

Nixon Knew of 'Hush Money'

He'll Be on TV Wednesday, and the Traps are Laid

By Nancy Collins
and Haynes Johnson

Washington Post Staff Writers

Richard M. Nixon faces another crisis this week, one of his own making and one from which he profits personally. He returns to public view Wednesday night in the first of a series of televised interviews with David Frost and answers carefully plotted questions about his Watergate role.

Frost's clear strategy, as shown in internal memoranda and preliminary scripts of the Watergate show obtained by The Washington Post, was deliberately to confront Nixon with new and damaging information. The program is designed to lead Nixon on

and trap him into admissions of guilt or at least concessions of error. Nixon is reported to be receiving \$650,000 for his interviews.

"We looked upon the Watergate taping as the trial Nixon never had," said Robert Zelnick, editor-in-chief of the Frost production team. "We tried to look at ourselves as senior litigation partners in a law firm. But we knew we could ask questions and draw legal conclusions at times that a prosecutor can't draw in court. We knew we could use certain internal legal analyses and blast him with it. We were in close touch, you know, with many of the people who had prosecuted the Watergate trials."

How well Frost's plan works will not be known until Wednesday. But the way the program was put together belies earlier published reports about it being a "soft" encounter.

There is also nothing soft about the merchandising of the Nixon program. It's hard-sell all the way. As Nixon prepares to enter our living rooms via TV for the first time after nearly three years of exile, his appearance already is generating headlines, news leaks and cover stories.

Out in California, Time Magazine has the inside track, but Newsweek magazine is standing close by. One of Time's reporters, John Stacks, has had

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Before Burglars' Trial

White House Tapes Contradict His Previous Claim

By Bob Woodward
and Scott Armstrong

Washington Post Staff Writers

Former President Richard M. Nixon was aware in early January, 1973, that "hush money" was being sought to keep the Watergate burglars silent, according to transcripts of White House tape recordings never before made public.

Nixon has maintained, and no previous tapes have contradicted, that he first learned of the requests for the "hush money" from White House Counsel John W. Dean III at a March 21, 1973, meeting in the Oval Office. The date became Nixon's principal line of defense in refuting charges

that he was aware of the Watergate cover-up earlier than March 21.

Yet 2½ months earlier, in a Jan. 8, 1973, meeting with his special counsel and intimate, Charles W. Colson, Nixon said, "God damn hush money, uh, how are we going to (unintelligible) how do we get this stuff..." according to a newly available transcript.

This conversation took place one week before the first news stories about support payments to the Watergate burglars. It had particular relevance because the first Watergate trial began that day. The "hush money" reference is the first such ref-

erence in the available White House transcripts.

This and other new transcripts show that Nixon was keenly aware that these payments were central to the cover-up and, if revealed, would present his greatest personal criminal vulnerability.

The transcripts also contain the first documentation that:

- Nixon feared Dean would expose Nixon's contact with Thomas A. Pappas, a major Republican fund-raiser who was allegedly involved in raising "hush money."

- Nixon privately expressed concern that the cover-up might unravel

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Associated Press

Former President Nixon and David Frost emerge from their first television interview taping session in March.

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access to the inner workings of the show. He reportedly is being given advance Nixon material. Newsweek, show sources say, also will get a share of the tidbits. And Mike Wallace of CBS's "60 Minutes" also has been given an inside look, it is said.

As an exercise in media hype, Nixon's emergence from the shadows of San Clemente is a classic in the genre of promotion.

Yet, according to the available evidence and the words of the program principals, the Frost effort has been an intensely serious one—both in strategy and content.

Those working on the program plotted, researched, uncovered new material, delved into his background, explored questions about his sex life, compiled a personal "psychohistory," talked to doctors, psychiatrists, psychohistorians, and interviewed a host of familiar names from the Watergate period. John Dean and Fred Buzhardt, Bob Woodward and Lawrence Higby were among them.

From that material, and from the lines of questioning suggested by many of those principal Watergate actors, emerged the strategy of trying to trap Nixon.

For instance: Frost's Watergate script draft, obtained by The Post, carefully spells out a series of suggested questions. Frost is urged to pursue a relentless string of questions on subject after subject. On the notorious 18½-minute gap in a critical Watergate tape, the questions flow briskly: Did Nixon erase that tape? Didn't he discuss other criminal activities on that tape? Does he mean that his aides erased the tape? And so on.

But if none of these questions elicits a satisfactory response, the script advises this course for Frost:

"Assuming the worst, that Richard offers no explanation for the 18½ minutes, and that further he maintains that he had no interest this early in a cover-up, David will keep the following as a final back-up: His excerpts from another conversation on June 20, this time with Charles Colson, and these comments have never been made public. It shows Nixon talking about 'stonewalling' for the first time, and about 'leaving this where it is: with the Cubans.'"

The scriptwriter then instructs Frost:

"This is a trap for Nixon, and should be sprung deftly."

The Colson-Nixon conversations were among previously undisclosed transcripts the Frost staff uncovered.

Not the least of the fascination with the way the programs were fashioned concerns the private advice given by a number of Watergate era principals.

All of those interviews by the Frost staff supposedly were to be kept confidential. The staff itself was asked to sign confidentiality clauses. Not surprisingly, that "private" material is leaking.

Some of those interviews offer an ironic commentary. John Dean, for one.

The memo about Dean's interview of last December begins:

"John Dean has the air of a television personality now. He's deeply tanned and well dressed and surrounded by literary agents and television producers.

When Frost's staff asked Dean what he would ask Nixon now, Dean's reply immediately came back:

"Dean answered that he would like

to be in our shoes. That rather than a friendly chat with Nixon, he would like to be his interrogator."

Last summer, during lunch with two members of the Watergate prosecution staff, Richard Ben Veniste and George Frampton, the Frost researchers were told:

"By way of general advice on Nixon interrogation, Frampton suggested the technique of placing the worst construction on the facts of Watergate as we know them and then devising a line of questioning intended to disclose the truth."

classic lawyer questioning on interrogation technique was to embody insinuations and questions. Example: Mr. Nixon, is there any question in your mind that the money was being used to buy silence? When did you first become aware that the money was being used to buy silence?"

With Philip A. Lacovara, also of the prosecution staff:

"On taxes, he recalled that Nixon said . . . he would voluntarily pay the IRS \$400,000 on one year and \$300,000 on another (back taxes) and thought it would be interesting to hear what Nixon has to say on why he has not done that."

With Higby, Haldeman's former assistant:

"Higby felt Watergate program was potential for significant journalism if we do not let Nixon talk (he states Nixon is a good talker) but do some interspersing and reporting on goings on at the time in the White House and Congress. He said [House Judiciary Committee Chairman Peter W.] Rodino was simply the dupe for Phil

Burton who was really running the impeachment hearings and Tip O'Neill, and that we should trace motivations."

With Buzhardt, Nixon's former counsel:

"Nixon was a man who always put on a great front, to Buzhardt. While the tapes reveal indecisiveness, vacillation, in other situations, not Watergate-related, he could be decisive and incisive. Not that in his decisive mood he was always admirable. He often put up a hard front but after he lost his temper and came down hard on people, he could be compassionate afterwards."

Among other interviews were those with Dr. David Abrahamsen, author of a book "Nixon vs. Nixon," and Dr. Arnold Hutschenecker, who had treated Nixon off and on beginning in 1952, and Fawn Brodie, the writer now working on a psychobiography of Nixon.

Abrahamsen and Brodie both told the Frost interviewer, James Reston Jr., a program editor, that Nixon was the most complicated man they had studied. Brodie helped form suggested questions for the show.

"Any material that David could induce on the wellsprings of this man," her interview account reads, "his father and mother, his daughters, and particularly the early crises during Nixon's life such as the death of his two brothers would be enormously valuable to all future biographies of Nixon."

The description of Dr. Abrahamsen's advice says:

"When we delve into the enemies list, Abrahamsen suggests that you ask the question:

"Mr. President, who in your life do you feel was your greatest enemy?"

"And that we have in our own mind that the answer is Nixon himself."

From Dr. Hutschnecker came a more circumspect word. Reston's memo of his interview with the doctor says:

"Still in the abstract, Hutschnecker talked of political leaders, at the peak of power, who have 'neurotic ambition,' who have 'no clarity about themselves,' 'no self-worth or self-esteem.' He talked of how power can be a substitute for what is lacking in a political man's personal life."

In preparing for the interviews, Frost and his aides held mock sessions, running through the line of questions, attempting to guess how Nixon himself would answer.

"David would throw the question sequence we had figured out at me," Zelnick recalled, "and I would answer in the way I thought Nixon would in some cases using the exact sentence and sequence of words I thought he might."

"Sometimes my arguments would be so persuasive that David would say, 'I don't know to respond to that argument,' so we would drop the question. I had done so much work on this project that I could almost think like Nixon."

self, drafted by Reston, contains judgments on how Nixon would respond as well as doubts about certain areas.

"It is difficult to predict what Nixon will say in response to questions about the final days," the script says. "It will all be fascinating and, handled properly, it could be poignant."

"This will be the climax of the program and perhaps of the whole series, and David should cherish the opportunity and think about how it can be best handled. In the first 45 minutes, David must be the withering cross-examiner; in the next 45 minutes, a political buff fascinated by political strategy; in the last 30 minutes, he should be a sympathetic camp follower looking for human material."

Whether Frost turns out to be that "withering cross-examiner" and whether Nixon falls into the traps set for him are stories yet to be told. But you can bet we'll be hearing much more about it before Richard Nixon again drops back into obscurity.

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a full month before Watergate burglar James McCord exposed it publicly;

- Nixon and his top aide, H. R. Haldeman, intended to use the then secret presidential taping system to refute Dean's charges while still keeping it secret from even the most senior White House officials;

- Nixon characterized two Supreme Court justices as "boobs" and expressed concern that White House aides who were Jewish leaked information to Jewish reporters.

The new transcripts were among 28 prepared for the Watergate cover-up trial, but never made public. Several were withheld because the participants—Nixon and Colson—were not on trial.

In September, 1974, President Ford pardoned Nixon for any crimes he may have committed during his term and a half as President. Colson pleaded guilty in another case.

THE HUSH MONEY

The Jan. 8 Nixon-Colson meeting in which Nixon asked about "hush money" revealed a degree of early cover-up discussion by Nixon not previously known. The discussion opened with Colson reassuring Nixon that none of the defendants in the first Watergate trial will testify. Within a week, five of seven defendants had pleaded guilty.

The day before the Jan. 8 meeting, Senate Majority Leader Mike Mansfield (D-Mont.) announced that a Senate committee would conduct a full-scale probe of Watergate. Nixon and Colson expressed their concern that a Senate committee will present a greater problem than the trial of the seven defendants.

"We've got to play every string we've got here, don't you agree," Nixon said. "God damn it, the Congress has voted the investigation while they [the trial] are still in — I think that's why the court proceeding has its advantage. As long as that court proceeding is on, the Congress should keep its God damn hands out."

Nixon characterized former Attorney General John N. Mitchell as "smart. He was close to it but not directly . . . Perjury is a hard rap to prove."

Nixon then indicated that the problem of getting the "hush money" is increased because of an investigation then being conducted by Sen. Edward M. Kennedy (D-Mass.).

Kennedy's Senate Judiciary subcommittee was then hot on the trail of Nixon's personal lawyer, Herbert W. Kalmbach. Kalmbach had up to that point provided most of the money for payments to defendants. Kennedy's subcommittee had subpoenaed his records.

PAPPAS

Nixon was particularly concerned, according to previously unreleased segment of the April 26, 1973, transcript, that Dean might recall Nixon's admission on March 21, 1973, that Nixon thought Pappas, a prominent Republican fund-raiser, had helped Mitchell raise part of the "hush money" for Watergate defendants.

In the course of six hours of conversation with Haldeman, his chief of staff, Nixon raised the Pappas problem seven times. Nixon repeatedly expressed his concern that he had recalled to Dean that he had personally thanked Pappas for the money.

Pappas, now 77, is a wealthy Greek-

American with substantial investments in Greek oil refining, petrochemical plants, oil tankers, a Coca-Cola franchise, and a Boston food importing company. A man who has bragged publicly of his assistance to the CIA, Pappas has maintained close ties with the Greek junta, reportedly lobbying heavily on their behalf in the United States.

Active in Massachusetts Republican circles, Pappas was among the first to suggest Spiro T. Agnew as Nixon's 1968 running mate. In 1972, Pappas contributed over \$100,000 to the Nixon campaign in his own name. His testimony was unsuccessfully sought by the Senate Watergate committee to discuss allegations that he funneled

foreign campaign contributions through Greece to the Nixon campaign.

On April 26, 1973, Haldeman had just reviewed the tape of Nixon's meetings with Dean on March 21, 1973. Haldeman described how Dean had told Nixon of a call to Mitchell concerning Pappas and the money.

Nixon became concerned that Dean might recall aspects of this discussion. After a long strategy debate with Haldeman, Nixon discounted his vulnerability to Dean's possible charge that Nixon knew of hush-money payments.

Haldeman then recalled a noticeable acknowledgment by Nixon during the March 21 meeting that the President "knew" of the Pappas money.

" . . . He (Dean) was going on, you injected, 'I know,'" Haldeman told Nixon. "He had to be damn alert to have remembered that and put it down."

Continuing to assure Nixon that Dean was unlikely to have picked up the reference, Haldeman added a qualification: "Unless he's got a tape or something else."

"I just can't believe that anybody, that even John Dean, would come into this office with a tape recorder," Nixon said.

The two men continued to pursue the problem through the afternoon and into the evening, when Nixon said: "And I say, 'Yes, I know about Pappas (unintelligible) Pappas and I didn't discuss this, believe me.'"

Haldeman suggested that the meeting with Pappas was only to thank him for his help in the campaign.

Nixon corrected him: "I think it's a matter of fact though that somebody said be sure to talk to Pappas because he's being very helpful on the, uh, Watergate thing."

Elsewhere Nixon recalled that when Pappas came to the Oval office one day he said he was helping on Mitchell's "special projects."

The 'I know' reference which Haldeman and Nixon agonized over was apparently inaudible to federal investigators who prepared transcripts of the tape. No such reference appears in any transcripts of March 21.

When Pappas eventually appeared before the Watergate grand jury here, he denied contributing any funds for the defendants. The Watergate special prosecutor was unable to develop any evidence to show such payments beyond Nixon and Haldeman's concern.

UNRAVELING OF COVER-UP

Prior to the March 19, 1973, letter from Watergate burglar McCord to Judge John J. Sirica outlining the

cover-up, Nixon began protecting himself from possible exposure, according to the new transcripts.

On Feb. 13, 1973, Nixon articulated his concern that one of the seven original Watergate defendants might talk. Everything will be fine, he said, "unless one of the seven begins to talk. That's the problem."

On Feb. 14, 1973, Nixon told Colson: "We gotta cut our losses. My losses are to be cut. The President's losses got to be cut on the cover-up deal."

Soon Nixon reflected on the "good intentions" of the burglars: "I mean, this is a tough one, because there's so many players, and so God damn said I think of those seven guys . . ."

"So do I," said Colson.

" . . . who are involved, you know, Jesus Christ, they did it with good intentions (unintelligible). Of course, I guess they, they must have known that they had to take this kind of risk (unintelligible)."

Later on March 21, 1973, with Colson, Nixon addresses help for the defendants. "That had to be done," Nixon said, and then the transcript indicated he laughed.

TAPES AND THE NIXON DEFENSE

The new transcripts of April 26, and June 4, 1973, show the extent to which Nixon intended to use his tapes to defend himself and his closest aides, Haldeman and John D. Ehrlichman. First the tapes were to be used to refresh the recollections of Haldeman and Nixon. They were to be used also to chip away at Dean's accusations, pointing out minor inaccuracies and inconsistencies.

Nixon took great comfort when told Dean kept few notes of his conversations and the President realized the taping system would give the White House an advantage over Dean.

At another point, Nixon instructed Haldeman to tell no one about the system, not even Ehrlichman. If the system was ever discovered, Nixon suggested they would say that only national security matters were taped and transcribed.

The new transcripts show that what Nixon said on the White House tapes indicated an ignorance of aspects of the cover-up, aspects which earlier tapes established he had full awareness.

SUPREME COURT AND JEWS

A full 186-page transcript of June 4, 1973, when Nixon listened to tapes and talked with White House press secretary Ron Ziegler and chief of staff Alexander M. Haig Jr. dealt with Nixon's reflections on the Supreme Court, its ethnic composition and the problems of ethnically inspired news leaks.

Nixon told Ziegler what he had heard on tapes of his conversations with Dean:

"I said, uh, '(William J.) Brennan's a boob; (Thurgood) Marshall's a boob.' I said, '(Potter) Stewart is a very nice fellow, but weak.' I said, uh, '(Byron) White was above average.' I said, uh, '(Harry) Blackmun was above average; (William) Rehnquist was way above average; (Lewis) Powell was way above average; and of course the chief justice (Warren Burger) was way

control" Watergate Committee Chairman Sen. Sam Ervin (D-N.C.).

On April 26, 1973, Nixon and Haldeman discussed the loyalty of Henry Petersen, the top Justice Department official in charge of the investigation.

"I am in a totally defensible position . . .," Nixon said.

"You are if Petersen holds up," Haldeman responded.

"He's gonna hold up, I think . . .," Nixon said.

" . . . depends on how much Dean has on him and he's got a lot," Haldeman said.

"I know," Nixon agreed.

"And Petersen may be just as worried at his level about what Dean's got on him as you are at yours about what he may have on you," Haldeman observed.

"Petersen, I think, is gonna hold up on that point . . .," Nixon said.

"Our lawyers [John Wilson and Frank Strickler, lawyers for Haldeman and Ehrlichman] don't even akree with him as a counsel. Our lawyers totally distrust Petersen," Haldeman said.

"Yeah I know," said Nixon. "They distrust him . . . But I, but he's all I got Bob, and uh, — I think though, that Petersen on the other level, other hand, I, I had repeated that so often to him I never failed to (unintelligible) we just, we'll just say, 'we got that taped, Henry.'"

A transcript of the June 20, 1972 meeting between Nixon and Colson, just three days after the Watergate break-in, provides the earliest detailed account of Nixon's reaction.

The transcript, portions of which appeared in Dean's book "Blind Ambition," includes a description of the burglars as "pretty hard line guys." A moment later Nixon adds: "It doesn't sound like a, a skillful job. (Unintelligible). If we didn't know better, would have thought it was deliberately botched."

Nixon at one point discusses the overall strategy: "At times, uh I just — stonewall it."

Because the Democrats had just filed a civil suit, Nixon said: "We're gonna have a court case and indeed the difficulty we'll have ahead, we have got to have lawyers smart enough to have our people delay (unintelligible) avoid deposition, of course."

In one transcript just four days before Haldeman and Ehrlichman resigned on April 30, 1973, Nixon discussed a counteroffensive to prove that the tactics of his administration might have been appropriate.

"We've got to get out the God damn story. People have forgotten the violent years involved . . . I mean, 'D--- you Mr. President,' 'F--- you Tricia,' and all that s---, not just words but what violence, the destruction, the tear-gassing at the convention . . ."

"Get together and--, the -- Secret Service can do one thing--I want the threats collected, remember. I told you that, will they do it?"

"Yeah, yeah, yeah," Haldeman replied.

" . . .the number of threats, the number of uh, the number of demonstrations, uh, get all the hate letters that

" . . . And I talked about Jews," said Nixon.

"Of course," Zeigler said.

"I said we're not going to—there's no Jewish seat," Nixon said. "I said, 'I've got them all around me.' I said, 'I've got Kissinger and I've got (Herbert) Stein, and (unintelligible).' But I said, 'It's time to get a few ethnics on the court. You've got to take some people and bring them up.' I said, 'The Democrats are much better than we are. The Republicans are snobs.' I said, 'We've got to spread the base (unintelligible).' So, we talked about (unintelligible) Sullivan (unintelligible), called (associate director of the FBI, Mark) Felt the 'White Rat.' Known as the 'White Rat.' Uh, the question was whether he's Jewish. Uh, and I said, and I pointed out our Jewish friends—even on our White House staff—leak to Jews. But Dean says, 'There'll never be a leak out of me. I just don't know how to leak.'"

Zeigler laughed, the transcript indicates.

OTHER REFERENCES

In one reference on April 19, 1973, Ehrlichman and Nixon discussed the failing memory of special presidential counsel Richard Moore during the televised Senate Watergate hearings. Seven days later, April 26, Nixon told Haldeman:

"And, uh, well, Moore, Moore spent some money and Kalmbach spent some money and so forth and so on and so on, but anyway, my point is this, speaking of Moore, there's that and so I'm gratified. I am also gratified with Moore's recollection of La Costa has now dimmed a bit. It was God damn sharp when he was here in the office and I want you (unintelligible)."

In July the white-haired Moore gained a reputation during the televised Watergate hearings for his inability to recall events under questioning.

In a Colson-Nixon conversation on March 21, 1973, Colson described a call he received from an aide to Sen. Howard Baker (R-Tenn.), the ranking minority member on the Senate Watergate committee. According to Colson, the aide sought advice on Baker's behalf on how to help Nixon. "Howard really wants to work with us, totally," Colson said. " . . . he said don't pay any attention to what he has been saying (publically) . . ."

Colson described Baker's fear that his secret consultation with Attorney General Richard Kleindienst during the Senate Watergate investigation might be discovered. Colson also related that an aide to Baker confided at one point that Baker wanted to be able to "keep at bay, and be able to control" Watergate Committee Chair-