

NYTimes Watergate Queries And Their Significance

NOV 13 1973

By DAVID E. ROSENBAUM

Special to The New York Times

WASHINGTON, Nov. 12 —

Over the next three days, President Nixon is scheduled to meet with all the Republicans in Congress to answer their questions about the Watergate scandal and related activities of the President and his aides.

What follows are some questions that Mr. Nixon, in his public statements, has not addressed directly and explanations of their significance.

TAPE RECORDINGS

Why did the President wait so long, after the White House tape recordings were subpoenaed, to find out what was on them? Why did he then wait for a month after he learned some tapes did not exist to reveal that to the court? Why did he not tell his lawyer, Charles Alan Wright, about the tapes that did not exist?

The tapes were subpoenaed by the former special prosecutor, Archibald Cox, and the Senate Watergate committee on July 23. In his statement today, Mr. Nixon said that he did not begin to "review" the recordings until Sept. 29. The United States District Court here was not told until Oct. 31 that two tapes did not exist and not until today that a subpoenaed Dictaphone recording could not be found. Mr. Wright was not told about the tapes that did not exist until just before Oct. 31.

Will the new special prosecutor, Leon Jaworski, be permitted to sue in court to obtain additional recordings and documents from the White House? What specific information will be provided to him that was not given to Mr. Cox?

Mr. Cox was dismissed after he refused to accept an agreement that would have precluded him from seeking additional documents and tapes. Mr. Jaworski has said that he has been assured access to whatever he needs to conduct a successful prosecution. But Mr. Nixon, at his Oct. 26 news conference, said that such information "should be worked out in cooperation not by having a suit filed" and that he would "stand on the principle of confidentiality."

SPECIAL PROSECUTOR

Would the President veto legislation establishing a special prosecutor independent of the executive branch?

Legislation is pending in both houses that would create a court-appointed special prosecutor. Other legislation would prohibit the dismissal of Mr. Jaworski without Congressional consent.

'PRESIDENTIAL PAPERS'

How does the President define the "Presidential papers" that, he says, must remain confidential?

It has never been clear whether Mr. Nixon felt, for instance, that his personal financial records or his conversations with his campaign directors were protected from disclosure under the doctrine of executive privilege.

Why does the President not end speculation about his tax returns during the years of his Presidency by making the returns public?

There have been news reports that Mr. Nixon paid only small sums in taxes in 1970 and 1971, and that a capital gain realized by his daughter, Tricia, was reported on his return to save her taxes. Mr. Nixon has contended that he, like all other Americans, is entitled to have his returns kept private. But, in 1953, when he was Vice President, Mr. Nixon allowed his returns for the years 1947 through 1951 to be published to dispel allegations about his finances, and many public officials publish their tax returns regularly.

How can the President prove, for tax purposes, that he donated his Vice-Presidential papers, when he said he did, to the National Archives?

The White House has acknowledged that Mr. Nixon is claiming deductions of \$570,000 over several years for the charitable donation of his pre-Presidential papers to the Archives. Such a deduction would not be legal, under a change in the tax law, if the papers were donated after July 25, 1969. The President contends that they were given before that date, but the head of the General Services Administration has said under oath that there is still no deed recording the gift and no record of precisely what papers were donated before the cutoff.

Since there is considerable evidence showing that Federal expenditures at the President's property in San Clemente, Calif., and Key Biscayne, Fla., went beyond the bounds of security necessities, does the President intend to refund any of the money to the Treasury?

A total of \$10.2-million has been spent by the Government on the President's private estates, most of it justified on the ground of safeguarding the President. Many thousands of dollars were spent on such improvements as landscaping and recreation facilities.

WATERGATE BURGLARY AND COVER-UP

Did the President ever ask his former Attorney Gen-

eral and campaign director, John N. Mitchell, questions about the Watergate burglary and, if not, why not?

Mr. Mitchell, who has been accused of authorizing the burglary and who has admitted to knowing the truth about it within days of the break-in, told the Watergate committee that he would have told Mr. Nixon the facts if Mr. Nixon had ever asked him for them. One of the discussions involving him and Mr. Nixon, which the White House says was not recorded, was a telephone conversation between them on June 20, 1972, three days after the burglary. At the time of that conversation, Mr. Mitchell had just finished a meeting about Watergate with his aides.

Whom, if anyone, did Mr. Nixon assign to investigate the Watergate scandal on March 21, 1973?

In a broadcast address last April 30 Mr. Nixon declared, "On March 21, I personally assumed the responsibility for coordinating intensive new inquiries into the matter, and I personally ordered those conducting the investigations to get all the facts and to report them directly to me." Richard G. Kleindienst, then the Attorney General, Henry E. Petersen, then Assistant Attorney General in charge of the Justice Department's Watergate investigation, and L. Patrick Gray 3d, then acting director of the Federal Bureau of Investigation, told the Senate Watergate committee that Mr. Nixon had never given them instructions to conduct a special investigation and report to him. John D. Ehrlichman, then the domestic affairs adviser, testified that he had conducted an inquiry at the President's direction but was not ordered to do so until March 30.

What was the basis of the President's fear that the Watergate investigation might disclose secret activities of the Central Intelligence Agency?

C.I.A. officials testified that they had told the White House that there was no danger of the agency in continuing the inquiry, but, because Mr. Nixon did not accept those assurances, the original F.B.I. investigation was delayed for weeks.

'PLUMBERS'

What else did the "plumbers" do? What are Project Odessa and Special Project No. M-1?

Mr. Nixon created in 1971 a special unit in the White

House, known as the "plumbers," to try to plug leaks of information from the Government. The unit directed the burglary of the office of Daniel Ellsberg's former psychiatrist, Mr. Cox testified that he had sought information about two other "mysterious plumbers' operations, known as Project Odessa and Special Project No. M-1. It is widely believed that the plumbers were engaged in other activities, some of them, perhaps, also illegal.

What were the President's instructions to the head of the plumbers group, Egil Krogh Jr?

Mr. Krogh is under indictment in California for the Ellsberg burglary. He has been quoted as saying that his orders came "right out of the Oval Office." Mr. Nixon has denied knowledge of that burglary ahead of time, but he is said to have believed afterward that it was justified on national security grounds.

CAMPAIGN CONTRIBUTIONS

Did the President ever authorize—or did he ever specifically forbid—the solicitation of campaign contributions in return for political favors?

Who authorized C. G. Rebozo to collect \$100,000 from agent of Howard R. Hughes, and did Mr. Rebozo solicit or collect any other money?

Mr. Rebozo, the President's close friend, has acknowledged that he accepted the Hughes gift, and has said that he kept the money for three years in a safe deposit box and then returned it. Mr. Nixon has said publicly that he has complete trust in Mr. Rebozo's handling of the matter. Mr. Rebozo, however, held no official position in the Nixon campaign, and the donation was never reported as a political contribution.

IMPEACHMENT

Would the President turn over all evidence requested by the House of Representatives if formal impeachment proceedings were begun?

Constitutional scholars believe that the President has no authority to withhold evidence on the ground of separation of powers in an impeachment proceeding. The House Judiciary Committee has begun an inquiry into whether it should proceed with an impeachment investigation, which is similar to a grand jury investigation.