

# The Chronicle and Nixon's Role

By JAMES M. NAUGHTON  
Special to The New York Times

WASHINGTON, July 12—The House Judiciary Committee's long chronicle of President Nixon's role in the aftermath of the Watergate burglary is meticulously detailed, but the impact of the eight thick volumes of impeachment evidence is deliberately indirect. Nowhere in the 3,891 pages of the impeachment inquiry staff's presentation is there a flat declaration that Mr. Nixon engaged in a Watergate cover-up. But the burden of the material, implicit on page after page in the view of those familiar with the evidence, is that Mr. Nixon at best did not halt and at worst directed the obstruction of the Watergate investigation.

"Every effort was made to preclude inference in the presentation of this material," an introduction to the eight volumes asserts. But the chain of documented findings that follow the caveat makes a circumstantial case that senior House investigators believe portrays a Chief Executive who, early in the scandal, set the tone for a cover-up that many believe may yet be under way.

The case is by no means open and shut. Vice President Ford predicted today in Albuquerque, N.M., that the evidence made public by the committee, coupled with what was known about Watergate, would preclude impeachment.

That view depends on acceptance of the White House theory that the President may be impeached and tried in the Senate only for specific, severe violations of criminal law. The White House view, however, is not shared by a majority of the Judiciary Committee, and is subject to dispute in the House of Representatives.

Impeachment inquiry lawyers contend, and the prevailing view among constitutional scholars is, that a President is subject to impeachment on broader grounds, for conduct unworthy of a Chief Executive or in violation of constitutional duties, whether criminal or not. Some Democrats on the Judiciary Committee have begun private discussions of three possible articles of impeachment making the following allegations:

¶That the President abused his authority by establishing a clandestine White House spy unit; by authorizing the wiretapping of Government officials and newsmen; by approving, however briefly, a plan proposing illegal tactics against suspected domestic radicals, and by attempting to use agencies such as the Internal Revenue

## Panel's 8 Volumes Viewed as Indirect Watergate Report

Service to aid political friends and harass political "enemies."

¶That Mr. Nixon failed to carry out a mandate in the Constitution and his oath of office to "take care that the laws are faithfully executed" by failing to prevent or to halt misconduct of a number of his subordinates, and by fostering disrespect for his office through the underpayment of his Federal income taxes while in the White House.

¶That the President conspired to and did obstruct justice by counseling others to "stone-wall" Watergate investigators and by refusing to provide evidence subpoenaed by Congress and the courts.

### Material on Cox Dismissal

Much of the evidence on which such proposed articles of impeachment will be debated in the committee later this month and weighed by the full House next month is to be issued by the committee next week. The material will include evidence on Mr. Nixon's dismissal last October of the first special Watergate prosecutor, Archibald Cox, and on the 18½-minute buzz on a potentially crucial Watergate tape recording.

What was published yesterday was the core of the Watergate evidence, covering the events that led up to the burglary on June 17, 1972, and the events that followed it through April 30, 1973.

The committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, said in an interview that "the facts speak for themselves."

What follows is a description of the key elements of the committee's eight Watergate volumes on which Mr. Rodino and others will rely in contending that the President's handling of the matter would constitute grounds for impeachment:

### THE EARLY AFTERMATH

A cornerstone of Mr. Nixon's defense against impeachment has been his insistence that he knew nothing of attempts to cover up the scope of the Watergate scandal before being informed of the attempts, on March 21, 1973, by John W. Dean 3d, then the White House legal counsel.

The Judiciary Committee's Watergate volumes disclosed a tape-recorded conversation on June 30, 1972, in which the President counseled his re-election campaign director, former Attorney General John N. Mitchell, "to cut the losses fast" by resigning from the campaign post.

Mr. Nixon was told in the

same conversation, by H. R. Haldeman, then White House chief of staff, that there was a "risk of more stuff, valid or invalid, surfacing on the Watergate caper." Mr. Nixon agreed that "there is always the risk" and said, "We hope nothing will."

One interpretation of the discussion—though not the only one possible—is that Mr. Nixon knew, just 13 days after the Watergate burglary, at least some details of the scandal that might be uncovered by a thorough investigation.

The possibility, moreover, that Mr. Nixon was setting a pattern for obstructing investigators' attempts to get at the truth may have been strengthened by the notes Mr. Haldeman made a meeting with Mr. Nixon on June 20, 1972, three days after the Watergate break-in. The tape of that meeting is the one on which an 8½-minute buzz obscured the conversation.

Mr. Haldeman's notes, reproduced in the Watergate volumes, contain unamplified references to a "counterattack" to a "P.R. offensive to top this" and to the apparent need to "be on the attack—for diversion."

### The First Indictment

Mr. Dean has testified that much of his activity following Watergate was intended to prevent the truth from emerging. On Sept. 15, 1972, Mr. Nixon met with Mr. Dean following a Watergate-related indictment, which focused only on seven relatively low-level Watergate figures.

The Judiciary Committee transcript of the discussion quotes the President as having praised Mr. Dean as follows:

"The way, 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 Crucial Date

Several sections of the eight Watergate volumes contain material suggesting the March 21, 1973, was not the first occasion on which Mr. Nixon became aware of Watergate matters that had not been disclosed to investigators.

The tape of a Nixon-Dean meeting on Feb. 28, 1973, contains a discussion on whether the seven convicted Watergate burglars expected to be granted executive clemency. The tape of a discussion on March 13, 1973, shows that Mr. Nixon knew then that Gordon C. Strachan, an aide to Mr. Haldeman, had allegedly perjured himself about Watergate.

In addition, the committee transcript of the conversation on March 13 shows that Mr. Nixon asked whether it was "too late" to "go the hang-out road" and disclose all the facts. He then said, "Yes, it is."

On March 21, 1973, after

day-long discussions with Mr. Dean and others about the Watergate cover-up, Mr. Nixon dictated his recollections into a recorder. He praised Mr. Strachan, who had not been cooperating with the Watergate prosecutor, as a "courageous fellow." He criticized Jeb Stuart Magruder, a re-election campaign aide who had begun disclosing his Watergate knowledge to prosecutors, saying that Mr. Magruder "lacks" character "when the, uh, chips are down."

The transcript of the recorded report quotes Mr. Nixon as having said he thought that Mr. Dean was overly concerned about legal problems Watergate might cause, but that Mr. Dean "has to warn against every loose end that might come out, particularly in view of some of the things that have come out up to this point."

The committee transcript of one of the March 21 meetings contains Mr. Dean's suggestion that a criminal case might be built against himself and other high-level associates of the President. If so, Mr. Nixon is quoted as replying, "We'd have to shed it, in order to contain it again."

#### HUSH MONEY

White House lawyers and Congressional defenders of the President have tried to refute charges that Mr. Nixon directed on March 21, 1973 the payment of \$75,000 in "hush money" to E. Howard Hunt Jr., a convicted Watergate burglar who was threatening to make disclosures.

Earlier that day, the President was told of Mr. Hunt's demand for \$130,000 according to transcripts of the various conversations, he never ruled out meeting the demands, though he wondered if they would silence Mr. Hunt.

Committee transcripts contain a number of passages in which Mr. Nixon seems to encourage the payments.

"We should, we should buy the time on that," he said at one point. And, to the suggestion that at least some signal be given to Mr. Hunt, the President said, "Well for Christ's sake, get it."

#### AFTER MARCH 21

The President's public statements, have maintained that after learning on March 21 of the details of the scandal, he tried repeatedly to make them public.

His first substantive meeting on Watergate after March 21 occurred the following day, with Mr. Mitchell and others. At no time during the March 22 meeting, according to undisputed transcripts, did the President ask Mr. Mitchell to account for the Watergate events.

At one point, however, in a barely audible passage of the committee transcript, the President allegedly referred to a flexible policy in dealing with the Senate Watergate committee "in order to get on with the cover-up plan."

What could prove to be the most significant portion of the meeting — which the White House contends was irrelevant to the impeachment inquiry — may be a long Nixon-Mitchell discussion that the President personally directed be stricken from the transcript he made public on April 30.

In the discussion, the President told Mr. Mitchell:

"I want you all to stonewall it, let them plead the Fifth Amendment, cover up or anything else, if it'll save it — save the plan, that's the whole point."

As late as April 16, 1973, according to committee transcripts, Mr. Nixon discussed a "scapegoat theory" under which Mr. Magruder and Mr. Mitchell might assume responsibility for Watergate.

#### THE SUBPOENAS

The United States Supreme Court is preparing to rule on the President's refusal to comply with a special Watergate prosecutor's subpoena for tapes of 64 Watergate conversations. The President has defied Judiciary Committee subpoenas for nearly 150 recorded Watergate discussions.

Mr. Rodino raised the possibility last month that the cover-up was continuing even now, citing the withholding of White House evidence, Mr. Nixon's dismissal of Archibald Cox when he sued to obtain Watergate tapes, and the 18½ minute tape gap that some audio experts said was due to five or more erasures.

Throughout the volumes of Judiciary Committee evidence issued yesterday, there are notations that Mr. Nixon had declined to turn over tapes and had substituted some edited transcripts. The committee, which is said to have the ultimate in audio equipment, has found countless discrepancies in White House transcripts of tapes in the committee's possession.

In a foreword to the Watergate volume, Mr. Rodino stated that, insofar as Mr. Nixon had "declined to comply" with the tapes subpoenas, "the record of the committee now made public in these volumes is incomplete."