

Cover-Up III

MAY 4 1974

NYTimes

In a broadcast to the American people on April 30, 1973, President Nixon announced that he had authorized his new Attorney General Elliot Richardson to name "a special supervising prosecutor" to deal with the Watergate scandals. At the time, the odd designation of "supervising" escaped attention and scrutiny. The third installment of the transcripts of the Watergate tapes as published yesterday in The Times reveals it was a deliberate limitation of the prosecutor's powers—clearly part of the continuing cover-up.

It was during a telephone conversation between H. R. Haldeman and the President on April 15, 1973, that Mr. Nixon said he was considering the appointment of a special prosecutor. Mr. Haldeman did not appear overly enthusiastic, but the President explained: ". . . This is not to prosecute the case. A special prosecutor, to look at the indictments to see that the indictments run to everybody they need to run to, so that it isn't just the President's men, you see."

Later in the discussion, Mr. Nixon elaborated: "Then he [the special prosecutor] goes out and says, 'I have examined all of this, and now let's stop all this. These men are not guilty and these men are not indictable and these are.'" Such a plan fits snugly into the total pattern of a continuing cover-up in the effort to keep the inquiry away from the President and his inner circle.

The newly agreed-upon strategy at that time was to satisfy the multitude by sacrificing a prominent scapegoat. Stated by the President himself, the theory was that "if they get a hell of a big fish, that is going to take a lot of 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. . . ."

Mr. Haldeman concurred. Following such a move, he said, "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."

Nowhere in this latest installment of even these defective records is there any indication that the President wanted to speed the process of full disclosure. Mr. Nixon's concern over the Senate Watergate committee focused on means of limiting its public impact. On April 10, Mr. Kleindienst had put forth the remarkable proposition that executive privilege covered all Federal employes. On April 15, the President told Mr. Kleindienst: ". . . after your hard-lining the executive privilege I think we ought to make a deal with the Ervin committee provided the ground rules are proper." It was to Mr. Nixon "a bargain" and "a good way to be on the offensive."

On April 30, President Nixon told the American people: ". . . I pledge to you tonight . . . that I will do everything in my power to insure that the guilty are brought to justice and that such abuses are purged from the political process. . . ."

But only two weeks earlier, according to the transcripts, Mr. Nixon, urged by his special counsel, Richard Moore, to be "forthcoming," said: "But what does that do? Let the President be forthcoming and let them kill us."