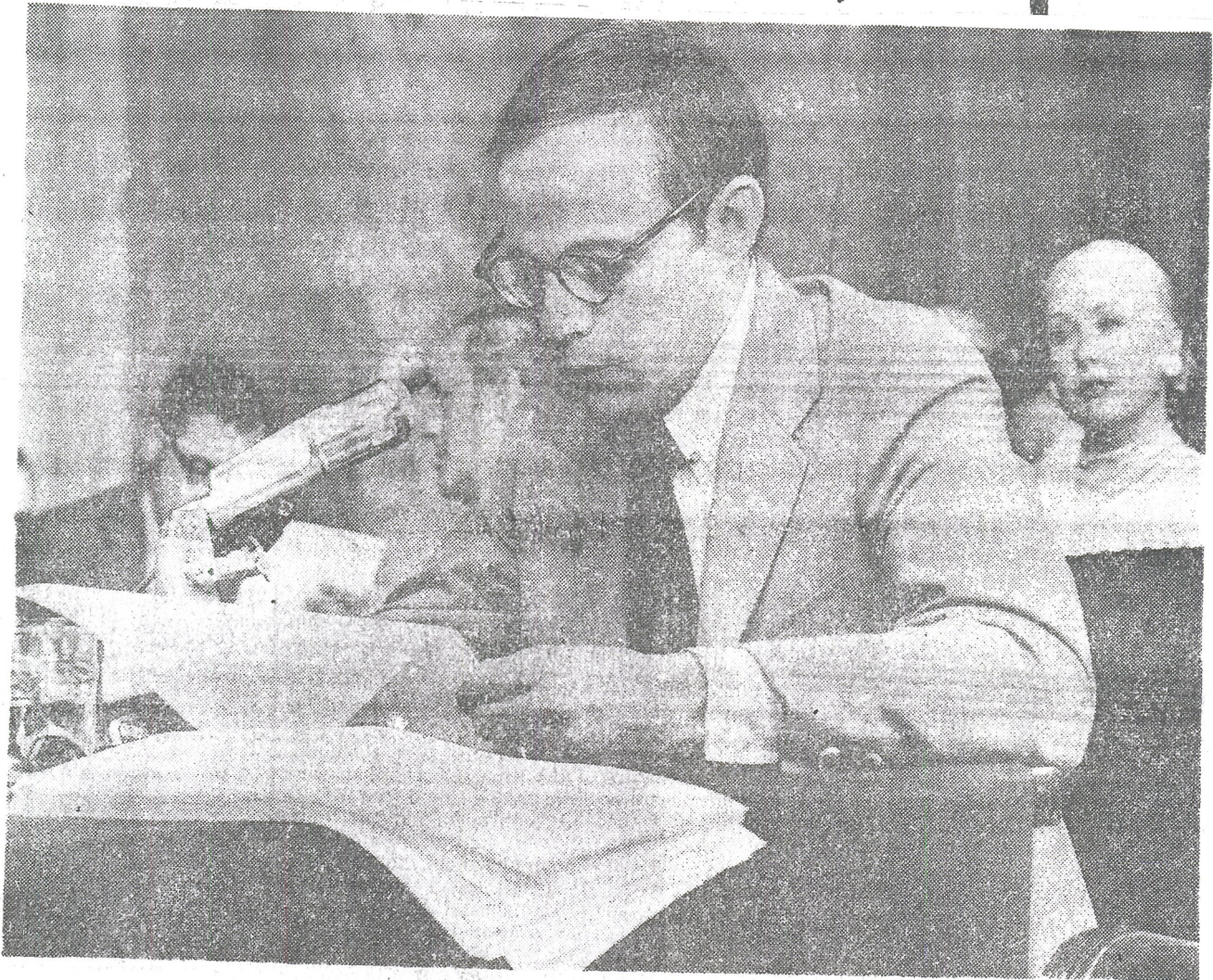


Dean Tells Panel Cover-Up, Clemency President Discussed in March, April



By James K. W. Atherton—The Washington Post
John Dean testifies at hearings held by the Senate select committee on the Watergate. His wife is behind him.

Fired Aide Details Meetings, Alleges Payoffs Mentioned

6/26/73

By Lawrence Meyer and Peter Osnos
Washington Post Staff Writers

Former White House counsel John W. Dean III testified in exhaustive detail yesterday that he and President Nixon discussed the Watergate cover-up at a series of personal meetings in late March and April of 1973.

Dean said that at one particular meeting, on March 13, the President told him that Watergate conspirator E. Howard Hunt Jr. had been "promised" executive clemency.

Dean said it was also at this meeting that he told the President that the Watergate defendants were demanding as much as \$1 million to remain silent. Mr. Nixon, Dean testified, "told me that that was no problem," and then

White House press secretary Ronald Ziegler declined to comment yesterday on testimony by John W. Dean III. "We do not intend to comment as the week unfolds," Ziegler said.

turned toward White House Chief of Staff H. R. (Bob) Haldeman, who also was present at the meeting, "and repeated the same statement."

Dean also told the Senate select Watergate committee yesterday that on March 28 or 29, 1973, Egil (Bud) Krogh Jr. told him that the orders to break into the Los Angeles office of the psychiatrist for Pentagon Papers trial defendant Daniel Ellsberg in September, 1970, came "right out of the 'oval office'"—the White House office of President Nixon.

In addition, Dean told the committee that he had learned, although the source of his knowledge was not made clear, that Haldeman "had cleared" Watergate conspirator G. Gordon Liddy's "activities" with Mr. Nixon prior to the Watergate bugging.

But at the outset yesterday, Dean told the committee that "while the President was involved, (he) did not realize or appreciate at any time the implications of his involvement, and I think that when the facts come out I hope the President is forgiven."

Dean's testimony yesterday, which is virtually unprecedented in its presentation of formal accusations of criminal actions against an incumbent President before a congressional committee, climaxed a three-month war of nerves between Dean and the administration.

During that time, Dean sought unsuccessfully to win full immunity from prosecution for his own criminal acts

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Excerpts of Dean statement begin on Page A8.

HEARING, From A1

in return for his testimony against higher administration officials. Dean's testimony before the Senate select committee is being given under a limited grant of immunity that bars government prosecutors from using his Senate testimony against him in a later trial.

Dean, however, is still a target of the Watergate federal grand jury investigation, and Special Prosecutor Archibald Cox has already sealed in court evidence the grand jury gathered against Dean before his Senate appearance.

Dean's testimony yesterday, a six-hour monologue that he read unemotionally from a 245-page statement, implicated a wide range of past and present government officials in various aspects of the Watergate bugging and cover-up.

Dean concentrated his testimony on Mr. Nixon, Haldeman and former special assistant to the President John D. Ehrlichman. But Dean, fired from his job as White House counsel, by Mr. Nixon on April 30, also implicated former Attorney General John N. Mitchell, former special counsel to the President Charles W. Colson, U.S. District Judge Charles R. Richey, Assistant Attorney General Henry Petersen, former Assistant Attorney General Robert C. Mardian, former acting FBI Director L. Patrick Gray III, White House aide Richard Moore and former White House aides Frederick C. LaRue and Gordon Strachan.

According to his account of the events, described in a flat, nasal voice as he read tonelessly from his statement, Dean was a middleman who carried messages from his superiors in the White House—Haldeman and Ehrlichman—to various functionaries below them in the executive branch and in the Committee for the Re-election of the President.

Dean's personal account of the Watergate affair portrays himself as a man who tried to stop the bugging, tried to limit the cover-up and ultimately was forced by his conscience to tell the truth.

Dean appeared with his two lawyers, Charles N. Shaffer and Robert C. McCandless, and his wife, Maureen. As he came and left the Senate Caucus Room where the hearings are being conducted, Dean was escorted by two deputy United States marshals and a plainclothes capitol policeman, who sat behind him apparently to protect him, during his testimony.

Noted as a natty dresser, Dean appeared in a tan summer suit, dark green tie and deep blue shirt with a silver collar pin that has become something of a trademark with him. In another setting, along with his striking blonde wife, Dean might have seemed to be a man who had firmly grasped the American Dream.

Instead, he was appearing before the committee as an unemployed lawyer endeavoring to save his own career and reputation as he testified in damaging details about the acts of himself and others.

The cover-up, according to Dean, became a "way of life" in the White House and his efforts to present the truth about the Watergate affair were frustrated by Haldeman, Ehrlichman and eventually President Nixon himself.

Dean said that when he realized that he was being "set up" to become a possible "scapegoat" for the cover-up, he decided to seek out the Watergate prosecutors and tell the story to them.

In a series of meetings with the prosecutors, Dean said he told them what had happened. "As I began explaining what I knew," he told the Senate committee, "it was evident that the prosecutors had no conception of how extensive the cover-up was, so I tried to provide them with all the details that I could remember."

Those meetings were in April, 1973, when Dean already had decided, according to his account, that he would set his own course in the Watergate affair.

The first meeting Dean said he had with the President to discuss the Watergate affair was on Sept. 15, 1972, the day the federal Watergate grand jury in-

dicted seven men on conspiracy, burglary and wire-tapping charges stemming from the June 17 break-in at the Democrats' Watergate headquarters.

On that day, Dean said, he was summoned to see President Nixon in the Oval Office.

"When I arrived at the Oval Office," Dean testified, "I found Mr. Haldeman and the President. The President asked me to sit down. Both men appeared to be in very good spirits and my reception was very warm and cordial.

"The President then told me that Bob (Haldeman) had kept him posted on my handling of the Watergate case. The President told me I had done a good job and he appreciated how difficult a task it had been and the President was pleased that the case had stopped with Liddy. (Liddy was the former counsel to the Finance Committee to Re-elect the President and the highest ranking person to be indicted.)

"I responded that I could not take credit because others had done much more difficult things than I had done," Dean told the Senate committee. "As the President discussed the present status of the situation, I told him that all I had been able to do was to contain the case and assist in keeping it out of the White House.

"I also told him that I thought that there was a long way to go before this matter would end and that I certainly could make no assurance that the day would not come when this matter would start to unravel," Dean said.

According to Dean, Mr. Nixon said he hoped that the case would not be tried before the election. When Mr. Nixon asked how the civil suit brought by the Democrats against the Nixon re-election committee was proceeding, Dean said that the committee's lawyers were "very hopeful of slowing down the civil suit . . . because they had been making ex-parte (out of court, one-party) contacts with the Judge (Charles R. Richey) handling the case and the judge was very un-

derstanding and trying to accommodate their problems."

Dean said he was told by a re-election committee lawyer that Richey, a Nixon appointee, "was going to be helpful whenever he could." (Richey strongly denied yesterday that any such contacts or assurances ever occurred.)

"I left the meeting with the impression that the President was well aware of what had been going on regarding the success of keeping the White House out of the Watergate scandal," Dean testified, "and I also had expressed to him my concern that I was not confident that the cover-up could be maintained indefinitely."

Dean described how the White House, aided by the Justice Department and Rep. Garry Brown (R-Mich.), managed to block Rep. Wright Patman, chairman of the House Banking and Currency Committee, from holding hearings on the Watergate affair before the election. When the committee voted 20-15 on Oct. 3 to deny Patman subpoena power, Dean said, "another sigh of relief was made at the White House that we had leaped one more hurdle in the continuing cover-up."

Before the election, Dean said, a series of meetings were held to prepare presidential press secretary Ronald L. Ziegler for press questions about the Watergate.

After the election, Dean said, a decision was made in the White House that appointments secretary Dwight Chapin would have to be dismissed because of his association with Donald H. Segretti, whose espionage and sabotage activities against Democratic candidates had been uncovered by the grand jury.

In late November, Dean said he and Haldeman discussed "putting the facts out" on the Watergate affair but the idea was dropped after Dean said that he, Haldeman, Ehrlichman, former deputy campaign manager Jeb Stuart Magruder and Strachan could be indicted.

After a meeting on Dec. 13, Dean said, a decision was made by Haldeman, Ziegler, Moore and Dean to "do

nothing, on the general theory that no one would be arrested for what they didn't say."

The Watergate defendants, and especially Hunt, Dean said, kept up "continuous pressure" to receive "support money for silence."

Dean said that a series of discussions were held with Haldeman, Ehrlichman and Mitchell to discuss payments to the Watergate defendants. Dean said that he did not know the details of how much money was paid to the various defendants. Other accounts from reliable sources estimate that \$460,000 went to the defendants to buy their silence.

On Jan. 5, Dean said, he was told by Colson that Colson had personally discussed executive clemency for Hunt with Mr. Nixon, even though Ehrlichman had directed Colson not to do so. Dean said Mr. Nixon complained to him on March 13 and April 15 that Colson had discussed executive clemency for Hunt with him.

Despite attempts at that time to blunt the approaching Senate committee hearings, Dean said, the White

House was becoming concerned about their effect and the possible revelation of the cover-up by late February.

On Feb. 27, 1973, Dean said he met with Mr. Nixon for the first time since their Sept. 15, 1972, session. During this meeting, the first by Dean's account of many that he subsequently had with Mr. Nixon to discuss the cover-up, President Nixon told Dean to report directly to him on the Watergate matter, that it was taking too much of Haldeman's and Ehrlichman's time "and he (Nixon) also told me that they were principals in the matter, and I, therefore, could be more objective than they."

On Feb. 28, Dean said, he told Mr. Nixon "why I thought I had legal problems, in that I had been a conduit for many of the decisions that were made and therefore could be involved in an obstruction of justice. He (Nixon) would not accept

my analysis and did not want me to get into it in any detail other than what I had just related."

Dean said he had five more meetings with Mr. Nixon to discuss other matters, especially Gray's abortive confirmation hearings, before the March 13 meeting, at which, he said, he and the President discussed clemency for Hunt and a \$1 million figure for the cover-up.

The bulk of the March 13 meeting, Dean said, was taken up discussing Gray's FBI confirmation hearings. "Toward the end of the conversation, we got into a discussion of Watergate matters specifically," Dean said.

Haldeman came in while he and Mr. Nixon were talking, Dean said. "I told the President about the fact that there were money demands being made by the seven convicted defendants. And that the sentencing of these individuals was not far off (March 23).

"After this brief interruption by Haldeman's coming in, but while he was still there, I told the President about the fact that there was no money to pay these individuals to meet their

demands. He (Nixon) asked me how much it would cost.

"I told him that I could only make an estimate that it might be as high as \$1 million or more. He told me that that was no problem, and he also looked over at Haldeman and repeated the same statement. He then asked me who was demanding this money and I told him it was principally coming from Hunt through his attorney.

Dean's statement to the Senate committee constituted a minutely detailed account of attitudes he found at the White House and the events that he felt arose from them dating as far back as 1969. A deep concern about finding out about and stopping antiwar demonstrations and leaks to newsmen marked the early years of the first Nixon administration, Dean said. And as the 1972 presidential election approached, a similar demand grew for political intelligence about the Democrats.

The intelligence-gathering techniques for keeping track of demonstrators, news leaks and then the political opposition were all of a piece, as Dean viewed them, and they came together in what is now known as the Watergate affair.

As he told it yesterday, this is Dean's version of what happened:

Just one month after he came to the White House in July, 1970, Dean learned of the project to revamp the government's intelligence gathering apparatus to better deal with the envisioned threat from antiwar elements and radicals.

The plan included bugging, burglaries and other forms of surveillance. Despite the White House's "great desire" to see the plan implemented, Dean said, it was substantially watered down. He portrayed himself as one of those responsible for that watering down.

So, instead of overhauling the nation's intelligence-gathering methods, an Inter-agency Evaluation Committee was created to coordinate and disperse information about potential trouble for the administration. The

committee had no operational responsibilities of its own, however.

Dean said he told Bob Haldeman at the time, "The only way to proceed was one step at a time, and this (the Intelligence Evaluation Committee) could be an important first step. He agreed."

The intelligence plans and memoranda on the way they eventually evolved are the celebrated "Dean documents" which he first placed in a safety deposit box and later turned over to U.S. District Judge John J. Sirica who gave them to the Senate Watergate committee. After reading them, Chairman Ervin said they were shocking.

Apart from the broad administration effort to keep a closer watch on its opponents, Dean described a more specific program within the White House in which a few individuals, most of them White House employees, were used for

specific missions. These ranged from the tapping of newsmen's phones in the guise of finding the source of news leaks to monitoring the activities of Sen. Edward Kennedy (D-Mass.), always regarded by the White House as the President's most formidable potential challenger.

As early as 1969, Jack Caulfield and Tony Ulazewicz, the former New York City policemen who have already testified before the Watergate committee about aspects of their activities, were carrying out covert investigations. In 1971, after the publication of the Pentagon Papers, the White House "Special Investigations Unit"—better known as "the plumbers"—was set up, and G. Gordon Liddy and E. Howard Hunt went to work there.

In one way or another, all these White House intelligence projects, as Dean related them, were under the direction of Haldeman, John Ehrlichman and Charles W. Colson.

"The persons on the White House staff who were most interested in political intelligence," Dean said, "were Ehrlichman, Haldeman and Colson. As the re-

election campaign drew closer, I would have to say that it was principally Colson and sometimes Haldeman who sought information from my office that had political implication to it."

Political intelligence, Dean recalled "often came from unexpected sources. For example during the spring of 1972, a top man at the Secret Service brought me information regarding Sen. McGovern. I asked Mr. Colson if he were interested. He was very interested and had the information published." Dean did not say where.

Dean gave the committee documents that he called a "fair sampling of the type of requests that were frequently made" in the pre-election period when he said the White House "thrived on political gossip and political intelligence." The documents are "extremely sensitive," according to Dean "and could be extremely injurious to innocent people whose names are mentioned

in them."

While he did not spell out publicly how he dealt with these "rather wide-ranging types of inquiries," Dean said that "in addition to the extensive efforts to obtain politically embarrassing information on Sen. Kennedy, there were also frequent efforts to obtain politically embarrassing information on Lawrence O'Brien, the Democratic National Committee Chairman, Sen. Muskie and Sen. McGovern."

From the spring of 1971 to late November that year, Caulfield pressed Dean to help him get Haldeman, Ehrlichman and John Mitchell to approve a proposal to establish a "political intelligence and security" agency for the campaign that Caulfield called "Operation Sand Wedge." It was to be, as Dean summarized it, "a privately operated extension of the type of things that Caulfield had been performing." It was to be called "Security Consulting Group, Inc.," and it was to have "overt" and "covert" operations.

The plan, which Caulfield himself had alluded to in his earlier Senate Watergate testimony, was eventually

rejected by Mitchell as impractical.

Caulfield did, however, persuade Mitchell to take him on as a kind of freelancer and Caulfield prepared at least one report on the New Hampshire primary campaign of Rep. Paul McCloskey (R-Calif.) who was challenging Mr. Nixon on an antiwar platform.

Later, Caulfield and Ulasewicz were used at times from July, 1972, until January, 1973, to transmit what became an offer of executive clemency to Watergate conspirator James W. McCord if he, McCord, would agree to remain silent. Dean acknowledged yesterday that he had engineered that offer.

In the fall of 1971, after it became clear that Caulfield's plan for a campaign security and intelligence operation was not going to be adopted, Dean said he received calls from Gordon Strachan, an aide to Haldeman and Jeb Magruder, Mitchell's deputy at the re-

election committee, urging him to come up with a lawyer to head intelligence for the campaign.

A few names were suggested for the job and turned down for one reason or another. And then Egil Krogh, the White House aide in charge of the plumbers suggested Liddy. "I did not know Liddy," Dean said, "but I respected Krogh's judgment, both as to his judgment of other lawyers and his knowledge of law enforcement."

Liddy's name was approved by Ehrlichman and then Liddy, Dean, and Magruder met with Mitchell on Nov. 24—the same day that Caulfield's plan was finally rejected. "There was virtually no discussion of intelligence plans," Dean said, "other than that Liddy would draw up some sort of plans." In mid-December, Liddy went to work.

Liddy's intelligence plans were laid out on January 27, 1972, in a meeting at Mitchell's Justice Department office. The account of that session offered by Dean does not differ from that given to the committee earlier this month by Magruder. Liddy had charts; he proposed kidnappings and call girls; he said the bill would be about \$1 million and Mitchell turned him down.

A second meeting was held on Feb. 4, and Liddy put forward his revised plan. Dean said that he broke up the session by saying that "these discussions could not go on in the office of the Attorney General of the United States."

"I do not know, to this day," Dean said, "who kept pushing these plans. Whether Liddy was pushing or whether Magruder was pushing or whether someone was pushing."

Dean said that after the second meeting he went to Haldeman told him what had been presented by Liddy and "told him that I felt it was incredible, unnecessary and unwise. I told him no one at the White House should have anything to do with this."

From then until June 19—two days after the break-in, when Dean returned from a trip out of the country—Dean said, "I assumed the Liddy plan was dead in that

it would never be approved." In fact, Magruder has testified, the plan for the bugging of the Democratic National Committee headquarters at the Watergate was approved at a meeting March 30. They both testified that Dean did not attend.

From almost the moment he walked into his office at 9:15 a.m. on June 19, Dean was involved in the White House response to the Watergate incident—a cover-up that became increasingly difficult to hold together, that cost hundreds of thousands of dollars and stretched repeatedly, as Dean testified later in the day, to the President himself.

On June 19, as he recounted it yesterday, Dean talked on the telephone with Ehrlichman, Strachan, Colson and Hugh Sloan, the campaign treasurer. And he took a walk with Liddy from the White House toward the Corcoran Gallery, during which Liddy told him what had happened and said he had been pressured by Magruder.

Dean also met with Ehrlichman twice and Colson once, and Strachan told him that at Haldeman's instructions he had gone through Haldeman's and Strachan's office's files and cleaned out documents related to the bugging of the Democratic headquarters and other things. "Strachan told me his files were completely clean," Dean said.

In another meeting, he said, "Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country." The message was passed, but it is not clear whether Hunt ever did leave the country.

In addition to these details of the cover-up, what

began to emerge on that day and the days that immediately followed, according to Dean, was an effort larger in scope: to keep the truth from coming out by buying the silence of the seven conspirators directly involved and manipulating the judicial process by limiting the investigation.

On June 19 or 20, Dean testified, he met with Attorney General Richard Klein-

dienst and Assistant Attorney General Henry Petersen, who was heading the Justice Department probe of the matter.

"I told Kleindienst," Dean said, "without giving him specifics, that I did not know what would happen if the investigation led into the White House, but that I suspected that the chances of re-electing the President would be severely damaged." He told Petersen roughly the same thing.

Later, Dean reported to Ehrlichman that he believed "Petersen would handle the matter fairly and not pursue a wide-open inquiry into everything the White House had been doing for four years.

"I made this statement not because of anything Peterson specifically said, as much as the impression he gave me that he realized the problems a wide-open investigation of the White House might create in an election year."

In his dealings with Pat Gray, then the acting FBI director, Dean sensed a similar willingness to cooperate and that Gray was exploited. Gray made FBI reports available to Dean, he stashed evidence at the White House's request. All of this Gray has acknowledged.

The only resistance came from the CIA which refused, despite heavy White House pressure, to play a part either in taking the blame for the Watergate or passing along money to the conspirators. Dean met twice with Deputy CIA Director Gen. Vernon Walters in a vain try to bring him around.

In everything he did, to further the cover-up during that period of June and July, Dean reported back to Haldeman and Ehrlichman.

The first discussion of cover-up money, according to Dean, came in a meeting on the afternoon of June 28 at Mitchell's office in the re-election committee. "There was," he said, "a discussion of the need for support money in exchange for the silence (of) the men in jail and if the CIA could not do it, they would have to find the money somewhere else."

Mitchell asked Dean to get the approval of Haldeman and Ehrlichman to use Herb Kalmbach, the President's personal lawyer and one of his chief fund-raisers, to round up the money.

"In an aside for my ears only," Dean continued, (Mitchell) "told me that the White House, in particular

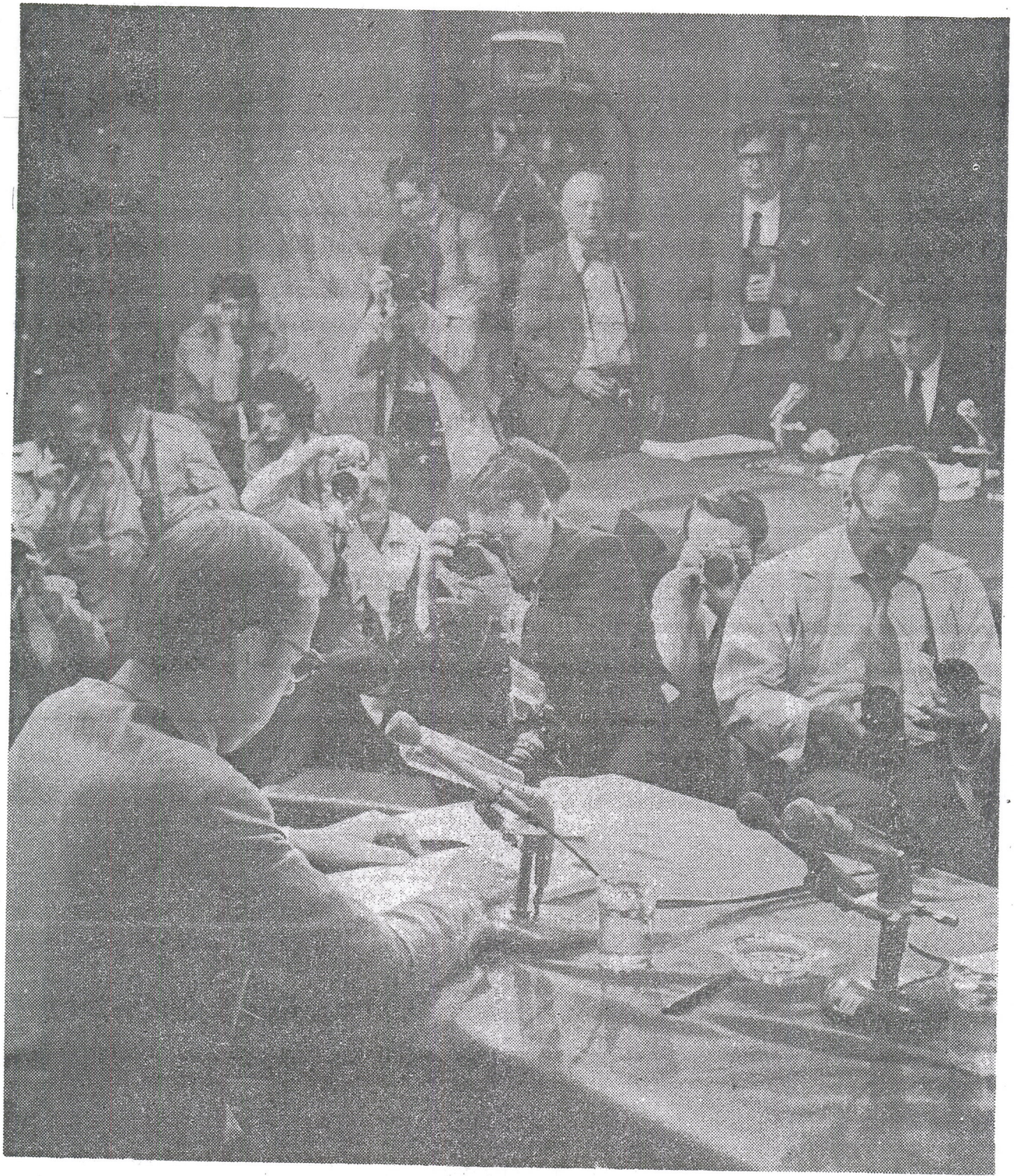
Ehrlichman should be very interested and anxious to accommodate the needs of these men. He was referring to activities that they had conducted in the past that related to the White House, such as the (break-in at the psychiatrist of Daniel Ellsberg who leaked the Pentagon Papers to the press. That project had been done by the plumbers.)"

The next day Dean met with Kalmbach at the Mayflower Hotel, but Kalmbach was reluctant to go along. "So I told him everything I knew about the case at that time," Dean recalled, "including my concern that it might involve the President himself, but I did not know that for a fact. I also told him that Haldeman, Ehrlichman and Mitchell felt it was very important to raise the money."

A week later Kalmbach came back and met with Dean in Lafayette Park to tell him he had raised the money and had it in his briefcase, Dean said. Kalmbach had said he wanted Ulasewicz to deliver the cash, because he could be trusted, Dean said. Dean did not say how much was passed at that time.

During the summer, and into the fall, Dean continued to be involved in the cover-up. He coached Magruder for a grand jury appearance in August at which Magruder perjured himself; he helped in the effort to block hearings on the Watergate planned by Rep. Patman and on Sept. 15 he met with Mr. Nixon.

In that meeting, Nixon said that J. Edgar Hoover had told him shortly after he took office in 1969 that his 1968 campaign had been bugged. Mr. Nixon said that at some point the facts on that bugging should be gotten and used to "counter the problems we were encountering. The conversation touched on press coverage of the Watergate and one point, the President told Dean, he said, "to keep a good list of the press people giving us trouble because we will make life difficult for them after the election."



By James K. W. Atherton—The Washington Post

John Dean tells his story for the Watergate committee in the face of glaring television lights and a battery of cameras.