

THE CITY POLITIC

BY JOSEPH KRAFT

WATERGATE MOSAIC

Milking the Public

The Judiciary Committee tapes are obviously a good deal juicier than the White House transcripts, so many new stories are going the rounds. According to one, John Ehrlichman wrapped up a meeting on the deal giving the milk producers increased support prices in return for their \$2-million contribution by saying: "Well, let's all go out and get a glass of milk before the price goes up."

Doared to Death

Members of the House Judiciary Committee have had a hard time balancing their interest in appearing objective about impeachment against an interest in being responsive to questions from the press. One good formula has been found by Elizabeth Holtzman, the Democratic congresswoman from Brooklyn. Invariably, her opening remark in reply to all questions on all subjects is: "Well, it's not a pretty picture." Nor a very clear one.

John Doar, the chief committee counsel, has been laying out the evidence in a neutral, step-by-step fashion. He has avoided pushing conclusions or drawing inferences or even shaping facts in particular patterns. At the present stage, he contends, the hearings are "not an

adversary proceeding." Many committee staff members think the presentation is too bland. One calls it "Pablum." Another says of Doar, "He's an archivist, not an advocate." Part of the reason the committee has held off open hearings for so long is the fear that the show would put the TV audience to sleep.

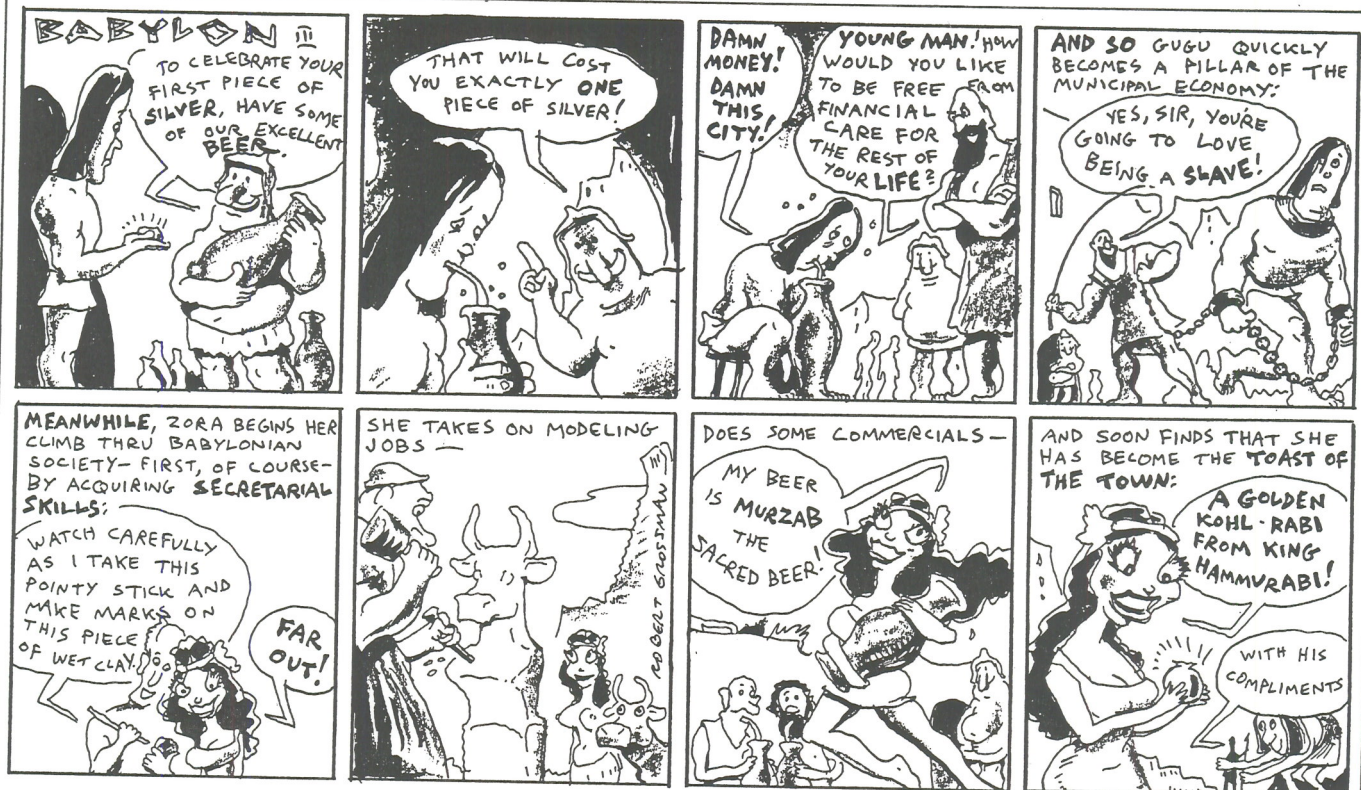
Presumably Doar expects to draw all the evidence together in a final presentation before the committee votes articles of impeachment. In the interim, however, the almost directionless presentation of evidence has yielded great confusion. For example, none of the committee members seem to understand why the case of I.T.T. was laid out, since they found little action ascribed to the President. The confusion was cleared only when the chief Republican counsel, Albert Jenner Jr., said publicly that the lack of action by the President was precisely the point. Mr. Nixon had known that his attorney general, Richard Kleindienst, committed perjury in testimony to a Senate committee—and still the President did nothing.

Because they are so much in the dark about Doar's final purposes, committee members of both parties have grown increasingly restive. Democrats, fearful that the case is being blown, have demanded special, pointed treatment of

what seems to them particularly significant events. The most notable example was a special analysis—prepared for some Democrats by William Dixon, a committee staff lawyer—of a meeting held at the White House on March 22, 1973, the day after John Dean, according to the President's story, first apprised Mr. Nixon of the Watergate cover-up. The Dixon analysis emphasized, as the original Doar presentation had not, that the President, instead of condemning the cover-up he had supposedly just discovered, urged its continuation. Because the item was so hot, in contrast to the usual material, it was leaked to the press.

Republicans, on the other hand, have sensed a possible trap in Doar's bland presentation where only an ambiguous case has been made. If they vote for the President, their Democratic opponents in the November election would charge them with a partisan cover-up. If they vote against the President, they would lose, as House Minority Leader John Rhodes has recently been asserting, the support of the hard-core Nixonites in the election.

In an effort to get off that hook, the Republican members hit on the idea of summoning witnesses to the impeachment hearings. They figure it is just possible that new and conclusive evi-



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dence might be developed. The Republicans also calculate that if the majority refuses to allow witnesses, they will have a perfect excuse for supporting the President. According to one report, the Republicans would vote sixteen to zero for the President if witnesses are denied. The reason for the Republicans' stiffening lies in pressure from the right wing. Minority leader Rhodes reports record mail, with many threats that any Republican who votes against the President will be treated like Benedict Arnold.

Button, Button . . .

Although Dean has moved from Washington to the suburbs of Los Angeles, memories are kept green. Lowell Weicker Jr., who bought Dean's house in Alexandria, Virginia, has retained one ornament installed by the former White House aide. It is a white button placed above a door in the kitchen in such a way that it is visible from the dining room. The button says: NIXON KNEW.

The Kissinger Complication

It was generally expected that the President's trip to the Near East would take Washington's mind off Watergate—wrongly, as with all other expectations about how Watergate would recede or vanish. For one thing, the arrangements for nuclear sharing with Egypt and Israel have underlined Mr. Nixon's disposition to make sweeping decisions without congressional approval—a key issue in the legal battles around impeachment. Moreover, Henry Kissinger's threat to resign on Nixon's first day out from Washington inextricably tied the trip to Watergate.

By and large the Kissinger threat was a plus for Mr. Nixon. The press has been slammed for asking dirty questions, and the House Judiciary Committee has been put on the defensive about leaks.

Indeed, the Kissinger resignation threat so nicely served the President's impeachment interest that many people thought it was contrived. But militating against that view is the raw emotion shown by the secretary of state at his news conference. For the first time that I can remember, he sounded in public the way he sounds in private when he flips his lid. One comment in particular—"I am supposed to be interested primarily in the balance of power. I would rather like to think when the record is written one may remember that perhaps some lives were saved and that perhaps some mothers can rest more at ease"—seemed totally authentic. There spoke an inner Kissinger who had been all

but hidden under layers of the self-applied cosmetic junk of "power politics" and "conceptual thinking." There spoke the fat little boy aching to be loved.

The Man Who Likes Foot Dragging

Perhaps the most complex of all the complex legal business connected with Watergate has grown out of the trial of the Plumbers in the court of District Judge Gerhard Gesell. The exact maneuvers are too labyrinthine for any sane person to follow, but the general outline is important for what it says about White House strategy in the courts. The case before Judge Gesell involves John Ehrlichman and several others who have been indicted for the burglary of Daniel Ellsberg's psychiatrist's office. As part of his defense, Ehrlichman sought access to notes he had made at the White House. The White House refused on grounds of national security. Judge Gesell demanded that the President cough up the material for his inspection, and he threatened—in a crescendo of ever-rising tones—to dismiss the case if the White House refused. The purpose of those threats was to make it plain that if the case were dropped the President would be to blame for withholding evidence. In the end, the White House gave way. The general lesson seems to be that the President's strategy is to use the courts for procedural delay, but not to the point of absolute confrontation. That suggests that Mr. Nixon will comply with an adverse decision by the Supreme Court in the matter of the 64 tapes subpoenaed by the special prosecutor—or perhaps find some way to blur the issue.

The End's in Sight . . .

The expectation that the Supreme Court will go against Mr. Nixon is almost universal. Senator Sam Ervin, when asked why he was so confident, replied: "To support him they'd have to affirm the divine right of kings."

. . . Or Is It?

Despite the steady assurance from the most reliable man in Congress, the folklore continues that Watergate has no end. The son of one journalist here—a twelve-year-old boy in a private school—had to turn in as a final paper a news account that might have been written on the first day of the next century. He wrote: "Today, a space ship made the first journey from Mars to Venus. The earth-moon shuttle completed its forty-sixth trip. President Nixon's grandson turned over three more White House tapes to the Watergate prosecutor."