

*In these folders that you see over here on my left are more than 1,200 pages of transcripts of private conversations I participated in between September 15, 1972, and April 27, of 1973, with my principal aides and associates with regard to Watergate. They include all the relevant portions of all of the subpoenaed conversations that were recorded, that is, all portions that relate to the question of what I knew about Watergate or the cover-up and what I did about it.—President Nixon, in a televised address to the nation, April 29, 1974, announcing his answer to the subpoena from the House Judiciary Committee.*

ONCE AGAIN, Mr. Nixon's word wasn't good. To the taped evidence which has been withheld, defaced or pronounced non-existent we now add the case of the rigged White House transcripts. The House Judiciary Committee has now given us its own transcribed version of some of the same material, and it is plain that Mr. Nixon doctored and distorted the evidence which he presented to the committee and simultaneously to the public on April 30th of this year. One prolonged and highly relevant conversation in which Mr. Nixon discussed the "cover-up plan" is simply missing from the White House transcripts without so much as a hint that it has been deleted. The President's spokesman, Mr. Ziegler, now explains that this material which bears directly on the Watergate cover-up and is demonstrably damaging to Mr. Nixon was omitted on the grounds that it was of "dubious relevance." The President's lawyer, Mr. St. Clair, concurs.

That argument is an insult to anybody's intelligence. As to the further White House response that no deception could have been intended because the material did, after all, become available to the committee, we would leave the matter of intentions in respect to this particular passage to your judgment. The objective fact is, however, that a comparison of the White House and committee versions of the same material shows a pattern of omissions and alterations whose total effect is to make the President less aware of and less complicitous in the original cover-up. This is another way of saying that as recently as this past April a cover-up—or more precisely, a cover-up of a cover-up—was going forward.

Difficult as it may be to focus on any single item in the avalanche of material that is now being published concerning various aspects of the Watergate case, we think the revelation of these discrepancies in the transcripts is an extraordinarily important event. To understand why, one must remember that Mr. Nixon has asked us to accept certain extremely severe limitations on the evidence made available in the inquiries concerning Watergate on the grounds that he was protect-

ing not himself but the prerogatives and stature of his office. For the sake of this high purpose, he has solemnly pledged that the material he has made available was assembled in good faith and with the sole objective of enabling the investigators to reach a sound judgment. "As far as what the President personally knew and did with regard to Watergate and the cover-up is concerned, these materials—together with those already made available—will tell it all," he said in his address on April 30th. Since then he has flatly refused to produce further material. He has asked the Judiciary Committee and the public, in other words, to trust him on the comprehensiveness and integrity of the material he has delivered. And now we find that in those few cases where it has been possible for the committee to check White House transcripts against actual tapes in its possession that those tapes have not been fully, fairly or accurately transcribed.

In short, what the President put forth last April as proof of his innocence of an earlier charge of obstruction of justice, seems to us to contain strong elements of yet another effort to obstruct it. Nor can this particular set of facts be considered apart from the President's larger response to the committee's requests for material in pursuit of its inquiries. It colors and gives an inescapable meaning to Mr. Nixon's refusal to produce all the original tapes requested by the committee or to honor its subsequent subpoenas for further material. The committee has been responsible in its requests. The President has been arbitrary, contemptuous and devious in his response. And so it seems to us that the real significance of the discrepancies discovered by the Judiciary Committee in the White House transcripts does not lie exclusively or even primarily in the added weight they lend to the charge of Presidential complicity in the original Watergate cover-up. Rather, it lies in their importance as part of a separate impeachment count—namely, that of seeking to obstruct the legitimate purposes of the impeachment proceedings themselves.