

11 Questions on Watergate

By Lawrence Meyer

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President Nixon was formally asked yesterday why he did not report his knowledge of the Watergate cover-up to the proper authorities "as soon as possible," as required by federal law.

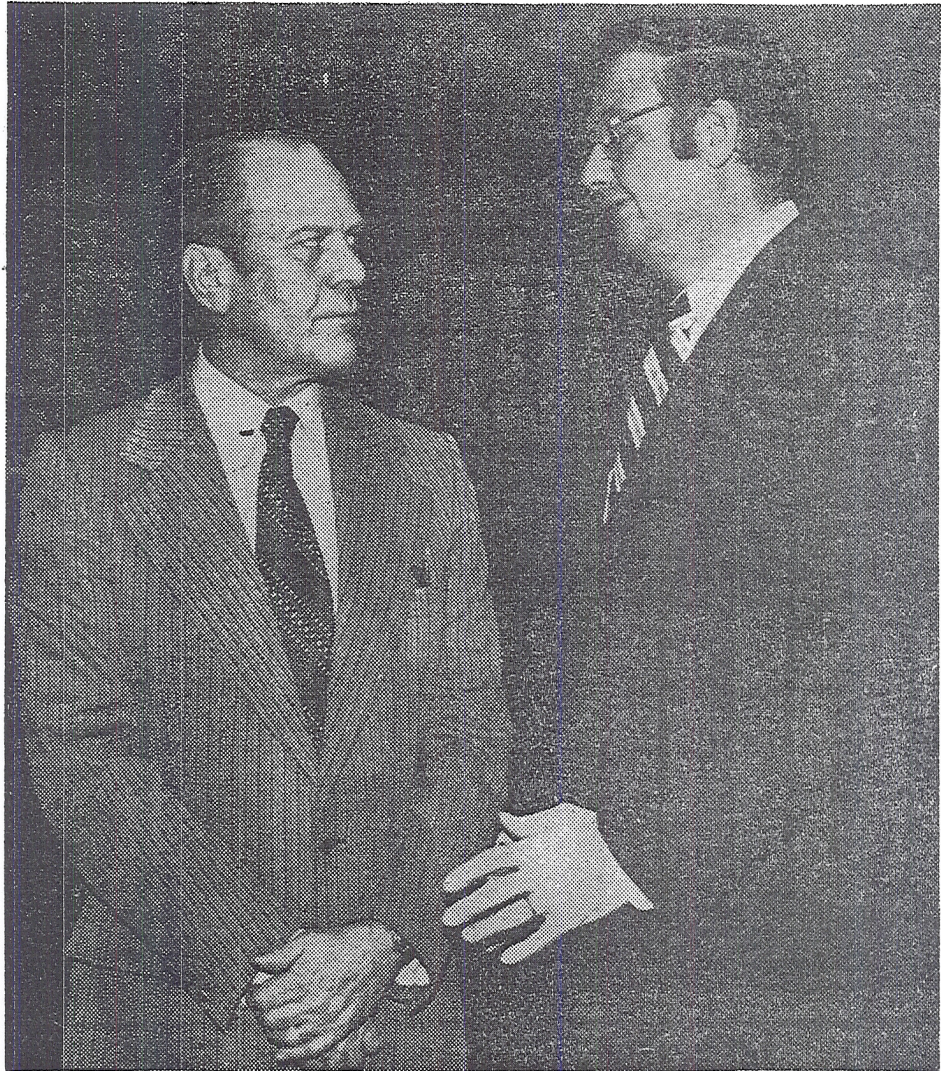
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Acting under a resolution unanimously adopted by the Senate select Watergate committee at his suggestion, Sen. Lowell P. Weicker Jr., (R-Conn.) sent 11 questions to the White House yesterday for President Nixon to answer concerning his role in the Watergate affair. The committee adopted the question format after President Nixon never replied to repeated requests by the committee for a meeting with him.

A White House spokesman said yesterday that he had no comment on Weicker's questions.

Weicker, the only member of the committee to send questions to Mr. Nixon, had relied on Mr. Nixon's own statements as well as sworn testimony as the basis for the questions.

Weicker asks President Nixon why he failed to report—as required by law—his



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Vice President Gerald R. Ford, left, chats after Weicker sent 11 questions to President Nixon on the Watergate affair.

knowledge that the offices of Daniel Ellsberg's psychiatrist had been burglarized.

Mr. Nixon stated on Aug. 15, 1973, that he learned of the Ellsberg break-in on March 17, 1973. Mr. Nixon also has acknowledged that on April 18, 1973, he ordered Assistant Attorney General Henry E. Petersen to stay clear of the Ellsberg break-in after Petersen informed him that federal prosecutors had learned of this incident.

It was not until April 25, 1973, more than a month after he said he learned of the break-in, that Mr. Nixon agreed to allow Attorney General Richard G. Kleindienst to report the matter to the federal judge presiding over Ellsberg's trial.

Title 18, Section 4, of the United States Code makes it a crime for a person "having knowledge of the actual commission of a felony cognizable by a court of the United States" to conceal that crime and not inform a judge or law enforcement official of it "as soon as possible."

"The law required you to inform a judge 'as soon as possible,'" Weicker states in his questions. "Under what authority did you withhold that information from appropriate officials until after April 17, 1973?"

In the same vein, Weicker asks President Nixon to reveal "which judge or law enforcement official did you contact" after learning of "Watergate crimes on March 21 (1973)?"

Former White House counsel John W. Dean III, testifying last June before the Senate committee, said that he told Mr. Nixon the full story about the Watergate cover-up on March 21. Mr. Nixon has also cited that date as being the time when "serious charges... came to my attention."

According to Mr. Nixon's own public statements and

other testimony before the Senate committee, Mr. Nixon's first discussion with any law enforcement authorities about the cover-up did not occur until April 15, 1973, when Kleindienst and Petersen came to President Nixon with information about the Watergate cover-up.

Another question deals with a discussion about executive clemency Mr. Nixon held with his top domestic adviser, John D. Ehrlichman, in July, 1972. Both Ehrlichman and Mr. Nixon have acknowledged discussing the subject, although both say that Mr. Nixon barred executive clemency. At that time, Weicker notes, presidential press secretary Ronald Ziegler was declining to discuss the Watergate break-in with reporters because it was

"When John Ehrlichman discussed executive clemency with you in July, 1972, prior to any indictment, trial or conviction," Weicker asks President Nixon, "why didn't you ask how such a matter could possibly relate to what was being called a 'third-rate burglary?'"

A third question posed by Weicker notes that President Nixon has on several occasions claimed credit for an investigation Dean supposedly conducted for the White House on the Watergate break-in. On April 5, 1973, Weicker points out, Mr. Nixon said that because he has asked Dean to investigate the Watergate affair, acting FBI Director L. Patrick Gray III was asked to make FBI reports available to Mr. Dean.

Weicker goes on to point out that Dean has pleaded guilty to a charge of conspiracy to obstruct justice. One of the overt acts to which Dean pleaded guilty, as stated in the formal charge against him, was that "in or about July and October, 1972, John W. Dean

III requested L. Patrick Gray... to provide him with reports of information obtained during the FBI investigation."

"In light of your statements that you directed the Dean investigation," Weicker asks President Nixon, "what is the difference in your measure of responsibility from that of John Dean?"

Weicker also asks President Nixon if White House aides were "covering up the truth on your instructions or on their own initiative" in October, 1972, after stories linking political saboteur Donald Segretti and White House aide Dwight Chapin appeared in The Washington Post and other newspapers.

Weicker asserts that although White House statements at the time characterized the news reports as "hearsay, character assassination, innuendo or guilt by association," White House aides "knew those news reports were substantially correct."

Other questions deal with other aspects of the March 21 meeting with Dean and its aftermath. Weicker asks Presi-

dent Nixon why he failed in subsequent meetings with others Dean had named as participants in the cover-up to seek refutation or corroboration of what Dean had charged.

Weicker also asks why, on March 22, President Nixon designated Dean to the liaison with the Senate Watergate committee when Dean the previous day had described his own role in the cover-up to Mr. Nixon.

"You claim," Weicker states in another question, "that on March 21, 1973, you 'personally ordered those conducting the investigation to get all the facts and report them directly to me,' and yet nobody has testified to receiving such an order. Has somebody committed perjury?"

The remaining questions deal with President Nixon's delay in discharging acting FBI Director Gray, the Democratic Party's lawsuit against the Nixon re-election committee and President Nixon's assertions that affairs of state prevented him from knowing details about the Watergate affair.