

Dean Says Request to Nixon To Photocopy Files Denied

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By Peter A. Jay

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John W. Dean III wrote directly to President Nixon asking for freer access to the files he used when he was the President's counsel, but the request was bluntly denied, Dean told the Senate select Watergate committee yesterday.

The committee, at the direction of Chairman Sen. Sam J. Ervin Jr. (D-N.C.), immediately asked the White House to permit Dean to make photocopies of his files. Dean's request to do so had been rejected by J. Fred Buzhardt, the President's special counsel for Watergate-related matters.

Buzhardt refused to comment, and other White House officials gave no indication whether the President would accede to the committee's request.

If the White House did not respond, the committee could subpoena the files—something it has thus far been reluctant to do as a presidential refusal could result in a constitutional crisis.

Dean has been given limited access to the files, he testified yesterday, but has only been permitted to make longhand copies, using a safe in the basement of the Executive Office Building—where the files are now stored—as a table.

Since he was fired by the President April 30, he has not been allowed to remove material or make photocopies, he said.

The question of the files arose after Dean told the committee they contained "a number of requests from various members of the White House staff to see if tax exemptions and alteration of the tax status could be removed from various charitable foundations and the like" that were considered "hostile to the administration."

When Sen. Daniel K. Iouye (D-Hawaii) requested that these documents be given to the committee, Dean said that he "would hope that the committee put the White House on notice or they may well not be there when I get there."

Dean said his access to the files had been restricted since April 30, the day he was fired. On that day, he recalled, his office safes and other material were sealed with (steel) bands and subsequently removed to the basement of the Executive Office Building.

After he was denied permission to photocopy material from his files, Dean said, he renewed the request to Buzhardt personally. "I'm sorry, I can't do anything about it," he said Buzhardt told him.

Buzhardt said yesterday, "I can't comment one way or the other on it. We're not commenting at all on witnesses' testimony" to the Watergate committee.

Dean said that if he had access to his files and those of members of his staff, he

would be able to check subjects upon which he has been questioned by the committee during his five days as a witness.

He specifically mentioned administration discussions of the doctrine of executive privilege — originally cited by the President as grounds for preventing Dean and other White House staff members from appearing before the committee — and his own personal financial records.

Sen. Edward J. Gurney (R-Fla.) had asked Dean for additional financial information.

"Presently I am not allowed to Xerox any copies of anything," Dean told the committee, "and I would hope . . . that I not have to sit and copy all my own financial records."

Dean did not leave behind all the potentially sensitive material to which he had access in his files when he left the White House.

He took with him documents detailing a 1970 plan drawn up in the White House for expanded domestic intelligence operations against radical groups. The plan, drafted by former White House aide Tom Charles Huston, called for "surreptitious entry"—breaking and entering—to gain evidence and information on those targeted.

Dean gave the documents, including the Huston plan, to U.S. District Court Judge



By James K. W. Atherton—The Washington Post

Sens. Baker and Ervin confer during committee hearings in the Watergate case investigations.

John J. Sirica, who presided over the criminal trial of the Watergate defendants in January. Sirica subsequently gave copies to the Ervin committee.

Later, Dean gave the committee other documents he removed from the White House. These included a so-called "enemies list" of people — especially politicians,

academics and journalists —and organizations considered hostile by the administration; a memo by Dean on how to "use the available federal machinery to screw

these enemies, and another memo by Dean recommending the use of the Internal Revenue Service machinery to harass political opponents.