

WXPost Dean Contradicts Nixon Statements Six Sharp Differences

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By John Hanrahan
Washington Post Staff Writer

The Senate testimony of John W. Dean III contrasts sharply with at least six key elements of recent statements by President Nixon that he had no knowledge of a cover-up or of offers of clemency and money to buy the silence of the seven Watergate conspirators.

Dean, in his testimony yesterday and Monday to the Senate Select Committee on the Watergate, implicated the President as being aware of the cover-up as early as last September as being aware of the cover-up early as last September, contrary to Mr. Nixon's assertions that he knew nothing of the possibility of a cover-up until March 21.

As to the question of whether Mr. Nixon had advance notice of plans for the

Watergate break-in and bugging, Dean said yesterday that he had no "first-hand knowledge."

On Monday, Dean gave hearsay testimony that Mr. Nixon may have had advance knowledge.

In that testimony, Dean said that in mid-February of this year, Jeb Stuart Magruder, the former deputy campaign manager for the Nixon re-election committee, had a discussion with Nixon campaign committee lawyer Paul L. O'Brien.

Magruder, Dean said, "told O'Brien he had received his final authorization for (G. Gordon) Liddy's activities from Gordon Strachan and that Strachan had reported that (H. R.) Halder-

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April 30. Colson was special counsel to the President until March. Hunt, who pleaded guilty, is one of the seven Watergate defendants implicated in the break-in and bugging of the Democratic National Committee headquarters in the Watergate on June 17, 1972.)

Dean also testified as to a meeting he had with Mr. Nixon on April 15 at which the subject of clemency for Hunt again came up:

"The most interesting thing that happened during the conversation was, very near the end, he (Nixon) got up out of his chair, went behind his chair to the corner of the Executive Office Building office and in a barely audible tone said to me, he probably was foolish to have discussed Hunt's clemency with Colson. I do not recall that I responded. The conversation ended shortly thereafter."

"I did not know, until the time of my own investigation, of any effort to provide the Watergate defendants with funds." (The President said his own investigation began March 21 of this year.)

Dean, in his testimony, contended that Mr. Nixon knew of the pay offs to the defendants at least as early as the March 13 meeting with Dean. According to Dean's testimony:

"Toward the end of the conversation, we got into a discussion of Watergate matters specifically. 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.

"It was during this conversation that Haldeman came into the office. 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 a million dollars 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 . . ."

(Investigators have estimated that \$460,000 went to the defendants to buy their silence.)

In that March 13 meeting, Dean said Monday, the conversation again turned to the Watergate payoffs while Haldeman was still in the room. Said Dean:

"The conversation then turned back to a question from the President regarding the money that was paid to the defendants. He asked me how this was done. I told him I didn't know much about it other than the fact

that the money was laundered so it could not be traced and then there were secret deliveries . . . The meeting ended on this note and there was no further discussion of the matter and it was left hanging just as I have described it."

"It was not until the time of my own investigation that I learned of the break-in at the office of Mr. Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge (W. Matt) Byrne." (Daniel Ellsberg and co-defendant Anthony Russo were freed by Byrne of charges relating to the theft of the Pentagon Papers when the September,

1971, break-in was disclosed in court in May.)

Watergate conspirator Hunt said in a sworn statement to the court that he and fellow conspirator Liddy, assisted by two other persons, had performed the break-in. Former White House aide Egil Krogh last month took full blame for the break-in and resigned his post as undersecretary of transportation. Krogh, who served as an aide to Ehrlichman, headed the White House "plumbers" unit which also included Hunt and Liddy. The "plumbers" job was to halt "security leaks" to the press and "to investigate other sensitive security matters," Mr. Nixon said on May 22.

Dean, in his statement to the Watergate committee, contradicts both Mr. Nixon and Krogh as to who issued the order for the Ellsberg psychiatrist break-in. According to Dean's testimony:

"On either March 28 or 29, Mr. Krogh came to my office . . . I told Krogh that I thought that there was a very likely possibility that the Senate Watergate committee could stumble into the Ellsberg burglary . . ."

"We then entered into a discussion about the incident and I asked him if he had received his authorization to proceed with the burglary from Ehrlichman, knowing well that Krogh would not undertake such a mission himself. Krogh responded that no, he did not believe that Ehrlichman had been aware of the incident until shortly after it occurred; rather, he had received his orders right out of the Oval Office . . ."

"I was so surprised to hear this that I said, 'You must be kidding.' And he repeated again that he had received his instructions out of the 'Oval Office.'"

" . . . A special program of wiretaps was instituted in mid-1969 and terminated in February, 1971. Fewer than 20 taps . . . were involved . . . I authorized the entire program. Each individual tap was undertaken in accordance with procedures legal at the time and in accord with long-standing precedent." (All were designed to "stop national security leaks," Mr. Nixon said.)

Dean, in his testimony, indicated that at least one of the wiretaps was not handled in the usual manner—

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Dean had cleared the matter with the President."

Liddy, convicted in January, is one of the seven Watergate conspirators. Strachan was an aide to Haldeman, who resigned April 30 as White House chief of staff.

In the President's most recent major Watergate statement, on May 22, he said:

"I had no prior knowledge of the Watergate operation."

On many other major elements of that and other presidential statements, Dean's testimony differs sharply.

Sen. Joseph Montoya (D-N.M.), a committee member, quizzed Dean at length on these conflicts yesterday. While stopping short of accusing Mr. Nixon of lying, Dean said many of the President's past statements on the Watergate affair "are less than accurate."

What follows are quotes from Mr. Nixon's May 22 statement, contrasted with the testimony of Dean who until he was fired April 30, was counsel to the President:

"I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate."

Dean contends that he discussed the Watergate cover-up for the first time directly with Mr. Nixon last Sept. 15, and later discussed it at many more meetings with him in late March and early April of this year. Of the Sept. 15 meeting, Dean said in his testimony:

"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 said that at that same meeting, with then White House chief of staff H. R. Haldeman present, "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 (G. Gordon) Liddy. (Liddy, chief counsel to Nixon's re-election committee, was the highest official indicted Sept. 15 for the Watergate arrests.)

"I responded that I could not take credit because others had done much more difficult things than I had done. As the President discussed the present status of the situation I told him that all that 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 assurances that the day would not come when this matter would start to unravel."

"At no time did I authorize any offer of executive clemency for the Watergate defendants, nor did I know of any such offer."

Dean testified Monday as to a meeting with Mr. Nixon on March 13:

"The President then referred to the fact that (E. Howard) Hunt had been promised executive clemency. He said that he had discussed this matter with (John D.) Ehrlichman and contrary to instructions that Ehrlichman had given (Charles W.) Colson not to talk to the President about it, that Colson had also discussed it with him (Nixon) later . . ."

(Ehrlichman was Mr. Nixon's top domestic aide until



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Conferring during a break in testimony are, from left, Robert C. McCandless and John W. Dean III, who said the President had not been candid on Watergate; Sen. Ervin, Charles N. Shaffer, attorney for John Dean;



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Minority counsel Fred Thompson listens to testimony.

that is, by the FBI or another federal agency. Instead, he said, a wiretap was placed on the phone of syndicated columnist Joseph Kraft by means of a break-in conducted by a White House team.

Dean based this on a conversation he said he had in 1971 with then-White House aide Jack Caulfield who said he had participated in the break-in on orders from Ehrlichman.

"He (Caulfield) told me that he had been directed to perform the wiretap when Mr. (J. Edgar) Hoover (of the FBI) was unwilling, but Mr. Ehrlichman wished to proceed."

"In the weeks and months that followed Watergate, I asked for, and received, repeated assurances that Mr. Dean's own investigation . . . had cleared everyone then employed by the White House of involvement."

Dean said he never spoke about the President concerning the Watergate affair until Sept. 15—more than two weeks after Mr. Nixon said that Dean's supposed investigation had cleared persons at the White House. Further, Dean said, there was never an investigation by him—only a cover-up effort. In his April 30 speech to

that ". . . on March 21, I personally assumed the responsibility for coordinating intensive new inquiries into the (Watergate) matter, and I personally ordered those conducting the investigations to get all the facts and to report them directly to me, right here in this office."

The President had also said on April 17 that on March 21 "I began intensive new inquiries into this whole matter."

Dean, in his statement to the Watergate committee, said that there was a series of White House meetings after March 21 in which strategy was discussed as to how to perpetuate the cover-up, including a discussion of "smoking out" former Attorney General John N. Mitchell and have him take the blame for Watergate.

"In short," Dean said, "the President commenced no in-

vestigation at all (on March 21). Rather, the President, Haldeman and Ehrlichman commenced to protect themselves against the unraveling of the cover-up."