

29 Aug 73 ①

McCord's request for permission to make lecture tour denied by Judge Sirica. Story says McCord made a speech tonight at to college audience in Springfield, Ill., in which he said Mitchell, Haldeeman and Erhlichman lied to Ervin committee. Sirica sets hearing for 5 Sep to clarify conditions of release for McCord and Magruder, who also has plans for lecture tour in a few weeks. Has made about 20 speeches so far,

SFC [UPL] 31 Aug 73; [AP] 30 Aug 73

OVER-A

Magruder - see item on McCord above.

Ervin has decided to cut short second and third phases of public hearings so that committee will have more time to prepare report; hopes to end hearings by 1 Nov or shortly thereafter. When they resume 17 Nov Colson will be first witness.

Edmisten: "Beyond that we really don't know, because we don't know what the committee is willing to do."

SFC [NYT] 29 Aug 73

~~of Nixon's conversations~~
Judge Sirica orders Nixon to make tapes available to him for decision on their use by a grand jury.* Says he is "simply unable" to decide whether Nixon's refusal to release the tapes and related documents is valid without inspecting them himself in camera; ~~and if he finds~~ if there is evidence relating to criminal activity and it can be separated from privileged statements dealing with Presidential duties, would extract it and pass it on to Watergate grand jury - if it cannot be separated "the whole must be privileged and no disclosure made to the grand jury." ~~Re Nixon's~~

~~Presidential aides announced that Nixon will not comply with the order.~~ Says it is immaterial whether the court has the physical power to enforce his order because the court "has a duty to issue appropriate orders" under any circumstances.

~~Presidential aides announced that Nixon will not comply with the order.~~ Does not agree with Nixon "that it is the executive that finally determines whether its privilege is properly invoked. The availability of evidence, including the validity and scope of privileges is a judicial decision."

Presidential aides announce that Nixon "will not comply with the order."

SFC [NYT] 30 Aug 73

*Tapes involved are of nine conversations dated between 20 Jun 72 and 15 Apr 73.

↑ has invitations for about 40 more before college and
university audiences. (WXP 31 Aug 73, "Dole to Seek ... "

29 Aug 73 (2)

White House lawyers ask Sirica to refuse Ervin committee's demand for the tapes, saying the committee has exceeded its authority by conducting a "criminal investigation and trial," and that committee's subpoena is void because Senate has not authorized it to take such action against Nixon. Committee counters with request that Sirica issue a summary judgment for immediate release of tapes.

SFC [UPI] 30 Aug 73

Ervin committee's mail apparently has been tampered with, with 147 people writing to the committee to say empty envelopes have been received; about 100 complaints are from California.

SFC 30 Aug 73

Mrs. Mitchell denies she is leaving Mitchell; "there has never been any such discussion with my husband. I'm staying to the bitter end;" questions reports she is leaving Mitchell. This is a UPI story, based on "a telephone call to UPI" ~~not~~ ~~transmitted~~ by Mrs. Mitchell, but does not say that the call was to Helen Thomas, whom she did call 27 Aug (see entry that date and 26 Aug).

SFC 30 Aug 73

Susan Agnew, who has been in Maceio, Brazil, on hospital ship Hope since Feb, flies back to U.S. "suddenly this week" (no date) after Brazilian police had "reported a number of threats" against her. Story says "relations between Brazil and the U.S. have been excellent." Dr. William Walsh, director of Project Hope, "who also returned to Washington recently," says the threats were to kidnap Miss Agnew; from context, seems to suggest the threats had been made over a period of time, and were not necessarily a sudden development: "As soon as [the Brazilian security police would] get one they'd pass it along to us and if it seemed serious enough, she'd just stay on the ship." U.S. Embassy in Brazil says it has never heard of any threat; "a U.S. diplomat" says he had a long talk with Walsh 23 Aug [in Brazil?] and that in discussing Miss Agnew, "he told me ... everything was fine." Brazilian authorities have no immediate comment.

SFC 30 Aug 73 [AP]

*Walsh ~~left~~ says " ... I left [from context, Brazil] on Aug. 20 ... " - WXP 30 Aug 73 (3)

OVER - 1

~~Miss Agnew says she "got word" (from context) to return/over~~
~~the weekend of 25-26 Aug. from Washington~~

, from WX

A Miss Agnew says she "got word" (from context) to return/over
the weekend of 25-26 Aug.

WXP 30 Aug 73, Berger

29 Aug 73 (3)

Nixon to return to WX 31 Aug after 12-day stay in California; he and family to spend Labor Day weekend at Camp David; 31 Aug a Friday. (Nixon-Agnew meeting, White House, 1 Sep.)

SFC [AP] 30 Aug 73

Hunt/Chappaquiddick. Jack Anderson column says Anderson's office has summary of Colson's interview by Ervin staff, quotes from it: "[Colson] admitted that 'Hunt came to me and said he had some hot information with regard to Chappaquiddick . . . and I told him to get it. It did not turn out to be anything significant.' 'Hunt,' he went on, 'made only two trips at my request, one was for the Chappaquiddick papers [?] and the other was to Denver to interview Dita Beard' ... "

WXP 29 Aug 73 (Compare with same column in SFC 29 Aug)

OVER *

Grass roots ~~reaction~~ attitude on Nixon, as reported by House members. ("Representatives Find Nixon Hurt but Call Impeachment Unlikely.") Rep. Morris K. Udall, Tucson: "I think the public polls would have to be at least 65 to 70 per cent in favor of impeachment before that sentiment would be reflected [in Congress]. I personally feel that if anything happens to remove Richard Nixon from office it will come not through loud impeachment proceedings but through his resignation, pressured by party leadership, conservative newspapers and the financial world. The key is to watch the mainstream of national Republican leadership."

NYT 29 Aug 73, Lydon

Ervin says committee is asking for only four tapes, specifying "full" tapes, and in addition "certain memoranda." Says he sees "no parallel at all between the protests of the 1960s and Watergate." Also, "I couldn't quite understand the President's comments about being ultimately responsible for Watergate, but not being to blame for it."

WXP 30 Aug 73, Manguno

Ulasewicz ~~apparently~~ sent to Chappaquiddick by Ehrlichman
and Caulfield, apparently on the day of the accident.

WXP 19 Jul 73, p. 13