

The Nixon Statement

More Questions Left Than Answered;
Little Indication Given on Next Move

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WASHINGTON, Aug. 5 — President Nixon said a great deal to the nation in his two-page statement this afternoon.

He said that he was indeed aware immediately after the Watergate break-in of the "advantages" of concealing the Nixon connections of the Watergate burglars and that he had given "erroneous" information to the House Judiciary Committee.

But for all the potential impact of these concessions, the significance of the President's statement may lie, even more, in what he did not say.

For days the capital has buzzed with talk of a new Nixon strategy, with debate over whether he might temporarily step aside or even resign, as Senator Robert P. Griffin, the Republican whip, suggested this morning.

But the admittedly damaging tape transcripts released by Mr. Nixon late today have plunged him into even deeper trouble not only with his critics, but more importantly, with the men who went to great lengths to support him.

Two Quick Questions

So there were two questions, really, after Mr. Nixon delivered his surprise — first, what the day's move meant and what prompted it, and second, what moves would follow.

The first question seemed the easier, for all that Mr. Nixon appeared to be doing today, in terms of strategy, was to deal with a specific problem. The problem was that his submission of "erroneous" information was probably about to be discovered.

Given the circumstances, Mr. Nixon appeared to have had little real alternative to the action he took.

The President's statement itself tells the story. It notes that there are tapes in existence of his conversations with H. R. Haldeman, his former chief of staff, on June 23, and that those tapes record his own comments about the political advantages of concealing the backgrounds of the Watergate burglars.

It notes that Mr. Nixon chose not to tell either the committee or his own staff, including James D. St. Clair, his chief defense lawyer, of these tapes, and the obvious fact that they tended to contradict some of his prior statements.

And then, in its most telling portions, the statement notes that these are among the tapes that Mr. Nixon is handing over to Federal Judge John J. Sirica as directed by the recent Supreme Court ruling upholding the special Watergate prosecution subpoenas.

The statement does not make the point directly, but the implication is obvious: unless Mr. Nixon decided against turning the tapes over to the judge—and thus defied the Supreme Court—the information on the tapes would become public sooner or later.

If the information leaked out, the effect on Mr. Nixon's trial could be disastrous.

The Role of St. Clair

The chronology also suggests another factor: Mr. St. Clair.

Last week, Judge Sirica directed Mr. St. Clair to oversee the turnover to the court of the subpoenaed tapes; Mr. St. Clair thus became responsible for knowing what was on them.

It is likely that if Mr. Nixon had not disclosed the information, Mr. St. Clair, once he obtained it, would have felt compelled to do so. He was the one, after all, who presented to the House the Nixon information that the President described today as "incomplete and in some respects erroneous."

Mr. Nixon may of course, have hoped to accomplish something else as well—to take the headlines away from today's calls for resignation, for instance, and perhaps to take advantage of the common tendency of people to sympathize with a man who owns up to his mistakes.

Yet he could not erase the question raised by the calls for resignation — first by Senator Senator Griffin, and later this afternoon, by Representative Charles E. Wiggins, the California Republican who had been his chief defender on the House Judiciary Committee.

Mr. St. Clair was reported this afternoon as saying that Mr. Nixon would not resign, but rightly or wrongly, such statements have been given little credence in Washington since Vice President Agnew

resigned only days after insisting that he would stay in office.

Resignation would have some obvious advantages for Mr. Nixon. It would allow him to retain his pension and the various other financial benefits that would be denied him if he were convicted by the Senate. It would allow him a far more graceful way out of office than the ignominy of conviction in the Senate.

On the other hand it would cost him the chance he has now, however slender it may be, of beating conviction and also be risky; a straight resignation, without any kind of arrangement such as that worked out by Mr. Agnew, might lead to his prosecution on criminal charges.

The grand jury that indicted the defendants in the Watergate cover-up named Mr. Nixon as an unindicted co-conspirator; it did so, apparently, because it had wanted to indict him but was told by the prosecutors that it was not clear whether it was legally possible to indict an incumbent President.

If Mr. Nixon were out of office, the legal problem would no longer exist.

There are a variety of ways, conceivably, at least, by which Mr. Nixon could make an agreement under which he would resign from office and save the nation the agony of a Senate trial in return for immunity from further prosecution.

He could make an agreement with the special prosecution. He could reach an understanding with Vice President Ford, in which Mr. Ford, upon assuming the Presidency at Mr. Nixon's resignation, could pardon him. Or, Congress could pass a law granting immunity—though because of the late date, this seems somewhat improbable.

Big Step for Jaworski

It is likely that any such arrangement would come only if there were a certain consensus in Congress. For Leon Jaworski, the special prosecutor, would probably not feel it proper to take such a momentous step on his own; nor would Mr. Ford.

Another option available to Mr. Nixon is to step aside temporarily and let Mr. Ford assume the powers of the Presidency for the duration of the impeachment proceedings. The 25th Amendment provides the procedure for such a transfer.

Here there are possible advantages as well as disadvantages. It is obvious that Mr. Nixon is not able to devote his full time to his job, so if he did step aside, he might get public credit for being more interested in the nation's welfare than in his own enjoyment of the office. Also, he would be able to concentrate totally on his defense.

But Mr. Nixon would not be able to command the public attention—and television time—to the same extent that he can now. Nor would he be able to carry out any possibly popular governmental acts—foreign policy moves, say. And as a practical matter, his foreign policy may be one of his drawing cards in fighting conviction.

The Final Option

Then there is the option of staying in office and fighting to the end. In some ways, this may be the most attractive of all to Mr. Nixon.

Fighting, obviously, is Mr. Nixon's only chance of finishing his term. And if he does win, the prosecutors might well exercise their vast discretion and decide against bringing charges against him when he finally does finish his term and become a private citizen.

Losing would be devastating, of course, both personally and financially. Yet the reports of Mr. Nixon's impending financial doom—his loss of pension and other benefits upon conviction—are rather disingenuous. Mr. Nixon has several very wealthy friends who have provided him with funds in the past; also he will probably be able to make money of his own writing.

The prosecutors would probably think that conviction in the Senate and loss of office was a brutal enough penalty for any man; they would probably not press criminal charges.

And Mr. Nixon could contend that his conviction was politically motivated. The evidence against him is strong and the polls show that the majority of Americans want Mr. Nixon impeached and convicted. But they also show a sizable number who still support him.