

Transcripts Touch on Few Key Issues

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For the vast majority of the counts it's considering in its impeachment inquiry, the House Judiciary Committee will find little helpful evidence in the recorded presidential conversations the White House surrendered last week.

Those documents, which White House officials say are the last they will hand over, hardly touch on many of the key items on which the Judiciary Committee is seeking information.

The committee is inquiring into 13 items specifically related to the Watergate break-in and cover-up. In only three of the items will the members find much to chew on in the subpoenaed documents. Those three embrace the paying of hush money and promising clemency to Watergate defendants, the issue of perjury and the involvement of high administration officials in the Watergate cover-up.

But an analysis of the edited transcripts shows that the conversations hold nothing particularly relevant to the other 10 items. When they are mentioned, the dialogue is frequently vague and ambiguous, and in many

cases what appear to be key passages are deleted and marked "unintelligible." These generally uninformative conversations cover such points as the destruction of Watergate evidence and attempts to involve the Central Intelligence Agency in the cover-up.

The committee has outlined a total of 27 areas of inquiry, covering Watergate and such other potential impeachment issues as the President's personal finances, domestic surveillance, the milk fund and the International Telephone and Telegraph Corp. case. Nothing in the subpoenaed transcripts bears on 19 of those cases.

And it now appears that nothing more will be forthcoming from the White House. Judiciary Committee Chairman Peter Rodino (D-N.J.) said Friday that the committee may subpoena other conversations dealing with such cases as ITT and the dairy industry's political contributions. But the President's lawyer, James D. St. Clair, has indicated that nothing would be produced on those issues. "The name of this problem we are facing is called Watergate," he told reporters.

The committee will find plenty to shore up its case that Mr. Nixon was

aware in the spring of 1973 that many of his top officials may have been involved in the cover-up.

At the famous March 21 meeting, John W. Dean III told Mr. Nixon of the problems certain people would have explaining the money delivered to the original Watergate defendants. Mr. Nixon said he supposed that that had been put "under the cover of a Cuban committee" and added, "I would certainly keep that cover for whatever it is worth."

Dean replied: "That's the most troublesome post-thing because (1) Bob is involved in that; (2) John is involved in that; (3) I am involved in that; (4) Mitchell is involved in that. And that is obstruction of justice."

Dean's references were to Mr. Nixon's two top aides, H.R. (Bob) Haldeman and John Ehrlichman, and to former Attorney General John N. Mitchell.

On the other hand, nothing in the transcript suggests that Mr. Nixon had any hand in planning the operation to break into the Democratic National Committee headquarters in the Watergate office building and plant micro-

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phones there. His comments as included in the transcripts suggest that he didn't know about the operation and that he was puzzled by its timing nearly a year after it happened.

"Why at that point in time, I wonder?" he asked Dean. "I am just trying to think. We had just finished the Moscow trip. The Democrats had just nominated McGovern. I mean [expletive deleted], what in the hell were these people doing? I can see their doing it earlier. I can see the pressures, but I don't see why all the pressure was on then."

There is only a quick, brief reference in any of the conversations to one of the Judiciary Committee's main interests—the charge that the White House attempted to involve the CIA in the cover-up.

Assistant Attorney General Henry E. Petersen observed in one conversation that E. Howard Hunt had received some help from the

CIA— apparently a reference to the equipment given Hunt for his break-in at the office of Daniel Ellsberg's psychiatrist.

Mr. Nixon said: This was [inaudible] the White House?"

Peterson: "Yes sir."

The President: "That was perfectly proper. He was conducting an investigation from the national security area for the White House at that point."

The Judiciary Committee is also investigating decisions made for certain aides to perjure themselves when they testified before the Watergate grand jury and at any trials that might grow from the case.

Nothing suggests specifically that Mr. Nixon partici-

pated directly in a decision to commit perjury, but there are many conversations in which the problems are kicked around.

At one point, when Dean, Haldeman and the President were discussing the problems some witnesses might have before the grand jury, Dean observed that it is possible in that forum to take the Fifth Amendment.

Haldeman: "You can say you have forgotten, too, can't you?"

Dean: "Sure, but you are chancing a very high risk for a perjury situation."

The President: "But you can say I don't remember. You can say I can't recall. I can't give any answer to that that I can recall."

In another conversation, Mr. Nixon is told by Ehrlichman that Robert C. Mardian had been coaching witnesses prior to their appearance before the grand jury.

The President: "Well, is

there anything wrong with that?"

Ehrlichman: "Yeah, well there's something wrong with ..."

The President: "He was not their attorney, is the problem?"

Ehrlichman: "Well, no, the problem—the problem is he asked them to say things that weren't true."

The President: "Oh."

The committee's investigation of the administration's entanglements with ITT would be advanced very little by the material received this week, although two conversations do raise questions.

In one of them, Mr. Nixon recalls that he had intervened with his former assistant attorney general for antitrust prosecution, Robert McLaren, to stop a legal action against the big corporation.

"We had a runaway antitrust division at that point," Mr. Nixon told Ehrlichman. He went on to explain that he felt that McLaren had been violating the administration's antitrust policy, and that it wasn't only ITT's case that was at stake.

There is also an unexplained—and contradictory—reference to an incident in which Hunt apparently had been used by the White House in connection with some disagreement with ITT.

Dean and Mr. Nixon were discussing Charles Colson, the former White House aide who had been close to Hunt, and Dean said he knew that Colson had used Hunt in that ITT episode.

The President responded, "I knew about that. I didn't know about it, but I knew there was something going on. But I didn't know it was a Hunt."

The Judiciary Committee

is also seeking evidence on the administration's use of the Justice Department to blunt media criticism of its Watergate crime. The transcripts delivered last week throw little light on that.

But in a long, rambling and inconclusive conversation, the President and Dean did discuss the possibility of having William Sullivan, former associate director of the FBI, disclose information on the alleged bugging by the Democrats of Barry Goldwater's presidential campaign.

Dean said he believed that leaking Sullivan's information would serve to show that political bugging is common to both political parties, not just the Republicans.

Dean said, "He [Sullivan] is going to lay it out, and just all hell is going to break loose once he does it. It is going to change the atmosphere of the Gray hearings and it is going to change the atmosphere of the whole Watergate hearings ..."

Dean added: "It is a red herring. It is what the public already believes. I think the people would react: [Expletive deleted], more of

that stuff. They are all bad down there! Because it is a one-way street right now ..."

Mr. Nixon was interested—"You think we could get him [Sullivan] to do this?" he asked Dean—but in the end nothing was decided, so far as the transcript indicates.

The documents throw a little more light on Mr. Nixon's attitude toward U.S. District Judge W. Matt Byrne, who was the trial judge in the Ellsberg case in California.

It was disclosed that while the trial was still under way Ehrlichman met twice with Byrne and offered him the directorship of the FBI.

The Judiciary Committee is investigating the offer of the job to Byrne.

In a conversation with former Secretary of State William P. Rogers, Mr. Nixon spoke highly of Byrne and indicated that he had virtually decided to make the appointment.

"The guy we're thinking of, Bill, [unintelligible] a frankly [unintelligible] a Democrat, Irish, Catholic, bachelor, forty-two years of age," Mr. Nixon said. "He's finishing the Ellsberg case

and received plaudits for being just as fair as he can. Thank God there's a jurist of that kind. And based on [unintelligible] sense of [unintelligible]. And I feel I think he'd get a hundred per cent because he has the best investigative experience. A great man for the job ... He will get a hundred votes in the Senate."

The transcripts show that Mr. Nixon, on at least three occasions, discussed another administration embarrassment in which the Judiciary Committee is interested—the \$200,000 campaign contribution of Robert Vesco. Vesco allegedly wanted help from the Justice Department about a pending Securities and Exchange Commission investigation of one of his companies.

Dean told Mr. Nixon in one conversation that no one at the White House had done anything for Vesco. But later Ehrlichman formed the President's former Commerce Secretary Maurice H. Stans had received the \$200,000 and then made a telephone call followed by a call from Mitchell to Vesco. Ehrlichman said the transaction might result in an indictment.

"My God, that's dumb," said the President.