

The "Z" Factor

The transcripts disclose that what Nixon and his <sup>gran</sup> were really up to is the preparation of deceptions. His staff gathered with him and they discussed the possibilities. Then they coached him on what he should say and what should be said for him.

During their dress rehearsal of March 21, when McCord's accusatory letter was about to be made public, Ehrlichman proposed to Nixon that his position be:

"Since I had no communication with anybody on the White House staff about this burglary or about the circumstances leading up to it, there is no concern for executive privilege in this matter."

Nixon's response was, "With regard to this, I want you to get to the bottom of it. So there will be no executive privilege on that. On other matters--"

Here the hard-headed Haldeman interrupted to say, "And that takes you up to June 17th. What do you do after June 17th?"

"Use the executive privilege on that," Nixon replied.

This is an admission that after June 17th Nixon knew "about this burglary or about the circumstances leading up to it."

It directly addresses what the man Nixon never fully appreciated, Senator Howard Baker, ~~the Republican~~ head of the Republican minority, put as the essential question: what did the President know, when did he learn it and what did he do about it?

In putting it this way Baker was doing Nixon a great service because he eliminated consideration of whether Nixon had anything to do with this or other crimes. Baker, a canny, ambitious man, knew exactly what he was doing in this catchy misdirection of the Senate's investigation, which amounted to little more than a show at which what was already public was put on nationwide TV.

There were other crimes. They were White crimes. They also could lead to impeachment.

And there never was any real investigation of whether Nixon had anything to do with "this burglary" or any of the other crimes, which also were never really investigated.

Baker's question, what did Nixon do, is amply answered by the transcripts, which effectively silenced Baker because they leave little real doubt that what Nixon did was to engage in the obstructing of justice by <sup>any</sup> means that were at any moment expedient. Even his version proves that he knew of crimes, including perjury, before the time he claimed to have learned for the first time. They are proof of dress rehearsals for the obstructing of justice. Only those who will believe nothing against Nixon can interpret them any other way. As we shall see, they are explicit on one of the ~~specific~~ crimes specified in the Constitution as ground for impeachment, bribery. That particular bribery was to obstruct justice and the bribing worked.

When Nixon knew what is also answered easily, except for those who refuse to believe him guilty of anything.

He knew all he had to know right away.

One way never addressed is from the media. While he claimed never to read the papers, he did and with care. The transcripts disclose his complaints about Washington Post treatment of The Watergate story and comparisons of its treatment ~~of~~ with that of The New York Times based on his personal reading of both.

Another way never addressed is his daily press summary, running 20 to 50 pages daily.

It could not possibly have ignored this story from the moment it broke because it was and had to have been immediately recognized as the greatest crisis in Nixon's life of what he personally describes as a series of crises.

He had to know because his staff was informed on the highest levels by the authorities. It is beyond belief that anything like this would be kept secret from him. According to the official versions, sworn testimony, Ehrlichman and Butterfield were informed during the day of June 17 by the Secret Service and the FBI. But there was never any investigation of what either did with this dangerous knowledge.

One of the more effective means of official covering-up in official avoidance of what officials don't want to know. Thus when the right witness was <sup>before</sup> in the Ervin Watergate

committee he was not asked if he had informed anyone and when. Had he been, it would have been known that the word was passed about 4 a.m., which is about the first possible moment, and it was not from authorities but from ~~the~~ Nixon's own with his man on the gang five of whom had been caught.

Of all these official "oversights" that are not accidental the one that boggles the mind is the one that answers one of the more perplexing of questions to which the press and all officials pretended there were no answers.

When Nixon finally had to respond to a subpoena and delivered ~~xxxxxx~~ ~~xxxxxx~~ to the court some of the tapes called for, his lawyers claimed several did not exist and there was a mysterious gap of 18 and a half minutes on one. It later turned out *since September 29 at the latest (11/7/73)* that this had been known all along but the White House, which included Nixon who had been Nixon's *(11/7/73)* told personally, never even told ~~his~~ own lawyers until the moment of delivery to the court.

The papers were full of this beginning the afternoon of October 31, 1973. There was a double banner headline across the top of the next morning's Washington Post reading, "Key Mitchell, Dean Tapes Don't Exist, White House Aide Tells Judge Sirica."

One of these is described as a four-minute <sup>evening</sup> conversation with Mitchell that he swore to the Senate Watergate committee dealt only with Watergate. (Mitchell had just returned *from* campaigning in California because of the arrests inside Democratic headquarters.)

The second tape was of a meeting with Dean in Nixon's Executive Office <sup>B</sup>uilding office Sunday night, April 15, 1973. It was attributed to "malfunction," later described as the automatic-taping machines running out of tape.

More disappearance of this evidence that could have disclosed what Nixon knew when <sup>?</sup> disappeared. Next in the news was the admission in court eight days later that Rose Mary Woods, Nixon's long-time secretary, had found a "puzzling" gap of 18 and a half minutes in another tape. She was supposed to transcribe it for Nixon. Instead she rushed to him with the news. (WzPost 11/8/73ff). Later expert analysis by a panel agreed upon by the White House found this damage to the tape to be deliberate erasure. The Washington Post of January 1, 1974 again had a double, front-page banner, <sup>?</sup> "Separate Manual Erasures Found in 18 1/2 Minute Gap on Nixon's Tape." Or, no possibility of accident. <sup>Deliberate</sup> Felicitate erasure,

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deliberate destruction of evidence on which no chances were taken. A minimum of five different <sup>erasures</sup> ~~saratures~~ in those 18 and a half minutes,

In tracing what he called the "odyssey" of this tape from court records in the same paper, William Claiborne placed it in Miss Woods' possession, at the National Security Agency and to Nixon's personal Berchtesgaden, the government's retreat for presidents at Camp David, which is close to where I live. It is possible Haldeman also had ~~had~~ it.

What is missing is again a June 20 tape, the conversation between Nixon and Haldeman.

Earlier that day, according to Senate Watergate Committee testimony (~~WxPost~~ 1/16/74) Haldeman, Ehrlichman, Dean, Mitchell and Kleindinst had gotten their heads together.

And for a reason never explained, White House attorneys had concluded despite overwhelming evidence to the contrary that this tape was not one of those subpoenaed. That it was was without doubt. (~~WxPost~~ 1/16/74). So, Miss Woods testified, she hadn't bothered to listen to it.

Three days later the papers reported the existence of notes Haldeman had made about this meeting with "Nixon on June 20 and they "were directed solely to the negative public relations impact of the Watergate break-in on ~~xxxxix~~ the campaign of 1972."

The ~~remark~~ remarkable vagueness of this description went without comment.

In his subpoena for this June 20 tape, the Special Prosecutor Archibald Cox, later fired by Nixon for his persistence in seeking evidence, said "That was the first opportunity for full discussion of how to handle the Watergate incident." To this he added that "Ehrlichman has testified that Watergate was indeed the primary subject of the meeting." From the earlier meeting, Cox continued, first "hrlichman and then Haldeman went to see the President. The inference that they reported on Watergate and may well have received instructions is almost irresistible." (Post 11/22/73)

Nixon's logs for that day reveal that he met with Ehrlichman from 10:30 to 11:30 a.m. and with Haldeman from 11:30 until 1 p.m. It is in this private meeting with Haldeman that the mysterious gap occurs. (Haldeman's successor, General Alexander Haig, was later to describe this destruction of evidence as the work of what he termed "sinister forces.")

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Nixon's lawyers may not have known about this mysterious gap but Haldeman, then seven months gone from the White House, did according to the court testimony of Lawrence Higby, who had been his assistant. (WxPost 12/5/73). Higby testified on December 4, 1973 that Haldeman had called him from California about November 15 and directed him to dig up Haldeman's closely-guarded notes for that June 20, 1972 meeting, but to get General Haig's permission first.

The Secret Service had them guarded in Room 522 of the Executive Office Building.

"I think he indicated I was to get only one document - his June 20 notes," Higby swore.

Higby got them, and called Haldeman back and "I just read the notes off to him."

"That's no problem," Haldeman told Higby after thinking for a moment.

These notes report a decision to take the attack with a "PR [public relations] offensive" to counter ~~act the bad publicity. publicity over the Watergate break-in and bugging.~~ "We should be on the attack for diversion," Haldeman noted.

Once he had read these two ~~handwritten~~ pages, Haldeman told Higby to give them to Haig and Nixon's lawyer, J. Fred Buzhardt, both of whom had turned up at Room 522 in some anxiety.

"I think there was some pressure to get these notes to the President as quickly as possible," Higby testified. (Post 12/5/73)

If all they said was "attack," which was Nixon's way all his ~~life~~ political life, and to start a "PR offensive," why the great rush to get these notes to Nixon?

Again the answer is simple and clear and again it was missed by the press.

It is precisely because they said nothing else, what Haldeman wanted to be sure about.

Even so, why rush what says nothing to the worried Nixon?

The answer is like the story of the Purloined Letter, where the letter could not be found because instead of having been stolen or mislaid it was right out in the open.

The answer had been public - published - for ~~more~~ a half year.

The answer is that Haldeman knew what his notes might have said, what he and Nixon

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had discussed and had to be obliterated lest they both be jailed.

Nixon and Haldeman had spent the weekend at Key Biscayne, Nixon's Florida home. Ehrlichman and Butterfield and others remained in Washington.

When they returned to Washington, Haldeman had a short personal letter from Nixon's appointee as Acting Director of the FBI, replacing ~~Harold C. Callahan~~ J. Edgar Hoover who had died a little more than a month earlier. It was only two sentences long. Gray wrote it the day before, June 19. It read, in full:

"Enclosed is a memorandum containing the results of the investigation of the burglary of the Democratic Party National Headquarters, Watergate Apartments, Washington, D.C., on June 17, 1972.

A copy of the memorandum has also been forwarded to the Attorney General and investigation by the FBI is continuing."

Gray's letter to Kleindienst is almost word for word the same, with appropriate changes. Its concluding sentence is, "Investigation concerning the matter is continuing and reports of investigation will be furnished to the Criminal Division as soon as they are received."

(H. Jud. Hrgs. Gray confirmation, page 46)

There then followed a lengthy summary of what the FBI had learned to that moment.

Gray later testified that the "letter" only was not sent. (page 54) He was not asked and he did not testify that the summary was not sent. Nor that the Department of Justice had not supplied the identical information.

The memo concludes, "Investigative reports delivered to Assistant Attorney General Henry Petersen, Criminal Division of the Department."

And it is Petersen who is disclosed by the transcripts to have fed everything to the White House, to the extent that his own underlings cut him off from access to information.

(Add quotes).

There are also other FBI reports with further data as collected, including the full story of how clandestinely collected Nixon campaign money was "laundered" twice, first through a bank in Mexico and <sup>then</sup> through the Miami account of Bernard Barker, one of the four Cuban-Americans caught inside The Watergate.

This first "LHM" in FBI terminology, or letterhead memorandum, had the names and biographies of the other members of the arrested Nixon crew with the correct identification



from the Cubans' rooms eursura pursuant to search warrant included all of Hunt's home and office phones, his current one at the White <sup>Al</sup>ouse and on in a private office across the street from the Executive Office Building. The FBI had a contemporaneous Hunt-White House connection and avoided mention of it.

The Nixon-minded FBI was even more delicate with regard to Hunt, saying only that "Hunt was interviewed, admitted the check in question was his but refused to discuss this matter or the individuals involved without consulting his attorney."

Omitted is when the FBI interviewed Hunt. It was at his home <sup>the</sup> ~~that~~ late afternoon of the day of the arrests of the others, June 17.

Another significant inclusion is the fact that, although all the arrested had refused offers of permission to make telephone calls, without any call Michael Douglas Caddy appeared to say he represented those <sup>apprehended</sup> arrested "shortly after the subjects were arrested."

Mysterious. How did he know? This and more about Caddy will also interest us later.

But from this contraction it is apparent that from the very first the White House knew of its own man's involvement in this bizzarre crime and of the arrest of a crew connected with him and that they all had CIA connections.

That this was not reported to the man most likely to suffer from it, Nixon, by any of the many who knew is simply beyond belief. Heads would have rolled! And neither politics nor the White House works that way.

Moreover, the top assistants did know and not informing the FBI of what they knew could lead to charges of obstructing justice had they not told the President.

All of this and more awaited the return of Nixon and Haldeman.

It was a crucial moment, one that could end Nixon's public life and ruin his reputation in perpetuity. His staff employee for "highly sensitive, confidential matters" and his security director at his personal and his party's campaign headquarters were involved in burglarizing and bugging the opposition's headquarters, so he, inevitably, was connected with the unheard-of crime.

Everybody had cause for the deepest depression and worry with the ~~campaign~~ election <sup>only</sup> almost five months away.

Under this circumstance without duplication in history it is worth recalling the sequences of meetings on that first day Nixon and Haldeman were back in Washington and who was at each.

First there was a session of Haldeman, Ehrlichman, Dean, Mitchell and Kleindienst - and Kleindienst had the FBI's LHM with all the details, including those about Hunt, as it seems ~~is~~ safe enough to believe he was not alone in knowing.

Then, for about an hour, Nixon saw Ehrlichman alone. Officially, Ehrlichman was Nixon's chief of domestic affairs. Unofficially, he was also chief of those dirty-works works not handled by Charles Colson, another special assistant.

Then, for about an hour and a half, again alone and into lunchtime, Nixon was closeted with his chief adviser, Haldeman.

And ~~XXXXXXXXXXXXXXXXXXXX~~ neither Ehrlichman nor Haldeman told him anything?

He had not listened to the radio, watched TV, seen a paper, or read those expensively-prepared daily press summaries for three days?

Ehrlichman, having been told by the Secret Service, that a "White House consultant known to him personally and working under him personally in a crime of this political potential remained entirely silent about it?

It is easier to still believe the world is flat!

But proof is another matter, and therein lies the importance of the tapes.

Note also that with the crime so well known it could not have been unknown to Nixon, which is separate from details he may or may not have had, when his own Attorney General was in his offices Nixon did not call him in and ask, "What gives, Dick?"

Kleindienst met with the others, but not with Nixon. This, too, is truly exceptional.

Unless meeting with him served no purpose for Nixon.

Therein also lie the astounding "coincidence", that it is part of Nixon's conference with Haldeman only that was deliberately <sup>erased</sup> erased. When this tape exists except for the erased part and there is no conversation of anyone with Nixon on that break-in, there is no reasonable doubt of what was erased.

Or of why.

Were it not for this repetitious connection of Nixon and Republicans with that unusual crime, can it be believed that nobody mentioned it to him on his return to Washington?

And he had no curiosity about it?

His staff knew and he had to know that this gang that was caught were under Mitchell. And he ~~had~~ and Mitchell had been so close, as partners and in the government. And Nixon doesn't make any effort to discuss it with Mitchell, if only to give him hell, through the entire working day? With what that crime could have meant to Nixon (s re-election and with Mitchell running that campaign?

If the official explanation made to the court is to be credited, what Nixon did is to leave a phone that ~~was~~ <sup>was</sup> ~~not~~ known to him to be bugged automatically, the second he lifted ~~it~~ <sup>it was</sup>, and then walk into a different part of the White House and from a phone he knew was not bugged <sup>But</sup> (for the first time called Mitchell. Not until suppertime.

Can this be believed?

And if any or all of this can be, can the next part of the official story be credited, that of all the notes Nixon made by dictab~~let~~ at the end of such a day, only that part which relates to his conversation with Mitchell is missing?

And nobody knows how or why?

Except, of course, that General Haig postulated "sinister forces" within the closely-guarded White House.

The truth is that none of this can be believed.

But it can't stop there.

Because it also cannot be believed that Nixon and Hunt were strangers.

Aside from Hunt being a consultant to Nixon, they have a common past that has never been put together, as the foregoing also never has been.

It was never of interest to any of the official investigations.

And it, too, is all public.

In an operation for which Nixon takes boastful credit, an operation <sup>cloaked</sup> in which is such great secrecy that <sup>he</sup> it is mentioned in none of the many accounts, Hunt was a leading

figure, Hunt had a great and frustrated ambition:

To be an assassin!

And to have the head of another state assassinated!

Is there any wonder that there was this edginess over Hunt, or that all those tapes of June 20, 1972, had to fall victim to "sinister forces?"

Or that Nixon was and remained so scared?