

Haldeman, Dean Differ on

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The disclosure last week by H. R. Haldeman that he had listened to two of the disputed White House tapes stands as one of the most significant developments to date as the Senate select committee on the Watergate nears the recess point in its first round of hearings.

Haldeman, citing the tapes, attacked earlier testimony by John W. Dean III, the former White House counsel, who has made the most damaging allegations against President Nixon in the 2½ months of public hearings. The President had asked that Haldeman listen to the tapes, the former White House chief of staff said.

In his testimony, Haldeman attacked Dean's contention that Mr. Nixon was aware of the Watergate cover-up as early as last Sept. 15.

While supporting Dean's testimony in many of the details and topics that were discussed in the recorded meetings of Sept. 15 and March 21, Haldeman sharply disputed anything Dean said that would implicate the President in the cover-up.

Even when he supported Dean on certain matters, Haldeman contended that discussions of these matters occurred on March 21—and not March 13, as Dean had testified.

The existence of the tapes has been known publicly only since July 16 when Alexander P. Butterfield testified that conversations in the Oval Office and in other presidential offices had been routinely recorded, upon President Nixon's order, since mid-1970 or mid-1971.

So, Haldeman's disclosure last Monday that he had heard the tapes came at a particularly touchy time because the committee was locked in a constitutional struggle with the President over access to the tapes.

The President on July 23 has refused to comply with

the subpoenas from the Watergate committee and Special Watergate Prosecutor Archibald Cox to turn over the tapes.

In refusing to give up the tapes, Mr. Nixon stated he had listened to "a number of them" and found them "consistent with what I know to be the truth." However, he said, the tapes, "as in any verbatim recording of informal conversations . . . contain comments that persons with different perspectives and motivations would inevitably interpret in different ways."

Yet, here was Haldeman, a private citizen since he resigned April 30, saying that he had listened to one of the

tapes after he left the White House. Why, asked some of the committee members, was a private citizen allowed to listen to something that they as legislators had been denied? Haldeman said he had listened to the March 21 tape in late April when he was still a White House aide, and the Sept. 15 tape in early July.

The battle over the tapes

Question of What

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President Knew

will eventually have to be settled by the courts, but Haldeman's access to two of the tapes could figure in the court's eventual decision.

The committee voted to permit Haldeman to testify from his recollections of the two tapes, but some committee members later said they felt they had been tricked by the White House.

The White House had offered only token objection to Haldeman testifying on the two tapes. Sen. Sam Ervin (D-N.C.), committee chairman, called it a "powder-puff objection" and said that it was clear that the White House wanted the committee to overrule White House objections and let Haldeman give "his interpretation of the tape to the public."

But the testimony was already out and it clearly was a defense of the President and an attack on the testimony of John Dean.

Haldeman volunteered much concerning what he said was on the Sept. 15 and March 21 tapes, but he also held back until pressed by committee members on certain details of the circumstances surrounding his gaining access to the tapes.

And, it was brought out under questioning, that



H. R. HALDEMAN
... listened to tapes

Haldeman received other tapes from the Secret Service that he said he didn't listen to because they involved conversations to which he had not been a party.

Yet, under questioning from Sen. Edward V. Gurney (R-Fla.), Haldeman acknowledged he had not been given access to the disputed March 13 tape involving a meeting of Mr. Nixon, Dean and himself. Also, Haldeman said he had not requested the March 13 tape.

The March 13 meeting is especially crucial to an understanding of the Watergate cover-up because it is at that meeting that Dean claims that Mr. Nixon, on his own, said that, in Dean's words, Watergate conspirator E. Howard Hunt Jr. "had been promised executive clemency."

Dean said that Haldeman was present for part of that meeting and was in the room when Mr. Nixon referred to executive clemency for Hunt. Dean said that Mr. Nixon also said he had discussed the matter with then-White House aides John D. Ehrlichman and Charles W. Colson.

Also, Dean said that it was at the March 13 meeting that he, with Haldeman present, told Mr. Nixon of "money demands being made by the seven convicted defendants" and that "there was no money . . . to meet their demands."

It was at this meeting, Dean said, that Mr. Nixon asked "how much it would cost" and then Dean responded "that it might be as high as a million dollars or more." Mr. Nixon responded, Dean said, "that that was no problem" and then began asking questions as to how the money was being paid.

Haldeman, in his testimony last week, contended that Dean's version is wrong as to details and interpretation, and wrong as to discussions that Dean says occurred on March 13. In Haldeman's view, the discussions that Dean says occurred March 13 actually occurred March 21.

As to the March 13 meeting, Haldeman says he has absolutely no recollection of it. He testified that the

White House logs show he was in that meeting for 12 minutes at the beginning of the meeting, and not at the end as Dean testified. Haldeman also said he had no notes from that meeting. He suggested that perhaps one of the reasons Mr. Nixon did not give him the March 13 tape was that Mr. Nixon himself had listened to it and reviewed it.

The discussion of executive clemency came up in the March 21 meeting, Haldeman said, and not in

the March 13 meeting. Also, Haldeman said it was Dean and not Mr. Nixon who brought the matter up.

In that March 21 meeting, Haldeman said, Dean had said that Colson had discussed clemency with Hunt and that Mr. Nixon responded "he could not offer clemency" and Dean agreed. Haldeman said he heard nothing on the tape to indicate Mr. Nixon "had discussed this with Ehrlichman and with Colson."

Haldeman said that rather than being in the March 21 meeting for a few minutes near the end of the 100-minute meeting, as Dean said, he recalled being there for the final 40 minutes.

As for the money demands, Haldeman corroborated much of Dean's version, but said that Dean had not quoted Mr. Nixon accurately in his response. He said that Mr. Nixon, in response to Dean's statement that it would take \$1 million to meet the demands and that \$1 million was hard to raise, said: "There is no problem in raising a million dollars. We can do that, but it would be wrong."

Dean said he told Mr. Nixon many new things at the March 21 meeting, but said he and the President had previously discussed various aspects of the cover-up.

But Haldeman recalled it differently:

"Dean mentioned several times during this meeting his awareness that he was telling the President things the President had known nothing about."

The President's repeated

questioning of Dean as to how the cover-up money could be paid, Haldeman said, was an effort on the part of Mr. Nixon to "smoke out" Dean, to ask Dean "leading questions" and thereby learn just how deeply Dean was involved.

Dean testified that he told Mr. Nixon at the March 21 meeting of a long list of illegal acts leading up to the break-in and bugging of the Watergate and the subsequent cover-up and that he doubly implicated White House and re-election committee officials.

Haldeman remembered it differently. He said Dean reported "again there were no White House personnel involved." He said Dean did indicate some "problem areas" but that they were of a "circumstantial" nature — for example, the handling of "lawyers' fees" by Haldeman and Dean for the Watergate defendants — and were not serious.

Dean testified that he had tried to convince Mr. Nixon there was "a cancer growing on the presidency" and then implicated himself, Halde-

man, Ehrlichman and others deeply in the Watergate affair.

However, Dean said he felt he "had not really made the President understand" because after Mr. Nixon asked a few questions, "he suggested that it would be an excellent idea if I gave some sort of briefing to the Cabinet and that he was very impressed with my knowledge of the circumstances but he did not seem particularly concerned with their implications."

Haldeman said that the reason Mr. Nixon told Dean to give a briefing to the Cabinet was because Dean had told him nothing of any White House involvement in the Watergate affair and it was therefore logical that he so inform the Cabinet.

However, Haldeman said, the briefing of the Cabinet did not contemplate going into the "problem areas."

On the Sept. 15 meeting, Dean testified he was called to Mr. Nixon's office that afternoon after the indictments against the seven Watergate defendants were handed down in U.S. District Court here.

Of that conversation with Mr. Nixon and Haldeman, Dean said, "Both men appeared to be in very good told me I had done a good spirits . . . The President job and he appreciated how difficult a task it had been and the President was pleased that the case had stopped with (G. Gordon) Liddy (a Watergate defendant who had been general counsel to the re-election committee) . . .

"I told him that all I had been able to do was to contain the case and assist in keeping it out of the White House . . . The President said he certainly hoped that the case would not come to trial before the election . . .

"I left the meeting with the impression that the



JOHN W. DEAN III
... testimony at issue

President was well aware of what had been going on regarding the success of keeping the White House out of the Watergate scandal and I also had expressed to him my concern that I was not confident that the cover-up could be maintained indefinitely."

During that same meeting, Dean said, Mr. Nixon had also:

- Told him that FBI Director J. Edgar Hoover had told him that the Nixon campaign had been bugged in 1968 and "that at some point we should get the facts out on this and use this to counter the problems we were encountering."

- Told Dean "to keep a good list of the press people giving us trouble (over the Watergate affair), because

we will make life difficult for them after the election."

- Discussed using the Internal Revenue Service "to attack our enemies." Dean said he told Mr. Nixon that the IRS was "a rather Democratically oriented bureaucracy and it would be very dangerous to try such activities." Dean said Mr. Nixon seemed annoyed and said "Democratic administrations had used this tool well" and that after the election "we would get people in these agencies who would be responsive to White House requirements."

Haldeman, who said he was present for the entire Sept. 15 meeting, said of that session:

"I totally disagree with the conclusion that the President was aware of any type of cover-up and certainly Mr. Dean did not advise him (Nixon) of it at the Sept. 15 meeting."

Haldeman said there "was no mood of exuberance or excitement on the President's part at the time the indictments were brought down." He said Mr. Nixon brought Dean in because he (Mr. Nixon) probably felt "it would be a good time to give Dean a pat on the back" because the President "knew John Dean had been concentrating for a three-month period on the investigation for the White House."

Naturally, though, Haldeman said, it was good news to Mr. Nixon that the White House had been cleared of any involvement in the Watergate affair at that time.

Haldeman said Dean said nothing of any White House cover-up of the Watergate affair and instead gave a straightforward report of other Watergate developments relating to a planned Congressional inquiry and

civil suits that had been filed in connection with the case.

" . . . He assured the President that nothing would come out to surprise us," Haldeman said. "In other words, there was apparently no information that would be harmful that had not been uncovered already. The President did at that point commend Dean for his handling of the whole Watergate matter, which was a perfectly natural thing for him to do."

Haldeman did corroborate other details of that meeting given by Dean, but put a much less sinister interpretation on them. He said there was discussion "of Mr. Nixon's campaign being bugged in 1968 and some discussion of whether to try to get out evidence of that." He said there also was discussion of "the reluctance of the IRS to follow up on complaints of possible violations against people who were supporting our opponents because there are so many Democrats in the IRS bureaucracy that they won't take any action."

Haldeman said Dean also "said he was trying to keep notes on people who were emerging out of all this that were clearly not our friends."

Haldeman also corroborated Dean on another point by saying there was "some discussion" that U.S. District-court Judge Charles Richey, who was hearing one of the Watergate civil suits, "would keep Roemer McPhee abreast of what was happening." Dean had testified that he told Mr. Nixon on Sept. 15 that he had learned that McPhee was having conversations outside court with the judge. Both Richey and McPhee, counsel for the Republican National Committee finance unit, have denied having such contacts.