

# 'This Is a War,' Nixon Told

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"This is a war," President Nixon told John W. Dean III and H. R. Haldeman on Sept. 15, 1972, in the taped conversation that appears first among those made public by the President this week.

"We take a few shots and it will be over. We will give them a few shots and it will be over. Don't worry. I wouldn't want to be on the other side right now. Would you?" the President asked.

If this confident assertion rings hollow today, there are few who would have questioned it at the time. Sept. 15, 1972, was the day Gordon Liddy, E. Howard Hunt Jr., James W. McCord and four other men were indicted in the Watergate conspiracy.

With the indictments, culpability for Watergate seemed to end at a fairly low level in the Nixon camp. Liddy, Hunt and McCord were names no one had heard of. As the November presidential election approached, Mr. Nixon and his closest associates seemed to have every reason for confidence, despite the protestations of Democratic candidate George McGovern that the

Nixon administration was "the most corrupt in the history of the nation."

It was in such an atmosphere that the first two White House conversations among those made public, those that appear in *The Washington Post* today, occurred. They are conversations of Sept. 15, 1972, and Feb. 28, 1973. The first was among the President, his chief of staff, Haldeman, and his counsel, Dean. The second was between Mr. Nixon and Dean alone. Later conversations will be carried in *The Post* on Friday and on subsequent days.

While Mr. Nixon and his aides were confident that Watergate could be handled in the fall and winter of 1972, they were not unaware that they had great problems, as the edited transcripts show.

There were repeated forays into Watergate from many quarters: the press, Capitol Hill, the courts. All were the subject of hour-upon-hour of White House strategy sessions, with the President presiding.

Before the election there was the threat of possible hearings by the House Banking and Currency Commit-

tee, led by Rep. Wright Patman (D-Tex.), and the problems created by a civil suit filed by attorney Edward Bennett Williams for the Democratic Party. There was an audit of Nixon re-election committee finances by the Federal Elections Office that had recommended a criminal investigation by the Justice Department.

"The Bureau ought to go into Edward Bennett Williams and start questioning him and have him tied up for a couple of days," Haldeman said in the Sept. 15 conversation.

"Yeah, I hope they do," Mr. Nixon responded.

As for the audit of re-election committee finances, Dean told the President on Sept. 15 that the "report referred over to Justice is on a shelf right now because they have hundreds of violations—they have violations of McGovern, of Humphrey, violations of Jackson, and several hundred Congressional violations. They don't want to start prosecuting one any more than they prosecute the other."

"They definitely will not prosecute us unless they prosecute the others," Mr. Nixon replied.

## Haldeman, Dean in Sept. '72

After the President's landslide victory and until the time of his Feb. 28, 1973, conversation with Dean, there were other threats to Watergate secrecy: the first Watergate trial, a quiet investigation by Sen. Edward M. Kennedy that eventually led to formation of the Senate Watergate Committee, and the nomination hearings just opening for L. Patrick Gray III as permanent FBI director.

The Feb. 28 conversation shows Mr. Nixon and Dean developing and refining legal strategy—the concept of executive privilege as a means of keeping White House aides from testifying before investigative bodies—and political strategy, with a number of references to a meeting between the President and Sen. Howard H. Baker of Tennessee, the senior Republican on the Ervin Committee.

These were the broad issues discussed by Mr. Nixon and Dean, but the conversations have a fascination that extends far beyond strategy and even the question of whether the President had any so-called "guilty" knowledge.

For the tapes show, as has rarely been shown to any people before, some

of the most private thoughts, actions and manners of a nation's leader.

"Just remember," the President said Sept. 15, 1972, barely moments into the first conversation, "all the trouble we're taking, we'll have to chance to get back one day."

Mr. Nixon is shown to be not without humor: "OK, John," he said to former Attorney General John N. Mitchell in a phone conversation Sept. 15, "goodnight." Get a good night's sleep. And don't bug anybody without asking me? OK?"

Mr. Nixon's view of the media as an enemy is apparent. "Well, one hell of a lot of people don't give one damn about this issue of suppression of the press, etc.," Mr. Nixon told Dean on Feb. 28, 1973. "What (expletive omitted) they want them to do—go through the 1968 syndrome when they were 8 to 1 against us? They are only 3 to 1 this time. It is really sickening though to see these guys."

By the end of February, 1973, Dean had begun meeting regularly with Mr. Nixon, no longer dealing only through Haldeman and presidential assistant John D. Ehrlichman.

The Feb. 28 conversation seems to reflect a growing ease that Dean felt in Nixon's presence. When Mr. Nixon spoke distainfully of members of Congress, saying "they become irrelevant because they are so damned irresponsible," Dean was ready with a similar observation of his own.

"Yes, s'r," the President's 34-year-old counsel responded. "I spent some years on the Hill myself and one of the things I always noticed was the inability of the Congress to deal effectively with the Executive Branch because they have never provided themselves with adequate staffs, had adequate information available."

At the conclusion of that conversation, almost a month before the Watergate conspiracy began to collapse, Mr. Nixon expressed indignation at the possible sentencing of the original seven Watergate defendants.

"You know when they talk about a 35-year sentence, here is something to think about," he told Dean. "There were no weapons! Right? There were no injuries! Right? There was no success! Why does that sort of thing happen? It is just ridiculous."

# Irony Found in President's

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For even the casual reader one of the great Watergate ironies is to be found in the transcripts of conversations between President Nixon and his counsel, John W. Dean III, on March 13, March 17, and March 20, 1973, that are published in today's Washington Post.

It was during this period that the Watergate cover-up began its great collapse. Day after day on Capitol Hill, Senate hearings on the nomination of L. Patrick Gray III as permanent FBI director were turning into serious mini-Watergate hearings, with more damaging material released there than during the entire Watergate trial a month and a half earlier.

On the 16th of March, Watergate conspirator E. Howard Hunt Jr. made the last of his big money demands of the White House, and it was to prove one of the sparks that persuaded John Dean to leave the Nixon camp.

On the 17th of March, the President, according to one of the three transcripts, learned for the first time that some of his aides had committed a 1971 break-in at the office of Dr. Lewis Fielding, Daniel Ellsberg's psychiatrist.

On the 19th of March, Watergate

conspirator James W. McCord wrote a letter to Watergate judge John J. Sirica, charging that there had been payments of hush money, promises of executive clemency and involvement of higher-ups in the scandal. The letter was delivered to Sirica on the 20th, read by him then but not made public for three more days.

Despite all this imminent disaster, the mood at the White House, as gleaned from the conversations between Mr. Nixon and Dean, was one of confidence and attack.

At the beginning of the month, according to testimony elsewhere by Dean, the President was pressuring his 34-year-old counsel to complete a paper on executive privilege to spell out the President's position on keeping his aides from testifying on Capitol Hill.

As the President and Dean began their conversation March 13, they were preparing other means of coping aggressively with Watergate. The President was told to hold a news conference March 15, his first since before the landslide election victory of November, 1972.

"You are probably going to get more questions this week," Dean told Mr. Nixon in apparent reference to that press conference. "And the tough questions. And some of them don't have

easy answers. For example, did Haldeman know that there was a Don Segretti out there? That question is likely."

"Did he? I don't know," Mr. Nixon responded. "I think the thing to say is, 'This is a matter being considered by the (Senate Watergate) committee and am not going to comment on it... It is being investigated and I am not going to comment on it.'"

At the press conference, Mr. Nixon was asked about Segretti and refused to answer. He also was asked whether he would allow his aides to testify before the Senate. To that, the President referred to his statement of three days earlier, said no aide "would appear before a committee of Congress in any formal session," and that he would welcome a court test and a "definitive" ruling on his claims of executive privilege.

The President said that Congress had a greater right to investigate the case of Alger Hiss—The hearings that first brought Mr. Nixon to prominence when he was a young California congressman—than it had to investigate Watergate. The Hiss case dealt with a foreign power, Mr. Nixon said, and Watergate dealt only with politics.

Other plans for counteractions were developed in the March 13 conversation. One of them was a plan to

## Conversation With John Dean

have Sen. Barry Goldwater (R-Ariz.) make a speech or implore the Senate Watergate committee to look into alleged campaign dirty tricks conducted against him in the 1964 presidential campaign.

Newspaper clips show Goldwater apparently was silent on Watergate until April 11, 1973. Then, in an interview in *The Christmas Science Monitor*, Goldwater likened Watergate to Teapot Dome and demanded that Mr. Nixon speak out personally on the issue.

From March 1 through March 20, Mr. Nixon and Dean met or talked on the telephone 22 times for more than nine hours, according to White House logs, but the transcripts released for that period cover only three conversations on March 13, 17 and 20. The three lasted less than a total of 2½ hours.

For that reason, reading the transcripts is in some ways like reading "War and Peace" a page here and a page there: It is sometime hard to follow.

Nevertheless, Mr. Nixon's and Dean's plans for specific attacks are spelled out clearly.

On March 13, Dean made several references to a plan through which former ranking FBI official William Sullivan would reveal alleged abuses of the FBI

under Democratic administrations to show that other administrations engaged in dirty politics.

Dean suggested that Sullivan would be helpful because "he wants someday to be back in the Bureau very badly."

"That's easy," Mr. Nixon said.

Later, when the conversation again turned to Sullivan, Mr. Nixon said, "If he would get Kennedy into it, too, I would be a little bit more pleased." He apparently was referring to either President Kennedy or the late Sen. Robert Kennedy.

Mr. Nixon at one point said he was familiar with reports in the White House possession on the 1969 Chappaquiddick incident involving Sen. Edward M. Kennedy (D-Mass.), in which a young woman drowned in a car driven by the senator. "Why don't we get it out?" Mr. Nixon asked Dean.

"Getting it out" was also a recurrent theme in these conversations, with Mr. Nixon or his aide making references to leaking stories to reporter Clark Mollenhoff, U.S. News and World Report and the Washington Star-News.

At other times Mr. Nixon and Dean discussed might have happened in Watergate, with the President saying that his chief of staff, H. R. Haldeman, "probably" was told of the Watergate bugging in advance by a staff assist-

ant, then saying he might not have been.

"Did they ever get anything out the damn thing?" Mr. Nixon asked Dean of the bugging of Democratic headquarters that went on for three weeks before the arrests of June 17, 1972.

"I don't think they ever got anything sir," Dean replied.

Mr. Nixon: A dry hole?

Dean: That's right.

Mr. Nixon: Expletive deleted.)

Dean: (Well, they were just getting started.)

In a March 20 telephone conversation, the suggestion that Dean write a report on Watergate comes up for the first time in the edited transcripts released by Mr. Nixon. Though the transcripts don't indicate it, in testimony elsewhere Dean described how he was coming to the realization at that time that the Watergate cover-up was about to burst, and how he wanted the "cancer on the presidency" to be removed.

But in their discussion that day, Mr. Nixon said, "And so you are coming up, then, with the idea of just a stone wall, then? Is that—"

"That's right," Dean said. "Stone wall, with lots of noises that we are always willing to cooperate."