegal activities dating back to the early days of Nixon's first term.

In his statement Tuesday, Mr. Nixon said the documents taken by Dean related to a 1970 plan for expanded intelligence operations, including breaking and entering. The plan was never put into effect, the President said. U. S. District Court Judge John J. Sirica, who presided over the Watergate trial in January, ordered that the documents be kept in a courthouse safe.

- Magruder has told investigators that Dean and Mitchell arranged for payments to the seven convicted Watergate conspirators to buy their silence and keep them from implicating Dean and Mitchell and other higher-ups.

- Last June 28, Dean and top presidential aide John D. Ehrlichman met with then-acting FBI Director L. Patrick Gray III. They reportedly told Gray that documents belonging to Watergate conspirator E. Howard Hunt Jr. should "never see



United Press International

John W. Dean III, former presidential counsel, is a key Watergate figure.

the light of day." The documents, including phony State Department cables fabricated by Hunt to link the late President Kennedy to the 1963 assassination of South Vietnamese President Ngo Dinh Diem, were destroyed by Gray in December.

- Dean sat in on the FBI questioning of 14 White House aides, according to Gray. Gray also testified be-

fore a Senate committee that he had laid out virtually the entire FBI investigation for Dean by turning over to him 82 basic files on the Waterfront case.

- Lt. Gen. Vernon Walters, deputy director of the Central Intelligence Agency, testified earlier this month before the Senate Armed Services Committee that

Dean tried to get him to have the CIA go bail for the Watergate defendants and pay their salaries while they were in jail and thereby create the impression that the Watergate affair was a CIA project.

Dean's approach to Walters came after top White House aides Ehrlichman and H. R. Haldeman tried to get Walters to have the CIA ask the FBI to drop its investigation of Nixon campaign money that had been laundered in Mexico. The two aides, Walters said, wanted the CIA to tell the FBI that such a probe would "uncover some of the agency's (CIA's) clandestine activities" in Mexico.

Walters said he met with Dean in late June after first confirming with Ehrlichman that it was all right to do so.

• Dean, in February of this year, called new CIA Director James R. Schlesinger and tried to get Schlesinger to retrieve from the FBI some material concerning CIA assistance to Hunt the previous year. (Schlesinger has acknowledged the CIA provided spy equipment to Hunt and Liddy in 1971.) Schlesinger refused to retrieve the material.

• McCord, in testimony before the Senate select committee, said former White House aide John Caulfield contacted him during the Watergate trial earlier this year and offered him executive clemency in

exchange for his agreement to plead guilty, remain silent and serve some time in prison. Caulfield testified he was acting under instructions from Dean, but that he did not tell McCord he had to remain silent.

Dean has said publicly that he held little power at the White House and had a difficult time getting his thoughts across to the President. Until he was named to conduct the in-house probe of the Watergate affair last summer, his name was only rarely in the newspapers.

Generally, the chief counsel at the White House advises the President on a myriad of legal matters. When a President is contemplating new programs or legislation, he consults his counsel to determine the authority for such an action or to draw up legislation.

As the Watergate affair dragged on, Dean's name began to appear in the press more frequently as the President's authority in the growing battle between the legislative and executive branches over impoundment of funds, pocket vetoes and, finally, a matter central to the Watergate investigation—executive privilege.

It was Dean who first articulated this doctrine on behalf of the administration. Mr. Nixon, acting under Dean's advice, prohibited White House aides from testifying before the Senate's Watergate inquiry. (That doctrine has since been al-

tered to allow former aides to testify.)

In addition to his involvement in the main Watergate attraction, Dean has also played a role in some of the other 1972 campaign political espionage and sabotage that is still somewhat shrouded in mystery.

In a sworn deposition made public last Friday, Dean's top assistant in the White House, Fred F. Fielding, told of help Dean gave to Donald H. Segretti, alleged director of a widespread political espionage operation.

Fielding said that he and Dean met with Segretti one Sunday night late last October in Dean's White House office to discuss newspaper stories naming Segretti as a political saboteur. On Oct. 10, The Washington Post first reported that Segretti was apparently an undercover agent in the Nixon campaign.

The next day, Fielding said, Dean sent him to Segretti's motel to go over a press release Segretti was preparing to deny the charges against him. Fielding said he then took the press release back to the White House and into a meeting already in progress.

Among those attending the meeting were Dean, Ehrlichman, Press Secretary Ronald Ziegler and Dwight Chapin, the aide who allegedly hired Segretti. Fielding said there was some general discussion about Segretti, but it was not clear from his

deposition whether the meeting was called for the specific purpose of discussing Segretti's problem.

At any rate, the deposition did indicate that Dean had played a role in assisting Segretti. The news release, however, was never issued.

Segretti, according to some news accounts, also was shown copies of his own FBI report by White House aides last August. This was among the reports Dean had obtained from Gray.

Dean's name has also surfaced in another of the spin-offs from Watergate: the ITT antitrust dispute with the Justice Department in 1971. In the aftermath of the agreement that let ITT keep Hartford Fire Insurance Co. in exchange for other dives-

tures, Dean reportedly arranged to have politically sensitive secret ITT papers sent to the Justice Department instead of to Congress.

William J. Casey, former Securities and Exchange Commission chairman, told a House Commerce Subcommittee last December that he had consulted with Dean in October before the SEC decided to send the ITT papers to the Justice Department, rather than to Congress.

A Senate subcommittee later released several documents that it obtained from ITT, rather than the SEC, which detailed several alleged contacts ITT officials made with top Nixon administration officials in an effort to settle the antitrust case.

Previously, it had been al-

leged in some news reports that Dean had turned over to ITT the famous Dita Beard memo. Mrs. Beard, the ITT lobbyist, had stated in the memo to her boss that ITT was to get a favorable decision on the antitrust suit in exchange for a sizable contribution from ITT to help bring the Republican National Convention to San Diego last year.

Dean reportedly obtained the memo from the FBI. By giving it to ITT, columnist Jack Anderson alleged, Dean assisted ITT in preparing its defense to the memo.

Fielding's deposition of last week also seems to indicate that Dean was handling information pertaining to the New York grand jury investigation of Robert L. Vesco, the alleged international swindler who is ac-

cused of making an illegal, secret \$200,000 cash contribution to the Nixon re-election committee last year in an effort to block legal proceedings against him by the Securities and Exchange Commission.

Fielding said he received a call in mid-April from a former White House aide, Murray Chotiner, who asked him to pass on the Dean information indicating former Attorney General John N. Mitchell was about to be indicted in the Vesco probe. Mitchell subsequently was indicted, as was Maurice Stans, former Commerce Secretary and finance chairman for the re-election committee.

Dean's friends and associ-

ates are quick to point out that Dean was the first high-ranking person to go to federal prosecutors after McCord had broken the ice and agreed to cooperate in the continuing investigation. They say that Dean also attempted to warn the President of a coverup in March, before he went to the federal prosecutors.

Other reports have said that Dean, knowing that he is deeply involved and facing a possible prison sentence, is making a bid for immunity from prosecution by using news leaks selectively. Associates have indicated he is prepared to implicate Haldeman and Ehrlichman in the Watergate affair, and to say even that he believed even the President was aware of the cover-up—but that he might withhold such testimony if he is not granted immunity.

Dean himself has said publicly that he began to become disenchanted with the White House, especially after the President last Aug. 29 quoted the nonexistent report, supposedly prepared by Dean, that exonerated all present White House officials of any wrongdoing in the Watergate affair.

This disenchantment, though, is somewhat offset by the allegations by Magruder and McCord that Dean was involved in the planning of the Watergate affair. Some of Dean's associates acknowledge privately that this does pose a problem for his defense. But, they also

note that McCord's testimony implicating Dean is based on hearsay from Liddy, thus leaving only Magruder's testimony with which contend.

One friend of Dean described him as "not an ideologue" but rather a person who takes a practical, problem-solving approach to issues. Dean, the friend said, believed deeply in the President's goals of opening up communications with China, of ending U.S. military involvement in Vietnam and bringing home the prisoners of war.

Still, the friend said, Dean became disenchanted with the "atmosphere" in the White House late in 1971 and also could see he could advance no higher because the two top jobs were held by Haldeman and Ehrlichman. But, he said, the President asked him to stay on and "It's hard to say no to the power of the Great Seal."

Then, the Watergate arrests occurred and Dean was asked to conduct the in-house investigation, the friend said. Dean at first viewed the assignment as an annoying, "fire-fighting" operation that detracted from the "work of the President."

Then came the President's Aug. 29 statement saying that Dean's report had cleared all present White House employees of wrongdoing "and from that point on, he (Dean) was kind of set in concrete and didn't know how he could get out from under that," the friend said.

From that point on, the

friend said, Dean "tried to get others to listen, but his messages just weren't getting through." Once the POWs came home, the friend said, Dean felt that much of the President's great work was done and the time had finally come when the Watergate issue must be faced squarely. This led him to go to the President in March to warn him of a coverup, he said.

Conflicting with this are the statements of some federal investigators that Dean repeatedly took steps to obstruct justice, to thwart the Watergate investigation, to

cover up White House involvement. Rather than passively covering up, Dean was actively taking steps to suppress information, sources have said.

In interviews with some friends and former associates of Dean, a general picture that emerges is one of a person who, once an assignment is given to him, pursues it diligently, but always keeps his superiors informed out of a concern that a misstep might displease them.

As this pertains to Watergate, his acquaintances generally feel that Dean may indeed have taken some illegal actions, but that he undoubtedly felt he was merely carrying out the orders of superiors.

Ambitious and hard-working, Dean is not one to be out of step with what his superiors want, his acquaintances say.

One occasion when Dean apparently was out of step with the boss, though, came in his first law job with the firm of Welch and Morgan. According to civil service documents, Dean was asked to leave that first job by his boss, in cent S. Welch, who accused him of "unethical conduct."

A year later, in 1968, Welch watered down that original allegation, according to civil service documents, saying Dean left the firm after "a basic disagreement over law firm policies regarding the nature and scope of an associate's activities."

The activity in question involved Dean and another person seeking a license to operate a television station in St. Louis, which if it had come about, would have been in competition with Welch who had already obtained a license for a St. Louis station.

One former associate of Dean at the firm said Dean viewed his endeavor strictly as a business matter and did not see it at the time as going against his boss' wishes. Another acquaintance said Dean had learned from that episode that "you can't cross the boss."

According to one Justice Department source, Dean "was hovering throughout

the investigation" of Watergate "trying to move a step ahead, ready to snatch a piece of dirty linen before the (FBI) investigators." As the Watergate drama unfolds, it should become clearer whether Dean was doing the boss's bidding or following his own instincts.