

PETERSEN CALLED CONDUIT FOR DATA

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Dean Says Justice Official Passed to the White House Reports on Grand Jury

By JOHN M. CREWDSON

Special to The New York Times

WASHINGTON, June 25 — Henry E. Petersen, while head of the Justice Department's criminal investigation of the Watergate case, passed information on grand jury testimony to the White House and arranged for high White House aides to be questioned outside the presence of the grand jurors, the Senate's Watergate committee was told today.

John W. Dean 3d, who was dismissed on April 30 as President Nixon's chief counsel, also said that as part of his admitted role in covering up the scandal he called Mr. Petersen, an Assistant Attorney General, to ask how a Nixon re-election committee official "had done before the grand jury."

Mr. Petersen later informed him, Mr. Dean testified, that the official, Jeb Stuart Magruder, who was deputy director of the Nixon campaign, "had made it through by the skin of his teeth." Mr. Magruder told the Senate committee two weeks ago that he had been deeply involved in both the bugging operation and the subsequent at-

Continued on Page 31, Column 4

Continued From Page 1, Col. 5

tempt to hide the involvement of higher-ups.

Mr. Petersen's secretary said the official was in his office this afternoon, but requests to return a telephone call went unanswered.

According to the Dean Testimony, Mr. Petersen, a career Justice Department lawyer to whom Mr. Nixon turned on April 17 as his principal legal adviser on Watergate, also arranged for five high White House aides, including Charles W. Colson, to be questioned by Watergate prosecutors away from the grand jury.

Colson Called Reluctant

Mr. Dean said that Mr. Colson, then a special counsel to President Nixon, was allowed to make a sworn statement to the prosecutors in an office at the Department of Justice after Mr. Dean had expressed to Mr. Petersen Mr. Colson's reluctance to be seen by reporters entering the grand jury chamber at the Federal courthouse here.

The same procedure was followed for Dwight L. Chapin, then the White House appointments secretary; Gordon C. Strachan, an aide to H. R. Haldemann; and Egil Krogh Jr. and David Young, both former members of a top-secret White House investigations unit, Mr. Dean related.

During his six-and-a-half hours of testimony, Mr. Dean recounted a number of contacts

with other Administration officials he alleged were involved in the cover-up and were with the Justice Department.

He said, for example, that he had learned late last summer that Roemer McPhee, the general counsel for the Republican National Finance Committee, "was having private discussions with the Federal judge presiding over a civil suit brought by Democrats in connection with the bugging."

'A Close Friend'

Mr. Dean charged that John N. Mitchell, who had resigned as the head of the Committee for the Re-election of the President on July 1, was also aware of the alleged ex-parte contacts, as were lawyers for the Re-election Committee.

Mr. Dean said he later told Mr. Nixon that the ex-parte contacts were taking place. "The President was pleased to hear this and responded to the effect that 'Well, that's helpful,'" Mr. Dean told the committee.

The judge, Charles R. Richey, said by telephone today that Mr. McPhee was a close friend and neighbor of his, but that he could not recall discussing the \$6.4-million Democratic suit with him "except maybe a very casual thing like 'Gee, I wish I didn't have the darn case.'"

Mr. McPhee was unavailable for comment today, but his secretary head the following statement on his behalf to reporters over the telephone: "At

no time have I ever had any discussion with Judge Richey about the merits of any of the Watergate-related civil cases pending before him.

Kenneth Wells Parkinson, a counsel for the Nixon re-election organization and one of the lawyers named by Mr. Dean as having had knowledge of the ex parte contacts, said in a similar statement that he had never "had any private communications, direct or indirect, with Judge Richey" in connection with the civil suit.

'Most Trusted People'

Mr. Dean also described for the committee his dealings with L. Patrick Gray 3d, when Mr. Gray was the acting Director of the Federal Bureau of Investigation. Mr. Dean said the dealings began on June 21, four days after the break-in at the Democratic Party's Watergate headquarters.

At a meeting that day, Mr. Gray "told me he fully realized the sensitive nature of the investigation they (the F.B.I.) were pursuing," Mr. Gray said, "and that he had placed his most trusted senior people in charge" of it.

Mr. Dean said earlier that he received a similar "impression" from Mr. Petersen a few days after the June 17 break-in, one that "he realized the problems a wide-open investigation of the White House might create in an election year."

During last fall's Presidential campaign, Mr. Petersen responded to a charge from the Democratic candidate, Senator

George McGovern of South Dakota, by saying that the Justice Department's Watergate investigation was "the most exhaustive and far-reaching that I have seen."

Said He Felt Pressure

In a telephone interview with The New York Times earlier this month, however, Mr. Petersen said that he had felt "pressure" from unnamed sources in connection with the Watergate investigation, but not from Mr. Dean.

He said he had "discussed this investigation with Dean" from time to time, but "didn't give him any details" about its progress.

Mr. Dean today described his own role during the cover-up as one of reporting to White House and Re-election Committee officials "all the information I was receiving about the case from the Justice Department and the F.B.I."

Mr. Dean acknowledged today that he had been given by Mr. Gray some 80 F.B.I. reports on the bureau's Watergate investigation, a fact that was central in Mr. Gray's withdrawal last March as the nominee for permanent F.B.I. Director.

But Mr. Dean contradicted earlier statements by Mr. Petersen when he said that he had first asked Mr. Petersen for the materials, but had been told to "deal directly with Gray."

Mr. Petersen had said he turned down Mr. Dean's request for the F.B.I. files and did not

discover until months later that Mr. Dean had, in fact, obtained them from Mr. Gray.

On another occasion, Mr. Dean said today, he disclosed to Mr. Petersen that he had previously given to Mr. Gray "politically sensitive materials" taken from the safe of E. Howard Hunt Jr., one of the convicted Watergate conspirators, instead of turning them over to F.B.I. agents investigating the case.

It was Mr. Gray's admission that he subsequently destroyed the documents, which included "profiles" of Democratic Senator Edward M. Kennedy of Massachusetts and Dr. Daniel Ellsberg, that led to his resignation as the acting bureau head last April 27.

Mr. Dean said he told Dr. Petersen that, if he were called to testify before the Watergate criminal trial "I would have to reveal this fact." He said that his interview with the Watergate prosecutors, at which Mr. Petersen was present had been cut short, and that "I was not called again."

Two of Mr. Dean's assistants, who have said they did not know of Mr. Gray's receipt of the Hunt documents, testified at the trial about the opening of the safe. Mr. Dean added that shortly after this he was approached by a worried Mr. Gray who "told me that I must 'hang tight' on not disclosing his receipt of the documents."

Petersen Said to Give Jury Data to White House

Continued From Page 1, Col. 5

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After being interviewed by Government lawyers in the presence of their own attorneys, Mr. Dean said, the men were permitted to swear out statements that were later pre-

sented to the 23-member grand jury in lieu of testimony.

The procedure worked out by Mr. Petersen was unusual. It prevented the members of the panel from asking their own questions of the five witnesses, a standard procedure for most grand jury investigations.

During his six-and-a-half hours of testimony, Mr. Dean recounted a number of contacts with other Administration officials he alleged were involved in the cover-up and were with the Justice Department.

He told of attempts by Mr. Haldeman and others to persuade Richard G. Kleindienst, then the Attorney General, to abandon his "passive role in the investigation and prosecution," and later, to convince him to work "closely" with the Republican vice chairman of the Watergate committee.

The Republican, Senator Howard H. Baker Jr. of Tennessee, had requested Mr. Kleindienst as his "contact point" in the Administration, Mr. Dean contended.

He told of alleged interference with a civil lawsuit related to the bugging, of attempts to squelch an F.B.I. inquiry into Republican campaign contributions that might lead to "unnecessary embarrassment," and of telling the President himself that the Justice Department "had held off as long as possible the return of the indictments" in the case, which were handed down last Sept. 15.

He said, for example, that he had learned late last summer that Roemer McPhee, the general counsel for the Republican National Finance Committee, "was having private discussions with the Federal judge presiding over a civil suit brought by Democrats in connection with the bugging.

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Ellsberg Materials

Earlier this year, Mr. Dean continued, Mr. Petersen showed him materials received by the Justice Department from the Central Intelligence Agency relating to the involvement of Hunt and G. Gordon Liddy, another convicted Watergate conspirator, in a 1971 burglary at Dr. Ellsberg's psychiatrist's office. Included, he said, was a picture of Liddy in front of the Beverly Hills office, that prompted him to ask Mr. Petersen about getting the materials back.

Mr. Petersen reportedly replied that "the only thing that he could do would be to extract the document [bearing the picture] and leave a card to the effect that the document had been returned to C.I.A."

However, Mr. Dean said, a C.I.A. official reported that "it simply could not be done and I dropped the matter."

In March, a few months later, according to the Dean account, John D. Ehrlichman, then the President's top domestic adviser, called him and asked him to intercede with Mr. Petersen in behalf of Mr. Krog, who had ordered the burglary and who was afraid that he had perjured himself before the Senate on the matter.

"I told Ehrlichman that I did not think it was an appropriate time to call [Mr. Petersen] right now," Mr. Dean related, "but that maybe we could in the near future."

He said that, in fact, he "never called Petersen on this matter."
