

Part 8/16/73
On the Matter of the Tapes

As a lawyer, I must confess astonishment at the comparative ease with which Mr. Haldeman and his lawyer, especially the latter, were able to avoid complicity in what was obviously a plan to permit Haldeman to testify as to the President's version of tapes he has refused to supply to the committee.

Consider:

(1) Haldeman's original statement volunteers the information that he had read a tape of the crucial portion of the March 21, 1973 meeting between the President and Dean in which he (Haldeman) had not participated; (2) he came armed with a White House letter telling him that the President, in the exercise of his "executive privilege" was instructing him not to reveal his version of the tape; (3) he volunteered that if directed to do so by the committee he would reveal his version, in direct violation of the instruction of the President; (4) and he also came armed with the testimony he was prepared to give on this subject if, as he at one point put it, the committee "overruled" the President.

When asked later by Mr. Dash to explain this apparent anomaly he said he was acting on advice of counsel and Mr. Wilson with typical bombast though little validity, announced he had advised him to testify lest he go to jail for contempt if he refused! Preposterous!

Had Wilson not wanted his client to testify all he had to do was to advise him not to, pointing out that with all respect his client was caught between an order of his chief on the one hand and of the committee on the other, and that the very resolution of this question was by tacit agreement being submitted to the courts.

Who could conceivably have thought that such a position would have been challenged at all by the committee, much less resulted in Haldeman being threatened with contempt?

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