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March 21 Meeting: Probing the President's Role

Inside the locked briefcase held by Judge John Sirica is secret grand jury testimony by Fred Larue, a key to current intricate maneuverings which could determine whether Richard M. Nixon is impeached.

Larue, a 1972 Nixon campaign aide who has pleaded guilty, told the grand jury of paying \$25,000 to the lawyer for Watergate conspirator E. Howard Hunt on March 21, 1973, a few hours after hush money was discussed by President Nixon. Larue's testimony and other grand jury evidence contained in the briefcase could decide the President's guilt or innocence in the Watergate cover-up.

Thus, despite James St. Clair's studied nonconcern about whether Sirica decides to send the briefcase to the House Judiciary Committee, there is little doubt he and other Nixon defense lawyers would prefer to keep that evidence off Capitol Hill. What makes this so important is that the events of March 21 have become central to Mr. Nixon's fight for survival.

That is because of the grand jury indictment of H. R. Haldeman for perjury in testifying that Mr. Nixon said

on March 21 it would be wrong to give hush money to Watergate defendants. Omniously, the grand jurors connected this with Larue's payment to Hunt the same day. Consequently, both Larue's testimony and the transcript of the President's March 21 meeting with Haldeman were put in the briefcase intended for use in the House impeachment proceedings.

The White House could not openly oppose giving this menacing evidence to Congress. But John Wilson, the shrewd old lawyer representing Haldeman and John D. Ehrlichman, could. Although Wilson vigorously denies in any way representing the President, his close connection with the Nixon legal defense long has been manifest.

So, St. Clair said it makes no difference whether Sirica sends the briefcase to the House safe in the knowledge that Wilson would say it makes a great deal of difference. Arguing that giving Congress the evidence would endanger his clients, Wilson's legal appeals could freeze the briefcase for months while the White House demands Congress vote quickly on impeachment. Moreover, St. Clair's offer to hand

the House all tapes and documents given the special prosecutor plus a sworn interview with the President attempts to minimize the briefcase. In fact, it contains other evidence—including Larue's testimony—not about to be supplied by St. Clair.

Simultaneously, the White House felt constrained to modify Mr. Nixon's version of the pivotal March 21 meeting—a major reason for last week's surprise press conference. While he did not specifically say on March 21 that hush money was wrong, the President told the press, he clearly meant the entire cover-up, hush money included, saying: "It is wrong; that's for sure."

Last week's press conference was but the latest variation in White House handling of the March 21 conversation. But ever since the scandal broke open, the President has consistently viewed that day's events as critical.

Shortly after being informed last April 15 by Asst. Atty. Gen. Henry Petersen that Haldeman and Ehrlichman might be prosecuted and ought to be fired, the President instructed Haldeman to listen to the tape recording of

the March 21 conversation and report back.

What the tape proves cannot be learned from fluctuating White House reports. On July 23, Mr. Nixon said the tapes were subject to interpretation and would not be conclusive. By late October, the President and his lieutenants were claiming that the March 21 tape would prove his innocence. In last week's press conference, Mr. Nixon said different people could draw different conclusions from reading the March 21 transcript.

Beyond his interpretation is the President's reaction. Asked last week why he did not immediately give the cover-up story to law enforcement authorities, Mr. Nixon replied that Ehrlichman conducted an investigation on his orders. Yet, Ehrlichman has testified he made no real investigation. Nor did anybody else.

The fateful questions of March 21 about President Nixon's comments, actions, and reactions have persisted, largely unanswered, for one year. But now they shall be asked by a House committee fulfilling its constitutional duty.