

President Finds 'Major Developments' In Watergate, Says Aides Will Testify

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President Nixon announced yesterday that there were "major developments" in the Watergate case and, in a reversal of his earlier position, he has agreed to allow his aides to testify under oath before a Senate committee that is investigating the affair.

The President said he personally "began intensive new inquiries into this whole matter" on March 21 and that "real progress has been made in finding the truth."

Where previously the President had stated that no members of the White House staff were involved in the bugging of Democratic headquarters, yesterday he told reporters:

"If any person in the executive branch or in the government is indicted by the grand jury, my policy will be to immediately suspend him. If he is convicted, he will of course, be automatically discharged."

Mr. Nixon, in saying he would allow his aides to testify under oath before the Senate select committee, reversed an earlier refusal to permit them to appear before a full committee of Congress.

However, the President said that "executive privilege is expressly reserved and may be asserted during the course of the questioning as to any questions." Executive privilege, as described by the President, is the position that his aides cannot be forced to testify before Congress.

The President presented his statement during a meeting with reporters. It followed weeks of demands by leading Republicans that he speak out about the Watergate and came on a day when the Los Angeles Times reported that the President was about to make a dramatic admission of high-level responsibility for the Watergate-type espionage.

The first reaction by Republicans to the President's statement was favorable.

Sen. Howard Baker Jr. (R-Tenn.), the vice chairman of the Senate investigating committee, said of Mr. Nixon's announcement, "We now have the biggest hurdle behind us."

"I'm highly pleased with the President's decision," Baker said, "I think it was a good one. I can't resist saying that I've always contended that we would have White House aides testify, along with everyone else who knows anything about this matter. I am delighted that that optimism now seems justified. The President has made the determination to re-evaluate the entire situation, and I commend him for it."

Following the President's brief talk, White House Press Secretary Ronald L. Ziegler met with reporters and said that all previous presidential statements about the bugging of Democratic headquarters are "inoperative." Ziegler

emphasized: "The President's statement today is the operative statement."

Mr. Nixon said he began his own investigation March 21 "as a result of serious charges which came to my attention."

Ziegler said the President was referring in part to sworn testimony by Watergate conspirator James W. McCord, who has said superiors told him that at least three presidential associates had advance knowledge of the Watergate bugging: former Attorney General John N. Mitchell, presidential counsel John W. Dean III and former presidential assistant Jeb Stuart Magruder, now a Commerce Department official.

Ziegler repeatedly refused to discuss the possibility of whether individual members of the White House staff were involved in the bugging or whether they plan to resign. On numerous occasions he refused to discuss specific inquiries about Dean, who conducted an investigation for President Nixon that absolved all then-current members of the White House staff from involvement in the bugging.

He added that since March 21, the President has conducted White House inquiries into the matter with the assistance of Assistant Attorney General Henry Petersen, who has headed the Justice Department's criminal investigation of the Watergate case.

Earlier, the President had told reporters that he met Sunday with Petersen and Attorney General Richard G. Kleindienst "to review the facts which had come to me in my investigation and also to review the progress of the Department of Justice investigation."

Mr. Nixon added: "I can report today that there have been major developments in the case concerning which it would be improper to be more specific now, except to say that real progress has been made in finding the truth."

The President then announced that he will suspend any person in the executive branch who might be indicted in the case.

"I have expressed to the appropriate authorities my view that no individual holding, in the past or at present, a position of major importance in the administration should be given immunity from prosecution," the President said.

Ziegler told reporters that the Presi-

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dent has had "extensive discussions with members of the (White House) staff about the situation," but stressed that Mr. Nixon now "has looked to Mr. Petersen"—not his own staff—to assist in further investigation.

Ziegler was repeatedly asked if he stood by his earlier denials that Dean and White House chief of staff H. R. (Bob) Haldeman had advance knowledge of the Watergate bugging. He declined to answer on grounds that he would not discuss individuals.

When asked specifically about the President's Aug. 29 statement that no one then on the White House staff

was involved in the Watergate matter, Ziegler said, "That was a statement prior to today's . . . The statement today is the operative statement."

When pressed on the reliability of his own statements, Ziegler said they were based on information available at the time, prior to when the President began his own "intensive new inquiries into this whole matter."

Ziegler was reminded that President Nixon called White House counsel Dean on March 26, and expressed confidence in him. Ziegler, on the same day, had said that Dean was innocent of any involvement in the Watergate bugging. Asked if he stands behind his statement, Ziegler said:

"I think, because of the scope of the President's statement, it would be inappropriate for me to discuss any individual."

Asked whether the White House duties of either Haldeman or Dean had been altered because of recent developments in the Watergate case, Ziegler said: "I'm not going to focus on any individual today" and warned reporters that "my refusal to do so should not imply anything."

Later, the press secretary said that "everyone in the White House staff is in their jobs as previously," and that their duties remain unchanged except for the President's directive that

no White House aides be involved in further investigation of the Watergate case.

Ziegler refused to say whether the President's statement about possible criminal action against members of the executive branch applied only to the Watergate bugging or to related allegations of widespread political espionage and sabotage activities.

Expanding on a previous White House statement that President Nixon did not meet with former Attorney General Mitchell at the White House last Saturday, Ziegler said Mitchell had met with John Ehrlichman, the President's principal adviser on domestic affairs.

Mr. Nixon said that Ehrlichman and Leonard Garment, a special assistant to the President, had been designated by the White House to negotiate with the Senate's Watergate investigating committee.

The President's announcement that his assistants would be allowed to testify before the Senate committee was a major departure from a past, hard-line White House policy that held the doctrine of executive privilege prevented the aides from appearing. Only last week Attorney General Kleindienst asserted that the President's right to invoke executive privilege is virtually unlimited—that he could prevent any employee of the executive branch from appearing before any congressional hearing, up to and including impeachment proceedings.

The doctrine of executive privilege is an outgrowth of the constitutional principle of separation of powers, in which the three branches of the federal government function somewhat independently of one another and are

designed to set as checks on one another.

In a press conference March 15, Mr. Nixon invoked both executive privilege and separation of powers in defending his decision not to allow presidential counsel Dean to appear before the Senate committee.

"Mr. Dean is counsel to the White House," the President said then. "He is also one who was counsel to a number of people on the White House staff. He has, in effect, what I would call a double privilege, the lawyer-client relationship, as well the presidential privilege."

"And in terms of privilege," the President continued, "I think we could put it another way. I consider it my constitutional responsibility to defend the principle of separation of powers. I recognize that many members of Congress disagree with my interpretation of that responsibility."

At another point in the same press conference, Mr. Nixon declared flatly that he would not allow Dean to testify before the committee. ". . . I have always insisted that we should cooperate with the members of the Congress . . . but, however, I am not going to have the counsel to the President of the United States testify in a formal session before the Congress," he said.

The White House announcement yesterday said means had been found both to protect the principle of separation of powers and allow the presidential assistants to testify.

"I believe now an agreement has been reached which is satisfactory to both sides," the President said in his statement. "The committee ground rules as adopted totally preserve the doctrine of separation of powers. They provide that the appearance by a witness may, in the first instance, be in executive (closed) session, if appropriate."

"Second, executive privilege (the right not to answer certain questions) is expressly reserved and may be asserted during the course of the questioning as to any questions."

". . . All members of the White House staff will appear voluntarily when requested by the committee. They will testify under oath and they will answer fully all proper questions."

Last week during the negotiations between the White House and the committee that led up to yesterday's announcement, Sen. Baker mentioned

specifically that the committee was willing to protect presidential aides against their testimony being turned into "a long and extended television spectacle."

In his statement yesterday, the President noted that "much has been made of the issue as to whether the proceedings could be televised."

"To me, this has never been a central issue, especially if the separation of powers problem is otherwise solved, as I now think it is," Mr. Nixon said.

The President also said the first appearance by his aides before the Senate Watergate committee might, "if appropriate," be in a closed-door executive session.

Sen. Sam J. Ervin (D-N.C.), chairman of the Watergate committee, could not be reached yesterday to determine the nature of an agreement with the White House. Ervin has favored the appearance of some witnesses in an initial closed-door session.

However, Sen. Lowell P. Weicker (R-Conn.), a committee member, disputed the President's statement and maintained that the committee had made no provision for the initial appearance by White House aides in a closed session.

"Had it been brought up," Weicker said, "I would have said absolutely not. They can get up there and testify in public."

Meanwhile, reliable government sources said yesterday that two or three former high officials at the President's re-election committee are the focus of criminal investigation and may be indicted by the federal grand jury investigating the Watergate espionage.

The night before Kleindienst met with the President to discuss the case,

the Attorney General said that that the "Watergate case is going to blow up."

In a brief interview with a reporter Saturday night at the White House Correspondents' Association dinner, Kleindienst told a reporter who has been covering the Watergate case "to follow the courage of your convictions."

While declining to elaborate Kleindienst invited two Watergate reporters to his house in Virginia for breakfast Sunday morning.

When the two reporters showed up, Mrs. Kleindienst told the reporters that her husband had been called to the White House and could not discuss the Watergate case with them.

Kleindienst called the reporters Monday and apologized for canceling the breakfast, adding that he still could not discuss the case or elaborate on his statements of Saturday night.