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Tape Believed Cut to Hide Nixon's Urging of Cover-Up

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A March 17, 1973, presidential tape was apparently edited before being made public by the White House to eliminate a passage in which President Nixon urged that the Watergate cover-up investigation be blocked from implicating himself and his top aide, according to evidence released yesterday by the House Judiciary Committee.

According to the Judiciary Committee's "statement of information" on the cover-up, Mr. Nixon told then White House Counsel John W. Dean III, "We've got to cut that off. We can't have that go to (then White House chief of staff H. R.) Haldeman."

"The President said," according to the Judiciary Committee document, "that looking to the future there were problems and that (former Nixon campaign official Jeb Stuart) Magruder could bring it to Haldeman and that could bring it to the White House, to the President."

"The President said, 'We've got to cut that back. That ought to be cut out.'"

The Judiciary Committee document noted that this entire passage was not contained in the March 17, 1973, transcript of the Nixon-Dean meeting supplied to the Committee by the White House on April 30, 1974.

According to the Committee report, however, the Committee has obtained a June 4, 1973, White House tape in which President Nixon, "after having listened to the tape recording of the March 17, 1973, meeting," discussed his recollections of it with presidential press secretary Ronald Ziegler and revealed the comments disclosed by the Committee yesterday.

The statements attributed to President Nixon by the Committee appear to be doubly damaging to him since they contradict his

previous assertions that he knew nothing of the cover-up until March 21, 1973, and because they also appear to show him as an advocate of the cover-up.

The Judiciary Committee report on "Events following the Watergate break-in" during the period from June 30, 1972, until March 22, 1973, examines crucial months in which the cover-up was conceived and carried out.

The 1,281 pages of Judiciary Committee evidence for this period contain relatively little that has not previously been made public. But the report's documented chronological account puts individual events of the cover-up into perspective and provides the clearest official account yet of how Nixon re-election committee

See COVER-UP, A17, Col. 1

The Watergate Evidence

- A special 12-page section of excerpts from the House Judiciary Committee's report on the evidence it has obtained in its impeachment investigation of President Nixon begins on Page A21.

- Stories based on the report and other stories related to Watergate are on Pages A15 to A17.

COVER-UP, From A1

and White House officials conspired to obstruct justice and to prevent the truth about the Watergate affair from being known publicly.

One new document made public by the Judiciary Committee is a transcript of a March 21, 1973, dictabelt dictated by President Nixon at the end of the day that Dean outlined the Watergate cover-up for Mr. Nixon, warning him that Watergate conspirator E. Howard Hunt Jr. was demanding money or he would have "seamy" things to say about things he had done while employed by the White House.

In his dictabelt transcript, Mr. Nixon discussed the possibility that participants in the cover-up might "rat on" each other, "the very great danger that somebody like Hunt is going to blow."

In the dictabelt transcript, Mr. Nixon also is quoted as saying that former Haldeman aide Gordon Strachan, who, Dean had told Mr. Nixon, participated in the Watergate cover-up but had denied knowledge of it in interviews with investigators, "has been a real courageous fellow through all this."

The Judiciary Committee report also contains previously undisclosed testimony before the federal Watergate grand jury here showing that a "hush money" payment of \$75,000 to meet Hunt's demands did much to alleviate fears by White House officials that the cover-up would come unraveled.

Low-key and bland in tone, the third volume of the Committee report begins on June 20, 1972—three days after five men were arrested inside the Democratic National Committee's

Watergate headquarters—and concludes on March 22, 1973—one day after President Nixon had repeatedly asserted he first learned of the cover-up, and one day before the first suggestion of the cover-up was made public by Watergate conspirator James W. McCord Jr.

The Judiciary Committee evidence, in addition to its statement of information, comprises excerpts from sworn testimony before the Senate select Watergate committee and the federal grand jury investigating the Watergate break-in and cover-up, FBI investigative reports, newspaper clippings, excerpts from presidential transcripts, internal White House and Nixon re-election committee memorandums, and excerpts of President Nixon's public statements.

Step-by-step, the statement of information traces the development of the cover-up, documenting each point with relevant testimony and documents.

It begins with a June 20 or 21, 1972, meeting of Nixon re-election committee officials Fredrick C. LaRue and Robert Mardian with Watergate conspirator G. Gordon Liddy, during which Liddy told them how the Watergate break-in had gone awry, but also about his participation with Hunt in a September 3, 1971, break-in at the offices of Daniel Elisberg's psychiatrist, and other activities.

The Judiciary Committee document then traces how arrangements were made by Dean to start paying money to the Watergate defendants for legal fees and family support to buy their silence.

One critical period in the cover-up occurred in mid-September, 1972, as the federal grand jury was preparing

to return indictments against Hunt, Liddy, McCord and four other men in connection with the Watergate break-in.

The report recounted how Dean, Magruder and former Attorney General John N. Mitchell met to hear Magruder outline "the false story he was planning to give the Watergate grand jury regarding the meetings among Mitchell, Magruder, Dean and Gordon Liddy in January and February, 1972, at which political intelligence and electronic surveillance had been discussed. Mitchell did not express any disagreement. Thereafter, Magruder appeared before the grand jury and testified falsely."

On Sept. 14, according to the Judiciary document, Mitchell testified before the federal grand jury that he had no prior knowledge of Liddy's political intelligence-gathering activities or of illegal Nixon re-election committee intelligence operations.

On Sept. 15, 1972, Dean met with President Nixon and Haldeman shortly after the grand jury returned its indictments in the Watergate break-in, implicating no officials of the Nixon re-election committee or the White House higher than Hunt, Liddy and McCord.

President Nixon told Dean: "Well, the whole thing is a can of worms . . . And, uh, and, the, uh, but the, but the way you, you've handled it, it seems to me has been very skillful, because you—putting your fingers in the dikes every time that leaks have sprung here and sprung there."

The Judiciary Committee document traces the cover-up through the Watergate trial in January, 1973, noting the

increasing difficulty that the cover-up conspirators were having finding money to pay the Watergate defendants. It also notes the preparations the White House began making to impede the Senate select Watergate committee's investigation then taking shape.

In late February, Dean began a series of meetings with Mr. Nixon to discuss watergate and related matters.

On March 13, 1973, Dean informed President Nixon that Haldeman could be implicated in the Watergate affair by Strachan and by Magruder.

On March 17, Mr. Nixon and Dean met in the White House Oval Office from 1:25 to 2:10 p.m. However, the edited transcript for that 45-minute meeting released by the White House on April 30, 1974, is less than four pages long.

As the Judiciary Committee document noted, "The edited partial transcript of the March 17 meeting supplied by the White House contains only a passage of conversation relating to (political saboteur Donald H.) Segretti and a portion of the conversation relating to the Elsborg break-in. It contains no discussion of matters relating to Watergate."

The Judiciary document gives the following account of a missing portion of the March 17 transcript based on the June 4, 1973, tape the report states the Committee has obtained.

"In his discussion with Ziegler on June 4, 1973, the President told Ziegler the following regarding the March 17 meeting: Up to March 17, 1973, the President had no discussion with Dean on the basic conception of Watergate, but on the 17th there began a discussion of the substance of Watergate. Dean told the president that Dean had

been over this like a blanket. Dean said that Magruder was good, but that if he sees himself sinking, he'll drag everything with him. He said no one in the White House had prior knowledge of Watergate, except possibly Strachan. There was a discussion of whether Haldeman or Strachan had pushed on Watergate and whether anyone in the White House was involved. The President said that Magruder put the heat on, and (former Nixon campaign treasurer Hugh W.) Sloan starts pissing on Haldeman. The President said that 'we've got to cut that off. We can't have that go to Haldeman.'

"The President said that looking to the future, there were problems and that Magruder could bring it right to Haldeman, and that could bring it to the White House, to the President. The President said that 'We've got to cut that back. That ought to be cut out.' There was also a discussion of the Elsborg break-in."

Mr. Nixon has anchored his defense in the Watergate matter on his repeated assertion that he knew nothing about the Watergate cover-up until March 21, 1973, when Dean briefed him on it.

On March 19, Hunt told Paul O'Brien, a lawyer for the Nixon reelection committee, that unless Hunt received \$120,000 for legal fees and personal support, he would have some "seamy things" to say about functions he had performed for the White House.

Although Hunt has publicly denied that he was attempting to blackmail the White House, during his Jan. 29, 1974, testimony before the federal grand jury—portions of which were

made public in the Judiciary Committee report—Hunt conceded under close questioning by assistant special Watergate prosecutor Richard Ben-Veniste that the only possible interpretation of what Hunt had said was that it was a threat.

O'Brien communicated the threat to Dean, who testified he told Ehrlichman about it, and then later President Nixon on March 21.

Ehrlichman testified before the grand jury that although he was initially concerned about the threat, he later told Dean "that I thought to just let her go."

Excerpts from grand jury testimony given by former White House aide Egil (Bud) Krogh, however, indicate that Ehrlichman was deeply concerned about the threat.

On March 21, 1973, during a meeting with Dean and Haldeman, President Nixon, referring to the money demanded by Hunt, said: "Well, for Christ's sake get it . . ."

Grand jury testimony showed that \$75,000 was delivered to Hunt's lawyer the night of March 21 and that Hunt picked it up the following day.

On March 22, during a meeting of Haldeman, Ehrlichman, Mitchell and Dean, Mitchell said something to the effect that Hunt was no longer a problem.

According to Krogh, Ehrlichman called him on March 22 and "indicated to me that Mr. Hunt was, apparently, stable or more stable and that his (Ehrlichman's) recommendation would be just to hang tough—that's the precise words that he used in that telephone conversation."