

Dean Takes the Fifth In House CIA Hearing

Washington

John W. Dean III, former counsel to the President, reportedly invoked the Fifth Amendment 67 times yesterday refusing to confirm Watergate information he gave last month to a senate investigating committee.

His refusal to answer questions of a House armed services subcommittee was attributed by subcommittee officials to the fact that the panel had not granted him immunity from prosecution, such as he received from the Senate Select Committee on Presidential Campaign Activities.

A witness granted immunity by a congressional committee cannot be prosecuted later in the courts for anything he says before that panel, unless the prosecutor can prove that the facts he has were developed independently of that testimony.

When Dean and his attorney, Charles N. Shaffer, emerged from the hearing room yesterday, they refused to answer questions of reporters lining the hallway of the Rayburn House Office Building.

Later Representative Lucien N. Nedzi of Michigan, chairman of the House subcommittee, disclosed that Dean had invoked the Constitution's Fifth Amendment guarantee against being required to give testimony that might tend to incriminate him. Invoking the Fifth Amendment is not considered an admission of guilt.

Nedzi said that Dean invoked the Fifth Amendment in response to 67 questions, answering only routine questions about his age (he is 33) and background.

While conceding that the House subcommittee has the "benefit of testimony" given by Dean in great detail during five days before the Senate's Watergate investigating committee, Nedzi said

his own panel wanted to explore with him "information we have that has not come up in the Senate hearings." He declined to say what that information was.

The Nedzi subcommittee has questioned nearly 20 witnesses in the last two months about involvement of the Central Intelligence Agency in the Watergate affair. The subcommittee oversees that agency.

Nedzi said the subcommittee has reached "tentative conclusions" as to who masterminded the attempt to use the agency as a coverup

for the break-in at Democratic National Committee headquarters in the Watergate complex a year ago.

"I'm not prepared to say what those conclusions are, however," he added.

Dean was subpoenaed by the Nedzi subcommittee in early June but asked that he be allowed to testify first before the Senate Watergate committee.

Dean was the third former White House aide to invoke the Fifth Amendment before the several congressional investigations under way into the Watergate affair. Egil Krogh Jr. and David R. Young Jr. invoked the Fifth earlier this week before the Nedzi subcommittee.

G. Gordon Liddy, a convicted Watergate conspirator who has refused to divulge any information, will appear before the subcommittee today.

While Liddy, too, may invoke the Fifth Amendment, Nedzi said, "There's always the chance he might say something. There are rumors that he's on the verge of making some statements." *New York Times*