

12 Sep 73 (1)

Ervin committee decides to delay resumption of hearings until 24 Sep because staff investigators had asked for an additional week to gather information; three investigators go to New Hampshire to interview potential witnesses, others are said to be checking records of ~~Rebozo's bank~~ Key Biscayne Bank and Trust Co., operated by Rebozo. When hearings resume they will be limited to three days a week; committee hopes to complete investigation by 1 Nov. Ervin and Baker reject suggestions that the committee is responding to pressure from WH and Republican party leaders to terminate the hearings and turn the matter over to the courts.

Ervin and Baker say they remain determined to obtain access to the tapes, and Ervin describes them specifically as tapes "in an unaltered state."

SFC [NYT] 13 Sep 73

Colson asks that his appearance before the committee be delayed because he is a target of a federal grand jury investigation, Dash is reported to have told the committee. Following this report, "sources" say, the committee decides it would be inappropriate to call Colson if he would refuse to answer questions.

The nature of the grand jury's investigation is not known, but speculation within the committee is that it involves the Fielding break-in. WXP has obtained a copy of a memo, dated 8 Aug, which says WX tax attorney George D. Webster "was involved in the \$5000 loan to Colson for the Ellsberg break-in." No further details. OVER - A

SFC [WXP] 13 Sep 73

Colson's lawyer confirms that Colson has testified before the newer grand jury (investigating Fielding case~~X~~) for four to five days over the past two weeks.

WXP 13 Sep 73

Agnew - During period 12 Sep to "the present" [25 Sep] discussions take place between Richardson/Petersen/Beall and Agnew lawyers Topkis/ London/Best. Richardson: "The Department of Justice agreed to participate in these meetings in response to a request by the Vice President's counsel ... "

NYT 26 Sep 73 - statement by Richardson, 25 Sep 73

A Webster headed Lawyers for Nixon committees in 1968 and 1972; was reportedly in line for presidential appointment as commissioner of IRS earlier this year, but withdrew from consideration.

WXP 13 Sep 73, Meyer and Hanrahan

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Kissinger - Sparkman says that an FBI summary provided by Richardson "completely supports" Kissinger's testimony that he had no part in initiating the wiretaps and merely provided a list of those with access to highly classified information.

SFC [UPI] 13 Sep 73

OVER - X

ITT - Richardson, in letter to Sen. John Tunney, who had asked him to conduct a review of the ITT merger case, says that after a review of the case by Justice Department's antitrust division he does not believe a reopening of the case would serve the public interest. No date given for letter.

SFC [UPI] 13 Sep 73

Nixon has not held any worship services in the White House since 15 Apr 73, nor attended any public services since Easter [22 Apr] when in Key Biscayne when the Rev. John A. Huffman "delivered a moralizing sermon that some observers linked to the Watergate scandals." (WXP 23 Apr 73, Cannon.)

SFC [AP] 13 Sep 73 See entry 26 Sep.

Executive privilege (milk price supports) - White House modifies its claims of executive privilege in suit brought by Public Citizen Inc. (Nader) and other consumer groups, which had asked for 67 White House memos concerning increase in milk price supports. In July White House had asserted executive privilege for all these documents, but today in affidavit filed with appellate court offers to release to the plaintiffs 7 documents, apparently without restriction,\* and to submit for private judicial review 24 others, including <sup>six</sup> ~~six~~ which are censored. Censored segments of the six memos and the additional 36 memos will not be released.

SFC [WXP] 13 Sep 73

\*These 7 documents appear to be those described by Garment as "reports on news items and staff activity mainly in support of governmental actions and decisions already reached."

WXP 13 Sep 73, Lardner

\* Murrey Marder: "Kissinger has minimized his share in initiating the wiretapping.... Others claim that Kissinger was the initiating party.... The [FBI summary] is said to show that Kissinger was a motivating force in the surveillance."

WXP 12 Sep 73, Murray Marder