

Rodino Asks if Cover-Up Of Watergate Continues

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The chairman of the House Judiciary Committee said today that President Nixon's dismissal of Archibald Cox last fall and his continuing refusal to give White House evidence to Congress and the courts raised doubts about whether the Watergate cover-up had ever ended.

The chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, discussed the cover-up issue with reporters during a recess in the second day of closed impeachment hearings centered on the ouster of Mr. Cox last Oct. 20 as Watergate special prosecutor.

Mr. Rodino said that it was "a very pertinent question," based on events leading up to and following Mr. Cox's dismissal, whether the cover-up might be continuing to this day.

Among the matters examined today by the Judiciary Committee were the White House disclosure, a month after Mr. Nixon learned of it last year, that two of the nine Watergate tape recordings Mr. Cox had subpoenaed did not exist, and the 18½-minute gap in a potentially important Watergate recording.

The committee was also said to have obtained an affidavit in which Elliot L. Richardson, who resigned as Attorney General rather than carry out the President's order to discharge Mr. Cox, told of threats by the White House to "get rid of

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Cox" as early as July of last year.

The suggestion that the committee was considering that there was a possible continuation of cover-up efforts was also implicit in the period of time involved in the chronological presentation of evidence to the committee. A statement issued late today by Mr. Rodino said that the evidence bore on "certain events" between Oct. 19, 1973—one day before Mr. Cox was dismissed—and June 10, 1974.

The presentation also summarized what the committee already knew, that the President had refused to honor Judiciary Committee requests and subpoenas for more than 150 recordings and was contesting a subpoena from Leon Jaworski, Mr. Cox's successor, for 64 Watergate-related tapes.

Most Republicans on the committee generally discounted significance of the evidence presented yesterday and today, saying that it did not vary from what had been published over a period of months. Representative Delbert L. Latta of Ohio called the evidence inconsequential.

Others on the panel, including a few Republicans, voiced concerns similar to Mr. Rodino's.

Representative Edward Mezvinsky, Democrat of Iowa, said "the suspicions are there" that the attempted cover-up was still going on.

"That's the reason we're going into it," he said. "It is not a frivolous matter."

Another Democrat, Representative Barbara C. Jordan of Texas, told reporters that she believed it was "still open to interpretation" that Mr. Cox had been discharged as "part of a continued cover-up." She said that the dismissal posed two central questions:

"Was it motivated by suppression of evidence? Was this in fact obstruction of justice?"

Each of the members raising the issue added that no conclusions had been drawn from the evidence. Mr. Rodino said that he was only acknowledging that the possible continuation of the cover-up was "a proper area for investigation."

Mr. Nixon has contended that he ordered Mr. Cox removed because the special prosecutor had not followed his instructions to abandon pursuit, through Federal court subpoenas, of White House tape recordings that were "confidential."

Mr. Cox was dismissed after two Federal courts had ruled that the President could not withhold the first nine tapes sought by the prosecutors, and Mr. Cox refused to accept a White House "compromise" under which he would get summaries of the taped conversations and agree not to seek any other tapes.

The affidavit that Mr. Richardson reportedly gave to the Judiciary Committee on Monday was said to raise the possibility that another factor in the dismissal of Mr. Cox was his refusal to accept limits on the scope of the Watergate investigations.

Article Is Confirmed

According to an account of the affidavit published today by The Baltimore Sun and confirmed by committee members, Mr. Richardson expanded on previous accounts he had given of the friction between the White House and Mr. Cox.

On July 23, 1973—barely two months after Mr. Richardson took office as Attorney General and Mr. Cox was sworn in as special prosecutor—The Los Angeles Times reported that Mr. Cox was looking into the financing of improvements on the President's home in San Clemente, Calif.

Mr. Richardson reportedly told the Judiciary Committee's staff that Gen. Alexander M. Haig Jr., the White House chief of staff, telephoned him to say that it "could not be a matter of Cox's charter to investigate the President of the United States."

The White House was said to have demanded a statement from Mr. Cox denying that the San Clemente property was being investigated—at the time, in fact, it was not—and Mr. Cox issued such a statement.

General Haig told Mr. Richardson, however, that the denial was not strong enough and, by Mr. Richardson's account, the President cut in on the telephone conversation to

agree angrily, that a stronger statement was necessary. Mr. Cox did not issue a subsequent statement.

Mr. Richardson also told the committee that General Haig had objected to Mr. Cox's inquiries to various Government agencies about the Administration's use of electronic eavesdropping devices. The former Attorney General was said to have sworn in the affidavit that General Haig told him that the President wanted a "tight line" drawn around Mr. Cox's investigation and, "if Cox does not agree, we will get rid of Cox."

The affidavit also recounted Mr. Richardson's testimony of last year, to the Senate Judiciary Committee, about a conversation in which Mr. Nixon voiced a desire to dismiss Mr. Cox several weeks before the dismissal took place.

Mr. Richardson said that in late September or early October, after a discussion about the criminal investigation of then-Vice President Agnew, Mr. Nixon remarked, "Now that we have disposed of that matter, we can go ahead and get rid of Cox."

According to Mr. Richardson's account last year, at the time he did not take the President's comment seriously.

Representative Robert F. Drinan, Democrat of Massachusetts, said that there was "evidence that from the very beginning, it would appear, [Mr. Nixon] had some reservations about Mr. Cox. It was clear, very clear."