

6 May 74 (1)

Impeachment - "The Chicago Daily News asked an experienced former Federal prosecutor, David P. Schippers, to study the transcripts. He concluded that they would support indictments of the President for 'six different kinds of criminal activity': obstruction of justice and of criminal investigation, subornation of perjury, misprision of a felony, conspiracy and interstate transportation in aid of bribery."

NYT 6 May 74, Anthony Lewis

Transcripts (impeachment) - See entry, Impeachment, "The Chicago Daily News ... "

Haldeman, Ehrlichman - "The Closeness of Nixon and Two Key Aides."

SFC 6 May 74 [LATimes]

Hughes/Rebozo - Detailed chronology, summer of 1968 through 14 Apr 73.

Wall Street Journal 6 May 74, Jerry Landauer

Vesco - "The White House transcript of [Nixon's] conversations with [Ehrlichman] on April 14, 1973, adds a surprising footnote to the acquittal a week ago of [Mitchell and Stans]. \* [Their trial] might have gone differently if the prosecutors had known how Mr. Ehrlichman described the [Vesco] affair that day. But the White House withheld the tape recording from them. .... Until [3 May], the U.S. Attorney's office [in New York] believed the White House had complied last winter with its pretrial request, stemming from defense subpoenas, to turn over to the judge hearing the Mitchell-Stans case a copy of every recorded White House discussion in which the Vesco matter came up ["specifically, anything relating to Ehrlichman"]. " In the tape, Ehrlichman tells Nixon that Vesco had asked Stans for a quid pro quo in return for \$200,000 donation. See separate entry.

Wall Street Journal 6 May 74, Scott R. Schmedel

Mitchell-Stans trial - Tape requested by U.S. Attorney, New York, withheld by WH. See entry, Vesco, "The White House .... "

\*28 Apr 74.

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Transcripts - See entry 5 May.

Transcripts - "Why did he do it? Why did he destroy his honor, his reputation, any possibility of a respectable place in history, by publishing that incredible, mind-boggling expose? Whatever else is contained in that mass of expurgated transcripts, there is this important revelation: Richard Nixon does not make major decisions ... without weighing what course would do him, personally, the least possible damage. This was no rash, impetuous undertaking. He must have known what harm [the 'submission'] would do to his personal reputation. Thus the only reasonable explanation as to why he did it is that he saw the alternatives as worse. .... You almost have to believe that what he is holding back would convict him beyond any possible doubt. [The release of the transcripts] is a fantastic gamble that can be justified only on the ground that there was no other choice.

"He comes off very much like a wild animal who chews off his leg in order to escape the certain death of the hunter's steel trap. It is a desperate, excruciatingly painful thing to do, but it has to be done. Even if it means bleeding to death after all."

WXP 6 May 74, p. 15, William Raspberry

25th Amendment - "[If Nixon does not take a leave of absence as soon as the House impeaches him, as suggested by Sen. Javits], then the Vice President and a majority of the Cabinet should follow the procedure set forth in paragraph 4 [in the 25th Amendment] to compel him to do so .... "

WXP 6 May 74, letter to the editor by Frederic C. Smedley

"Transcripts Don't Resolve Dispute on 'It Is Wrong' Remark"

WXP 6 May 74, Richard S. Cohen

House Judiciary committee "has outlined a total of 37 areas of inquiry," including Nixon finances, milk fund, ITT, domestic surveillance.

WXP 6 May 74, Chapman

Transcripts - "Inaudibles and Unintelligibles .... " See entry 5 May 74.

6 May 74 (3)

Impeachment - "A source close to House Speaker Carl Albert predicted it could be September before the vote comes in the House. If the House waited until September to impeach Mr. Nixon, the source said, it would be 'almost impossible' for the Senate to hold a trial and vote before the November elections."

Wall Street Journal 6 May 74, John Pierson and  
Fred Zimmerman

Cover-up, Nixon - "President Nixon's Watergate transcripts indicate he decided to expose the cover-up only after it dawned on him that he might be legally regarded as an accessory to it. In a strategy session with his two top aides April 14, 1973, Mr. Nixon, a lawyer, is warned by [Ehrlichman] that 'once you are possessed of a reasonable body of knowledge, you have an obligation to do something.' And the President himself conceded during that meeting that if knowledge of the cover-up makes one guilty 'then I have been since a week ago, two weeks ago.'"

Wall Street Journal 6 May 74, Carol H. Falk

Jenner - Request by Rep. Lawrence J. Hogan (R-Md.) that Jenner be fired, as not sufficiently Republican, is rejected today by Hutchinson. (No date given for Hogan's request.) "The President's <sup>also</sup> staunchest defenders among committee Republicans have/ been angered by Jenner's frequent public statements that gave the President no help - such as Jenner's espousal of a broad definition of impeachable offenses, and his expressed belief that Mr. Nixon could be held responsible for actions of his subordinates under certain conditions."

WXP 7 May 74, Lyons

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Tapes/- Sirica ~~postpones~~ grants five-day postponement of court action on Jaworski's subpoena of 64 tapes, following hints that the White House is considering "possible compliance." Postponement is at St. Clair's request.

WXP 7 May 74, Lardner

Fielding break-in trial - Gesell <sup>has</sup> scheduled the week of 20 May for all pretrial motions.

WXP 7 May 74 [No attribution]

A-A  
-B  
-C

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6 May 74 (4)

Second subpoena possible - Members of House Judiciary Committee say they will be forced to serve a second subpoena on Nixon if he refuses to comply with an April 19 request for 141 WH conversations. Rep. Wiggins says two of the matters covered by the request amount to charges of bribery against Nixon and that "we have an obligation to determine if those charges are correct."

NYT 7 May 74, Naughton

Bribery (Nixon) - See entry, Second subpoena possible ....

Transcripts described in letter to the editor, NYTimes, as "Presidential pornography - without redeeming social value."

NYT 7 May 74, letter to the editor

McCord - "An exclusive two-part conversation program with [McCord] ... was withdrawn from broadcast at Mr. McCord's request last week because his lawyers felt it might be in violation of an order by Judge John J. Sirica [who] had restricted Watergate defendants from giving lectures or interviews in matters pertaining to Watergate until their cases were settled. .... Asked by phone whe [sic - why? when?] he took part in the program, Mr. McCord responded, 'I don't want to discuss that,' and hung up." Producer says most of what McCord said - program had already been taped - was already in the public record.

NYT 7 May 74, Les Brown

Buzhardt testifies before Watergate grand jury No. 3 "which is investigating, among other things, the 18½ minute gap in one of the White House tapes. In his White House role, Buzhardt had over-all custody of the tapes at one point last year ... " After his appearance refuses to say what the questioning was about.

SFC 7 May 74 [AP]

Nixon (taxes) - Kalmbach has told special prosecutor's office that Nixon called him at his WX hotel 7 Mar 74, at 1:45 a.m., to say he understood Kalmbach and DeMarco were not responsible for his tax troubles and that he knew the information used in preparation of his tax returns was supplied by others at the White House.

■ SFC 7 May 74 [LATimes]

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Tapes (Ervin committee subpoena) - The tapes involved are of conversations of 15 Sep 72, 28 Feb 73, 13 Mar 73, and two conversations on 21 Mar 73, all subpoenaed 23 Jul 73.

Ervin committee tells U.S. Court of Appeals it still needs these five tapes because the transcripts released by the WH "are suspect" and "neither complete nor accurate." See story for examples.

Committee says, "While the Select committee has made all the material in its files available to the House Judiciary Committee, the arrangement has not been reciprocal."

SFC 7 May 74 [AP]

Transcripts - See entry, Tapes (Ervin committee subpoena).

Transcripts - Comment by Terrence O'Flaherty, on the reading of the transcripts on National Public Radio network.

"The cumulative effect was a stunning indictment of Richard Nixon's political morality. In this, the weekend's dramatic readings recalled countless examples in courtroom dramas where one straw was piled upon another until the inevitable collapse, leaving the viewer with an inescapable conclusion."

SFC 7 May 74, Terrence O'Flaherty

James F. Neal rejoins Watergate prosecution force as chief trial lawyer in the coverup case against Haldeman and six others.\* Had directed the investigation for five months last year, resigning 19 Oct after obtaining guilty plea that day from Dean. Resigned to resume full-time law practice in Nashville.

"Haldeman and other defendants ... have challenged their indictment on the grounds that Neal's work last year violated Federal conflict-of-interest laws because he or his firm was still representing private clients in cases involving the Justice Department. Neal's reassignment on the same basis indicates that Jaworski's office is not particularly concerned about the issue."

WXP 8 May 74 [no attribution]

\*Position is that of part-time consultant, the same status he held under Cox.

Haldeman - See entry, James F. Neal.

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6 May 74 (6)

Vesco - President Daniel Oduber of Costa Rica warns Vesco, by letter which he hands him today, that if Costa Rican courts order him extradited he will be expelled.\* Oduber takes office 8 May 74.

See entries 20 May, 4 Dec, 8 Dec, 74, 7 Oct 74.

See separate entry.

SFEx 21 May 74

- From accounts of Oduber's letter to Vesco: "President Oduber, in the letter ... told [Vesco] that with the Figueres era ended, he would remove any official who might become a partner of the financier and would 'ask you to leave the country.' Oduber also said he was giving Vesco 30 days to liquidate his investments in 'mysterious activities' and re-direct the funds into farming or tourism." (WXP.)

"I want to quell at once the suspicions you may get, from the incoming Government, treatment different from that of any other immigrant who wants to live among us." (NYT.)

WXP 8 Oct 74, Morton Mintz

NYT 8 Oct 74 John M. Crewdson

\*This is apparently contingent on any other attempt at extradition, the first one (quotation from Oduber's letter:) having been brought "in such a way that it seemed aimed at the extradition failing, just as it did." (NYT.)

"The prosecution [in Mitchell-Stans trial] had asked Costa Rica to extradite Vesco for trial for obstruction of justice. But the Legislative Assembly, controlled by then-President Jose Figueres, whose business interests have received more than \$3.5 million from Vesco-associated sources, enacted on March 21 a new extradition law that seemed tailored to Vesco's legal needs. (WXP.) See entry 6 May 74, Vesco, the White House transcript ....

NYT 8 Oct 74, John M. Crewdson

WXP 8 Oct 74, Horton Mintz

Nixon (tapes) - Nixon listens to tapes, among them three with Haldeman of 23 Jun 72 (those later described as the "smoking pistol" tapes).

See entry 7 May 74, Tapes St. Clair tells reporters ... (and AMP-A, that date)

See entry 31 Jul 74, Tapes (St. Clair)

(6 May 74)    AMP

(A) - "In a short statement later to reporters, a statement approved by all parties, Judge Sirica implied that the President was considering not just an accommodation or compromise response to the subpoena but instead, actual compliance.

"The President's new stance also came after Mr. Jaworski's office made it clear that the prosecution would not drop its subpoena in the face of the President's motion to quash. That meant that if Mr. Nixon continued to fight the subpoena, a court battle would ensue in which testimony would be taken regarding the relevance of the material Mr. Jaworski had supported [sic]. That testimony, some legal observers said today, could make public still more damaging evidence.

"Mr. Jaworski contends that each of the subpoenaed materials is necessary either to help make the prosecution's case or, because it is exculpatory, to be turned over to one or more defendants."

NYT 7 May 74, Oelsner    See entry 5 May, Jaworski  
goes ....

(B) - See entry 13 May 75, Nixon (tapes of 23 Jun 72).

(C) - See entry, Early (?) May 74, Tapes of 23 Jun 72 (for some related refs).