

Nixon-Dean Talks on Case Conceded by White House

NYTimes

By JOHN HERBERS
Special to The New York Times

JUN 5 1973

WASHINGTON, June 4—The White House acknowledged today that President Nixon conferred frequently this year with John W. Dean 3d about the Watergate scandal but said that logs detailing the time and place of such conferences would not be turned over to investigators.

"That would be constitutionally inappropriate," said Gerald L. Warren, deputy White House press secretary.

Mr. Warren's statement, made in response to questions at today's news briefing, seemed to raise a conflict with Archibald Cox, the special prosecutor in the case. Mr. Cox said in a letter to Senator Sam J. Ervin Jr., chairman of the select committee investigating the scandal, that "I have been assured of access to all documents, files and other papers in the executive branch."

The President, Mr. Warren said, "will not allow the logs to be released," either to the Ervin committee or to the Federal grand jury, even under subpoena.

The conferences between Mr. Dean, the former White House counsel, and the President are important to the case because Mr. Dean, who was dismissed April 30, has told both Senate investigators and Federal prosecutors that he discussed the Watergate case, including cover-up attempts, with the President a number of times between January and April of this year, according to authoritative sources.

After reports of Mr. Dean's statements appeared in The New York Times and The Washington Post during the weekend, Mr. Warren said the reports "appear to be part of a careful, coordinated strategy by an individual or individuals determined to prosecute a case against the President in the press using innuendo, distortion of fact and outright falsehood" with intent to "destroy the President."

"We categorically deny the assertions and implications of this story," Mr. Warren said on Saturday. In Mr. Nixon's May 22 statement on Water-

Continued From Page 1, Col. 7
gate, he said, "took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate."

Today, Mr. Warren, pressed further about the relations between Mr. Dean and the President, acknowledged that the President had stepped up considerably his contacts with Mr. Dean before he was discharged.

"Obviously there were topics of interest this year that would have involved the office of counsel," Mr. Warren said, adding that these included Mr. Nixon's own investigation of the Watergate affair and cover-up — which the President said he began March 21 after receiving new information in the case—as well as White House policy on executive privilege and Senate hearings on the unsuccessful nomination of L. Patrick Gray 3d to be director of the Federal Bureau of Investigation.

Period of Talks

Thus, according to this account, the Nixon-Dean conversations on Watergate occurred during a six-week period between March 21 and April 30, when Mr. Dean left the White House.

Did the President keep logs of contacts made with Mr. Dean and others, Mr. Warren was asked.

Yes, both in telephone calls and in personal meetings, but not as to subject matter, he replied.

Would these be made available to Senate investigators and Federal prosecutors?

No, Mr. Warren said, "that would be constitutionally inappropriate," a phrase that Ronald L. Ziegler, the White House press secretary used last week in saying the President would not testify before any of the investigative bodies. Asked to define what that meant, Mr. Warren said, "the basic doctrine of separation of powers."

"The President's logs are not subject to subpoena," Mr. Warren said.

It has been evident for some time that there is concern in the White House about the testimony that Mr. Dean may give in the case.

John D. Ehrlichman, a top Presidential aide who resigned April 30, further supported the President's position in an interview televised Sunday by the Columbia Broadcasting System.

"N noticed r. Dean says

there were 40 conversations that he had with the President, and that I am supposed to have sat in on some of them," Mr. Ehrlichman said then. "I do know that John

Dean had a series of meetings with the President in the months of February and March of this year. I don't recall that I was in on any of those."

"Now back about the second week in February, the President was pressing very hard to get a written statement that would lay out the whole Watergate matter in its broadest aspects," Mr. Ehrlichman continued. "He wasn't able to get that and when he asked why. Both Bob Haldeman [the former White House chief of staff] and I suggested to him that he talk to John Dean directly and talk to John about the reasons why John wasn't

ing." "This went on through the days when Pat Gray was up for confirmation, and Mr. Dean was pretty well distracted by the whole episode," Mr. Ehrlichman said.

"Finally, as you may know, the President asked John Dean to just go up to Camp David and hole up and set all this down in writing. And Dean was there nearly a week and finally came down and said he couldn't do it. It was about that time that the President relieved him and turned to other people for assistance in this matter."

There were indications today that Mr. Nixon would further defend his position in a news conference within the next few days. He has not held a news conference since mid-March, and Mr. Ziegler has been promising one "in the very near future." Mr. Warren said that if the President did hold a news conference, he would respond to questions on the Watergate case.

22 to 28 Mar 73.

(SFChronicle 6 Jun 73)

Continued on Page 27, Column 3