11/30/73

Dear Barry,

This is for your information.

It is based on a single, hasty, interrupted reading of Buzhardt's "Analysis, Index and Particularized Claims of Executive Privelege for Subpoenaed Materials."

There is so much legitimate news in this paper I believe much was missed. I do not have time to make notes of analysis now but I have marked the copy up for the future.

There appears to be a pattern. Perhaps I see it because I have been looking for it.

The initial indictment was 9/15/72. At that point Dean was hooked on an obstructing justice rap. At that point there is a change in the claim of executive privelege in this paper. Not claimed with regard to what he is involved in thereafter. Few and very limited claims thereafter. This seems to confirm what I've long believed, that Dean was picked to be sacrificed long before he seems to have been aware of it.

There is another pattern, in what was subpoenaed. The subpoena was drawn with too many restrictions built in. This means that such things as discussions prior to Dean entering the meetings were not asked for. Dean enters, they discuss Watergate, and there was no prior Nixon-Haldeman gab about Watergate? A comparison of conversations in which Dean was present against those in which he was not might be fruitful.

That Nixon found 47 minutes for a phone conversation with Julie on June 20, 1972, with Haldeman cooling his heels in attendance, does seem a bit strange.

It seems strange with the public-relations problems Nixon had by March 21, 1973, that Ron Ziegler, who was with Nixon, left five minutes after Haldeman, Ehrlichman and Dean entered and that during this time Ziegler did not say a word. Yet all the conversation admittedly dealt with Watergate. By March 21 there was serious trouble. If there was not some special reason, I believe Ziegler would have remained, if only to learn. So, something else was more important. One of the possibilities is detaching Ziegler. Another is to keep it Dean vs Nixon, Haldeman and Ehrlichman. Is this not also a significant time with regard to Gray?

There are some other things that I'll explore when I can. However, from long experience reading federal semantics, I think this one has not been exhausted.

Sincerely,

bcc: be sure to compare this language from p. 11 with the official explanation for the absence of the 6/20/72 Dictabelt tape:

"The President's comments relating to the Mitchell conversation begin at 2 minutes 22 seconds playing time from the beginning of the dictating belt and and at 2 minutes 45 seconds playing time from the beginning of the dictation."

This kind of precision in isolating the Mitchell stuff on June 20 means that at the time the description was prepared someone had the belt itself and timed it. Or, it had not then disappeared.

There may or may not be a difference between beginning of the belt and beginning of dictation. If there is no difference, then this means the improbable, that Nixon spent only 23 seconds including breaks recording what he and Mitchell said to each other. It would take almost this time to say "hello" and "good-bye." It would have taken longer to record Mitchell's claimed apology for not staying on top of things at CREEP.

Because Nixon also used regular cassettes for making his diary notes, there may be added significance in his opting the Distabelt, which should be easier to transcribe.

When he <u>did</u> record comments by machibe, what possible reason could he have had for wasting extra time in making handwritten notes? Unless long thereafter.