

Nixon Queries Indicate Early Awareness

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The edited transcripts of President Nixon's recorded White House conversations indicate that Mr. Nixon was aware of the possible criminal involvement of his top aides well before March 21, 1973, the date he has maintained he first learned of the Watergate cover-up.

The tapes show that on Sept. 15, 1972, and Feb. 28, March 13 and March 29, 1973, Mr. Nixon, a lawyer, made statements, asked questions and received information that indicated he knew there was far more to the Water-

gate story than government investigators said they had been told by that time.

For example, on March 13, 1973, White House Counsel John W. Dean III specifically told Mr. Nixon that White House aide Gordon Strachan was aware of the illegal Watergate bugging operation during the period in 1972 when telephones at Democratic National Committee headquarters were tapped.

"I will be damned!" the President responded. Then, referring to his White House chief of staff, H. R. Haldeman, Mr. Nixon added: "Well

that is the problem in Bob's case." Strachan worked directly for Haldeman in the White House.

Advised by Dean that investigators "would have one hell of a time proving that Strachan had knowledge of it though," the President asked Dean, "Who knew better? Magruder?"

"Magruder and Liddy," Dean replied, referring to Mr. Nixon's deputy campaign manager, Jeb Stuart Magruder, and Watergate burglar G. Gordon Liddy.

"Oh, I see," the President observed at that point in the conversation. "The

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other weak link for Bob (Haldeman) is Magruder. He hired him, et cetera."

A key issue in the House impeachment inquiry could be whether President Nixon failed in this and other instances documented in the transcripts, to inform Watergate prosecutors about his knowledge of possibly criminal acts.

At that time, the seven original Watergate defendants, the only ones against whom the prosecutors then had evidence, were awaiting sentencing following their January, 1973, convictions.

The President and the White House have characterized Mr. Nixon's actions before March 21, 1973, as being designed to quiet a political problem and not to obstruct justice. Unless there is uncontradicted evidence that the President did obstruct justice or otherwise broke the law, Mr. Nixon and his advisers have contended, he cannot be impeached.

The President's response to Dean's information about Strachan on March 13 is consistent with other instances recorded in the transcripts in which Mr. Nixon received or discussed the possible criminal involvement of his aides.

At no time in the conversations before March 21—and rarely in those after that critical date—did the President or his advisers even discuss telling the whole truth to either the public or law enforcement authorities.

Instead, the tapes reveal

discussions of alternatives ranging from public relations offensives to total silence to the possibility of extending executive clemency to the Watergate burglars.

Told by Dean on March 13 that Strachan knew specifically "about the Watergate," Mr. Nixon observed: "Well, then, he probably told Bob (Haldeman). He may not have."

Dean replied: "He (Strachan) was judicious in what he relayed, but Strachan is as tough as nails. He can go in and stonewall, and say, 'I don't know anything about what you are talking about.' He has already done it twice you know, in interviews."

To which Mr. Nixon responded: "I guess he should, shouldn't he? I suppose we can't call that justice, can we?"

The conversation about Strachan's involvement—like many others in the pre-March 21 transcripts— took place against the backdrop White House planning for the then-upcoming Senate Watergate committee hearings.

Early in the same March 13 discussion Dean told Mr. Nixon: "These questions are just not going to go away. Now the other thing that we talked about in the past, and I still have the same problem, is to have a 'here-it-all-is' approach . . . (one that would) let it all hang out."

"We have passed that point," Mr. Nixon immediately responded.

It was two weeks earlier, on Feb. 28, that the transcripts show that Mr. Nixon raised the question of offering executive clemency

to some of the Watergate burglars.

Told by Dean, "Well, there is every indication that they (the burglars) are hanging in tough right now" — an apparent reference to their silence about the Watergate raid—Mr. Nixon responded:

"What the hell do they expect, though? Do they expect clemency in a reasonable time? What would you advise on that?"

Dean: "I think it is one of those things we will have to watch very closely . . . For example—"

The President: "You couldn't do it, say, in six months."

Dean: "No, you couldn't"

During the same meeting, which occurred several weeks before the sentencing of the seven original Watergate defendants, the President asked Dean if federal Judge John J. Sirica "is trying to work on them to see who will break them down."

"Well, there is some of that," Dean replied in an apparent reference to publicly unrevealed facts known to the burglars.

"How the hell does Liddy stand up so well?" the President asked Dean on March 13.

"He's a strange man, Mr. President," Dean told him, ". . . Strange and strong. His loyalty is—I think it is just beyond the pale. . . ."

The President then asked Dean, "Is it too late to go the hang-out road?"—apparently meaning to take a candid approach—and was told by his counsel:

"... There is a certain

domino situation here. If some things start going, a lot of other things are going to start going, and there can be a lot of problems if everybody starts falling. So there are dangers, Mr. President. I would be less than candid if I didn't tell you there are. There is a reason for not everyone going up and testifying" (before the Senate committee).

According to the same page of the transcript, Dean also told Mr. Nixon on March 13, "I think there are some people (in the White House) who saw the fruits of "the Watergate wiretap—though Dean added that they did not know of "the criminal conspiracy to go in there" (the Democrats' Watergate headquarters).

Mr. Nixon did not ask Dean for details.

Earlier, on Feb. 28, Dean and the President engaged in the following colloquy during their discussion of the upcoming Senate hearings:

Dean: Well I was — we have come a long road on this thing now. I had thought it was an impossible task to hold together until after the election until things started falling out, but we have made it this far and I am convinced we are going to make it the whole road and put this thing in the funny pages of the history books rather than anything serious because actually—

Mr. Nixon: It will be somewhat serious but the main thing, of course, is also the isolation of the President.

Dean: Absolutely! Totally true!

Mr. Nixon: Because that, fortunately, is totally true.

Dean. I know that sir!

Mr. Nixon: (expletive deleted) Of course, I am not dumb and I will never forget when I heard about this (adjective deleted) forced entry and bugging. I thought, what in the hell is this? What is the matter with these people? Are they crazy. I thought they were nuts! A prank!

But it wasn't! It wasn't very funny. I think that our Democratic friends know that, too. They know what the hell it was. They don't think we'd be involved in

such.

Dean: I think they do too.

Mr. Nixon: Maybe they don't. They don't think I would be involved in such stuff. They think I have people capable of it. And they are correct, in that Colson (special presidential counsel Charles W. Colson) would do anything. . . Colson's got (characterization deleted),

but I really, really—this stuff here, let's forget this. But let's remember this was not done by the White House. This was done by the Committee to Re-elect, and (former Attorney General John N.) Mitchell was the chairman, correct?

Dean: That's correct!

The President then observed that if the Senate hearings "get out of hand," the result "is going to potentially ruin John Mitchell."

At the time of the discussion, investigators still had failed to establish the existence of a cover-up in Watergate or the involvement of high-level officials at either the White House or the Committee for the Re-election of the President.

The first instance in the recorded conversations in which the President indicates that his knowledge exceeds that of the investigators occurs on Sept. 15, 1972, the date of the original Watergate indictments.

Dean: Three months ago I would have had trouble predicting there would be a day when this would be forgotten, but I think I can say that 54 days from now nothing is going to come crashing down to our surprise . . .

Mr. Nixon: Oh well, this is a can of worms, as you know, a lot of this stuff that went on. And the people who worked this way are awfully embarrassed. But the way you have handled all this seems to me has been very skillful in putting your fingers in the leaks that have sprung here and sprung there. The grand jury is dismissed now?

Dean: That is correct.

Later in the conversation, Dean briefed the President on preparations for side-tracking Watergate hearings then being planned by the House Banking and Currency Committee.

"You really can't sit and worry about it all the time," the President advised Dean. "The worst may happen but it may not. So you just try to button it up as well as you can and hope for the best, and remember basically the damn business is unfortunately trying to cut our losses."