

Question on Nixon Is Now Up to Cox

By Jack Anderson

If the Watergate prosecutors had their way, the anticipated indictment of the White House conspirators (1) would indicate President Nixon helped to cover up the illegal operations of his subordinates and (2) would suggest his possible involvement should be investigated further.

The prosecutors have raised the presidential question in a careful, confidential memorandum, which discusses the options for dealing with evidence against the President.

The final decision will be up to special prosecutor Archibald Cox, who is now in charge of the case.

As we reported on May 25, Assistant Attorney General Henry Petersen previously had reminded the prosecutors that the President was not on trial. Petersen had instructed them specifically not to inquire into the personal conversations between the President and his lawyer.

This attitude from above had an inhibiting effect upon the prosecutors, although Petersen assured us he had not intended it. They missed several opportunities to inquire into the President's involvement and, indeed, seemed reluctant to bring up his name. But in more recent weeks, they have pulled no punches.

The secret, sworn testimony has produced absolutely no evidence that the President was implicated in the Watergate burglary and bugging. But

sources close to the investigation tell us the prosecutors can no longer pretend that he was innocent of the cover-up.

With the aid of these sources, we have put together the case against the President. It is based on testimony both published and still secret.

By his own account, President Nixon tried to set up an anti-subversive operation, headed by the late FBI Director J. Edgar Hoover, to deal with "grave" security threats. This extraordinary, extra-legal squad would have been empowered to break into the quarters of security suspects.

When Hoover would have no part of this, the plan was abandoned. But subsequently, the President established his own para-police unit, known as "the plumbers," inside the White House. Two of the plumbers, G. Gordon Liddy and E. Howard Hunt, broke into the offices of Daniel Ellsberg's psychiatrist in Los Angeles in September, 1971.

The same pair also masterminded the Watergate burglary, which culminated in their arrest the following June. The President immediately instructed aides H. R. Haldeman and John Ehrlichman "to insure" that the Watergate investigation didn't expose "the activities of the White House investigative unit."

The prosecutors believe Nixon's motive was more to hide the undercover activities of the plumbers who had his

blessing than to protect the Waterbuggers who did not. But the Watergate investigation threatened to uncover the Liddy-Hunt operation, which would lead straight to the plumbers team.

Haldeman and Ehrlichman would have had difficulty protecting the plumbers without also covering the Watergate tracks. The available evidence indicates they made little attempt to separate the two Liddy-Hunt projects.

First, the White House pair tried to confine the investigation to the five men who had been arrested inside the Watergate. Haldeman and Ehrlichman, proclaiming it "the President's wish," even tried to get the CIA to intervene with the FBI to limit the investigation.

Once Liddy and Hunt were ensnared in the Watergate conspiracy, according to the sworn testimony, Haldeman and Ehrlichman arranged to funnel hush money by a devious route to the defendants to buy their silence.

The President's personal attorney, Herb Kalmbach, was enlisted. He drew a reported \$75,000 from chief fund-raiser Maurice Stans, another \$60,000 from White House counsel John Dean. Kalmbach also raised \$75,000 from Northrop executives.

President Nixon has cited "national security" as his reason for wanting to conceal the activities of the plumbers. Even after he ordered a full

Watergate investigation last March, he gave secret orders to Henry Petersen not to expose the plumbers' operation. He loosened up on this order only after both Petersen and then-Attorney General Richard Kleindienst threatened to resign.

The President's claim of "national security," in the prosecutors' opinion, is weak. Little attempt was made, in all the clandestine White House operations, to separate political security from national security.

As far back as 1969, Haldeman ordered Kalmbach to pay Ulasewicz out of political funds. Unknown to Kalmbach, Ulasewicz devoted most of his efforts to digging up dirt on Democrats, including Sen. Ted Kennedy (D-Mass.).

Haldeman and Ehrlichman directed not only Ulasewicz' political espionage, according to the testimony, but the plumbers' security espionage as well. Both Liddy and Hunt, along with the other plumbers, were paid by the taxpayers for their illegal activities.

Later, Liddy and Hunt were assigned to the President's campaign committee. Campaign funds were also used to finance the cover-up of the plumbers' operation, which the President ordered for security reasons.

The President will have trouble, in other words, distinguishing where politics ended and security began.