



LEONARD GARMENT

J. FRED BUZHARDT

Like a small country law firm.

WHITE HOUSE

Nixon's Lawyers

Throughout his third week at the Western White House, Richard Nixon made a noticeable effort to conduct business as usual. He conferred with China's representative to the U.S., Huang Chen, in what was presumably an effort to solicit Peking's help in bringing about a negotiated truce in Cambodia (see THE WORLD). In a garden ceremony, he swore in James R. Schlesinger as Secretary of Defense. He chatted with Dr. Michael E. DeBakey, the pioneer Houston heart surgeon, about Soviet-American relations. The White House said that the President was interested in hearing DeBakey's impressions of a recent visit to Moscow. But most observers took the meeting to be a peace offering to the prickly DeBakey, a Nixon supporter whose name had unaccountably turned up on the list of White House "enemies" that John W. Dean III had given the Ervin committee the week before.

Despite the purposeful normality, a certain edginess hung in the Pacific air. It was most bizarrely evident in a partial repudiation by the White House of a statement by the President's own daughter, Julie Nixon Eisenhower, who celebrated her 25th birthday at San Clemente last week. In a birthday interview, Julie, who alone in the family has been traveling and speaking around the U.S. in her father's defense, repeated an anecdote she had told before (TIME, June 25): how her father had asked his

family in May, as the Watergate scandal unfolded, if he should resign in the national interest. This time, in the holiday paucity of news, the story got front-page play across the country.

The White House reacted quickly and a bit nervously. Deputy Press Secretary Gerald L. Warren called in reporters to deny that the President had ever contemplated leaving the White House. The family discussion, he added, did not constitute "a serious consideration of resigning." But this view clashed directly with Julie's assertion that "I think it was more than just a rhetorical question. I think he really thought 'Will this end everything?'"

Perhaps the only plausible rationale for the President's correcting his daughter's harmless and human narrative of a family discussion is the White House obsession with maintaining an image of Nixon far above the tawdry Watergate battle: presidentially innocent, confident, unconcerned. That effort might also explain why the White House assiduously kept secret the identity of one of Nixon's visitors from Washington last week. TIME has learned that the special counsel to the President, J. Fred Buzhardt, made a furtive one-day flying stop at San Clemente. The visit, which undoubtedly dealt with Nixon's letter on Executive privilege, underscored the emergence of Buzhardt as Nixon's chief strategist and defense counsel for the Watergate affair.

Among Buzhardt's decidedly mixed contributions to the presidential cause have been:

- 1) his preparation of Nixon's 4,000-word statement of May 22, in which the President explained that he had limited the FBI investigation of Watergate for national-security reasons;
- 2) his cooperation with Fred D. Thompson, the Ervin committee's chief minority counsel, in preparing the painfully defensive White House version of Nixon's meetings with Dean;
- 3) his preparation of a list of 41 questions that Hawaii's Senator Daniel K. Inouye obligingly asked Dean; and
- 4) his articulation in a memo for

"That is a very good question and one I shall answer at an appropriate time . . . next question . . .?"



THE NATION

the Ervin committee of the scarcely credible thesis that the diffident Dean was the "mastermind" of the cover-up and Former Attorney General John N. Mitchell was Dean's "patron."

The White House subsequently dissociated Nixon from Buzhardt's memo, a maneuver that *TIME* Correspondent Dean E. Fischer interprets as "part of Nixon's strategy of using Buzhardt to launch trial balloons and then dissociating himself from his Special Counsel if he thinks the balloons have been punctured."

Buzhardt's partner in defending the President is Leonard Garment, Dean's successor as White House counsel, and both men are advised in their efforts by University of Texas Law Professor Charles Alan Wright, a leading constitutional expert.

The two principal lawyers for the President, Buzhardt and Garment, could hardly be less alike and still effectively serve Richard Nixon. Buzhardt (pronounced *Buzz-ard*), 49, is a shy, almost contemplative South Carolina conservative, monosyllabic, unflappable and extremely hardworking. Garment, also 49, is the suave, articulate, Brooklyn-born son of Jewish immigrants who, in his earlier years on the White House staff, devoted himself primarily to sensitive civil rights problems and successfully pushed for increased Government assistance for the arts.

Aloof Client. Despite their dissimilarities, the two men seem to work easily together in what both describe as a particularly difficult job. Says Garment: "There are roughly 500 lawyers and investigators on the other side. We're like a small country law firm. We're in the peculiar position of being isolated from the Justice Department, and of not being able to develop information from the people involved in Watergate." Since they cannot interview witnesses directly—for reasons of "propriety," as Garment puts it—and since the client has reportedly remained aloof and generally uncommunicative, the White House lawyers have been obliged to rely heavily on sworn civil depositions and testimony and on whatever they can glean from news clippings.

During Dean's testimony before the Ervin committee, Buzhardt and Garment monitored the televised hearings, read the Washington and New York papers and the wire service tapes, and most evenings they managed to monitor all three network news broadcasts, often working as many as 15 hours a day in preparing the White House case. But last week they eased up a bit, in the belief that they had little to fear from the remaining witnesses.

When asked if he was worried about John Mitchell's appearance before the committee this week, one of the White House lawyers replied: "No. From everything I can tell, he's not going to get us into trouble. It looks as if the worst is over."