

Release of Transcripts: The Pattern for an

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WASHINGTON, July 10—The publication of House Judiciary committee transcripts of Watergate tape recordings was the start of an evident effort by committee officials to give both the Congress and the public an education on evidence that could support the impeachment of President Nixon.

News Analysis

In 218 printed pages, the committee presented yesterday a White House dialogue that was markedly different from the written version contained in transcripts issued earlier by the President.

The committee transcripts, to be followed this week and next by the release of 18 thick volumes of evidence, set the pattern for the argument that senior Democrats, some Republicans and committee lawyers are expected to make in the debate on impeachment: that Mr. Nixon knew more than he has conceded about the Watergate cover-up attempt, that he tried harder than his own transcripts suggested to "contain" the scandal, and that his over-all conduct in office was, at best, un-Presidential and, at worst, potentially criminal.

The committee version contained long conversational passages omitted altogether from the White House-edited transcripts. "Up to this point, the whole theory has been containment, as you know, John," Mr. Nixon told former Attorney General John N. Mitchell in the most consequential omission, consisting of 16 type-written pages of a March 22, 1973, discussion.

Suggestion by the Staff

A separate Judiciary Committee staff analysis, comparing the two sets of transcripts side by side, invariably suggested that what was omitted from Mr. Nixon's version as "(unintelligible)" or what was at variance with the committee account was potentially damaging to the President's defense against impeachment.

Should a criminal case be built against senior White House aides, "we would have to (unintelligible) some of the men," the President, according to his version, said on March 21, 1973.

In the committee transcript, however, the President is quoted as having said, "Well, if it really comes down to that, we cannot, maybe—we'd have to shed it in order to contain it again."

By this morning, as members of Congress were reading the comparisons in newspapers and noting the long blank spaces under the heading "White House transcript," Mr. Nixon's critics were ready to believe the worst.

A Critical Observation

"You can see that the parts that were eliminated in the public transcripts were parts that were not helpful to the President," said Representative Elizabeth Holtzman, Democrat of Brooklyn.

Another Judiciary Committee Democrat, Representative George E. Danielson of California, said what others had only hinted at—that Mr. Nixon's expurgated transcripts may have been edited in furtherance of a Watergate cover-up.

"I can only draw one inference," he said, "that it was done intentionally, that it was not done accidentally."

A Sense of Impeachment

At the White House, Ronald L. Ziegler, the President's spokesman, continued to criticize the committee leaders for "dribbling-out" evidence in a "public relations" campaign. But putative defenders of Mr. Nixon in Congress were, for the most part, silent or, more significantly, perturbed.

John J. Rhodes of Arizona, the House Republican leader, read the committee transcripts "with the same indignation" he had felt earlier on reading Mr. Nixon's version, an aide to Mr. Rhodes told reporters.

Representative Robert McClory of Illinois, the committee's second-ranking Republican and one who says he is uncommitted on impeachment, professed to be "very dis-

turbed" by the moral tone of Mr. Nixon's White House discussions.

In the last few weeks, as Mr. Nixon made diplomatic sorties to the Middle East and Moscow and sessions of the Judiciary Committee degenerated into partisan procedural wrangles, the feeling had grown in the House that impetus for impeachment was diminishing. But the issuance of the Judiciary Committee transcripts yesterday seemed to restore a sense of impending impeachment, and, as Mr. Ziegler contended, that may have been intended.

An associate of the committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, acknowledged privately today that the evidence was being issued, in digestible portions, in order to help educate the public about what has been assembled for the inquiry behind the committee's closed doors.

"We're not saying it's a case for impeachment," the official said. "We're simply releasing the evidence. The case is there or it isn't. But we want [the public] to have the same material the members have to decide if there is a case."

Accordingly, the first committee material—transcripts of eight of the President's 1972 and 1973 discussions of Watergate—was important not so much because it graphically cast doubt on the accuracy of Mr. Nixon's transcripts but because it purported to shed light on Mr. Nixon's attitude toward the alleged cover-up.

The Case Is Facts

"This whole case is facts," an inquiry staff member said earlier this week. "The whole thing is getting people to see the facts."

In that sense, the most pertinent portions of the eight transcripts may have been those that either varied notably from or filled in gaps in the White House transcripts.

On March 13 of last year, a week before Mr. Nixon has said he first learned of the Watergate cover-up attempt from John W. Dean 3d, the ousted White House legal counsel, Mr. Dean told the President that Jeb Stuart Magruder, an official of the 1972 re-election committee, had twice committed perjury, "as you know." In the

White House transcript, Mr. White House transcript, Mr. Dean merely said, "You know."

In the same conversation, both versions showed Mr. Nixon asking, "Is it too late" to reveal the facts about Watergate—in White House jargon, to "go the hang-out road." Only the committee version added Mr. Nixon's follow-up: "Yes, it is." And, moments later, in an "(inaudible)" portion on the "(inaudible)" portion on the White House transcript, the committee version has the President saying he knows aides have decided to reject the "hang-out road."

'We're All in on It'

On March 21, 1973, only the Judiciary transcript shows the President to have remarked, in a lament to Mr. Dean about the burden of Watergate, "We're all in on it."

Also absent from the White House transcript is Mr. Nixon's March 21 reply after being told by Mr. Dean that three close Presidential associates were retaining defense lawyers. According to the committee account, Mr. Nixon said, "Well, let's not trust them."

The single most perplexing variance involves the differing versions of a March 22, 1973, meeting of the President, Mr. Dean, Mr. Mitchell and two former aides, H. R. Haldeman and John D. Ehrlichman.

At one point, in the White House transcript, Mr. Nixon remarked that Mr. Mitchell recommended a flexible policy of executive privilege "in order to get off the cover-up line."

But the inquiry staff, which contends it has superior audio equipment that enables it to retrieve barely audible conversation, quoted the President as

Argument

having said such a policy was meant "to get on with the cover-up plan."

The long segment of the March 22 conversation absent altogether from Mr. Nixon's transcript contained several apparently significant passages.

Praise for Dean

Mr. Nixon twice praised Mr. Dean for having "put the fires out" in handling the Watergate scandal for the White House. The March 22 committee account also contained the following monologue in which the President seemed to offer Mr. Mitchell the option of misleading the Senate Watergate committee or of shielding the White House by assuming responsibility at Watergate hearings for the scandal.

"I want you all to stonewall it, let them plead the Fifth Amendment, cover-up or anything else, if it'll save it—save the plan. That's the whole point. On the other hand, uh, uh, I would prefer, as I said to you, that you do it the other way. And I would particularly prefer to do it that other way if it's going to come out that way anyway."

Asked today by reporters why the White House had omitted the 16-page portion of the March 22 discussion, James D. St. Clair, the President's chief counsel, said he saw "nothing sinister" in the decision. "I still don't think it's relevant," he said.

In making public that and other portions of its own version of Mr. Nixon's Watergate dialogues, Mr. Rodino and other inquiry officials appeared to be inviting the public—and House members who will vote on whether to impeach the President—to come to a different conclusion than Mr. St. Clair.