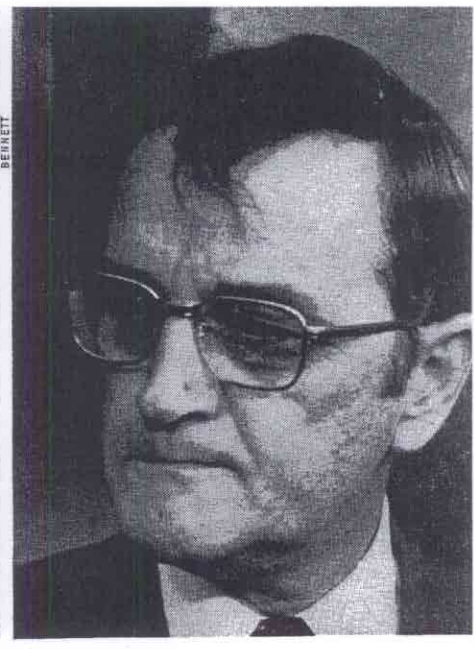




JAMES D. ST. CLAIR



LEONARD GARMENT



J. FRED BUZHARDT

THE CRISIS

No Respite in the Western White House

By his aides' account, Richard Nixon spent the week in San Clemente deeply immersed in foreign and domestic affairs. He signed a bevy of bills passed by Congress, among them one appropriating \$73.7 billion for the Defense Department and another boosting Social Security benefits by 11%. He labored with Chief Speechwriter Ray Price on the State of the Union message to be delivered to Congress later this month. He summoned Secretary of State Henry Kissinger to discuss the Middle East and Viet Nam. Afterward, Kissinger held a press conference to deny published reports that he, not the President, is in control of U.S. foreign policy. Further, Kissinger disclosed that Nixon will launch a "personal initiative" this week to get major oil-producing and -consuming nations to agree to moderate rapidly rising oil prices (see ENERGY).

New Audit. For all the activity, however, Richard Nixon was in fact on vacation. Most of the week he stayed secluded behind the walls of the windswept presidential compound. Some days he did not even walk the 100 yds. from his Spanish-style house to his office; often he would telephone members of the skeleton staff that accompanied him to California rather than meet with them in person. He spent a quiet New Year's Eve with Wife Pat and Daughter Tricia, then devoted the next day to watching televised bowl games with his close friend Charles G. ("Bebe") Rebozo. Clearly, Nixon was seeking a respite, however brief, from the rigors and pressures of his multiple problems.

But there was no escape for the President. In Washington, the Internal Revenue Service announced a new audit of his recent federal tax returns. Presumably, IRS officials were probing the va-

lidity of the \$570,000 write-off that Nixon claimed for the gift of his vice-presidential papers as well as whether he should have paid capital gains taxes on the sale of part of his San Clemente property. In addition, both the IRS and Congress's Joint Committee on Internal Revenue Taxation, which Nixon designated as the final arbiter of his tax problems, were investigating possible fraud in the gift of the papers. There is some question as to whether the deed for the documents, which was not received by the Government until almost nine months after the law permitting tax deductions for such gifts had been abolished by Congress, might have been predated to satisfy the missed deadline.

As expected, Nixon refused to comply with the Senate Watergate committee's subpoenas of 486 tapes and hundreds of documents that possibly bear on a variety of White House scandals. In a letter to Committee Chairman Sam Ervin, the President declared that producing the material "would unquestionably destroy any vestige of confidentiality of presidential communications, thereby irreparably impairing the constitutional function of the office of the presidency."

William B. Saxbe, who was sworn in as U.S. Attorney General last week, scorned the subpoenas as a catchall amounting to a "fishing expedition." But the committee's deputy chief counsel, Rufus Edmisten, maintained that every item demanded was relevant to the investigation. This week the committee intends to ask Federal Judge John J. Sirica to order Nixon to surrender seven tapes—the same recordings previously given to a Watergate grand jury and also subpoenaed by the committee last summer. Later the committee will decide whether to request that Sirica force the

President to turn over additional tapes and documents.

To handle the latest stage of his Watergate defense, Nixon hired yet another attorney: Republican James D. St. Clair, 53, a meticulous and highly respected trial lawyer from Boston. He will take over from J. Fred Buzhardt and Leonard Garment. Buzhardt was named to John W. Dean's old job of White House counsel, in which he will handle the President's routine legal work. Garment was appointed a presidential assistant in the areas of civil rights and the arts. For months, Nixon had been unhappy with his defense team's work; White House aides went so far as to criticize Buzhardt publicly. The prospect of that happening to him does not bother St. Clair, who declares: "I assume that's the risk any lawyer runs in representing any client."

Difficult Task. A native of Akron, St. Clair graduated from the University of Illinois in 1941 and from Harvard Law School in 1947. During his legal career, he has held an improbable collection of jobs. In 1954 he served on the staff of Joseph N. Welch, whose televised condemnations of Senator Joseph R. McCarthy helped end the career of the Wisconsin Senator. Fourteen years later, St. Clair represented Yale Chaplain William Sloane Coffin during his trial in Boston for conspiracy to encourage draft evasion. More recently, he represented the Boston school committee in its lengthy attempt to avoid desegregation of the city's public schools. Explains St. Clair: "My politics have nothing to do with my professional representation." Now he has the difficult task of defending the President—first against the Senate committee's demand for tapes and documents, and later against possible impeachment charges by the House.

THE CONGRESS

Out Listening to the People

With the future of Richard Nixon and his Administration in doubt, Congressmen and Senators were back home last week practicing the ancient—and essential—political art of listening to their constituents, to their views on Watergate, energy and all the other problems that must be faced when Congress convenes later this month.

To learn what the politicians were hearing, TIME correspondents followed a representative seven as they sought out their voters: struggling with squawking microphones in community centers, high schools and veterans' halls, stomping through the gathering snow in Vermont and Illinois, walking the black ghetto streets of Baltimore, attending a chic cocktail party in Santa Monica, strolling around a Georgia county courthouse in the warming winter sun.

Energy more deeply concerned the voters than some of the politicians had anticipated. Watergate and the future of President Nixon was a burning issue in some areas, only smoldering in others, and had been largely snuffed out in Georgia.

But underneath many of the issues and much of the discontent lay the corrosive effects of Watergate, a cynicism about the nation's political leaders of whatever stripe, and pervading doubts that the people were being told the truth about the bedeviling problems of the day. Portraits of the circuit riders:

ILLINOIS CONGRESSMAN EDWARD DERWINSKI. Making his way through the 10° cold from service club to kaffeeklatsch, the friendly and hefty (6 ft. 3 in., 235 lbs.) Republican Congressman quickly learned that his constituents were worried, angry and frustrated over one basic issue: the energy crisis.

Motorists asked Derwinski if the price of gasoline would really climb 20¢

per gal., as the papers were saying. Over coffee, Steel Salesman Tom Erdmann wanted to know: "What are we going to do? I drive 30,000 miles a year." A school official wondered how many buses he would be able to keep running. And everyone was worried about rationing.

Fourteen months ago, Derwinski's blue- and white-collar district just southwest of Chicago went 71% for Nixon. Now the President is an embarrassment, a subject to be avoided. Watergate is also little discussed in places like Hickory Hills and Westchester, but the scandal has left its mark; voters are deeply cynical about what is going on in Washington. "People want to believe the worst about their leaders," said Derwinski. "They're looking for evil. They have chips on their shoulders." Indeed, the first question that Derwinski got at a Kiwanis meeting in Hillside was: "Is the energy crisis for real, or is it a red herring to cover up Watergate?"

Late one afternoon last week Derwinski was phoned by Republican National Committee Chairman George Bush, who wanted to know how the President was doing. Badly, reported Derwinski, and his advice went straight to the energy question. "Rationing must be avoided at all costs," he told Bush. Otherwise, Derwinski warned, the President would never achieve a majority of public support, even if he managed to survive impeachment proceedings.

VERMONT CONGRESSMAN RICHARD MALLARY. It was an astonishing scene. There, at a G.O.P. dinner in Montpelier, the capital of traditionally Republican Vermont, stood Republican Dick Mallary, 44, accepting handshakes and backslaps for criticizing, however cautiously, none other than that man in the White House.

Like many other conservative New

Englanders, Vermonters are losing patience with the President, so much so that Mallary, a prosperous former dairy farmer who hopes to reach the U.S. Senate some day, can make a name for himself by speaking his mind about Nixon.

One night last week Mallary showed up in Springfield (pop. 10,000) to field the questions of a group that calls itself Citizens for Honesty in Government. After comparing Nixon to Herbert Hoover, one young man said, "I could never vote for a Republican now." Acknowledged Mallary: "I'm sure elections will be run against Richard Nixon for the rest of the century."

Responding to a question about the secret bombing of Cambodia, Mallary said: "The misleading information provided to Congress on that is in my mind the most serious of the proven offenses now being investigated by the Judiciary Committee."

MALLARY LISTENING IN VERMONT

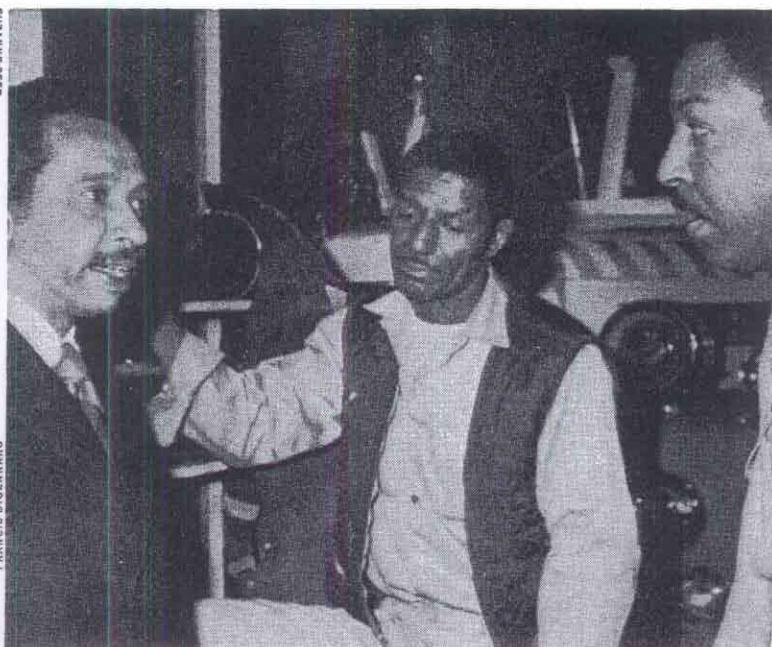


DOUG BRUCE—CAMERA 5

DERWINSKI (RIGHT) CANVASSING IN ILLINOIS



MITCHELL (LEFT) CONFERRING IN MARYLAND



FRANCIS D'IGENWART