

April 17, 1973 - B

P—I told him not to talk to him any more. But you see Dean—let's see, what the hell—what's he got with regard to the President? He came and talked to me, as you will recall, about the need for \$120,000 for clemencies—

E—You told me that the other day, I didn't know that before.

H—But so what?

P—What?

H—So what?

P—I said, what in the world John, I mean, I said John you can't (unintelligible) on this short notice. What's it cost (unintelligible) I sort of laughed and said, "Well, I guess you could get that."

E—Now is he holding that over your head? Saying—

P—No, No, No, I don't think Dean would go so far as to get into any conversation he had with the President—even Dean I don't think.

H—Well, he can't—you have both executive privilege in conversation with him.

P—Let's just call it executive privilege, but on the other hand you've got to figure that Dean could put out something with somebody else.

Beat this rap

April 17, 1973 - G

P—Let me say, what I had in mind. I want you to go forward and if this thing comes out which I can't believe, I want you to go forward at all costs to beat the damned rap. They'll have one hell of a time proving it. Yours is a little tougher I think Bob, and it shouldn't be—the 300. That's why I hope you could raise with the Judge and your attorney—that at least gave you the law on that point.

(to H and E)

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but can't be,

March 27, 1973

P - -my view is I
can't have this (unintelligible) I think the damn thing
is going to come out anyway, and I think you better
cut the losses now and just better get it over much
sooner and frankly sharper.

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April 14, 1973 - D

P - Dean in Executive session is a very
nice way to cut a loss, huh?

402

BUYING TIME, DRAGGING IT OUT

from SIX CRISES:

Only the man who was not willing to tell the truth would gain by having additional time to build up his case.

Handwritten notes at top left.

April 14, 1973

P—Oh, I see. In other words, the Ervin Committee says (unintelligible) you feel it's not time, that's too long. You could put out a statement which says, "I had nothing to do with Watergate." I think in this instance I would say—"but, second I want to say what we did.

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I had this to do with Segretti." I wouldn't worry about the fact that he'd come back and say well now what did you do about this or that at this point. I just think this making a forthcoming statement that we present to everybody. That'll buy us some time and you need to buy a little time now and then.

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April 17, 1975 - C

P—No. The White House wasn't running the campaign committee.

H—He's got an impossible problem with that. The poor guy is pretty sad if he gets up there and says that. It is a problem for us, there is no question about it, but there is no way he can prove it.

—The '75 election.

354

April 14, 1973 - C

P—And with him on the Special Prosecutor, say, look Dick, in view of the fact that the U.S. Attorney is now doing such a thorough job and since there is going to be definite results from it, it would be a terrible reflection on the system of justice.

E—Right.

P—And this Administration would be in effect admitting that the Justice Department was so corrupt that it couldn't prosecute.

E—Uh, huh.

P—But if they prosecute a former Attorney General John, what more can you ask?

E—Pretty loose, pretty independent.

P—I really feel that—

E—Yeah

P—and that the Special Prosecutor thing can only open other avenues potentially. I don't mean that there is anything you want to cover up, but you know. He will just go through and—

E—I think it is folly

P—Don't you think so?

E—Yes sir.

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April 15, 1973 - 2

P—I have really come to that conclusion, too, Bob.

H—Oh, really?

P—For a reason. This is not to prosecute the case. A special Prosecutor, to look at the indictments to see that the indictments run to everybody they need to run to, so that it isn't just the President's men, you see.

H—In other words, he is above Silbert rather than replacing Silbert?

P—Oh no, Silbert runs the case and that's all. But he is just in there for the purpose of examining all this to see that the indictments cover everybody.

H—Uh, huh. Well that does protect you a lot, because if they don't indict some of us then you have a cover up problem. If you have that guy, then you have a basis—

P—Then he goes out and says, "I have examined all of this, and now let's stop all this. These men are not guilty and these men are not indictable and these are."

H—Yeah.

P—We are thinking about that. We haven't decided that yet. But I lean toward it now in order to just—we've got to get into the proper position there.

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Big fish

April 14, 1973 - D

P—I wish we could keep Dean away from that. Magruder—we don't have to get that (unintelligible). Let me say—let's sleep on what we do with the—ah—My view is though, I think that the odds are, that the interest in the Committee is less. What they are after is some of the big fish.

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April 14, 1973 - H

P—the Grand Jury I assume (unintelligible) come through with some indictments. I mean, suppose they just indict Magruder and Mitchell (unintelligible).

E—Yeah.

P—Well, that's the fish.

E—Yeah.

P—The big fish.

E—Yeah.

P—Damn it, what more do they want?

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April 15, 1973 - H

HP—There are negotiations underway with counsel now and obviously they are very much afraid of Sirica. They are afraid Sirica is going to clap him in jail immediately.

P—Oh.

HP—We have to see Sirica too.

P—Now, Sirica's got to see the point of this. My goodness, because the point is Sirica's got to realize he is getting bigger fish.

HP—That's right.

P—Right?

HP—That is it exactly.

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April 14, 1973 - H

E—He had information on who was going to be called as witnesses so that apparently Mardian was able to get around and coach witnesses.

P—Did Mardian coach them?

E—In some cases Mardian, I guess, was very heavy-handed about it, and—

P—Well, is there anything wrong with that?

E—Yeah, well there's something wrong with—

P—He was not their attorney is the problem?

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E—Well, no, the problem—the problem is he asked them to say things that weren't true.

P—Oh.

E—When I say coach I use the word loosely, and—

P—(Unintelligible)

E—Well no, a fellow over there named Porter—Bart Porter for one.

P—Where is he now, in jail?

E—No, he's in business somewhere, and he will probably be indicted.

P—They coached him to what, did he say?

E—Say.

P—Was he—he was one of the buggers over there?

E—No—no. Oh no, he worked for the Committee, worked for the Committee, but they asked him about higher-ups and about whether there was any (unintelligible) and so on and so forth.

P—How was he in the deal? How would he know about it?

E—He worked over there in Magruder's office, and he apparently passed money to Liddy from Sloan and was privy to quite a lot of the information.

P—I thought John (unintelligible) Liddy to take money for that (unintelligible).

E—Apparently he did. Well I don't mean after—I mean to pay for equipment and to.

P—Oh (unintelligible)

E—That's right.

P—Why the hell didn't the Grand Jury indict him?

E—Well because they didn't have the, they didn't have the evidence. There was a cover story which Mardian and others cooked up, and Porter, who corroborated the cover story, is now indictable for perjury. He is a little fish who got caught in the net.

P—Poor son of a bitch. It's wrong. It's wrong.

E—The whole thing is just monumentally tragic.

P—It is. Now don't let it get you down.

E—Well that's right, that's right, and it'll pass.

P—Dean is concerned, and concerns me.

E—Yeah.

P—I don't think he could have been that active in the pre—the post yes—the pre things.

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not save Dwyer I did

April 15, 1973 - B

P—Bill may have a point there. I have sort of had this, and I don't think Ehrlichman and particularly Moore didn't agree with it, that—look, if they get a hell of a big fish, that is going to take a lot of the fire out of this thing on the cover up and all that sort. If they get the President's former law partner and Attorney General, you know. Do you agree or not? Am I—?

H—Yeah. What I feel is people want something to be done to explain what to them is now a phony looking thing. This will explain it.

P—Explain that they did it, and then of course the cover up comes in and they did that too.

H—And it all makes sense, it is logical, believable, because it's true.

P—Right.

H—And there it is—I can't—it seems to me that there is at least a strong possibility, if not probability or certainty, that public reaction is going to be, well, thank God that is settled; now let's get away from it. Rather than the reaction of, "Ho, ho, ho, here is something pretty bad; let's spend a lot more time looking into it."

P—That's right. Well—

H—I think people want solutions; they don't want ongoing problems.

P—You know some of that so-called people-polling,

and polling. Don't they say that Watergate, didn't you say that Gallup or, well, that it's a concern, it worries them, etc.—considered it a caper, and they want the damn thing explained.

H—That's right. They want it explained and they want to get off of it.

From New York Times, May 19, 1973

FALSIFICATION OF FACTS

"Whoever in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact" is liable to punishment upon conviction with a maximum sentence of five years in prison, a \$10,000 fine or both.

Anyone who has knowledge of such an offense and fails to report it may be liable to a maximum penalty of years in prison, a \$500 fine, or both.

(perhaps best to put in front of the whole hush money section)

from Nixon statement of May 22, 1973:

Neither, until after I began my own investigation, was I aware of any fund raising for defendants convicted of the break-in at Democratic headquarters, much less authorize any such fund raising.

from Nixon statement issued August 15, 1973: (best to juxtapose with excerpt from p. 143, as well as with later contradictory public statements)

I was told ten [on March 21] that funds had been raised for ~~XXI~~ payments to the defendants, with the knowledge and approval of persons both on the White House staff and at the Re-election Committee. But I was only told that the money had been used for attorney's fees and family support, not that it had been paid to procure silence from the recipients.

from Nixon press conference of March 6, 1974:

...for the first time on March 21 he [Dean] told me that payments had been made to the defendants for the purpose of keeping them quiet, not simply for their defense.... I never at any time authorized the payment of money to any of the defendants.

Also from March 6 conference, to juxtapose with extract from 4/14/73 tape, p. 322:

I did not authorize payments, and I did not have knowledge of payments, to which you have referred [blackmail payment to Hunt on March 21].

from Nixon question-answer session in Chicago, March 15, 1974:

The President learned for the first time at that time [March 21] that payments had been made to the defendants, ~~XX~~ and let me point out that payments had been made but—correcting what may have been a misapprehension when I spoke to the press on March 6th in Washington—it was alleged that the payments that had been made to ~~XX~~ defendants were made for the purpose of keeping them still.

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

QUESTION: I wonder if you would explain the difference between a statement you made last August regarding payments to the Watergate defendants and what you said at your press conference this month...?

PRESIDENT: Well, as I stated in Chicago, my statement on March the 6th was incorrect insofar as it said that I learned that payments had been made prior to the time that the demand for blackmail by Mr. Hunt—alleged demand for blackmail, I should say, since it has not yet been tried—that payments had been made for the purpose of keeping defendants still.

I should have said they were alleged to have been made, because, as a matter of fact, those who were alleged to have made payments to defendants for their defense fees and for their support—Mr. Ehrlichman, Mr. Haldeman, Mr. Mitchell—all have denied that that was the case....

Under the circumstances, therefore, it would not be appropriate for me to say anything further on this point...

from Nixon's press conference of August 22, 1973:

QUESTION: Mr. President, could you tell us your recollection of what you told John Dean on March 21 on the subject of raising funds for the Watergate defendants?

THE PRESIDENT: Certainly. Mr. Haldeman has testified to that, and his statement is accurate. Basically, what Mr. Dean was concerned about on March 21 was not so much the raising of money for the defendants, but the raising of money for the defendants for the purpose of keeping them still -- in other words, so-called hush money. The one would be legal -- in other words, raising a defense fund for any group or any individual, as you know, is perfectly legal and it is done all the time. But if you raise funds for the purpose of keeping an individual from talking, that is obstruction of justice.

Mr. Dean said also on March 21 that there was an attempt, as he put it, to blackmail the White House, to blackmail the White House by one of the defendants. Incidentally, that defendant has denied it, but at least this was what Mr. Dean had claimed. And that unless certain amounts of money were paid, I think it was \$120,000 for attorneys' fees and other support, that this particular defendant would make a statement, not with regard to Watergate, but with regard to some national security matters in which Mr. Ehrlichman had particular responsibility.

My reaction, very briefly, was this: I said, "As you look at this", I said, "Isn't it quite obvious, first, that if it is going to have any chance to succeed, that these individuals aren't going to sit there in jail for four years, they are going to have clemency; isn't that correct?"

He said, "Yes." I said, "We can't give clemency." He agreed. Then, I went to another point. I said, "The second point is that is it also quite obvious, as far as this is concerned, that while we could raise the money" -- and he indicated in answer to my question, it would probably take a million dollars over four years to take care of this defendant, and others, on this kind of basis.

The problem was, how do you get the money to them, and also, how do you get around the problem of clemency, because they are not going to stay in jail simply because their families are being taken care of. And so, that was why I concluded, as Mr. Haldeman recalls perhaps, and did testify very effectively, one, when I said, "John, it is wrong, it won't work. We can't give clemency --"

from Nixon TV and Radio address of April 29, 1974:

I returned several times to the immediate problem posed by Mr. Hunt's blackmail threat, which to me was not a Watergate problem, but one which I regarded, rightly or wrongly, as a potential national security problem of very serious proportions. I considered long and hard whether it might in fact be better to let the payment go forward, at least temporarily, in the hope that this national security matter would not be exposed in the course of uncovering the Watergate cover-up.

I believed then, and I believe today, that I had a responsibility as President to consider every option -- including this one -- where production of sensitive national security matters was at issue, protection of such matters. In the course of considering it and of "just thinking out loud," as I put it at one point, I several times suggested that meeting Hunt's demands might be necessary.

Whatever the potential for misinterpretation there may be as a result of the different options that were discussed at different times during the meeting, my conclusion at the end of the meeting was clear. And my actions and reactions as demonstrated on the tapes that follow that date show clearly that I did not intend the further payment to Hunt or anyone else be made.

White House Transcript / House Judiciary Committee transcript

MR. NIXON: Just looking at the immediate problem, don't you think you have to handle Hunt's financial situation damn soon?

MR. DEAN: I think that is — I talked with Mitchell about that last night and—

MR. NIXON: It seems to me we have to keep the cap on the bottle that much, or we don't have any options.

MR. DEAN: That's right.

MR. NIXON: Either that or it all blows right now?

MR. NIXON: Don't you, just looking at the immediate problem, don't you have to have — Marble Hunt's financial situation—

MR. DEAN: I, I think that's —

MR. NIXON: Damn soon?

MR. DEAN: That is, uh—I talked to Mitchell about that last night—

MR. NIXON: Mitchell.

MR. DEAN: And, and, uh, I told—

MR. NIXON: Might as well. You have the rule you've got to keep the cap on the bottle that much—

MR. DEAN: That's right; that's right.

MR. NIXON: In order to have any options.

MR. DEAN: That's right.

MR. NIXON: Either that or let it all blow right now.

from March 21, 1973—A tape, p. 148 in Bantam. This appeared in NYTimes, 6/21/74.
might want to add as footnote to official version.

Concealment :- We can handle the Heisk Money rap

March 21, 1973 - A

D—That's the most troublesome post-thing because (1) Bob is involved in that; (2) John is involved in that; (3) I am involved in that; (4) Mitchell is involved in that. And that is an obstruction of justice.

P—In other words the bad it does. You were taking care of witnesses. How did Bob get in it?

D—Well, they ran out of money over there. Bob had \$350,000 in a safe over here that was really set aside for polling purposes. And there was no other source of money, so they came over and said you all have got to give us some money. I had to go to Bob and say, "Bob, they need some money over there." He said "What for." So I had to tell him what it was for because he wasn't just about to send money over there willy-nilly. And John was involved in those discussions. And then we decided there was no price too high to pay to let this thing blow up in front of the election.

P—I think we should be able to handle that issue pretty well. May be some lawsuits.

D—I think we can too.

Hush money

March 21, 1973 - A

D— But there is no denying the fact that the White House, in Ehrlichman, Haldeman and Dean are involved in some of the early money decisions.

P—How much money do you need?

D—I would say these people are going to cost a million dollars over the next two years.

P—We could get that. On the money, if you need the money you could get that. You could get a million

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dollars. You could get it in cash. I know where it could be gotten. It is not easy, but it could be done. But the question is who the hell would handle it? Any ideas on that?

D—That's right. Well, I think that is something that Mitchell ought to be charged with.

P—I would think so too.

D—And get some pros to help him.

P—Let me say there shouldn't be a lot of people running around getting money—

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* * *
P—Your major guy to keep under control is Hunt?

D—That is right.

P—I think. Does he know a lot?

D—He knows so much. He could sink Chuck Colson. Apparently he is quite distressed with Colson. He thinks Colson has abandoned him. Colson was to meet with him when he was out there after, you know, he had left the White House. He met with him through his lawyer. Hunt raised the question he wanted money. Colson's lawyer told him Colson wasn't doing anything with money. Hunt took offense with that immediately, and felt Colson had abandoned him.

P—Just looking at the immediate problem, don't you think you have to handle Hunt's financial situation damn soon?

D—I think that is—I talked with Mitchell about that last night and—

P—It seems to me we have to keep the cap on the bottle that much, or we don't have any options.

D—That's right.

P—Either that or it blows right now?

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D - THAT'S THE QUESTION.

March 21, 1973 - A

P—Well, I wonder if that part of it can't be—I wonder if that doesn't—let me put it frankly: I wonder if that doesn't have to be continued? Let me put it this way: let us suppose that you get the million bucks, and you get the proper way to handle it. You could hold that side?

D—Uh, huh.

P—It would seem to me that would be worthwhile.

B-154

* * *

D—What I am coming in today with is: I don't have a plan on how to solve it right now, but I think it is at the juncture that we should begin to think in terms of how to cut the losses; how to minimize the further growth of this thing, rather than further compound it by, you know, ultimately paying these guys forever. I think we've got to look—

P—But at the moment, don't you agree it is better to get the Hunt thing that's where that—

D—That is worth buying time on.

P—That is buying time, I agree.

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* * *

P—So forth and so on. I think that's best. Then we have to see what the line is. Whether the line is one of continuing to run a kind of stone wall, and take the heat from that, having in mind the fact that there are vulnerable points there;—the vulnerable points being, the first vulnerable points would be obvious. That would be one of the defendants, either Hunt, because he is most vulnerable in my opinion, might blow the whistle and his price is pretty high, but at least we can buy the time on that as I pointed out to John.

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* * *

P—Here we have the Hunt problem that ought to be handled now.

* * *

D—They're going to stonewall it, as it now stands. Excepting Hunt. That's why his threat.

H—It's Hunt opportunity.

P—That's why for your immediate things you have no choice but to come up with the \$120,000, or whatever it is. Right?

D—That's right.

P—Would you agree that that's the prime thing that you damn well better get that done?

D—Obviously he ought to be given some signal anyway.

P—(Expletive deleted), get it!

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April 17, 1973 - A

H—Dean says very flatly that Kalmbach did not know the purpose of the money and has no problem.

P—Dean did know the purpose? Hunt testifies—so basically then Hunt will testify that it was so-called hush money. Right?

E—I think so. Now again, my water can't rise any higher than source.

P—I understand.

E—But that's what—

P—Where does that serve him, let me ask?

H—John—Would it serve him?

E—The only thing it serves him is to—

P—Would it reduce his sentence?

E—Have his sentence reduced.

H—He'd be served the same purpose by not saying it was hush money, by saying it gave it to these guys I had recruited for this job and I

P—I know.

E—I agree.

H—was concerned about their family—

P—That's right, that's what it ought to be and that's got to be the story that

H—(Unintelligible)

P—Will be the defense of these people, right?

E—Only defense they have, (unintelligible) and so forth.

H—That was the line they used around here.

P—What?

H—That was the line they used around here. That we've got to have money for their legal fees and family.

P—Support. Well, I heard something about that at a much later time.

H—Yeah.

P—And, frankly, not knowing much about obstruction of justice, I thought it was perfectly proper.

Hunt's money

April 14, 1973 - A

P—This business, somebody in—Dean, Dean. Dean asked, told me about the problem of Hunt's lawyer. This was a few weeks ago. Needed sixty thousand or forty thousand dollars or something like that. You remember? I said I don't know where you can get it. I said, I mean, I frankly felt he might try to get it but I didn't know where. And then, he left it up with Mitchell and Mitchell said it was taken care of and after (unintelligible). Did he talk to you about that?

E—He talked to me about it. I said, John, I wouldn't have the vaguest notion where to get it.

P—Yeah.

E—I saw him later in the day. I saw Mitchell later in the day—

P—What happened?

E—And he just said, "It's taken care of."

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April 17, 1973-B

"he" is Dean

P—You got to remember (unintelligible) he put this a lot higher. He could say, "Well, I told the President about \$127,000, that we needed \$127,000 and the President said, 'well I don't know where we could get it, I don't know'."

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H—That was the one that Bittman got to Dean on. He really cranked on it. He was very concerned—professed to be concerned because Bittman's threat was that Hunt said that, "If you don't get it to me I'm going to tell them all about the seamy things I did for Ehrlichman." And when Dean hit Ehrlichman on that, Ehrlichman's immediate reaction was let him go ahead—"There's nothing he can hang me on." Dean didn't like that answer and went on worrying about the money.

P—Told me about it.

H—Told you about it, told me about it. I was in here when he told you.

P—Good. What did we say? Remember he said, "How much is it going to cost to keep these, these guys (unintelligible). I just shook my head. Then we got into the question—

H—If there's blackmail here, then we're into a thing that's just ridiculous.

P—He raised the point—

H—(unintelligible) but you can't say it's a million dollars. It may be \$10 million dollars. And that we ought not to be in this—

P—That's right. That's right.

H—We left it—that—we can't do anything about it anyway. We don't have any money, and it isn't a question to be directed here. This is something relates to Mitchell's problem. Ehrlichman has no problem with this thing with Hunt. And Ehrlichman said, (expletive removed) if you're going to get into blackmail, to hell with it."

P—Good (unintelligible) Thank God you were in there when it happened. But you remember the conversation?

H—Yes sir.

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P—I didn't tell him to go get the money did I?

H—No

P—You didn't either did you?

H—Absolutely not! I said you got to talk to Mitchell. This is something you've got to work out with Mitchell—not here—there's nothing we can do about it here.

P—We've got a pretty good record on that one, John at least

P—But in that conversation I was—we were—I was—I said, "Well for (expletive removed), let's—"

H—You explored in that conversation the possibility of whether such kinds of money could be raised. You said, "Well, we ought to be able to raise—"

P—That's right.

H—"How much money is involved?" and he said, "Well it could be a million dollars." You said, "That's ridiculous. You can't say a million. Maybe you say a million, it may be 2 or 10, and 11"

P—But then we got into the blackmail.

H—You said, "Once you start down the path with blackmail it's constant escalation."

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P—Yep. That's my only conversation with regard to that.

H—They could jump and then say, "Yes, well that was morally wrong. What you should have said is that blackmail is wrong not that it's too costly."

P—Oh, well that point (inaudible) investigation—

H—(inaudible)

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P—Well (inaudible). I suppose then we should have cut—shut it off, 'cause later on you met in your office and Mitchell said, "That was taken care of."

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Heath Money Cover Story

April 19, 1973

W—Well, of course—Dean's—if I understand John and Bob correctly—Dean's presentation goes no further, as far we know, than money to take care of their families.

P—That's right.

W—And legal counsel.

P—That's right.

W—Well, you might say circumstantially that helping the defendants—

P—Yeah.

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W—And (unintelligible) it, but it isn't quite as wrong as—having to pay the money to the defendants for the purpose of shutting their mouths.

P—Yeah. The other thing—there was perhaps one instance—very little—very little where it said there is the matter of (unintelligible). I am confident their motive in every instance was to help their families and with their legal counsel.

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Cover story on Hush Money

April 27, 1973 - A

p- the only conversations we ever had with him, was that famous March 21st conversation I told you about, where he told me about Bittman coming to him. No, the Bittman request for \$120,000 for Hunt. And I then finally began to get at them. I explored with him thoroughly. "Now what the hell is this for?" He said "It's because he's blackmailing Ehrlichman." Remember I said that's what it's about. And Hunt is going to recall the seamy side of it. And I asked him, "Well how would you get it? How would you get it to them?" so forth. But my purpose was to find out what the hell had been going on before. And believe me, nothing was approved. I mean as far as I'm concerned—as far as I'm concerned turned it off totally.

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April 27, 1973 - B

P—Dean. You will get Dean in there. Suppose he starts trying to impeach the President, the word of the President of the United States and says, "Well, I have information to the effect that I once discussed with the President the question of how the possibility, of the problem," of this damn Bittman stuff I spoke to you about last time. Henry, it won't stand up for five minutes because nothing was done, and fortunately I had Haldeman at that conversation and he was there and I said, "Look, I tried to give you this, this, this, this, this and this." And I said, "When you finally get it out, it won't work. Because," I said, "First, you can't get clemency to Hunt."

HP—I agree.

P—I mean, I was trying to get it out. To try to see what that—Dean had been doing! I said, "First you can't give him clemency." Somebody has thrown out something to the effect that Dean reported that

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Hunt had an idea that he was going to get clemency around Christmas. I said, "Are you kidding? You can't get clemency for Hunt. You couldn't even think about it until, you know, '75 or something like that." Which you could, then because of the fact, that you could get to the—ah—But nevertheless, I said you couldn't give clemency. I said, "The second point to remember is 'How are you going to get the money for them?' If you could do it, I mean you are talking about a million dollars." I asked him—well, I gave him several ways. I said, "You couldn't put it through a Cuban Committee could you?" I asked him, because to me he was sounding so damned ridiculous. I said, "Well under the circumstances," I said, "There isn't a damn thing we can do." I said, "It looks to me like the problem is sue John Mitchell." Mitchell came down the next day and we talked about executive privilege. Nothing else. Now, that's the total story. And—so Dean—I just want you to be sure that if Dean ever raises the thing, you've got the whole thing. You've got that whole thing. Now kick him straight—

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P—Let me say, there is no way they could get that to the President without going through Haldeman and Ehrlichman. But I am referring to this man here. There's no way they could get it to here except through the fact that on March 21st Dean, as I had reported to you, did report to me that Bittman had told O'Brien that they needed the money. They needed the money. It was discussed and we, I said, "It can't be done. We can't do it." He went on to see Ehrlichman, and Ehrlichman said, "No dice." Nothing could be done. Now that is the fact. As far as we're concerned. That isn't much of a thing for Dean to have.

791

Curious thing about Wash money cover story

April 27, 1973 - B

HP—The strange thing about this one, Mr. President, is that they could have done it openly.

P—Why, of course!

HP—If they had just come out in the Washington Post could say, "Well these people were—"

P—They helped the Scotsboro people, they helped the Berrigans, you remember the Alger Hiss defense fund?

HP—And we're going to help these—They were doing this—Once you do it in a clandestine fashion, it takes on elements—

P—Elements of a cover-up.

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HP—That's right, and obstruction of justice.

P—That's what it is, a question of the way it was done.

HP—Sir.

P—Curious thing. I get your point there.

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Symbolic of... from President - taking credit for breaking the case

March 27, 1973

E—The thing that I get over and over and over again from just ordinary folks—

P—Right.

E—“Why doesn't the President,” so and so and so and so.

P—“Say something what's he done on it?”

E—Yeah. So symbolically you've got to do something.

P—That's right. Do something so that I am out front on this every—they don't think the President is involved but they don't think he is doing enough.

E—That's it. That's it.

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April 14, 1973 - A

P—No, seriously, as I have told both of you, the boil had to be pricked. In a very different sense—that's what December 18th was about. We have to prick the boil and take the heat. Now that's what we are doing here. We're going to prick this boil and take the heat.

I—am I overstating?

E—No. I think that's right. The idea is, this will prick the boil. It may not. The history of this thing has to be though that you did not tuck this under the rug yesterday or today, and hope it would go away.

P—Now. In the scenario. I sort of go out and tell people that I have done this.

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April 14, 1973 - D

H—"A lot of people are going to say, you solved the Watergate—now, forget it." And not come to this

P—Some of our people can say, "That's tough, now what do you want to investigate?"

H—To folks out there just say, just give an answer and get it out of the way. That's all. They don't care.

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P—It's really such a bad thing. And he'll come in, plead self-incrimination, and clear him.

E—Be lively—copy when they start bringing in all these people from around the country. What they did or who were victims, you know—

P—It'd be lively copy, John, but it's so spongy.

E—Yeah.—Lively

P—It's not good stuff.

(Unintelligible)

401

Appear Forthcoming

April 14, 1973 - G

P—He should make the deal. I think, frankly, let's get off of the damn executive privilege.

E—Get a little ride on it huh—while we can?

P—Well at least I do think it would cool a little of the Congressional stuff, you know.

E—Uh, huh.

P—I really do. As I read the Congressional stuff, they say—they can't understand this or that or the other thing. Alright now we are—basically, also, its bold. The President just says there is enough of this nonsense? We are going to fight. You see what I mean?

E—Uh, huh, I get you. OK, it suits me.

P—It puts the President in the position of being as forthcoming as we can—want the facts out,

E—Yep

P—And that's that. And I am not concerned about the word backing off, etc. So, sure, we back off and that is the story for about two days.

E—Yeah.

P—Really.

Appear Forthcoming

April 15, 1973 - B

H—He also made the point, I said—well we may be able to get a victory here without having to pay the price, in the sense that if we agree to go up and the Grand Jury comes down with indictments they will probably turn off the hearings for a time anyway. Then we would have the trials and that sort of stuff. So we would have appeared to be forthcoming but we wouldn't maybe have to go. And he said I don't agree with that because—

P—Bill said what?

H—Bill said I don't agree with that—but he said—he thinks it is inevitable that they have to stop the hearings if there are indictments at a high level.

P—He's right. I agree with that.

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April 13, 1973 - B

P—You don't think the thing is likely to break today?

D—No, I don't.

P—I wonder what Ziegler's got. He must, he seems to think something is going to break. He hasn't been in to see me and I will have to get him in later. Well, I will ask Petersen. Don't you agree with me that it is

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better than we make the first announcement and not the Justice Department.

D—Yes I do. On your own staff.

P—Oh hell, I am going to make the announcement on Magruder too. (expletive omitted) It was our campaign, I am not going to have the Justice Department—we triggered this whole thing. Don't you agree? You helped to trigger it. You know what I mean.

D—When history is written and you put the pieces back together, you will see why it happened. Because I triggered it. I put everybody's feet to the fire because it just had to stop.

P—That's right.

D—And I still continue to feel that.

P—You put Magruder's feet to the fire. Where did you see Magruder?

D—I didn't. In fact, I refused to see him. That was one of the problems.

P—Oh, and that's why—

D—I started to talk with—I met with him on one of these outer offices at a meeting.

P—What got Magruder to talk? I would like to take the credit.

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* * *

P— Is there anything else you think I should do? You don't think I should—I am not going to let the Justice Department break this case, John.

D—I understand. You've got to break it. You are breaking it. Well, (expletive omitted) that is what we have done.

D—That's right.

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