

I have now completed virtually all of the juxtaposing material, with the exception of some things I might find in my files when I return home---but I don't expect very much more at all. So that you know where to juxtapose the new excerpts and so you can get an idea of my organization, I'll do something which may be tedious but will be helpful. I'll type out a very detailed "Table of Contents" which will spell out the organization by giving the chapters, chapter subdivisions, and the exact contents of each subdivision. Since we have not numbered the pages, I will identify each page by its heading.

To open the book, perhaps even as an intro:

- * NIXON AS PRESIDENT DOES NOT COME INTO VIEW WITH HIS PUBLIC STATEMENTS and
- * THESE TRANSCRIPTS TELL THE WHOLE STORY OF WATERGATE, followed by the whole series of uncertainties and anomalies.

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* CONDEMN COVER UP EFFORTS

* FOR USE WITH COVER-UP EXCERPTS FROM 2/15/73 TAPE

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* to juxtapose with "Keeping Coverup away from President"

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* for use with cover-up excerpts from March 13, 73 tape

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I AM NOT A CROOK

FROM Nixon's question-answer session in Orlando, Fla., November 17, 1973:

I want to say this to the television audience—I made my mistakes, but in all of my years of public life, I have never profited ~~XXX~~, never profited from public ~~XXX~~ service. I have earned every cent. And in all of my years of public life, I have never obstructed justice. And I think, too, that I could say that in my years of public life, that I welcome this kind of examination, because people have got to know whether or not their President is a crook. Well, I am not a crook. I have earned everything I have got.

(INTRODUCTORY MATTER)

from Nixon press conference of September 5, 1973:

QUESTION: Mr. President, to follow up on the tapes question earlier, you have told us that your reasons are based on principle -- separation of powers, Executive privilege, things of this sort. Can you assure us that the tapes do not reflect unfavorably on your Watergate position, that there is nothing in the tapes that would reflect unfavorably?

THE PRESIDENT: There is nothing whatever. As a matter of fact, the only time I listened to the tapes, to certain tapes -- and I didn't listen to all of them, of course -- was on June the 4th. There is nothing whatever in the tapes that is inconsistent with the statement that I made on May 22nd or of the statement that I made to you ladies and gentlemen in answer to several questions, rather searching questions I might say, and very polite questions two weeks ago, for the most part, and finally nothing that differs whatever from the statement that I made on the 15th of August.

From Nixon's TV and radio address of April 29, 1974:

In these transcripts, portions not relevant to my knowledge or actions with regard to Watergate are not included, but everything that is relevant is included -- the rough as well as the smooth, the strategy sessions, the exploration of alternatives, the weighing of human and political costs.

As far as what the President personally knew and did with regard to Watergate and the cover-up is concerned, these materials -- together with those already made available -- will tell it all.

To anyone who reads his way through this mass of materials I have provided, it will be totally abundantly clear that as far as the President's role with regard to Watergate is concerned, the entire story is there.

Unintelligible

March 27, 1973

Z—I could—Two options: One would be to say that (unintelligible); the other would be to say the (unintelligible).

P—(unintelligible) Well, if you say (unintelligible) permission—What do you think, John? You tell him. Well, it is easier to get out of it if you say well that is not a matter (unintelligible),

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April 14, 1973 -A

H—That's the thing we've worried about all along, that somebody will get (unintelligible) what we do but we can't live by whether we (unintelligible) the (unintelligible).

P—(Unintelligible)

April 14, 1973 C

P—He's obviously thought this through. Isn't it worthwhile to find out—I think we owe it to ourselves to find out about John Dean, for example, what he—now understand that he thinks (unintelligible) this is true from (unintelligible).

H—Alright.

E—I think that's right. This is probably a golden opportunity in a way.

P—Right. To find out—let me put it this way. You've got to find out what the hell he is going to say. (unintelligible) which is frightening to me, (unintelligible) rather than (unintelligible)

H—Right.

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P—I wonder if you'll (unintelligible) then—(unintelligible) I think, Bob.

H—I can't reach Magruder. There's no answer (unintelligible) over something. If he arrives here they'll let us know.

P—We better get the other things out of the way. I think we're going to be—I don't want to be hammered—(unintelligible) I don't want to—I don't (unintelligible) they'll hammer the hell out of us anyway, but I don't (unintelligible) that's a—that's just a (unintelligible) all here. We'll take—we'll take a hell of a beating (unintelligible) in the next thirty days, a lot of heat, we'll take with regard to why we aren't appearing, why we aren't going to appear before the Committee. Now, how do we answer that?

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H—I still think you can. Maybe it can't be done, but there ought to be a way to turn the Grand Jury thing strongly our way, which is that this proves the rightness of the President's approach of full cooperation with the proper process of justice which is bringing people, even at the very highest level, to account.

P—You (unintelligible) cooperation.

E—Yeah. I think we should do that.

H—And cooperating on the (unintelligible). And the value of that.

P—(Unintelligible) first man out on it should not be favored. You understand the importance of that and so forth and so on. Then I've got to (unintelligible) and get (unintelligible). Trying to think of how to use you effectively in this too.

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Unintelligible

April 19, 1973 - C

P—Does (unintelligible) know Bob. Aren't we really sort of in a position where it would be better to know whose (unintelligible) in that damn Grand Jury. At least, pull the (unintelligible) on something there. I really think you do. And, they're (unintelligible) happy. It seems to me that a hell of a lot of the issue about do something involves our inability to (unintelligible) back that we're willing to cooperate. That we're willing to waive executive privilege and keeping our people silent. Now that's what I'm really trying to (unintelligible).

E—We will get—

H—I've always heard that that's the right—that's the point—that kind of argument.

P—Is that (unintelligible).

H—(Unintelligible) one day plus story.

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P—Then you—the way I would handle that, I would say, "Now let's take the Segretti matter"—no—"First, let's take Watergate." You say, "I had no knowledge—"(unintelligible). "Let's take the Segretti thing. Now, here are the facts."—Then I would point out—(unintelligible) point out (unintelligible) incrimination?

H—No.

E—Well, we don't know that.

H—Huh?

P—(Unintelligible) OK, John. (Unintelligible). with Segretti?

H—Well, he was clearly (unintelligible) which is totally (unintelligible) that Segretti—Segretti's instructions were that he was to do nothing illegal. And, well then answer the question how could you launch a guy out—

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P—I do feel that we should get this ready and really bounce it and I think that's the day to do it and I'd say (unintelligible) and I'd say—

H—It's ready. Oh, no, it isn't ready but it's close. But it's awful long.

P—Will it be alright?

H—I'm not so sure that (unintelligible).

P—Perfectly alright. Grand Jury. (Unintelligible) the damn (unintelligible) down to it. And if it says if the Committee doesn't, I cannot allow—I cannot allow—the (unintelligible). I mean the—"My effectiveness as an Assistant to the President will be seriously damaged." "Eroded by false charges and so forth and consequently I am making this statement now. I will make

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this statement under oath. (Unintelligible) I will make this statement under oath and answer questions under oath when the Ervin Committee finally gets around to hearing me." How's that sound to you, John?

E—Sounds pretty good.

P—All right. Now I think—I will say—point out—(unintelligible) it is (unintelligible)—"I do not suggest that—" I have only tried to cover in this statement questions of charges to date. That's what I have said and it has not been—and I am sure that others will be made." And (unintelligible)

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Unintelligible

April 16, 1973 - A

P—The reason that I made the call while in Dean's presence last night was that he said Liddy was saying how he knows Liddy had told (unintelligible) or something like that. I said he must (unintelligible). Well, he thought he ought to get ahold of his attorneys. Liddy said will not (unintelligible) higher authorities. (Unintelligible) not the President, (unintelligible) Mitchell. And I said, I called Petersen (unintelligible) where to go (unintelligible) Liddy's attorney. The President is not asking for any type of (unintelligible).

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Inaudible

April 16, 1973 - E

P—Yeah. Let me get to two quick questions before you give me whatever you've got. Three questions—one very fundamental that (inaudible) perhaps the first two are related. I (inaudible) Dean, first Magruder, with the information that I know, it seems to me that I've got to tell the (inaudible) something about that's been done (inaudible) where it would be worse. What's your reaction to that? We got to be sure that when people ask us later that we didn't—these people that are out (inaudible).

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P—There's this. This is something that we're going—you know—probably great difference of opinion in the Department of Justice (inaudible). More important for the Department of Justice is (inaudible). Presidency have (inaudible) as a result of some diligent efforts its own (inaudible). Now with (inaudible) I don't have to announce the (inaudible). We have a situation where the U.S. Attorney, in effect, the (inaudible) thing when the President has to go in and explain (inaudible).

HP—(Inaudible) for a purpose.

P—Yeah but—see—I don't—(inaudible) the damn sure (inaudible).

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Unintelligible

April 19, 1973

P- I want these men to be (unintelligible). I know there is. I really.

W-Quite so. We (unintelligible)

P-The second point, however, I have (unintelligible) And they know that. And if—if—uh—you conclude that the best thing to do is for Haldeman to step forward and say, "you're not guilty of a doggone thing." They have released the Grand Jury notes. I've been attacked by the press; I've been (unintelligible) all this (unintelligible) outside of this office including (unintelligible). In it, one (unintelligible) regard to the (unintelligible) as to whether it affects their (unintelligible) too in regard to the President.

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CHAPTER 1

THE COVER-UP

April 17, 1973 - C

P—I'll be here, all along, Bill. The Jury indicts, moves. We're going to get on with this country. A lot of people in the country, we may find, they feel the President is doing the best he can in the damn thing. If I had wanted to cover-up—they probably think the President can cover-up. If I wanted to, I sure haven't done it very well, have I?

DENIAL OF KNOWLEDGE OF COVERUP

Nixon statement issued August 15, 1973:

It is also true, as I say on May 22nd, that I took no part in, and was not aware of, any subsequent efforts to cover up the illegal acts associated with the Watergate break-in.

from Nixon statement of April 17, 1973:

As I have said before and I have said throughout this entire matter, all government employees and especially White House staff employees are expected fully to cooperate in this matter. I condemn any ~~XXXXXX~~ attempts to cover up in this case, no matter who is involved.

from Nixon statement issued August 15, 1973:

My consistent position from the beginning has been to get out the facts about Watergate, not to cover them up.

from Nixon press conference, March 6, 1974:

At all times it has been my goal to have a complete disclosure of this whole situation because, as you know, I have said there can be no cloud over the White House. I want that cloud removed; that's one of the reasons we have cooperated as we have with the special prosecutor. We will also cooperate with the Rodino committee. The facts will come out.

from Nixon question-answer session in Houston, March 19, 1974:

It should not have been covered up, and I have done the very best that I can over the past year to see that it is uncovered.

for use with cover-up excerpts from 9/15/72 tape

from Nixon press conference of August 29, 1972:

And with regard to who is investigating it now, I think it would be well to notice that the FBI is conducting a full field investigation. The Department of Justice, of course, is in charge of the prosecution and presenting the matter to the grand jury. The Senate Banking and Currency Committee is conducting an investigation. The Government Accounting Office, an independent agency, is conducting an investigation of those aspects which involve the campaign spending law....these investigations...have at my direction had the total cooperation of the—not only the White House—but also of all agencies of government....

I think under these circumstances we are doing everything we can to take this incident and to investigate it and not to cover it up. What really hurts in matters of this sort is not the fact that they occur....What really hurts is if you try to cover it up....

We have cooperated completely. We have indicated that we want all the facts brought out and that as far as any people who are guilty are concerned, they should be prosecuted.

Knowledge of cover-up?

Sept 15, 1972.

P—Oh well, this is a can of worms as you know a lot of this stuff that went on. And the people who worked this way are awfully embarrassed. But the way you have handled all this seems to me has been very skillful putting your fingers in the leaks that have sprung here and sprung there. The Grand Jury is dismissed now?

D—That is correct. They have completed and they have let them go so there will be no continued investigation prompted by the Grand Jury's inquiry.

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Working up

Sept 15, 1972

D - I learned today, incidentally, and have not confirmed it, that the GAO auditor who is down here is here at the Speaker of the House's request.

P—That surprises me.

H—Well, (expletive deleted) the Speaker of the House. Maybe we better put a little heat on him.

P—I think so too.

H—Because he has a lot worse problems than he is going to find down here.

D—That's right.

H—That is the kind of thing that, you know, we really ought to do is call the Speaker and say, "I regret to say your calling the GAO down here because of what it is going to cause us to do to you."

P—Why don't you see if Harlow will tell him that.

B-64

D— I suppose the other area we are going to see some activity in is the area of works because I think there will be a cresting on that—the white wash—the civil rights cases in advance. But Wright Patman's hearings—his banking and currency committee—whether we will be successful in turning that off or not I don't know. We have a plan where Rothblatt and Bitman who were counsel for the session who were implicated today are going to go up and visit the five top members and say that if you commence hearings you are going to jeopardize the civil rights of these individuals in the worst way and they will never get a fair trial.

P—Why not ask that they request to be heard by the committee?

D—They could say, "If you do commence with these hearing we intend to come up and say what you are doing to the rights of individuals." Something to that effect.

P—They could even get a motion in court to get the thing dismissed.

H—Going the other way—

P—Getting the criminal charges dismissed on the grounds of civil rights.

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D—We have someone approaching the ACLU for these guys—having them exert some pressure because we don't just want Stans up there in front of the cameras with Patman asking all these questions. It is going to be the whole thing over and over again. I understand too, or I have been told, that John Connally is close to Patman and if anyone could talk turkey to Patman, Connally could. Jerry Ford is not really taking an active interest in this matter that is developing so Stans is going to see Jerry Ford and try to brief him and explain to him the problems he has. The other thing we are going to do—we are looking at all the campaign reports of every member of that committee because we are convinced that none of them complied exactly with the law either. If they want to play rough—some day we better say, "Gentlemen, we want to call your attention that you have not complied with A,B,C, and F and we are not going to hold that a secret if you start talking campaign violations here."

P—What about Ford? Do you think so? Connally can't because of the way he is set up. If anybody can do it, Connally could, but if Ford can get the minority members. They have some weak men and women on that committee, unfortunately. Heckler is alright.

D—Heckler was great.

P—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 ever.

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

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

P—The point is that they ought to raise hell about these hearings. I don't know that the counsel calls the members of the committee often. I think if they have to have this blunderbuss in the public arena then this is all it is.

D—That is the last forum where we have the least problem right now. Kennedy has already said he may call hearings of the Administrative Practices sub-com-

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Sept. 15, 1972

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mittee. As these committees spin out oracles we used to get busy on each one. I stopped doing that about two months ago. We just take one thing at a time.

P—You really can't sit and worry about it all the time. 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 remember basically the damn business is unfortunately trying to cut our losses.

* * * *

P—Tell Ehrlichman to get Brown and Ford in together and they can work out something. They ought to get off their -- and push it. No use to let Patman have a free ride here.

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Washington Post, October 4, 1972

Bugging Hearings Rejected

10/4/72

House Panel Defeats Bid By Patman

By Bob Woodward
and Carl Bernstein

Washington Post Staff Writers

The House Banking and Currency Committee, after a week of heavy Republican lobbying, voted 20 to 15 yesterday against holding public hearings on the Watergate bugging incident and alleged irregularities in President Nixon's re-election campaign financing.

All 14 Republicans in attendance, four Southern Democrats and two other Democrats voted against Committee Chairman Wright Patman's request for the hearings.

They thus apparently ended any chance of a full airing before election day of issues stemming from the now celebrated break-in and alleged attempted bugging of the Democrats' Watergate headquarters in June.

Rep. Garry Brown, (R-Mich.), the key figure in engineering the defeat, acknowledged in an interview that he worked with the Justice Department and Rep. Gerald R. Ford (R-Mich.), the House minority leader, to block the hearings.

Brown denied a charge by Patman that the White House brought "all kinds of pressure," but added: "I would have to presume that the White House wouldn't want further attention paid to this. I'm not so stupid to have to be told."

DEAN INVESTIGATION

from Nixon News Conference of August 29, 1972:

Within our own staff, under my direction, counsel to the President, Mr. Dean, has conducted a complete investigation of all leads which might involve any present members of the White House staff or anybody in the government. I can say categorically that his investigation indicates that no one in the White House staff, no one in this administration, presently employed, was involved in this very bizarre incident.

from Nixon TV and Radio address of August 15, 1973:

From the time when the break-in occurred, I pressed repeatedly to know the facts, and particularly whether there was any involvement of anyone in the White House.... I knew that the Justice Department and the FBI were conducting intensive investigations --as I had insisted they should. The White House Counsel, John Dean, was assigned to monitor these investigations, and particularly to check into any possible White House involvement.

March 21, 1973 - A

D - Now what has happened post June 17? I was under pretty clear instructions not to investigate this, but this could have been disastrous on the electorate if all hell had broken loose. I worked on a theory of containment—

P—Sure.

D—To try to hold it right where it was.

P—Right.

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April 17, 1973 - B

H—Didn't you at some point get a report from Dean that nobody in the White House was involved.

E—Didn't we put that out way back in August?

P—I mean, I just said "Well, that's all I know now." It was never in writing. He never came in orally and told me Dean—John Dean I never saw about this matter. You better check, but I don't think John Dean was ever seen about this matter until I saw him, when John Ehrlichman suggested that I'd better see John Dean.

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from Nixon statement of April 30, 1973: (referring to the period prior to March 21)

As the investigations went forward, I repeatedly asked those conducting the investigation whether there was any reason to believe that members of my administration were in any way involved. I received repeated assurances that there were not.

from testimony of L. Patrick Gray before Senate Watergate Committee, August 3, 1973
Book 9, p. 3462

Thirty-seven minutes later, at 11:28 a.m. on Thursday, July 6, 1972, the President called me. He expressed his congratulations to the FBI and asked that I express his congratulations to the agents in San Francisco who successfully terminated a hijacking there the previous day. I thanked the President and then said to him, and to the very best of my recollection these are the words:

Mr. President, there is something I want to speak to you about. Dick Walters and I feel that people on your staff are trying to mortally wound you by using the CIA and FBI and by confusing the question of CIA interest in, or not in, people the FBI wishes to interview. I have just talked to Clark MacGregor and asked him to speak to you about this.

There was a slight pause and the President said, "Pat, you just continue to conduct your aggressive and thorough investigation."

Gray testimony, August 6, 1973; Book 9, p. 3498:

Did you think that your conversation with the President on July 6, 1972, was sufficient to adequately put him on notice that the White House staff was engaged in obstructing justice?

Mr. GRAY. I don't know that I thought in terms of obstruction of justice but I certainly think there was, it was adequate to put him on notice that the members of the White House staff were using the FBI and the CIA.

Senator TALMADGE. Do you think an adequate, do you think a reasonable and prudent man on the basis of the warning that you gave him at that time, would have been alerted to the fact that his staff was engaged in something improper, unlawful, and illegal?

Mr. GRAY. I do, because I frankly, I expected the President to ask me some questions and for 2 weeks thereafter, I think it was on the 12th and again on the 28th, I asked General Walters if the President had called him and when I heard nothing, you know, I began to feel that General Walters and I were alarmists.

Quoted in NYTimes, 7/21/73:

"Knowledge of facts which would naturally lead an honest and prudent person to make inquiry constitutes 'notice' of everything which such inquiry pursued in good faith would disclose.

"Constructive notice is information or knowledge of a fact imputed by law to a person, (although he may not actually have it), because he could have discovered the fact by proper diligence, and his situation was such as to cast upon him the duty of inquiring into it."

Black's Law Dictionary, Fourth Edition, 1969

from Nixon statement of May 22, 1973:

With hindsight, it is apparent that I should have given more heed to the warning signals I received along the way about a Watergate cover-up and less to the reassurances.

What did Wilson want to know?

March 17, 1973

D—Well you are probably going to get more questions this week. 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.

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P—Did he? I don't know.

D—Yes, he had knowledge that there was somebody in the field doing prankster-type activities.

P—Well, I don't know anything about that.

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April 11, 1973 - A

E—But I sit over there in Bob's office and listen to that tape of one of the co-defendants saying that out on the tape that he was guilty and that Mitchell was (unintelligible) going to force our fall, and—

P—Did he say that? Did he say that?

E—Yeah.

P—Well, we can't—

E—And I said to myself, "My God. You know, I'm a United States citizen. I'm standing here listening to this, what is my duty?"

P—Well the point is you've now told me. That's the problem.

E—That's correct. That's correct.

P—See the difference is that the problem of my position up to this time has been quite frankly, nobody ever told me a damn bit of this, that Mitchell was guilty.

E—That's right.

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* * *

P—I don't think there's anybody that can talk to Mitchell except somebody that knows this case. There's one of two people I can verse myself in it enough to know the thing, but I am not sure that I want to know.

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