

'Toughing It Out' ^{MT} 8/7/73

By William V. Shannon

WASHINGTON, Aug. 6—President Nixon has been "toughing it out" for more than four months since, according to his own statement, he was told the facts about Watergate on March 21. H. R. Haldeman and John D. Ehrlichman, his two principal aides, have now told their version of events to the Senate Watergate Committee.

Where does the case for Mr. Nixon now stand?

The most striking feature of the situation is that Mr. Nixon's public statements and the Ehrlichman-Haldeman testimony are contradicted by the testimony of most of the other witnesses. The weight of the evidence is that regardless of what Mr. Nixon may have known prior to the Watergate break-in, he was aware of the subsequent cover-up and, in a broad sense, directed it.

He knew, for example, that his senior aides were engaged in an effort to contain the Watergate case and prevent the exposure of higher-ups in the White House and in his campaign organization. Even more important than protecting those individuals, perhaps, was Mr. Nixon's desire that Gordon Liddy and Howard Hunt, two of the Watergate defendants, not reveal the burglaries and other illegal acts which he, the President, had authorized when they were working as "the White House plumbers."

In his May 22 statement, Mr. Nixon said, "Within a few days [of the break-in] I was advised that there was a possibility of C.I.A. involvement in some way."

He has never been willing to explain who advised him. He presumably means that Mr. Haldeman or Mr. Ehrlichman pointed out to him that since several of the Watergate burglars had past C.I.A. connections, it might be possible to pass off the Watergate burglary as some super-secret C.I.A. operation.

Fearing that C.I.A. Director Richard Helms would not cooperate, the President directed his aides to use Gen. Vernon Walters, formerly the President's interpreter and only six weeks in his job as No. 2 man at C.I.A., as their agent to head off the F.B.I.

Fortunately, General Walters could not be used in that way. He did convey the White House warning to Acting F.B.I. Director L. Patrick Gray. But when the White House followed up with pressure on the C.I.A. to put up bail for the burglars and pay them salaries, General Walters backed away. He and Mr. Gray agreed they would resign their respective jobs rather than subvert the investigation on the

phony basis that C.I.A. activity in Mexico might be exposed.

Mr. Gray communicated their concerns in his now-famous telephone conversation with the President on July 6, 1972. He borrowed General Walters' phrase that Mr. Nixon's own senior aides might "mortally wound" the President if they persisted in trying to prostitute the C.I.A. and the F.B.I. to cover up a domestic political scandal. Mr. Nixon did not ask the innocent Mr. Gray who those White House aides were since he knew very well who they were and that they were acting on his instructions.

In view of the resistance put up by Mr. Gray and General Walters, the President and his aides abandoned the C.I.A. ploy in mid-July. But any notion that an innocent President was misused by his own subordinates is untenable. As Senator Talmadge's questioning of Mr. Gray brought out, the President had received a warning on July 6 that any "prudent and reasonable" person would regard as sufficient, presuming that person had been in the dark up to that time.

Mr. Ehrlichman has testified that he was aware in the summer of 1972 that Mr. Kalmbach, the President's private attorney, was raising money for the defendants. It is inconceivable that he withheld this information from the President.

On April 30, in his televised address to the nation on Watergate, Mr. Nixon stated that "on March 21, I personally assumed the responsibility for coordinating intensive new inquiries into the matter and I personally ordered those conducting the investigations to get all the facts and to report them directly to me right here in this office."

But, as Senator Weicker demonstrated in his questioning, the President never called Mr. Gray to press for a wider or more vigorous investigation during the weeks between March 21 and April 27 when he resigned as Acting Director of the F.B.I.

The Haldeman-Ehrlichman testimony tried repeatedly to portray John W. Dean as the archvillain of the whole affair, misleading all his superiors. But in the tight hierarchical arrangements of the Nixon White House, a middle-rank figure such as Mr. Dean could not have conducted an extensive cover-up on his own authority. Word of it would soon have reached his bosses.

The burden of the Dean testimony remains unrefuted. If the tapes of White House conversations do not clearly sustain the President, then it is difficult to see what Mr. Nixon could say in yet another public statement that would lift the lengthening shadows from his Administration.