

CONFIDENTIAL

Gerald Ford's Role:

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The investigations of the Senate Watergate Committee, the Special Prosecutor's Office, and the House Judiciary Committee have established that one of the single most important meetings between President Nixon, H.R. Haldeman, and John Dean in their cover-up of the Watergate conspiracy, took place on September 15, 1972.

This meeting, three months after the actual break-in, is regarded as one of the most significant cover-up strategy sessions of the long sequence of events in Watergate.

The significance of the meeting (which was John Dean's first with the President) came with the fact that Rep. Wright Patman was on the verge of holding full scale hearings on Watergate and related developments. Patman, Chairman of the House Banking Committee, was going to conduct a public investigation of Watergate, centering in particular on the secret laundered funds which had been traced to the Watergate burglars. It was this secret cash financing, which had been arranged by CREEP Finance Director Maurice Stans and his aide, G. Gordon Liddy, and which had been secretly laundered through Mexican banks, that subsequently led investigators to the unravelling of the Watergate conspiracy.

(It should be noted that the subject and origins of these laundered funds were the main topic of conversation involved in the June 23, 1972 Nixon/Haldeman transcripts that Nixon reluctantly disclosed on August 5, and which led to his resignation three days later. In those conversations, Nixon ordered Haldeman to order the CIA to stop the FBI's investigation of the movement and source of those laundered funds. Nixon told Haldeman to call in CIA Director Colby or Deputy Director Walters and have them stop the FBI probe.)

(In those previously secret transcripts, which the President had concealed even from his lawyer, James St. Clair, Nixon mysteriously told Haldeman to call them in and,

"say, Look the problem is that this will open the whole, the whole Bay of Pigs thing... and that they should call the FBI in and (unintelligible) don't go any further into this case period!"

Nixon went on to tell Haldeman to

"...just say (unintelligible) very bad to have this fellow Hunt, ah, he knows too damned much, if he was involved - you happen to know that? If it gets out that this is all involved, the Cuba thing it would be a fiasco. It would make the CIA look bad, it's going to make Hunt look bad, and it is likely to blow the whole Bay of Pigs thing which we think would be very unfortunate - both for the CIA and for the country...")

Thus the prospect of Rep. Patman's planned investigation of Watergate, which would have been the first public examination of the Watergate matter and it's then growing links to Nixon's men, and which would have begun several weeks before the 1972 election, was perhaps the greatest early threat to the cover-up of Watergate.

Nixon and Haldeman immediately recognized the threat of Patman's investigation, and with the help of John Dean actively began to plan a short-circuit and stop to the proposed Patman hearings.

The September 15, 1972 transcript (which contains several of the more sordid and allegedly illegal proposals of both Nixon and Haldeman) shows that they quickly turned to Rep. Gerald Ford in their effort to block the Patman investigation

That transcript clearly raises questions as to what precise role Gerald Ford played in stopping the crucial Patman hearings, and also how much personal knowledge of the Watergate cover-up he learned as a result of his participation in blocking Patman's investigation.

It is widely conceded that Ford's influence or reported "arm twisting" was in large part responsible for the Banking Committee's October 3, 1972 vote (20-15) to quash Chairman Patman's plans for the first Congressional investigation of Watergate.

The following pages contain the official House Judiciary Committee transcript of the September 15, 1972 Oval Office conversation, together with brief comments describing key passages of the conversation, and analysis of the key passages related to Gerald Ford.

The relevant portions of the transcript are marked.

The Transcript: Pages One and Two

According to the official House Judiciary Committee transcript, the September 15, 1972 meeting between President Nixon and Haldeman begins at 5:23 p.m. and ends fifty minutes later.

John Dean enters the Oval Office about three minutes after the conversation begins. Before Dean enters the room, Haldeman was telling the President that Dean "is moving ruthlessly" on investigations of Kennedy and McGovern, and that Colson is working on the "list" of enemies. Mention is made of what is now regarded as their allegedly illegal use of the I.R.S. against such enemies.

On page two of the transcript, Nixon and Haldeman are discussing Vice Presidential candidate Sargent Shriver's disclosure of his net worth. Nixon expresses suspicion over Shriver's (and Mrs. Shriver's) statement of wealth and agrees with Haldeman that they should push "hard" on it.

At that point, Dean enters the room.

Earlier in the day, the first Watergate grand jury had indicted the five actual Watergate burglars along with Hunt and Liddy.

The fact that the indictments went no higher than Hunt and Liddy was regarded by Nixon, Haldeman, and Dean as a crucial step in the "containment" and concealment of Watergate's true dimensions.

John Dean tells the President that with the indictment of no one higher up than Liddy, things have gone "Well."

4.

NOTE:

(Earlier in the day, following the indictments by the grand jury, the press spokesman for the Justice Department, John W. Hushen, declared that the indictments had ended any further investigations into the Watergate break-in. Hushen declared that "We have absolutely no evidence to indicate that any others should be charged.")

(Hushen is now serving as Acting Press Secretary to President Ford.)

The Transcript: Pages Four and Five

On page four of the transcript, Dean tells Nixon of the "incredible" resources that were being put into the investigation of Watergate, prior to the final indictments earlier that day. Dean compares it to the investigation of the assassination of President Kennedy.

Haldeman and Nixon agree that the whole thing is a "silly ass damn thing." Haldeman asks, "Who the hell cares?"

Nixon speaks approvingly of Sen. Goldwater's remark that "for Christ's sake, everybody bugs everybody else."

On page five of the transcript, Dean tells Nixon that U.S. District Court Judge Charles Richey had "made several entrees, uh, off the bench, to, to, uh, to Kleindienst" and another lawyer close to Nixon's men. It is still unclear to this day what exactly the nature of those "entrees" were.

The Transcript: Pages Seven, Nine, and Ten

The Nixon/Haldeman/Dean conversation is interrupted on page seven by a phone call to Nixon from John Mitchell.

Nixon jokingly asks Mitchell "Well you still alive?"

The President goes on to ask Mitchell "Did you put that last bug in?" This was a reference to a second bugging device that had been found on another telephone at the DNC.

Nixon ends his call from Mitchell saying "get a good night's sleep. And don't, don't bug anybody without asking me. Okay?"

On page nine of the transcript, in a passage regarding McGovern's financial contributions, Nixon asks Haldeman "Have you had your Post Office check yet?" This statement has been mentioned as an example of the possibly illegal use of the U.S. Postal Service by the President.

Nixon then goes on to give some of his more notorious comments on his view of the handling of Watergate. He tells Haldeman and Dean that "this is war." Nixon states that "I wouldn't want to be on the other side right now."

Dean mentions Edward Bennet Williams, the attorney for the Washington Post. Nixon replies that "We're going after him." Haldeman says "that is a guy we've got to ruin."

On page ten of the transcript, Nixon intensifies his threats against attorney Williams. He says, "I think we are going to fix the son-of-a-bitch. Believe me. We are going to."

Nixon goes on to tell Dean that "I want the most comprehensive notes on all those who have tried to do us in." President Nixon further states that "they are asking for it and they are going to get it."

(The President's strong comments about Williams were deleted from the White House version of the transcript, and later became part of the basis for one of the several criminal investigations of President Nixon.)

The Transcript: Page Eleven

On page eleven of the transcript, the subject of the proposed Patman investigation comes up for the first time in the conversation.

Just before that comes up, Dean mentions another problem: an audit being made by the G.A.O. of some of the Nixon re-election campaign finances. Dean mentions that the G.A.O. was apparently ordered in to investigate by Speaker of the House Carl Albert.

Haldeman replies "Well, God damn the Speaker of the House. Maybe we better put a little heat on him."

Nixon replies "I think so too." Haldeman then says that Speaker Albert has "a lot worse problems than he's going to find down here." Nixon agrees and mentions something about "the police department" that is partially unintelligible. (This was apparently a reference to Albert's alleged drunken behavior following a past automobile accident in the parking lot of a Washington bar).

Haldeman, in what some investigators have regarded as a possible act of political blackmail, says that they should have someone go and see Albert and warn him of what the G.A.O. investigation is "going to cause us to require to do to you." Nixon suggests that they send Bryce Harlowe to deliver the threat. They then discuss whether Harlowe would do it or not.

At this point, Dean brings up the problem of Wright Patman's proposed investigation of Watergate. Dean says that with the indictments now out of the way, the other problem area ahead is Patman's hearings. Dean expresses some doubt as to "whether we will be successful or not in turning that off...."

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DEAN. Well, I think, we can, I think, I think we can be proud of the White House staff. It really has,

PRESIDENT. That's right.

DEAN. had no problems of that—

PRESIDENT. Well, that's right.

DEAN. And they're looking, this GAO audit that's going on right now, uh, I think that they have got some suspicion, uh, in even a cursory investigation, which is not going to discover anything, that they're going to find something here. I learned today, incidentally, that, that, uh, I haven't confirmed this because it's—came from the GO, GAO auditor, investigator who's down here, that he is down here at the Speaker of the House's request, which surprised me.

HALDEMAN. Well. God damn the Speaker of the House. Maybe we better put a little heat on him.

PRESIDENT. I think so too.

HALDEMAN. Because he's got a lot worse problems than he's going to find down here.

DEAN. That's right.

PRESIDENT. I know.

HALDEMAN. That's the kind of thing—

PRESIDENT. [Unintelligible] let the police department [unintelligible]

HALDEMAN. That's the kind of thing that, you know, you—What we really ought to do is call the Speaker and say, "I regret to see you ordering GAO down here because of what it's going to cause us to require to do to you." Why don't you just have Harlow go see him and tell him that?

PRESIDENT. Because he wouldn't do it.

HALDEMAN. Hm?

PRESIDENT. 'Cause he wouldn't do it.

HALDEMAN. Harlow wouldn't do it, you mean.

PRESIDENT. Harlow would say, "Mr. Speaker—"

DEAN. Yeah.

I, I suppose the other area we are going to some publicity on in the coming weeks because, uh, I think after the, now that the indictments are down, there's going to be a cresting on that. The whitewash charge of course, but, uh, I think we can handle that while the civil case is in abeyance. But Patman's hearings, uh, his Banking and Currency Committee, and we've got to—whether we will be successful or not in turning that off, I don't know. We've got a plan whereby Rothblatt and Bittman, who are counsel for the five men who were, or actually a total of seven, that were indicted today, are going to go up and visit every member and say, "If you commence hearings you are going to jeopardize the civil rights of these individuals in the worst way, and they'll never get a fair trial," and the like, and try to talk to members on, on that level. Uh—

The Transcript: Page Twelve

On page twelve of the transcript, Nixon and Haldeman and Dean discuss the subject of Rep. Gerald Ford's assistance for the first time.

The participation of Ford in their plan to block the Patman investigation is discussed by the three men during the remaining six pages of conversation in the transcript.

Nixon begins by asking Dean if they could somehow get the criminal charges (the indictments) dismissed on the grounds that Patman's proposed hearings would be prejudicial to the seven Watergate defendant's rights.

Dean replies that they are going to use that argument to try and force Patman to cancel his investigation and hearings.

Dean states that "one suggestion was that Connally is, is close to Patman and probably if anybody could talk turkey to Patman, ah, Connally might be able to." Dean then states that he's not sure if using Connally is a good idea or not.

Dean then goes on to state that,

"Uh, Jerry Ford is not really taking an active interest in this matter that, that is developing, so Stans can go see Jerry Ford and try to brief him and explain to him the problems he's got."

Dean then goes on to say that "we're looking at all the campaign reports of every member of that Committee" and that "if they want to play rough" they should be confronted with any information that the Nixon men can find about their own finances. Again, this seems to be another reference to possible political blackmail, this time directed towards members of the Patman Committee.

President Nixon then interjects,

"Uh, what about Ford? Do you think so? (Unintelligible) do anything with Patman? Connally can't be sent up there."

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PRESIDENT.

Why not ask that they request to be heard by, by the Committee and explain it publicly?

DEAN.

How could they—They've planned that what they're going to say is, "If you do commence with these hearings, we plan to publicly come up and say what you're doing to the rights of individuals." Something to that effect.

PRESIDENT.

As a matter of fact they could even make a motion in court to get the thing dismissed.

DEAN.

That's another thing we're doing is to, is

PRESIDENT.

Because these hearings—

DEAN.

bring an injunctive action against, uh, the appearance, say—

HALDEMAN.

Well, going the other way, the dismissal of the, of the indictment—

PRESIDENT.

How about trying to get the criminal cases, criminal charges dismissed on the grounds that there, well, you know—

HALDEMAN.

The civil rights type stuff.

DEAN.

Civil rights—Well that, we're working again, we've got somebody approaching the ACLU for these guys, and have them go up and exert some pressure because we just don't want Stans up there in front of the cameras with Patman and Patman asking all these questions. It's just going to be the whole thing, the press going over and over and over again. Uh, one suggestion was that Connally is, is close to Patman and probably if anybody could talk turkey to Patman, uh, Connally might be able to. Now I don't know if that's, uh, a good idea or not. I don't think he—don't know if he can. Uh, Gerry Ford is not really taking an active interest in this matter that, that is developing, so Stans can go see Gerry Ford and try to brief him and explain to him the problems he's got. And then the other thing we are going to do is we're looking at all the campaign reports of every member of that Committee because we are convinced that none of them have probably totally complied with the law either. And if they want to get into it, if they want to play rough, some day we better say, "Well, gentlemen, we think we ought to call to your attention that you haven't complied A, B, C, D, E, and F, and we're not going to hold that a secret if you start talking campaign violations here."

PRESIDENT.

Uh, what about Ford? Do you think so? [Unintelligible] do anything with Patman? Connally can't be sent up there.

HALDEMAN.

[Unintelligible]

PRESIDENT.

Connally

DEAN.

If anybody can do it—

PRESIDENT.

[Unintelligible] Patman.

NOTE:

It is also on page twelve of the transcript that something else begins which may be damaging (or potentially incriminating) for Gerald Ford.

Starting on page twelve, there is the first of between six to eight significant discrepancies regarding Ford's involvement, between the transcript prepared by Nixon's White House and the transcript prepared by the House Judiciary Committee's tape experts.

A careful reading and examination of the two different transcripts shows that the discrepancies centering on Ford's involvement are significant.

At the time of Rep. Gerald Ford's confirmation hearings in November of 1973 for Vice President, none of the Presidential transcripts had yet been released. Thus, Rep. Ford met with little questioning about his role in blocking the Patman investigation when he was testifying under oath during the confirmation hearings.

It was not until five months after his confirmation hearings that the White House transcripts were released.

President Nixon dramatically released his White House transcripts on April 30, 1974 in what was supposed to be a final effort "to put Watergate behind us." Instead, the release of the transcripts proved to be further damaging to Nixon's case - in particular the March 21, 1973 transcript of a Nixon/Haldeman/Dean conversation in which the President apparantly approved the payment of hush money to E. Howard Hunt, which was delivered several hours later.

On June 25, 1974, two months after Nixon released his White House transcripts, the House Judiciary Committee voted to release their experts' versions of eight of those same Presidential conversations. The Judiciary Committee had succeeded in gaining access to some of the tape recordings after a long legal battle.

The eight transcripts prepared by the Committee's experts proved to even further damage President Nixon's case.

The Judiciary transcripts revealed a striking series of omissions, deletions, alterations, and transpositions throughout the White House transcripts released by Nixon.

Some of the discrepancies which were contained in the transcripts could be traced to actual audio similarities - words mistaken for similar sounding words, etc.

But other discrepancies, which were contained in several of the most crucial (and incriminating) segments of the transcripts appeared to have been deliberately placed in the Nixon transcripts. It has been widely suggested that these transcript alterations are themselves part of the then continuing cover-up by Nixon's men.

The September 15, 1972 Presidential conversation is one of those eight transcripts in which the discrepancies appear.

The first of the several transcript discrepancies centering upon Cong. Ford's involvement occurs there on page twelve:

(White House Transcript)

President. "What about Ford? Do you think so? Connally can't because of the way he is set up."

(Judiciary Committee Transcript)

President. "Uh, what about Ford? Do you think so? (Unintelligible) do anything with Patman? Connally can't be sent up there."

As can be seen, the White House transcripts prepared by Nixon's men, which became so widely discussed partly due to the many "unintelligibles" included, left out this one "unintelligible" related to Gerald Ford.

The exact meaning of Nixon's mention of Ford that was deleted from the White House version ("Unintelligible do anything with Patman?") cannot be fully determined.

But, as will be seen, there are others that will follow.

The Transcript: Page Thirteen

On page thirteen of the transcript, W. J. Haldeman, and Dean continue their discussion about the proposed Patman investigation and the proposed role of Gerald Ford in stopping it.

Here again, on page thirteen, there is a series of significant deletions that were made in the White House transcript (all of which appear to have been intentional) that center upon the exact nature of Ford's involvement.

President Nixon interrupts John Dean as Dean is saying that,

"if Ford can get the minority members together on that one, it's going to be a lot -"

Nixon says,

"They've got very weak man in Wisconsin, unfortunately."

Nixon is referring to Rep. William B. Widnall, the ranking Republican member of Patman's Banking and Currency Committee. This unfavorable mention of Widnall is deleted in the White House transcript version, and is replaced by the words,

"They have some weak men and women on that committee, unfortunately."

In the White House transcript, President Nixon goes on to say,

"Widnall, et cetera. Jerry should talk to Widnall. After all, if we ever win the House, Jerry will be the Speaker and he could tell him if he did not get off - - he will not be Chairman."

But in the Judiciary Committee transcript version of the same conversation, Nixon's suggestion that Ford should threaten Congressman Widnall is substantially altered.

In addition, a direct order by President Nixon (to either Haldeman or Dean) regarding Ford ("Put it down, uh, Jerry should talk to Widnall....") is deliberately deleted from the White House transcript.

It does not appear that any accidental human error in transcribing the conversation could be responsible for the missing and altered passages in the White House version released by the President.

The Judiciary Committee transcript of the same passage just cited reads as follows:

President. "That's what I understand, but you see, Widnall - let's take somebody - Jerry could talk to him. Put it down, uh, Jerry should talk to Widnall and, uh, just brace him, tell him I thought it was (unintelligible) start behaving. Not let him be the chairman of the Committee in the House. That's what you want?"

Thus, as can be seen from the above passage, much of Nixon's significant mention of Ford's role in stopping the Patman probe is either left out or altered, including his specific order to "Put it down, uh, Jerry should talk to Widnall...."

Immediately following that passage in the conversation, there occurs another exchange regarding Ford. In this passage, President Nixon's specific reference to Gerald Ford's role in stopping the investigation is again substantially altered in the White House transcript.

In this instance, Nixon's own clear reference to Ford ("Jerry has really got to lead on this.") is attributed to John Dean in the White House transcript version.

The two different transcript versions of the same passage:

(White House Transcript)

Dean. "That would be very helpful to get all of these people at least pulling together. If Jerry could get a little action on this."

Haldeman. "Damn it Jerry should. That is exactly the thing he was talking about, that the reason they are staying in so that they can run investigations."

(Judiciary Committee Transcript)

Dean. "That would be very helpful, to get our minority side at least together on the thing."

President. "Jerry has really got to lead on this. He's got to be really be (unintelligible)."

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Haldeman. "Jerry should, damn it. This is exactly the thing he was talking about, that the reason they are staying in is so that they can"

President. "That's right."

Haldeman. "run investigations."

As can readily be seen, President Nixon's very strong reference to Ford in the conversation is misleadingly attributed to John Dean in the White House transcript. Secondly, the exact wording of that reference is quite substantially altered in the White House version. And thirdly, Nixon's rejoinder of "That's right" in reply to Haldeman's very strong words about Ford's role is totally eliminated in the White House transcript version.

The rest of the conversation on page thirteen of the transcript is devoted to other Watergate problems ahead. Dean mentions Sen. Kennedy's possible Administrative Practices Subcommittee hearings, and President Nixon ends by saying "you just try to button it up as well as you can and hope for the best."

On page fourteen of the transcript, Nixon begins by saying that "basically the damn thing is just one of those unfortunate things and, we're trying to cut our losses." During the rest of page fourteen, the three men engage in a general discussion of press coverage of Watergate.

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DEAN. But if, if Ford can get the minority members, uh, together on that one, it's going to be a lot—

PRESIDENT. They've got very weak man in Widnall, unfortunately. Heckler is all right.

HALDEMAN. Heckler was great.

DEAN. She was great, with, uh—

PRESIDENT. That's what I understand, but you see, Widnall—let's take somebody—Gerry could talk to him. Put it down, uh, Gerry should talk to Widnall and, uh, just brace him, tell him I thought it was [unintelligible] start behaving. Not let him be the chairman of the Committee in the House. That's what you want?

DEAN. That would be very helpful, to get our minority side at least together on the thing.

PRESIDENT. Gerry has really got to lead on this. He's got to be really be [unintelligible]

HALDEMAN. Gerry should, damn it. This is exactly the thing he was talking about, that the reason they are staying in is so that they can

PRESIDENT. That's right.

HALDEMAN. run investigations.

PRESIDENT. Well, the point is that they ought to raise hell about this, uh, this—these hearings are jeopardizing the—I don't know that they're, that the, the, the counsel calling on the members of the Committee will do much good. I was, I—it may be all right but—I was thinking that they really ought to blunderbuss in the public arena. It ought to be publicized.

DEAN. Right.

HALDEMAN. Good.

DEAN. Right.

PRESIDENT. That's what this is, public relations.

DEAN. That's, that's all it is, particularly if Patman pulls the strings off, uh—That's the last forum that, uh, uh, it looks like it could be a problem where you just have the least control the way it stands right now. Kennedy has also suggested he may call hearings of his Administrative Practices and Procedure Subcommittee. Uh, as, as this case has been all along, you can spin out horrors that, uh, you, you can conceive of, and so we just don't do that. I stopped doing that about, uh, two months ago.

PRESIDENT. Yeah.

DEAN. We just take one at a time and you deal with it based on—

PRESIDENT. And you really can't just sit and worry yourself

DEAN. No.

PRESIDENT. about it all the time, thinking, "The worst may happen," but it may not. So you just try to button it up as well as you can and hope for the best. And,

DEAN. Well if Bob—

The Transcript: Page Fifteen

On page fifteen of the transcript, President Nixon, Haldeman, and Dean return to the subject of blocking Rep. Patman's planned investigation of Watergate.

President Nixon again brings up the subject of Gerald Ford's involvement, and again there occurs another deletion related to Ford in the White House transcript, as revealed by the Judiciary Committee's transcript.

But before that deletion, there occurs a previous one (not related to Ford) that has come to be regarded as one of the more notorious alterations contained in President Nixon's transcripts.

In the first deletion, a 130-word discussion by Nixon, Haldeman, and Dean, regarding the Washington Post, is deleted from the White House version. In the deletion, Nixon threatens the Washington Post, saying that they are "going to have damnable, damnable problems out of this one." Nixon and his two aides discuss the "problems" they can cause the newspaper when it's television and radio licenses come up for renewal."

Immediately following that exchange, Nixon returns the discussion to the subject of stopping the Patman investigation, and once again brings up Ford's role.

This passage, in which Nixon speaks thirty-three words, is again totally (and almost certainly intentionally) omitted from the White House transcript.

The missing passage reads:

President. "Well, the game has to be played awfully rough. I don't know - Now, you, you'll follow through with - who will over there? Who - Timmons, or with Ford, or - How's it going to operate?"

Following that passage, Nixon and Dean discuss who to send over to brief Ford on the specific points of the Patman investigation. They apparently want Ford to be briefed on the exact problems that Maurice Stans is facing from the Patman probe. (It should be remembered that the Stans-Liddy handling of the secret laundered funds from Mexico that were used in the Watergate break-in, was the central focus of Rep. Patman's proposed Banking Committee investigation.)

President Nixon suggests that "maybe Mitchell should" become involved. Dean replies that he doesn't "think that would be good. I hate to draw him in."

Dean then suggests that Maurice Stans himself (the central target of the Patman inquiry) should brief Ford.

Dean says:

"I think Maury can talk to Ford if that will do any good, but it won't have the same impact, of course, 'cause he's the one directly involved, but I think Maury ought to brief Ford at some point on, on exactly what his whole side of the story is."

Following that, Haldeman says that he is going to discuss it with Dick Cook, a Nixon aide and former staff member of Patman's Committee. Cook was now helping Dean in the attempt to block the Patman probe.

Nixon replies that "maybe Ehrlichman should talk to him." It is not exactly clear whether it is Cook or Ford to whom Nixon is referring when he says Ehrlichman should talk to "him." But it is clear that the end portion of Nixon's statement was deleted in the White House transcript.

The White House transcript reads:

President. "Maybe Ehrlichman should talk to him.
Ehrlichman understands the law."

Haldeman. "Is that a good idea? Maybe it is."

The Judiciary Committee transcript reads:

President. "Oh, I - maybe Ehrlichman should talk to him. Ehrlichman understands the law, and the rest, and should say "Now God damn it, get the hell over with this." "

Haldeman. "Is that a good idea? Maybe it is."

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PRESIDENT. Sure.
 DEAN. and didn't even cover it as a—in total.
 PRESIDENT. I expect that. That's all right. We've [unintelligible]
 HALDEMAN. The Post is—
 PRESIDENT. The Post has asked—it's going to have its problems.
 HALDEMAN. [Unintelligible]
 DEAN. The networks, the networks are good with Maury coming back three days in a row and—
 PRESIDENT. That's right. Right. The main thing is the Post is going to have damnable, damnable problems out of this one. They have a television station
 DEAN. That's right, they do.
 PRESIDENT. and they're going to have to get it renewed.
 HALDEMAN. They've got a radio station, too.
 PRESIDENT. Does that come up too? The point is, when does it come up?
 DEAN. I don't know. But the practice of non-licensees filing on top of licensees has certainly gotten more,
 PRESIDENT. That's right.
 DEAN. more active in the, in the area.
 PRESIDENT. And it's going to be God damn active here.
 DEAN. [Laughs]
 PRESIDENT. Well, the game has to be played awfully rough. I don't know—Now, you, you'll follow through with—who will over there? Who—Timmons, or with Ford, or—How's it going to operate?
 HALDEMAN. I'll talk to Bill. I think—Yeah.
 DEAN. Dick Cook has been working
 HALDEMAN OF PRESIDENT. [Unintelligible]
 DEAN. on it.
 HALDEMAN. Cook is the guy.
 DEAN. Dick has been working on it.
 PRESIDENT. Maybe Mitchell should—
 HALDEMAN. Well, maybe Mitchell ought to—would, could Mitchell do it?
 PRESIDENT. No.
 DEAN. I don't really think that would be good.
 PRESIDENT. No.
 DEAN. I hate to draw him in.
 PRESIDENT. Yeah.
 DEAN. I think Maury can talk to Ford if that will do any good, but it won't have the same impact, of course, 'cause he's the one directly involved, but I think Maury ought to brief Ford at some point on, on exactly what his whole side of the story is.
 HALDEMAN. I'll talk to Cook.
 PRESIDENT. Oh, I—maybe Ehrlichman should talk to him. Ehrlichman understands the law, and the rest, and should say, "Now God damn it, get the hell over with this."
 HALDEMAN. Is that a good idea? Maybe it is.

The Transcript: Page Sixteen

On page sixteen of the transcript, Nixon and Haldeman and Dean continue their conversation about stopping the Patman investigation, through the use of Gerald Ford.

After having discussed (on the previous page) sending Maurice Stans to brief Ford, Nixon tells Haldeman and Dean that "I'm getting into this thing. So that he - he's got to know that it comes from the top."

Again, it is somewhat unclear whether Nixon is referring to Ford or Nixon aide Dick Cook when he uses the word "he." However, it does seem highly probable that "he" is indeed Ford. The previous series of comments were centering on Ford, and having someone brief Ford on Stans' "problems." In addition, it would seem unlikely that Nixon and Haldeman were contemplating on how to properly give orders to one of their own second-echelon staff aides. Thus, it does appear that Ford is the person that the President is referring to.

In addition, this specific passage of Nixon's is once again another one which apparently has been tampered with in the official White House transcript.

The two different versions of Nixon's reference to either Ford or Cook read as follows:

(White House Transcript)

Haldeman. "Is that a good idea? Maybe it is."

President. "I think maybe that is the thing. This is a big play. He has to know that it comes from the top. While I can't talk for myself he has to get at this and - - the thing up."

Dean. "Well, if we get that slide up there -- it is a tragedy to let them have a field day up there."

(Judiciary Committee Transcript)

Haldeman. "Is that a good idea? Maybe it is."

President. "I think maybe that's the thing to do (unintelligible). This is, this is big, big play. I'm getting into this thing. So that he - he's got to know that it comes from the top."

Haldeman. "Yeah."

President. "That's what he's got to know."

Dean. "Right."

President. "and if he (unintelligible) and we're not going to - I can't talk to him myself - and that he's got to get at this and screw this thing up while he can, right?"

Dean. "Well, if we let that slide up there with the Patman Committee it'd be just you know, just a tragedy to let Patman have a field day up there."

As can be seen by comparing the two versions of the same exchange, the White House transcript omits Nixon's words that "I'm getting into this thing." Also omitted is the President's rejoinder to Haldeman that "That's what he's got to know."

In addition to those probable references to Gerald Ford, the White House transcript also deletes Dean's specific references to the "Patman Committee" and "Patman."

Following that exchange, President Nixon asks Dean when Patman would call his first witnesses in the proposed hearings.

Dean tells Nixon that Rep. Garry Brown of Michigan (a close friend and Republican colleague of Ford's) has written a letter to Attorney General Kleindienst setting forth the idea that such a Congressional hearing would jeopardize the criminal case against the actual Watergate burglars.

As will be seen, Rep. Garry Brown subsequently assumed a key role (along with Ford) in the final blockage of the Patman investigation.

At that point in the conversation, with only a few minutes left during the meeting, President Nixon and John Dean have the following exchange regarding Reps. Ford and Brown:

President. "Brown's a smart fellow. He's from, he's from Michigan."

Dean. "That's right."

President. "and some tie into Ford. He's very, he's a very smart fellow. Good."

Dean. "Good lawyer and he's being helpful. He is anxious to help."

President. "Right, just tell him that, tell, tell, tell Ehrlichman to get Brown in and Ford in and then they can all work out something. But, they ought to get off their asses and push it. No use to let Patman have a free ride here."

Dean. "Well, we can, we can keep them well briefed on moves if they'll, if they'll move when we provide them with the, the strategy."

As can be seen from the conversation, President Nixon gives a direct order to Haldeman and Dean to "tell Ehrlichman to get Brown in and Ford in and then they can all work out something."

The conversation on page sixteen of the transcript ends with Dean telling Nixon that the lawyer for the actual burglars, Henry Rothblatt, has "been getting into the sex life of some of the members of the DNC and - " They then discuss Rothblatt's legal strategy and other pending civil suits on the case.

The meeting finally ends several minutes later at 6:17 p.m.

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SEPTEMBER 15, 1972

PRESIDENT.

I think maybe that's the thing to do [unintelligible]. This is, this is big, big play. I'm getting into this thing. So that he—he's got to know that it comes from the top.

HALDEMAN.

Yeah.

PRESIDENT.

That's what he's got to know,

DEAN.

Right.

PRESIDENT.

and if he [unintelligible] and we're not going to—I can't talk to him myself—and that he's got to get at this and screw this thing up while he can, right?

DEAN.

Well, if we let that slide up there with the Patman Committee it'd be just, you know, just a tragedy to let Patman have a field day up there.

PRESIDENT.

What's the first move? When does he call his witnesses?

DEAN.

Well, he, he has not even gotten the vote of his Committee; he hasn't convened his Committee yet on whether he can call hearings. That's why, come Monday morning, these attorneys are going to arrive, uh, on the doorstep of the Chairman and try to tell him what he's doing if he proceeds. Uh, one of the members, Garry Brown, uh, wrote Kleindienst a letter saying, "If the Chairman holds Committee hearings on this, isn't this going to jeopardize your criminal case?"

PRESIDENT.

Brown's a smart fellow. He's from, he's from Michigan.

DEAN.

That's right.

PRESIDENT.

and some tie into Ford. He's very, he's a very smart fellow. Good.

DEAN.

Good lawyer and he's being helpful. He is anxious to help.

PRESIDENT.

Right, just tell him that, tell, tell, tell Ehrlichman to get Brown in and Ford in and then they can all work out something. But, they ought to get off their asses and push it. No use to let Patman have a free ride here.

DEAN.

Well, we can, we can keep them well briefed on moves if they'll, if they'll move when we provide them with the, the strategy. And we will have a raft of depositions going the other way soon. We will be hauling the, the O'Briens in and the like, and uh, on our abuse of process suit.

PRESIDENT.

What are you going to ask him? [Unintelligible] questions?

DEAN.

No. This fellow, this fellow Rothblatt, who has started deposing, uh, he's quite a character. He's been getting into the sex life of some of the members of the DNC and—

PRESIDENT.

Why? How can—What's his justification?

NOTE:

As mentioned previously, it was not until five months after the confirmation hearings of Vice President Gerald Ford that the White House transcripts were released by President Nixon. Thus, the September 15, 1972 transcript of the Nixon/Haldeman/Dean meeting, and its many references to Ford's involvement, was unknown at the time of Ford's selection as President Nixon's heir apparent.

It might now be argued that had the September 15 transcript been available at that time, Rep. Ford would have encountered substantial opposition to his confirmation in the Congress.

It might even be argued that Ford's confirmation as Vice President would have been defeated, or that President Nixon might have chosen to avoid even offering Ford as his choice for the office.

However it can be said that the answers that Ford gave under oath at his confirmation hearings, in response to the few questions that were asked about his Watergate role, do stand at variance with the sequence outlined in the September 15 transcript.

During his confirmation hearings as Vice President, Gerald Ford was questioned by Senator Robert Byrd as to his alleged role in helping to block the Patman investigation.

Among the sworn responses by Ford to Senator Byrd's questions were the following:

Senator Byrd. "You may be aware John Dean testified to the Senate Watergate Committee on June 25 of this year, that House Republican leaders "acted at the request of the White House to block that investigation."

Were you in contact with anyone at the White House during the period of August through October 1972 concerning the Patman Committee's possible investigation of the Watergate break-in?"

Rep. Ford. "Not to my best recollection."

Senator Byrd. "Mr. Ford, you undoubtedly may recall now any conversation you might have had during the period of August-October with the President, with Mr. Haldeman, Mr. Ehrlichman, Mr. Dean, or anyone at the White House, in connection with the proposed investigation by the Patman Committee."

"Do you recall any such conversations that would indicate that the White House wanted you to lend your efforts as a leader to cloaking such an investigation?"

* Rep. Ford. "I can say categorically, Senator Byrd, I never talked with the President about it, Mr. Haldeman, Mr. Ehrlichman, and Mr. Dean."

"I know emphatically I had no conversation with them now."

"Almost daily, during my period as Republican leader in the House, I talked with Mr. Timmons, or someone in the Legislative Liaison Office of the White House, but even in this case I donot recall any conversations concerning this particular matter."

Despite Ford's negative answer to Sen. Byrd's question of whether Ford had talked with "anyone at the White House" about the Patman investigation, despite his sworn testimony that he "categorically" had "never talked with the President about it, Mr. Haldeman, Mr. Ehrlichman, and Mr. Dean," and despite his statement that "I know emphatically I had no conversation with them," the September 15, 1972 transcript tends to indicate otherwise.

The September 15 transcript shows that President Nixon, Haldeman, and Dean, indicate at least eight or nine times that Gerald Ford must be included in their planning on the matter, and fully briefed.

And, significantly, Nixon issued two seperate and specific direct orders to Haldeman and Dean during the meeting to make sure that Rep. Ford was involved and participating in their plan.

Significantly, one of those two direct Nixon orders regarding Ford's involvement is totally deleted from the White House transcript, along with at least six or seven other separate passages in the conversation that relate to Ford's involvement. Again, these definitely appear to have been intentional deletions made by the White House.

Among the passages in the September 15 transcript that appear to be at variance with the sworn testimony of Ford in response to Sen. Byrd's questioning, are the following:

Page 12: Dean. "so Stans can go see Jerry Ford and try to brief him and explain to him the problems he's got."

Page 12: President. Can Ford "do anything with Patman?"
(The preceding phrase of Nixon's was deleted in the White House transcript.)

Page 13: President. "....Widnall - let's take somebody - Jerry could talk to him. Put it down, uh, Jerry should talk to Widnall and, uh, just brace him, tell him I thought it was (unintelligible) start behaving."

(The preceding underscored words of Nixon were deleted from the White House transcript.)

Page 13: President. "Jerry has really got to lead on this." "He's got to be really be (unintelligible)."

Haldeman. "Jerry should, damn it. This is exactly the thing he was talking about, that the reason they are staying in is so that they can

President. "That's right."

Haldeman. "run investigations."

(The preceding underscored words of Nixon were deleted from the White House transcript.)

Page 15: President. "Well, the game has to be played awfully rough....you'll follow through with - who will over there? Who - Timmons, or with Ford..."

(The preceding paragraph of Nixon's was deleted from the White House transcript.)

Page 15: Dean. "...Maury can talk to Ford...."

Page 15: Dean. "Maury ought to brief Ford at some point on exactly what his whole side of the story is."

Page 15: President. "Oh, I - maybe Ehrlichman should talk to him. Ehrlichman understands the law, and the rest, and should say, "Now God damn it, get the hell over with this." "

President. "I think maybe that's the thing to do (unintelligible). This is, this is big, big play. I'm getting into this thing. So that he - he's got to know that it comes from the top."

Haldeman. "Yeah."

President. "That's what he's got to know."

Dean. "Right."

(The preceding underscored passages of Nixon, Haldeman, and Dean were deleted from the White House transcript.)

Page 16: President. "Right, just tell him that, tell, tell, tell Ehrlichman to get Brown in and Ford in and then they can all work out something."

Dean. "Well, we can, we can keep them well briefed on moves if they'll, if they'll move when we provide them with the, the strategy."

The September 15 Transcript: The Aftermath

September 19

On September 19, 1972, little more than seventy-two hours after the crucial September 15 meeting between Nixon, Dean, and Haldeman, President Nixon met with Rep. Gerald Ford, and Sen. Hugh Scott.

Following their breakfast meeting with Nixon, Ford and Scott appeared before the White House press in an informal news conference.

Rep. Ford strongly declared that the recent indictments in the Watergate bugging case had cleared "the White House and any of the responsible people" in the President's campaign organization of any wrongdoing.

Ford and Scott stated that the Watergate bugging "caper" had evaporated as a campaign issue against the Nixon Administration, and that the President's aides were innocent of any involvement in it.

Sen. Scott also criticized Sargent Shriver's statement of his net worth, saying that he found it hard to believe. Scott went on to say "I think his net worth is considerably less than that unless, of course, you are talking about dollars. I imagine she must have cut his allowance," referring to Mrs. Shriver.

Ford and Scott also claimed that they had made a recent survey that had shown that of all those people surveyed, not one had thought of Watergate as a "real issue."

Since this meeting of Ford, Scott, and the President was held so soon after the President's September 15 strategy meeting with Haldeman and Dean, and since Ford and Scott emerged from it making several of the same points about Watergate and the Shriver's that the President had on September 15, it is plausible that Ford, Scott, and Nixon also discussed the Patman investigation.

If so, this would also be at variance with Ford's sworn testimony during his confirmation hearings.

September 30

On September 30, just two weeks after the September 15 Nixon/Maldeman/Dean strategy meeting, the Washington Post revealed that the proposed Patman Committee investigation was becoming jeopardized by rapidly mounting Republican opposition on the Banking Committee.

The Post reported that the effort to block the Patman Committee investigation was being spearheaded by Rep. Garry Brown of Michigan, whom the President, Maldeman, and Dean had spoken of with so much confidence during their meeting two weeks earlier.

Rep. Brown was quoted by the Post as denying that there had been any orders from the White House to stop the Patman probe.

However the Post also reported that Chairman Patman had said that a White House effort to stop the investigation was actively being coordinated by Dick Cook, a deputy assistant to the President.

But Cook himself was quoted as denying any involvement in stopping the probe. Cook claimed that he had been too busy with other matters to pay attention to the Watergate case. Yet, another Banking Committee source claimed that Cook had been active in the effort as recently as the previous week (which would have been one week after the September 15 meeting).

On September 29, the day before the Post article appeared, a spokesman for Chairman Patman revealed that the Committee staff had tried to secure the testimony of Maurice Stans, without the power of subpoena that an official investigation would have brought. In answer, Stans had refused any such cooperation.

The Post article quoted Rep. Garry Brown as saying he might be against the Committee having the power of subpoena even if the pending criminal trials were over. Brown also denied that he was acting out of any partisan motives in opposing the investigation by the Committee.

October 3: The Vote

On October 3, 1972, little over two weeks after the September 15 Nixon/Haldeman/Dean meeting, the House Banking and Currency Committee voted 20 to 15 against holding the investigation and hearings that Chairman Patman had sought.

All 14 Republicans present voted against the investigation, along with 4 southern Democrats, and two other Democrats.

As the Washington Post reported, the vote "ended any chance of a full airing before election day of issues stemming from the now celebrated break-in and alleged bugging of the Democrat's Watergate headquarters in June."

Chairman Wright Patman quickly released a statement condemning the Committee vote, and prophetically stated that,

"I predict that the facts will come out, and when they do I am convinced they will reveal why the White House was so anxious to kill the Committee's investigation. The public will fully understand why this pressure was mounted."

Following the vote, Rep. Garry Brown again denied Patman's charge that the White House had brought "all kinds of pressure" on the individual members of the Committee.

But Rep. Brown did acknowledge that he had worked with Rep. Gerald Ford and the Justice Department in blocking the hearings.

A survey taken by the Washington Post after the vote to kill the investigation revealed that among the steps taken by the Republicans in stopping the probe was a letter from Rep. Gerald Ford circulated among the 15 GOP members of the Committee, and two private meetings called by Rep. Widnall to plot strategy. Rep. Widnall was the "weak man" that President Nixon had spoken of during the September 15 meeting, and whom the President had ordered Haldeman and Dean to have Ford threaten.

Allegations of Political Blackmail

Following the vote to stop Chairman Patman's proposed investigation of Watergate, allegations surfaced regarding the motives of two of the Democrats on the Banking Committee who voted with the Republicans to stop the inquiry.

A member of the Committee who declined to be named, told the Washington Post that Rep. Frank Brasco of New York, and Rep. Bill Chappell of Florida, both of whom had voted to stop the investigation, were each the subject of favorable legal action by the Justice Department in the last several years.

This proved to be true.

It had been disclosed that Rep. Frank J. Brasco had been close to indictment on charges of conspiracy to defraud the government in 1971, the year before the vote.

In that case, Baltimore prosecutors were ready to present evidence implicating Congressman Brasco to a grand jury.

The Baltimore prosecutors had gathered evidence that Rep. Brasco had conspired with a man who reportedly was a powerful Mafia leader and operative in the organized crime syndicate. The two men were to be charged with conspiring to defraud the government of \$2 million in a mail truck leasing contract with the U.S. Postal Dept.

However, the Justice Department, under the direction of then Attorney General John Mitchell, had finally intervened in the case and prevented the prosecution of Rep. Brasco. No grand jury action was taken by the prosecutors.

The second Congressman, Rep. Bill Chappell of Florida, had been the target of possible criminal prosecution in 1969. Rep. Chappell had allegedly been implicated in a scheme in which he had ordered his secretary to split her House payroll salary with another woman. As the case began to generate growing publicity, the Justice Department, under Attorney General John Mitchell, had intervened, and no criminal action was taken against the Congressman.

Congressman Brasco heatedly denied any connection between his vote and the aborted Baltimore prosecution of him the year before.

Congressman Chappell would not comment on the allegations.

October 7

Four days after the vote to kill the Patman Committee investigation of Watergate, in his continuing defense of President Nixon and his men, Rep. Gerald Ford signed a formal complaint that was filed with the Fair Campaign Practices Committee.

The official complaint, contained in a four-page letter signed by Ford, charged that Senator McGovern and Sargent Shriver had engaged in "smear," "innuendo" and "mud-slinging" that was "an affront to every American and a disgrace to the political process."

The complaint asked the Fair Campaign Practices Committee to look into the McGovern and Shriver "smear" campaign and to "conduct an immediate and thorough investigation to expose and condemn those who endanger our orderly electoral process."

Rep. Ford's complaint accused McGovern of specific "violations" of the electoral process, including a statement by McGovern aide Frank Mankiewicz that "Richard Nixon is a shifty politician and he always has been" and also McGovern's own statement that the Nixon Administration is "the most corrupt in history."

Rep. Ford asked that the investigation begin at once.

- Mike Ewing
Sen. Hughes office
September, 1974