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PM 11/11/73

Mr. Nixon's Favorite Tape

At the anguished moment of revelation that two presidential tape recordings were missing, the White House secretly assured Senate Republican leaders that the non-missing March 21 tape would finally and fully reveal President Nixon's innocence—a stunning disclosure reassuring to friends but also the source of new suspicion on Capitol Hill.

Reassurance was badly needed when Alexander Haig, White House chief of staff, traveled to Capitol Hill late in the afternoon of Oct. 31 for a private meeting with Senate Republican leaders (arranged by Sen. John Tower of Texas, chairman of the policy committee). Just 30 minutes earlier, the White House had revealed in federal court that it did not have two of the nine subpoenaed tapes. So, Haig was confronting angry Republican senators, who now suspected Mr. Nixon had finally destroyed himself.

But Haig quickly sought to reassure them by declaring that one of the seven existing tapes, the March 21 conversation between the President and then White House counsel John W. Dean III, proves Mr. Nixon's innocence (or, in Haig's description, is "exculpatory").

Haig then gave the senators a synopsis of the tape: Dean for the first time revealing to the President the full extent of the Watergate cover-up, a shocked President reacting in disapproval. This, said Haig, shows Dean lied in his Senate testimony both about the March 21 meeting and his general accusations of Mr. Nixon's complicity in the Watergate cover-up.

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Sen. Hugh Scott of Pennsylvania, the Republican floor leader who has devotedly supported the President and denounced Dean, breathed a sigh of relief. In general, the party leaders took at face value Haig's assurances. But at least one senator was skeptical, correctly forecasting even wider skepticism outside the ranks of Republican loyalists.

For one thing, Haig's announcement conflicts with Mr. Nixon's letter last

July 23 that "the tapes would not finally settle the central issues" of Watergate. For another, the March 21 tape was one of those taken to his office at the President's direction by then chief of staff H. R. Haldeman on April 15 or 16.

The integrity of this tape is certain to be attacked by the President's critics. In the Nov. 10 New Republic, investigative reporter Walter Pincus records his suspicion that "the tapes have been doctored" and calls for an investigation. He asks whether parts of the conversation between the President, Haldeman and Dean on the March 21 tape were actually lifted from the March 13 tape in order to contradict Dean's claim of early Watergate warnings to the President.

Thus, while White House reliance on the March 21 tape helped quell an incipient revolt of Senate Republican leaders, it also opens an ugly new dispute over credibility and cover-up.

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Only hours before Archibald Cox was fired as special prosecutor amid White House accusations of his Democratic partisanship, his lieutenants were questioning an immunized witness about the milk lobby's contributions to two unsuccessful candidates for the 1972 Democratic presidential

nomination: Sen Hubert Humphrey of Minnesota and Rep. Wilbur D. Mills of Arkansas.

Robert Lilly of Austin, Tex., political action chief for the Associated Milk Producers, Inc. (AMPI), was secretly given immunity by the Cox task force investigating political contributions. He testified before the second Watergate grand jury in Washington Oct. 19. Cox was fired the next day.

The principal questioning of Lilly concerned "laundered" contributions to the Nixon re-election campaign through the President's lawyer, Herbert Kalmbach. But before testifying to the grand jury, Lilly advised friends that prosecutors were asking him whether similar contributions were made to Democrats Humphrey and Mills.

In fact, Lilly said privately before he decided to take Cox's offer of immunity that he was afraid his testimony might inadvertently hurt his friend, Wilbur Mills.

A footnote: Legal reported contributions by the milk lobby are listed as \$37,500 to Mills and \$12,000 to Humphrey—a pittance compared with the hundreds of thousands contributed to Mr. Nixon. The prosecutors were questioning Lilly about alleged unreported contributions, usually masked as legal fees.