

# 'Leaked' Transcript Says Nixon Vowed To Take 2 Washington Post TV Licenses

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WASHINGTON — The House Judiciary Committee began to see how hard it is to conduct an impeachment inquiry behind closed doors.

Late Wednesday, somebody "leaked" to a few reporters the committee's transcribed version of the tape of the famous talk of Sept. 15, 1972, involving President Nixon and aides H. R. Haldeman and John Dean. The committee's transcript contains things that are omitted from the one Mr. Nixon made public late last month—one of three dozen that the President said tell the "entire story" of Watergate.

At the Sept. 15 meeting, according to the committee's transcript, Mr. Nixon threatened to take away two television-station licenses owned by the Washington Post, in retaliation for the Post's aggressive coverage of Watergate. And he threatened to "fix" Edward Bennett Williams, the Post's attorney, then also representing the Democratic National Committee in its Watergate damage suit against the President's re-election committee.

Some of the leak's effects became apparent yesterday:

—It supports the contention of some Judiciary Committee members that the panel must have the tapes themselves—rather than White House transcripts—before it can finally decide whether Mr. Nixon has done anything warranting impeachment.

—It gives the public an even more unflattering picture of the President than appears in the White House transcripts.

—It shows that the committee, despite its rules of confidentiality, can't keep a secret.

—It has sown seeds of dissension within the panel over whether to throw open the impeachment inquiry and if not, how to plug the leaks.

The White House lost little time in trying to capitalize on the leak. Press Secretary Ronald Ziegler said it gives the lie to claims that the committee is involved "in fair and disciplined proceedings."

Mr. Nixon's lawyer, James St. Clair, charged that leaks like Wednesday's are "prejudicing the basic right of the President to an impartial inquiry on the evidence." Mr. Nixon wants the committee to throw open its doors "so that the American people can be fully informed with regard to all the evidence presented," Mr. St. Clair said.

If the committee doesn't open its meetings, he added, he may release tapes and other materials the White House has supplied to the committee.

"St. Clair's bluffing," said an aide to one Democratic committee member. "Opening up the meetings or releasing all that stuff would be as much a disaster for them as releasing the transcripts was."

Whatever his intent, Mr. St. Clair's surprise move has the effect of hanging the secrecy monkey on the committee for a change, instead of the White House. It also helped fuel another dispute within the committee.

Rep. Joseph Maraziti (R., N.J.) said he, for one, would hold the rest of the inquiry in public. "The President of the United States is everybody's business," Rep. Maraziti told reporters following yesterday morning's closed-door session.

But Rep. Robert McClory (R., Ill.) said that if the committee switches to open meetings, it will have to give back evidence received in confidence from the Watergate grand jury, the Central Intelligence Agency and elsewhere. "Don't open the sessions; close the leaks," Rep. McClory declared.

How to close the leaks isn't clear. The committee met in an unusual evening session yesterday to hear the tape of a conversation on Feb. 28, 1973, between Mr. Nixon and John Dean, who was then White House counsel. An edited transcript of this meeting was among those released last month by the President.

Committee Chairman Peter Rodino (D., N.J.) said that to avoid another leak, he hopes his 37 colleagues would leave their copies of the committee's transcript behind when they went home last night. But Rep. Charles Wiggins (R., Calif.) said homework is necessary for him to keep up with the welter of material.

Rep. Rodino also said the committee will continue meeting in private—at least through next week—to avoid prejudicing the cases of defendants in Watergate-related trials.

The White House, meanwhile, sought to belittle the significance of the material omitted from its version of the Sept. 15 conversation. Deputy Press Secretary Gerald Warren said "it's clear" that the section of

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the tape relating to the Washington Post is "unrelated to Watergate."

This view received some support on the committee. "What was said about the Post is irrelevant to our inquiry," said Rep. McClory. "If we're going to investigate that, it would greatly delay our hearings."

One allegation into which the impeachment staff has been looking, however, is "that attempts were made by the White House to use the Federal Communications Commission to control and retaliate against media criticism." The FCC decides whether to renew radio and TV licenses.

And Chairman Rodino declared: "All of the material we've been considering, in our judgment, is relevant to our inquiry."

In the Sept. 15 conversation, Mr. Nixon said: "The main thing is the Post is going to have damnable, damnable problems out of this one. They have a television station... and they're going to have to get it renewed."

"They've got a radio station, too," said Mr. Haldeman, then White House chief of staff, according to the committee's transcript of the conversation.

"Does that come up, too?" replied Mr. Nixon. Moments later he added: "Well, the game has to be played awfully rough."

Larry Israel, president of Washington Post Co., said yesterday that the full transcript of the Sept. 15 meeting indicates that challenges to the renewal of broadcast licenses for two Post-owned Florida television stations, WJXT-TV in Jacksonville and WPLG-TV in Miami, "were conceived and inspired by the White House." These were the only two stations challenged among 33 that filed for renewal at the same time, Mr. Israel said.

"It should be deeply disturbing to every citizen that the White House would try to use the license renewal processes of a federal regulatory agency for economic retaliation against a newspaper exercising its proper journalistic responsibilities, and to attempt to intimidate it from doing so," Mr. Israel added.

Deputy Press Secretary Warren said that the Nixon administration "is not a party" to the challenges that were filed against the Post's broadcast properties.

The White House didn't have any comment on the part of the transcript relating to Edward Bennett Williams. According to the committee's transcript, as published in the Washington Post, Mr. Nixon said: "I think we are going to fix the son-of-a-bitch. Believe me. We are going to. We've got to, because he's a bad man."

Mr. Haldeman suggested that the FBI question Mr. Williams and "keep him tied up for a couple of weeks."

"Yeah, I hope they do," the President replied.

Rep. Rodino said the differences between the White House transcripts and those prepared by the committee from several tapes received from the grand jury "clearly focus on the need to get the original conservations." Rep. Barbara Jordan (D., Texas) said that listening to tapes gives "a flavor of reality that's absent from the transcripts."

# Kleindienst Pleads Guilty to Misdemeanor And Pledges ITT Role

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fuse and fail to answer accurately and fully questions pertinent to" ITT. The information filed by the Watergate special prosecution force says that Mr. Kleindienst ducked questions on communications with both the President and Mr. Mitchell about the ITT antitrust cases. In addition, the information charges that he refused to answer questions on the circumstances surrounding the request for the 30-day extension in the deadline for appealing to the Supreme Court.

The charge calls for a jail term of one month to a year and a fine of \$100 to \$1,000. It's understood the jail sentence could be suspended.

Chief Judge George L. Hart of the federal district court here said he will set sentence at a later date. Meanwhile, Mr. Kleindienst was freed on his own recognizance.

Mr. Kleindienst, Attorney General from June 1972 until he resigned in May 1974, is the first former Nixon Cabinet officer to plead guilty to a Watergate-related charge. He's the first Attorney General and second Cabinet member ever to be convicted of a criminal charge. President Harding's Interior Secretary, Albert Fall, was convicted of bribery in the Teapot Dome scandal and sent to prison. Harding's Attorney General, Harry M. Daugherty, was indicted in another case but wasn't convicted.

Mr. Kleindienst's predecessor, Mr. Mitchell, faces trial in September in connection with the Watergate cover-up. He has pleaded innocent to the charges. He and former Commerce Secretary Maurice Stans have already been acquitted of perjury and obstruction of justice in the Vesco case.

## Light Sentence

Apparently pushing for a light sentence for Mr. Kleindienst, Special Prosecutor Leon Jaworski told the court the former Attorney General had cooperated fully with the prosecutor's ITT investigators.

Furthermore, Mr. Jaworski released a letter he had written last week to Mr. Kleindienst's lawyer, Herbert J. Miller, saying that the special prosecution force hasn't found "any criminal conduct" by Mr. Kleindienst in his handling of the ITT antitrust cases.

Mr. Jaworski's letter says the agreed-to guilty plea doesn't mean Mr. Kleindienst is free and clear of any possible future charges in connection with the ITT investigation, however. "It is thus specifically understood that if evidence is developed that Mr. Kleindienst was involved in any criminal obstruction of the ITT antitrust cases," the special prosecutor won't hesitate to file more charges against the former Attorney General, the letter warns.

The letter hints that because of some sort of previous agreement with the former Attorney General, the special prosecutor would attempt to get Mr. Kleindienst off with a relatively light sentence in exchange for his cooperation in the ITT investigation. The letter says Mr. Kleindienst came "forward voluntarily and disclosed information relative to the investigation conducted by this office on his understanding that he would be given some consideration for doing so."

## Law Practice

Because the charge is a misdemeanor rather than a felony, Mr. Kleindienst stands a chance of continuing to practice law. A felony conviction likely would have led to disbarment.

Mr. Jaworski told reporters after the court session that by rejecting President Nixon's order to drop the ITT antitrust case, Mr. Kleindienst "stood up to his convictions." Mr. Jaworski stressed, however, that he feels there was nothing illegal about President Nixon ordering Mr. Kleindienst to drop the ITT case. "I think the President has the right as Chief Executive to pass on all matters of antitrust," Mr. Jaworski said, "and this was the President's view."

Mr. Kleindienst issued a statement following his court appearance, in which he said that, "so far as I was aware," the allegations that the ITT cases had been settled because of the pledge of financial support for the GOP convention "were false."

He did concede, however, that he didn't "fully answer" questions of the Judiciary Committee that "would have elicited the circumstances surrounding the extension of time" in the appeal to the Supreme Court. "I was less than candid because I viewed the President's order as ill-conceived, quickly retracted, in my opinion privileged and in any event not the focus of the committee's inquiry, which dealt with the reasons why the three ITT cases were settled

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during the summer of 1971," he said.

However, the record of the Judiciary Committee hearings shows that Mr. Kleindienst was questioned rather closely about the reasons for the extension. On March 3, 1972, he told the Senators that he didn't "recollect why the extension was asked." Then on March 7, Mr. Kleindienst himself brought up the subject, saying that he and his aides had had a chance "to refresh our recollection" and that the extension related to a letter from a lawyer asking for more time on behalf of ITT.

The first clear indication that Nixon administration officials had tried to keep the full ITT story from the Judiciary Committee came last Aug. 1, when the Senate Watergate Committee released an internal White House memo written during the Kleindienst hearings by Charles Colson, then a special counsel to Mr. Nixon. The memo outlined the existence of documents linking high administration officials, including the President himself, to the antitrust settlement.

Among other things, the Colson memo expressed concern about the whereabouts of a June 30, 1971, memorandum to Attorney General Mitchell "setting forth the \$400,000 arrangement with ITT." Mr. Colson noted that this "precedes the date of the ITT settlement" and that it "put the A.G. on constructive notice at least of the ITT commitment at that time and before the settlement, facts which he had denied under oath."

Another memo that worried Mr. Colson was sent to Mr. Mitchell in September 1970 by White House aide John Ehrlichman and referred to an "understanding" with Harold Geneen, ITT president. There was a follow-up memo from Mr. Ehrlichman to Mr. Mitchell "alluding to discussions between the President and the A.G. as to the 'agreed upon ends' in the resolution of the ITT case and asking the A.G. whether Ehrlichman would work directly with (then antitrust chief Richard) McLaren or through Mitchell," Mr. Colson said. "This would once again contradict Mitchell's testimony and more importantly directly involve the President," Mr. Colson added.

The allegation that the ITT antitrust suits were settled in return for the pledge of financial help for the convention is among the matters being investigated in the House Judiciary Committee's impeachment inquiry.

## Legal Problems

At the White House yesterday, Deputy Press Secretary Gerald L. Warden was asked to comment on the legal problems of Mr. Kleindienst and of Dwight Chapin, former presidential appointments secretary. Mr. Chapin was sentenced Wednesday to 10 to 30 months in jail for lying under oath about a campaign of spying and sabotage against Democratic candidates in the 1972 presidential campaign.

Mr. Warren responded that "the President feels a personal concern for Dwight Chapin, whom he knows as a fine young man, and for his fine young family."

Mr. Warren then was asked if the President regards Mr. Kleindienst as a "fine middle-aged man." He said that he didn't have any comment on Mr. Kleindienst, and that the Kleindienst and Chapin "situations aren't parallel." The spokesman then added that Mr. Chapin "remains one of the finest young men I have ever known."

Newsmen persisted in seeking a presidential comment regarding Mr. Kleindienst. Finally, Mr. Warren said in an exasperated tone: "Of course, he's a fine man. The President nominated him to positions."