

# KLEINDIENST SAYS ROLE WAS MINOR

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Denies Pressure and Tells  
Panel He Withdraw From  
Inquiry on Watergate

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WASHINGTON, June 18—Former Attorney General Richard G. Kleindienst, reviewing the early investigation of the Watergate affair, said today that he had put no pressure on subordinates, could not remember receiving any instructions from the White House and had generally withdrawn from any part in the criminal investigation.

Mr. Kleindienst testified today before the Senate Judiciary Committee, which is considering the nomination of Earl J. Silbert to be United States Attorney for the District of Columbia. Mr. Silbert was the head of a three-man team of prosecutors that investigated the burglary of Democratic National Headquarters at the Watergate office building on June 17, 1972.

Mr. Kleindienst underwent a day-long session of intensive questioning by Senator Sam J. Ervin Jr., Democrat of North Carolina. He defended both Mr. Silbert and Henry E. Petersen, head of the (Criminal Division) of the Justice Department, against any implication that they had limited the Watergate investigation under pressure from him or from the White House.

At the same time, he seemed at a loss to explain his report to the President on April 15, 1973, that the conduct of "everybody over here" at the White House "really created great suspicions in the minds of Silbert and Petersen."

### Transcripts Quoted

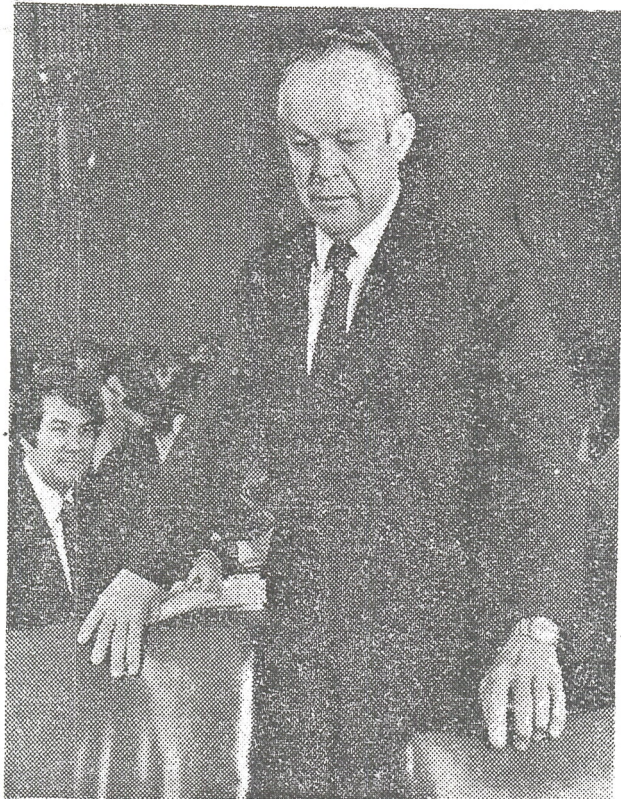
"That's what I said there," Mr. Kleindienst told Senator Ervin after hearing his words read from a copy of the White House tape transcripts.

The Senator pressed him on the point, and Mr. Kleindienst said that he thought the remark was based on Mr. Petersen's skepticism about the testimony of Jeb Stuart Magruder, who later admitted that he had lied to the prosecutors.

"But that's not what you told the President," Senator Ervin said.

Mr. Magruder, now in prison, was second in command at the Committee for the Re-election of the President.

Mr. Kleindienst, smoking cigarettes and occasionally throwing a leg over the arm of his chair at the witness table, said that he was in "constant contact" with Mr. Petersen, but



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Richard G. Kleindienst arriving to testify at confirmation hearing on naming of Earl J. Silbert as U.S. Attorney.

that "I tried to assume the posture at the very outset to leave it to Mr. Petersen and Mr. Silbert."

He added, "I take full responsibility as Attorney General for everything that was done."

He spoke of his deep respect for the "professionals" in the department. He said that, as a political appointee, he had thought it best to stay out of the Watergate investigation, leaving it to subordinates whom he trusted, because of the "very grave, sensitive, political nature" of the burglary.

### Mitchell Case Cited

Senator Ervin said that the Justice Department had undertaken a difficult conspiracy case against former Attorney General John N. Mitchell and former Commerce Secretary Mauri H. Stans but had not brought felony charges against them under the campaign law for accepting a \$200,000 cash contribution from Robert L. Vesco, the financier. The two men were acquitted after a 10-week trial in New York on charges of perjury, obstruction of justice and conspiracy.

He also said that the Justice Department had indicted the Finance Committee to Re-elect the President but none of its officers.

He also cited public statements by Mr. Kleindienst on the thoroughness of the investigation and statements issued from time to time in 1972 indicating that there was no involvement of the White House or the re-election committee despite reports in the press of such involvement.

The Senator branded as a "sorry spectacle" the presenting

of a written statement from Mr. Stans to the Watergate grand jury, instead of having Mr. Stans testify in person. He said that the grand jury "can't cross-examine a piece of paper."

For the most part, Mr. Kleindienst replied by broadly defending the Justice Department and the way it handled the case. He called the department's conduct "one of the great testimonials to the greatness of our country" and praised the "posture and conduct of the Department of Justice."

Senator Ervin said that the prosecutors had testified that they had been pressured to bring forth an indictment, and that Mr. Kleindienst had set a Sept. 1 date for that indictment. He asked if that was pressure.

"I was expressing a desire and hope to avoid criticism in an election year in a situation involving a political crime," Mr. Kleindienst replied.

"I did not exert any pressure on Mr. Silbert. I did not exert any pressure on anybody. I expressed to Mr. Peterson that I would like to get it done by Sept. 1."

When the Senator criticized the department for not following up what looked like leads into the White House and the

re-election committee, Mr. Kleindienst replied that the department had had an "open door" policy and that anyone could have gone in and offered evidence.

He said that he could not remember a meeting on July 31, 1972, with John D. Ehrlichman and John W. Dean 3d, two White House aides. But during his testimony, a letter from his wife was delivered to him reminding him that the meeting was about a development in the Pentagon papers case.

Senator Philip A. Hart, Democrat of Michigan, questioned him about a Cabinet meeting on Sept. 12, 1973.

The meeting took place three days before the indictments in the Watergate burglary and, according to testimony by Mr. Ehrlichman, Mr. Kleindienst told the Cabinet in advance that only seven men would be indicted.

Mr. Kleindienst told Senator Hart that he could not remember saying that, but after a time he did recall briefing the Cabinet members on the extent of the investigation of the Watergate burglary for their use in the campaign.

Under questioning, he conceded to Senator Hart that giving out such grand jury information might be a violation of secrecy rules.

"How did you get that information?" Senator Hart asked.

"I could have got it only from one source," the witness replied. That is Henry Petersen.

Asked if he would make such a report public again, he said, "I probably wouldn't."