

Option of Telling Truth About Watergate Found

By DAVID E. ROSENBAUM

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WASHINGTON, May 1—From March 21, 1973, when John W. Dean first laid out the Watergate case in detail for President Nixon, through the middle of April, 1973, the President and his top advisers considered many options for handling their Watergate problems.

The transcripts of the recorded Presidential conversations show, however, that one alternative that was only rarely discussed and was always immediately discarded was to tell the full truth about the Watergate cover-up to the public or to a grand jury.

The discussion of various tactics to prevent the truth from getting out was a dominant theme in more than 60,000 words of transcripts published in The New York Times today and 65,000 words to be published in tomorrow's paper.

The transcripts printed today cover conversations from Sept. 15, 1972, through March 22, 1973, and include a 50-page legal defense of the President prepared by his attorney, James D. St. Clair.

In its editions tomorrow, The Times is publishing the transcripts of conversations of March 27 through April 14. The remaining transcripts are to be published in the Friday and Saturday papers.

During the Meeting, March 21 the full transcript of which was published in The New York Times today, the President discussed a number of the options with Mr. Dean, who was then the White House counsel, and H.R. Haldeman, who was chief of staff. Among them were the following:

¶ Paying up to \$1-million to E. Howard Hunt Jr., who had been convicted in the Watergate burglary case, in return for his continued silence about the Watergate break-in and the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist.

¶ Promising Mr. Hunt executive clemency or early parole if he promised

not to disclose all he knew.

¶ Creating a new grand jury and then lying to it or holding back information on the ground of national security.

¶ Bringing Henry E. Peterson, the experienced Assistant Attorney General in charge of the Justice Department's Criminal Division, into the White House to advise Mr. Nixon's chief aides on how to avoid prosecution.

Further Options Weighed

On March 22, Mr. Nixon met with Mr. Dean, Mr. Haldeman, John N. Mitchell, the former Attorney General, and John D. Ehrlichman, then domestic counselor, and they discussed how White House officials could avoid public testimony before the Senate Watergate committee.

On March 27, the President, Mr. Haldeman and Mr. Ehrlichman considered a number of further options for withholding the full facts. Among these possibilities were the following:

¶ Creating what Mr. Haldeman called a "superpanel" — a commission of judges or, perhaps, other prominent citizens to determine the involvement of White House officials.

¶ Telling the sitting Watergate grand jury the truth about the planning of the Watergate burglary, since neither the President nor his principal assistants were involved, but withholding information about the cover-up.

¶ Appointing a special prosecutor with whom the White House felt comfortable.

Calling Judge John J.P. Sirica, the judge in the Watergate case, to the White House and telling him that the White House was conducting an extensive internal investigation to determine if anyone there was involved in planning or committing the Watergate burglary.

Like the idea of telling the truth, all of these options, with the exception of paying hush money to Mr. Hunt, were rejected.

Early in the meeting March 21, Mr.

Nixon mentioned the possibility of telling everything to the grand jury and said, "Complete disclosure, isn't that the best way to do it?"

Mr. Dean replied, "Well, one way to do it is . . ." and the President interrupted and said, "That would be my view."

Then, Mr. Dean said that he and others might be guilty of obstruction of justice, and the President seemed to back off from the possibility of telling the full truth. There was the following exchange:

Mr. Nixon: I feel it could be cut off at the pass, maybe, the obstruction of justice.

Mr. Dean: You know one of the — that's why . . .

Mr. Nixon: Sometimes it is well to give them something, and then they don't

At the meeting March 21, the President discussed paying off Mr. Hunt time and again and said that giving him as much as \$1-million to buy his silence "might be worthwhile." But the President never specifically ordered that the money be paid.

That night, according to the Watergate cover-up indictment, final arrangements were made for paying Mr. Hunt \$75,000.

Clemency Idea Rejected

Mr. Nixon rejected the idea of granting Mr. Hunt clemency, but his primary reason seemed to be that clemency would be politically unwise rather than immoral or illegal.

The idea of parole was also discussed, with Mr. Nixon saying, "Parole, in appearance, etc., is something I think in Hunt's case, you could do Hunt, but you couldn't do the others."

Mr. Nixon suggested several times that a new grand jury could be convened to take testimony on the Watergate matter or that White House aides could go before the sitting grand jury.

It was noted on March 21 that the

Discussed Rarely by Nixon, Advisers

aides could use their grand jury appearances as an excuse to refuse to testify publicly before the Senate Watergate committee and that, while before the grand jury, they could claim Fifth Amendment protection against self-incrimination, claim executive privilege or contend that certain matters could not be discussed because they involved national security.

When the question of perjury was raised, Mr. Nixon said, "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.'"

The possibility of creating a commission to investigate White House involvement in Watergate was broached by Mr. Haldeman on March 27, and he gave the following argument for it:

"It will take the panel a long time to get set up, get its processes worked out, get its hearings done and make its findings, and then you'll probably be past the '74 elections, which'll be desirable.

"Secondly, the President maintains the ultimate stroke on it, because he always has the option on Jan. 19. [1977, the day Mr. Nixon's term expires] to pardon anybody who (unintelligible) a pardon. So the potential, ultimate penalty anybody would get hit in this process could be about two years."

But Mr. Nixon rejected the idea of a commission in the following statement:

"Let's face it. They'll have special prosecutors who will want to make a name for themselves. Everybody wants to make a name for themselves in this (unintelligible). They'll drag it on and on and on. The idea that a commission might gog through the '74 election, etc. — My view is, I can't have this (unintelligible). I think the damn thing is going to come out anyway, and I think you better cut the losses now and just better get it over much sooner and frankly sharper."

Mr. Nixon, instead, seemed to opt for calling Judge Sirica to the White House and suggesting that the judge or Attorney General Richard G. Kleindienst appoint a special prosecutor for Watergate matters. It was implicit that the special prosecutor would be under the thumb of the White House and the Justice Department.

"The President gets the judge," Mr. Nixon said on March 27, "and says, 'Now you are an honest judge. You are doing your job. Those special prosecutors have nothing to hide here.'"

Beginning on March 27 and continuing through mid-April, Mr. Nixon and his aides moved more and more to the idea that Mr. Mitchell should step forward and take the blame for the whole Watergate affair, thus taking the heat off people at the White House.

That option, which Mr. Mitchell was reported unwilling to agree to, was discussed in a telephone conversation April 15 between Mr. Nixon and Mr. Haldeman. Following is an excerpt from that conversation:

Mr. Nixon: Look, if they get a hell of a big fish, that is going to take a lot of the fire out of this thing on the cover-up and all that sort. If they get the President's former law partner and Attorney General, you know. Do you agree or not? Am I—?

Mr. Haldeman: Yeah, what I feel is people want something to be done to explain it.

Mr. Nixon: Explain that they did it, and then, of course, the cover-up comes in, and they did that, too.

Mr. Haldeman: And it all makes sense. It is logical, believable, because it's true.

Mr. Nixon: Right.

Mr. Haldeman: And there it is — I can't — it seems to me that there is at least a strong possibility, if not probability or certainty, that public reaction is going to be, "Well, thank God that is settled. Now let's get away from it."

Mr. Nixon: That's right.