

Watergate: Endless

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Spiral of Crimes, Probes

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Washington has endured major political and criminal investigations before, but none to rival the Watergate investigation in scope, longevity, personnel or drama.

From the outset, the Watergate affair has been the story of a government awkwardly trying to investigate itself. More than that, yesterday's indictment charges, Watergate is about public servants conspiring to obstruct other public servants from enforcing the law.

The indictment returned by the federal grand jury here yesterday charges that the alleged conspirators were able to use the power of their public positions to stay ahead of the investigation, to deflect it, to thwart it and to block it.

The break-in of Democratic headquarters itself, the cliché has been, was only the tip of the iceberg. Attempts to investigate the break-in inspired more crimes, the indictment charges, in turn leading to more investigations, more cover-up, more investigations in a seemingly endless spiral. In fact, the indictment charges, the alleged conspiracy is still continuing.

No less than three federal grand juries, seven congressional committees, the General Accounting Office and at least 56 field offices of the FBI have been involved in one aspect or another of the Watergate investigation.

It began simply enough, with a simple burglary dis-

covered on June 17, 1972. But, the indictment charges, the attempt to thwart the official investigation began almost immediately.

Deputy Nixon campaign manager Jeb Stuart Magruder, who has already admitted his role in the cover-up and pleaded guilty testified before the Senate select Watergate committee last summer, "I think there was no question that the cover-up began that Saturday when we realized there was a break-in. I do not think there was ever any discussion that there would not be a cover-up."

The immediate threat then was an investigation being directed by the United States attorney's office for the District of Columbia, which relied primarily on the Federal Bureau of Investigation for its fact-finding.

Pressure was allegedly put by White House officials on the Central Intelligence Agency to ask the FBI to curtail its investigation on the pretext that CIA operations in Mexico could be threatened. Although ultimately unsuccessful, these efforts delayed the FBI for two weeks.

Supplied by Acting FBI Director L. Patrick Gray III with copies of the FBI interviews with witnesses and periodically briefed by Justice Department officials on the status of the investigation, the then White House counsel, John W. Dean III, was able to keep the White House informed on what direction the investigation was taking.

But Dean's role, according

to his own testimony, was not simply to gather information but to prevent the prosecutors from gathering information. In that role, Dean and Magruder have testified, Dean assisted Magruder in constructing perjured testimony to give to the grand jury. Dean said he later learned that Magruder had narrowly avoided being indicted.

The elimination of Magruder left the prosecutors in 1972 with only seven potential defendants, the burglars and two others, none of them employed in the White House at the time of the break-in, and only one of them, G. Gordon Liddy, a prominent official of the Nixon re-election committee.

The scope of the 1972 indictments would determine the scope of the trial, since indictment limited the evidence the prosecutors could introduce. When the indictments were returned on Sept. 15, 1972, only the directly tied to the burglary were charged. Dean testified that when he met with Mr. Nixon on Sept. 15, "the President was pleased that the case had stopped with Liddy."

Dean, already concerned about the next investigation

in sight, testified later that he warned President Nixon that the cover-up could not be sustained indefinitely. Haldeman, who was present at that Dean-Nixon meeting, has denied that Dean discussed the cover-up with President Nixon.

Beginning in late August, 1972, Rep. Wright Patman, chairman of the House Banking and Currency Committee, had his Committee staff investigate the Watergate affair in preparation for hearings he wished to hold on it.

But with the then House Minority Leader Gerald R. Ford (R-Mich.) and Rep. Garry Brown (R-Mich.), a member of the Committee leading the opposition, the hearings were blocked by a vote of 20 to 15. Brown later denied charges by Dean that he had been part of a White House-orchestrated plan to block the hearings, which had been scheduled to begin before the November, 1972, election.

Patman, cast in the role of a political Isaiah, said after his defeat, "I predict that the facts will come out and when they do I am convinced they will reveal why the White House was so anxious to kill the Committee's

investigation. The public will fully understand why this pressure was mounted."

The White House soon discovered that the Watergate affair was a hydra-headed monster. Within three weeks after Patman had been thwarted in his investigation, it was reported that Sen. Edward M. Kennedy (D-Mass.) had been subpoenaing records and documents for an investigation by his Subcommittee on Administrative Practice and Procedure.

In December, further indications appeared that Kennedy intended to conduct an investigation when a subpoena was issued to Donald H. Segretti, a political saboteur hired by the White House.

On the eve of the Watergate trial, Senate Majority Leader Mike Mansfield (D-Mont.) announced that he had asked Sen. Sam J. Ervin Jr. (D-N.C.), rather than Kennedy, to conduct a full investigation of the Watergate bugging incident. "The question is not political, it is constitutional," Mansfield said in a letter to Ervin. "At stake is the continued vitality of the electoral process in the governmental structure of the nation."

As the trial opened, the problems for the alleged conspirators increased. Already supplying Nixon reelection committee money to the seven defendants after unsuccessfully attempting to pry funds out of the CIA, yesterday's indictment charges, the alleged conspirators were confronted with a demand from E. Howard Hunt Jr., one of the original seven defendants, to assure him executive clemency.

Dean has testified that special presidential counsel Charles W. Colson told him that he had discussed clemency for Hunt with President Nixon. In addition, Dean, allegedly acting on orders from former Attorney General John N. Mitchell, had an offer of executive clemency extended to James W. McCord Jr., another of the original seven defendants.

Despite apparent problems with Hunt and concern about McCord's willingness to remain silent, the cover-up was maintained through the trial, which produced little new information about the Watergate burglary or events surrounding it. Five of the original defendants pleaded guilty to the charges against them before

the trial was a week old. The remaining two defendants, Liddy and McCord, were then convicted on all counts by the jury.

Chief U. S. District Court Judge John J. Sirica, who had presided over the Watergate trial and had been prodding the prosecution to give a full picture of the reasons for the break-in, said after the trial, "I have not been satisfied and I am still not satisfied that all the pertinent facts that might be available have been produced before an American jury."

Within five days, on Feb. 7, 1973, the United States Senate indicated that it was not satisfied either. It voted 77 to 0 to establish the Senate Select Committee on Presidential Campaign Activities — which was to become known as the Senate Watergate committee — empowered to investigate the Watergate break-in and its aftermath.

Before unanimously approving creation of the committee, the Senate defeated a White House-supported move to expand the scope of the committee's investigation beyond the 1972 election.

As President Nixon

basked in the February sun of California and in the glory of his landslide reelection victory, his aides were meeting nearby to plan a strategy to foil the Watergate hearings, Dean later testified.

The White House attempted to deal with the Senate committee as a political problem, apparently hoping to neutralize its effectiveness by refusing to cooperate while simultaneously trying to portray it publicly as a partisan venture.

But the Watergate hearings soon were not the only problem confronting the White House. On Feb. 28, the Senate Judiciary Committee opened confirmation hearings on the nomination of Gray to be director of the FBI. And from the White House point of view, Gray's hearings were a disaster.

In the course of his testimony, Gray caused an uproar by revealing that he had supplied FBI reports on the Watergate investigation to Dean and that Dean had "probably lied" to the FBI on one occasion.

The morning papers on March 23, 1972, were full of Gray's statement that Dean had "probably lied." As

Judge Sirica took the bench to begin sentencing the seven Watergate defendants, there was no outward suggestion that anything beyond the expected would occur.

Sirica, however, announced that he wanted to read two letters from McCord before pronouncing any sentences. The first letter, to New York Times reporter Walter Rugaber, complained about a story Rugaber had written.

The second letter, however, charged that perjury had been committed during the Watergate trial, that pressure had been put on the seven defendants to plead guilty and that still others were involved in the Watergate affair.

Before the weekend was over, McCord appeared before the Senate Watergate committee in closed session and implicated Dean and Magruder. The following Monday the prosecutors reopened their own investigation, recalling the grand jury to hear testimony.

Within two weeks, Dean had begun cooperating with the prosecutors. Magruder negotiated an agreement with the prosecutors as well. On April 14, the prosecutors informed Attorney General Richard G. Kleindienst what they had uncovered, and the following day Kleindienst informed President Nixon.

Within two weeks, H.R. Haldeman and John Ehrlichman resigned, with President Nixon commending them; Dean was fired and Kleindienst also resigned. The dismissal of Dean, who had vowed publicly on April 19 that he would not be a "scapegoat," started shock waves for Mr. Nixon and felt.

In moving to replace Kleindienst as Attorney General, President Nixon was forced to accept the Senate's insistence on the appointment of a special Watergate prosecutor, producing not one but a series of investigations.

President Nixon's decision to fire the first special prosecutor, Archibald Cox, last October—prompting Attorney General Elliot L. Richardson and Deputy Attorney General William L. Rackel

SHAUS TO RESIGN—
General William L. Rulshaus to resign—provided the impetus for yet another investigation, this time by the House Judiciary Committee into grounds for impeaching Mr. Nixon. In the end, Mr. Nixon was forced to accept the appointment of a successor to Cox, Leon Jaworski.

The House investigation goes on. And yesterday's indictments are not the end of the special prosecutor's investigation. The Watergate affair continues, giving cause for reflection on a statement Mr. Nixon made on Aug. 29, 1972, when he was asked during a press conference about Watergate.

"What really hurts in matters of this sort," President Nixon said, "is not the fact that they occur, because overzealous people in campaigns do things that are wrong. What really hurts is if you try to cover it up."

H. R. Haldeman, right, and wife Jo confront newsmen in front of their Los Angeles home shortly after an indictment was returned charging Haldeman with conspiracy.

