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The Decision to 'Fight It Out'

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President Nixon abandoned his studied aloofness from the Watergate scandal last week and personally shaped his hard-line refusal to appear before the Senate Watergate committee, sharpening conflict between him and many Republican politicians distraught over the President's deteriorating situation.

Shortly before Mr. Nixon's letter flatly refusing either to testify before the committee or hand over presidential papers, the White House received dramatically contrary advice. Sen. Howard Baker of Tennessee, the committee's senior Republican, advised the White House that Mr. Nixon should engage in some kind of dialogue with the committee or risk dire consequences.

Baker's view is increasingly shared by Republican politicians, both around the country and in Congress, alarmed by the President's worsening political condition. But Mr. Nixon's active participation in the refusal to testify has cheered middle-level presidential staffers who have consistently advocated a hard-line. Thus, a 3-month-old battle over tactics between seasoned Republican politicians and youthful White House aides has entered a new phase, with the President himself now on the side of his hard-line staffers.

The President's letter was prompted by a request from Sen. Sam Ervin of North Carolina, Watergate committee chairman, for the papers of 35 past and present White House aides. When committee counsel Sam Dash then asked White House counsel Leonard Garment to immediately get papers of ex-aides H. R. Haldeman, John Ehrlichman and Charles W. Colson, Garment promised a quick reply.

The President ordered that the pa-

pers be refused. Smoldering over suggestions by Republican and Democratic members of the Ervin committee that he testify, he expanded the refusal to embrace presidential testimony even though no formal request had been made by the committee.

The original refusal was drafted in Washington but rewritten in San Clemente. The chief rewriter: Richard M. Nixon, imparting his special tone to the letter. "This is vintage Nixon," one high presidential assistant told us.

That overjoyed middle-level White House staffers, including former lieutenants of Haldeman and Colson, who in informal "attack group" meetings had mourned the "soft line" at the White House. They had been dismayed by successive presidential "retreats"—waiving executive privilege, confessions in his May 22 statement, giving the committee White House logs on Mr. Nixon's meetings with deposed White House counsel John W. Dean III.

These hard-liners were particularly enraged by Dean's being permitted to rummage in his old files and feared those files next would be supplied to the Ervin committee as requested. The blanket presidential refusal is taken by "attack group" staffers as a welcome sign of Mr. Nixon's deciding to fight it out.

But the President's letter dismayed Republican politicians who agree with Sen. Baker, a veteran Nixon loyalist. Just before the President's letter was released, Baker spelled out his views to chief White House lobbyist William Timmons and listed three possible ways for a Nixon-committee "conversation":

(1) Written questions, answers and further questions.

(2) Interrogation (not under oath) at the White House.

(3) Interrogation (not under oath) on neutral ground. Whatever the arrangement, Baker urged some such dialogue.

Baker's view is supported not only in the Senate Republican cloakroom but at the state party level. "I believe the President is not guilty, but he sure acts guilty as hell," one conservative state chairman told us. Such politicians doubt Dean's devastating testimony can be countered solely by friendly witnesses (a view supported by John N. Mitchell's current performance).

Among Senate Republicans, the hard-line letter is regarded as unnecessarily stoking up hostility with the Ervin committee. Since the committee had not formally asked the President to appear, no formal reply was needed. But the reply provoked Ervin's harsh reaction, which in turn generated outrage at the White House.

There is no sign that the sage political hands just signed on at the White House, Melvin R. Laird and Bryce Harlow, contributed to the President's letter. Nor is there any hint they disapproved. But if it becomes politically necessary, Laird and Harlow might well recommend something along lines recommended by Baker.

Indeed, some presidential aides suggest Mr. Nixon's present refusal to "testify" does not preclude "conversing" with the committee. But that would again force a public retreat from a position shrewd politicians in his own party feel the President never had to take in the first place.

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