

Excerpts From Dean's Testimony Before

Special to The New York Times

WASHINGTON, June 28—

Following are excerpts from a transcript of the testimony of the 15th day of hearings on the Watergate case today before the Senate Select Committee on Presidential Campaign Activity.

MORNING SESSION

John W. Dean 3d

Senator Inouye: Mr. Chairman, before proceeding I would like to advise the committee that we have had a bit of confusion here. Statements attributed to the press office of the White House office indicated last evening that the memo which I presented to the committee might not have been an official document of the White House. However, about 15 minutes ago I had a personal chat with Mr. Fred Buzhardt, and he indicated to me that these questions were in fact prepared by his office. Mr. Dean, we have been advised that these questions have appeared in The New York Times. Have you seen those questions?

Mr. Dean: No, I have not.

Q. Mr. Dean, you quote the President as saying on Feb. 27 that Haldeman and Erlichman were principals in the Watergate matter and that therefore you could be more objective. What did you understand by this?

A. Frankly, Senator, I never understood what the President was saying when he said that they were principals. Before he said that, he told me that the involvement of their time in dealing with Watergate matters was taking them away from their other duties, and then he also added to me that they were principals in this matter and, therefore, that he thought I could be very objective in it; and that was what subsequently prompted me the next day later to make sure he understood that I felt I was also a principal.

Q. Mr. Dean, did you have any evidence then or now that Mr. Erlichman had prior knowledge of the break-in?

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A. No, I did not nor I do not now.

Q. The second question: Mr. Dean, if the President was referring to the post-June 17 events, were you not equally a "principal" as you claim to have indicated to the President on Sept. 15?

A. Well, as I just mentioned in answering the last question, when the President raised this, it stuck in my mind, and I returned the next day and after thinking about what he had said, and told him that I also felt I was a principal and that he should understand that.

And then began to explain to him why I felt I was involved in obstruction of justice and he said, "You don't have any legal problem in this matter," and the discussion was terminated.

Memory Is Cited

Q. Your 245-page statement is remarkable for the detail with which it recounts events and conversations occurring over a period of many months. It is particularly remarkable in view of the fact that you indicated that it was prepared without benefit of note or daily diary. Would you describe what documents were available to you in addition to those which have been identified as exhibits.

A. What I did in preparing this statement, I had kept a newspaper clipping file from roughly June 17 up until about the time these hearings started when I stopped doing any clipping with any regularity. It was by going through every single newspaper article outlining what had happened and then placing myself in what I had done in a given sequence of

time, I was aware of all of the principal activities I had been involved in, the dealings I had had with others in relationship to these activities.

Many times things were in response to press activities or press stories that would result in further activities. I had a good memory of most of the highlights of things that had occurred, and it was through this process, and being extremely careful in my recollection, particularly of the meetings with the President.

Response to the Press

Before I did leave the White House, well I was ultimately denied access to the logs; I called the man who was in charge of keeping the logs and asked him if he could give me a list of all my meetings with the President. He did so on an informal basis before he realized that —when I sent a formal memorandum asking for more information and a formal confirmation that then they denied me that information when I sent the formal memorandum.

Q. Are you suggesting that your testimony was primarily based upon press accounts?

A. No sir, I am saying that I used the press accounts as one of the means to trigger my recollection of what had occurred during given periods of time.

Q. Am I to gather from this that you had great faith in the reporting in the press?

A. No, I am saying what was happening is that this sequentially, many times White House activities related to a

response to a given press activity. I did not have the benefit, in fact the statement might even be more detailed, Senator, if I had had the benefit of all the Ziegler briefings where some of these questions came up very specifically in press briefings as to give events at that time, but I didn't have the benefit of those.

Q. In addition to your press clipping, the logs, what other sources did you use in the process of reconstruction?

A. Well, Senator, I think I have a good memory. I think that anyone who recalls my student years knew that I was very fast at recalling information, retaining information. I was the type of student who didn't have to work very hard in school because I do have a memory that I think is good. I might also add this: That I did have an opportunity to go through my daily chrono files which was another part of the process, plus while I was at Camp David I had sent for some files in preparation of the report I was writing up there, so I did have some documentary materials many of which have been submitted to the committee, some of the exhibits that the committee has, and from these I was very easy able to put in time sequence various specifics.

Q. The next question; have you always had a facility for recalling the details of conversations which took place many months ago?

Recalled Conversations

A. Well, I would like to start with the President of the United States. It was not a regular activity for me to go in and visit with the President. For most Americans it is not a regular activity to go in and visit with the President. For most of the members of the White House staff it is not a daily activity. When you meet with the President of the United States, it is a very momentous occasion, and you tend to remember what the President of the United States says when you have a conversation with him.

With regard to others, some of the things, for example, the "deep six" conversation and shredding of documents was so vivid in my memory because of the circumstance that had occurred, that it was very indelibly put in my mind. Going back even while I was at the Justice Department to

seeking the information on Mary Jo Kopechne, that is the sort of thing that would stick in a person's mind because of the nature of the sensitivity of the information being sought. So I would say I have an ability to recall, not specific words necessarily, but certainly the tenor of a conversation and the gist of a conversation.

I would like to give another example. I remember I referred at one point in one of the meetings I had with the President after he had, after Mr. Gray had, made the statement about, that he had jolly well proceeded with the investigation at the White House despite the fact that Mr. Dean had been sitting in on the investigations. I remember vividly when the President mimicked Mr. Gray in saying this and saying it was absurd. That sort of thing is very easy to remember, and it sticks very clearly in one's mind.

Q. Then why is it Mr. Dean, that you were not able to recall precisely the account of the meeting of Sept. 15, very likely the most important meeting in the year 1972? A. Well, I think I have recalled that meeting.

Q. If I recall, in your colloquy with Mr. Gurney, with Senator Gurney, your response was, "I had an impression."

The Precise Words

A. Well, we were talking about the one line out of the first part of the meeting. I would recall to the Senator that after I had had the conversation, I sat down, and the President told me that "Bob had said that you had done a good job," and I turned on the fact of—I said that I could not take responsibility for this alone myself; I remember a sequence of events in the conversation ending up with something when we were discussing a book I was reading, and I remember very vividly the book I was reading at the time we discussed it.

Q. Is it your testimony that you cannot recall precisely what the President said to you? A. I cannot repeat the very words he used, no, sir. As I explained to Senator Gurney, my mind is not a tape recorder, but it certainly receives the message that is being given.

Q. Did you take any notes of this meeting?

A. No, sir, and I did not take notes of the other meetings for very specific reasons. I recall at one time Mr. Moore

saying to me, John, you are having a lot of meetings with the President; you ought to be recording these. Some of the things that were being discussed in these meetings I did not want to make records of, Senator.

Q. Why, sir?

A. I thought they were very incriminating to the President of the U.S.

Q. Mr. Chairman, this is not part of the questioning, but could you advise this

committee what sort of information you received?

A. Well, I have recalled most of it in my testimony regarding the conversation on clemency for Mr. Hunt, the million-dollar conversation, when the President told me that it would be no problem to raise a million dollars on the 13th. I did not think documents should be around the White House, because the White House had a similar problem as far as information getting out.

The Sept. 15 Meeting

Q. Did you discuss this Sept. 15 meeting with anyone at that time or at any time since?

A. I believe when I came out of the meeting, I told Mr. Fielding of my office that I had spent about 30 or 40 minutes with the President, and Mr. Fielding did not have full knowledge of my activities at this time. But I told him that fact that the meeting had occurred and that the President seemed very pleased with the job that I had been doing thus far. I think Mr. Fielding probably had a general awareness about the specifics of the fact that I was involved in assisting with the cover-up.

Q. You have indicated in your testimony that you were certain after the Sept. 15 meeting that the President was fully aware of the cover-up, did you not? A. Yes, sir.

Q. And you further testified that you believed that you had won your spurs in handling the cover-up by February 27, when you were told by the President that you would report to him directly. Is that not correct?

A. I do not believe I used the word "my spurs" I think that was another characterization. I said I thought I had earned my stripes.

Q. If that was the case, why did you feel it necessary



John W. Dean 3d and wife, Maureen, as his third session of testimony ended Wednesday

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on Feb. 27 to tell the President that you had been participating in a cover-up and, therefore, might be chargeable with obstruction of justice?

A. Because, on the preceding day, he had indicated to me that Mr. Haldeman and Mr. Ehrlichman were principals, and I was wrestling with what he meant by that. I wanted him to know that I felt also that I was a principal. So I wanted him to be able to assess whether I

could be objective in reporting directly to him on the matter.

Q. If the President was aware on Sept. 15 of the cover-up, was he not aware that you were implicated also?

A. I would think so, but I did not understand his remark at the time.

Q. Then, why was it necessary on Feb. 27 to advise him that you were guilty of obstruction of justice?

'I Also Had Problems'

A. Because, as I said, Senator, when he mentioned the fact that Ehrlichman and Mr. Haldeman were principals, I did not understand what he meant. I wanted to make it clear to him that I felt I also had legal problems and I had been involved in obstruction of justice. Any time I was in the Oval Office, I did not want to withhold anything from the President at any time and felt that any information that he was seeking or came out as a result of the

conversation, that I should give it to him.

Q. If you were not clear as to whether the President clearly understood, are you suggesting that on Sept. 15, he did not clearly understand what was happening?

A. I have testified that one of the reasons I sought the meeting on the 21st is because I did not think the President fully understood the implications of the cover-up, the fact that people had been involved in obstruction of justice, and I wanted to make it very clear to him that this was my interpretation of the situation. At that time, I did have access to the President. When he did call me the night before, I did raise it and felt that I should go in and tell him the implications of this entire matter.

Q. If you felt that the President of the U.S. did not fully understand the implications on Feb. 27, how did you expect the President to understand the implications on Sept. 15th of the prior year?

A. When I went in on the prior year, as I say, this was sort of a congratulations, good job, John, Bob's told me what you have been doing. At the time, we went on to discuss other aspects of the efforts to prevent the entire matter from coming out before the election. He talked about when the civil suit would proceed, we talked about when the criminal suit would be tried. The discussion at that time was very, The President was asking most of the questions and I was giving very short answers.

I might also add that I was very unused to going into the President's office. I was extremely nervous when I was before him. This was the first time I had ever really had a sort of one-to-one session with him. The other meetings I have been in, there have been many other members of the staff. I have not done most of the talking; rather, I was the man who was in there taking notes or taking people in to the meetings. So I would answer his questions and listen and do the best I could to report.

Question of Immunity

Q. Did you and your counsel develop a strategy for obtaining immunity from prosecution? And what were the elements of that strategy?

A. Well, I recall the chairman starting to raise that question yesterday. First of all, I do not know what is meant by a strategy for immunity. What happened is my counsel went down and began discussing, first of all, how the prosecutors could hear my testimony to make their own determination as prosecutors as to what they wanted to do with me—whether I was to be a witness, whether I was to be a defendant, and the like.

I went to counsel because I had made my determination that I was going to go to the prosecutors and tell them what I knew about the case. But there is an old saying that all lawyers know that the lawyer who represents himself is a fool. I did not feel that I could be objective about my situation. I sought out a man whose judgment I would respect in regard to the criminal law and he said, John, if I am going to represent you, you have to take

my counsel, otherwise, you do not need a lawyer if you just want to walk down there. I said, well, I think I will take counsel. I am a lawyer myself and I think to follow counsel is a good idea.

Q. I wish to follow this question with my own question, if I may.

CHARLES SHAFFER: Excuse me, Senator. I didn't want to register a timely objection to your last question, since it bears so heavily on the issue of credibility. However, for future proceedings, I would like to note for the record that when we came before you gentlemen, you took away our Fifth Amendment right by virtue of the use immunity which was conferred by Judge Sirica at your request. You have not taken away our Sixth Amendment right, and we have not surrendered it for future proceedings.

SENATOR INOUE: This is understood, sir. I'll return to the White House questions. Didn't your strategy include deliberate leaks of information to the media on what you had told investigators and what you might be prepared to testify about in the future?

No Strategy on Leaks

A: Senator, in any testimonial areas, I dealt directly with the appropriate investigative forum. I conceived of

no strategy to leak my testimony or anything of that nature. In fact, any comments I have had with the press, I believe, were a matter of public record and I think that most of the press know that I have refused on countless occasions to give what I consider testimonial areas.

Q. How were these contacts with the media handled?

A. Well, I did have a number of inquiries that came, not directly to me, because I made myself as inaccessible to the press as possible. As I believe the Senator is aware, there were a number of attacks about my character. They have been on-going and continuous. My counsel would call and ask me questions about these and I would give them what my assessment of the given attack was.

Q. Who represented you, and what individual members of the press were contacted?

A. I can't answer that, Senator, because I don't know. As I say, I am aware of the contacts I had with the press, but there were stacks of calls that came in, apparently, to my attorneys' offices and I don't believe there was an understanding of my returning those calls.

Q. Mr. Dean, were any of the stories or quotes attributed to you or sources close to you inaccurate? A. Yes, they were.

Q. If so, what, if any, steps did you take to correct these stories?

A. Well, as I said, I am in a delicate position. If I come out into testimonial areas, I can be accused of trying to generate publicity. I already as a result of my appearance up here have serious legal problems as a result of the publicity generated by this. I have not read the press with regularity at all since these hearings have commenced. I did see a Newsweek piece, for example, when they said that they attributed to me some story about a Panamanian

assassination. Now, I have no more idea what they are talking about, just none at all.

A Lengthy Question

Q. The next question, Mr. Dean, is rather lengthy.

Mr. Dean, one point of distinction you drew in your testimony puzzles me. You have testified that you had received and placed in your safe the sum of \$15,200

which you never turned over to anyone because you didn't want funds you had physically handled to be used for payments to the Watergate defendants. You also testified that you called Mr. Stans and asked him for \$22,000 to make the \$350,000 fund whole and that you had your deputy, Mr. Fielding, go to Mr. Stans' office, pick up the money, and later deliver it directly to Mr. Strachan, knowing that \$22,000 would probably be used for payments to the Watergate defendants.

Now, do you mean to imply that you think there is some moral basis for the distinction, or were you just being cautious to protect yourself technically from committing the criminal offense of obstructing justice at the expense of implicating your deputy?

A. Well, if you will recall my testimony on that when I spoke with Mr. Stans, I told him Mr. Fielding would be over to pick up the package. I also informed Mr. Stans that Mr. Fielding would not know what he was picking up.

I was quite surprised and, I must say, annoyed when Mr. Fielding came back and told me that he had realized that he had received cash. I did not have any desire to involve Mr. Fielding in this, because he had not been involved in it before that. I assume when he was making the trip that he would be no more than an innocent agent in the matter and he would be unknowing as to what he was doing.

I still think to this day he didn't know what the full purpose of that money was and I told him at the time, I said, "Well, don't worry about it. It is nothing for you to be concerned about."

Fielding's Role Weighed

Q. Mr. Dean, you have testified as to your close working relationship to your deputy, Mr. Fielding. It was he who you sent to pick up the \$2,000 from Mr. Stans, he who helped you to sort the documents from Mr. Hunt's safe and he who sent to England to retrieve Mr. Young's secretary. Did Mr. Fielding know that you were involved in a conspiracy to obstruct justice, perjure testimony, and pay defendants for their silence?

A. I have no idea what Mr. Fielding knew. I didn't discuss these things with him. To the best of my knowledge, his involvement merely was dealing with, going through the material in Mr. Hunt's

safe with me and then dealing with Miss Chenow and going to England to get her and brief her. He also assisted in briefing Mr. Krogh and he also accompanied me when Mr. Ehrlichman requested that he join me in preparing himself for his interview before the F.B.I. because it related to matters with the plumbers unit.

Mr. Fielding had become

familiar with some of the problems of the plumbers unit as a result of dealing with Miss Chenow, and he had also talked to David Young, who was in the plumbers unit. So, he was more knowledgeable than I was. That is my knowledge of Mr. Fielding's knowledge.

Q. Mr. Dean, if your deputy, Mr. Fielding, who worked so closely with you and who carried out some of your missions connected with the conspiracy, had absolutely no knowledge of the cover-up conspiracy, how do you so blithely assume that others on the White House staff, and even the President, did know of your conspiracy?

A. Well, I wouldn't classify it as my conspiracy. I would say that I was involved with others in a cover-up operation. I recall, on countless occasions, Mr. Fielding complaining to me that I was leaving him out, I wasn't explaining to him what I was doing. We had had a very close working relationship. I think today, Mr. Fielding is very happy that I did not tell him what I was doing or involve him any more than the degree he was involved in the entire matter. In fact, he has subsequently thanked me for not involving him.

Q. The question was, if I may repeat it again, if your deputy Mr. Fielding, who worked so closely with you and who carried out some of your missions connected with you and who carried out some of your missions connected with the conspiracy, had absolutely no knowledge of the coverup conspiracy, how do you so blithely assume that others on the White House staff and even the President did know of the conspiracy?

A. Well, as I say, I don't know how many other people on the White House staff knew of the conspiracy, not my conspiracy but the general cover-up conspiracy. I certainly know that I was getting instructions from Mr.

Haldeman and Ehrlichman and I know of my conversation with the President. I know that there were other people on the staff who were quite aware of the fact that the White House was not baring its soul on this matter. There were, as I said, parallel cover-up situations with regard to Mr. Segretti, where people who were not involved in other aspects became involved in that.

There was the Patman hearing, where it was quite evident that the White House did not want to have the Patman hearings. There were a series of various phases to the cover-up, and various people in the White House knew.

Mr. Dean, beginning in late May and early June there were a series of newspaper stories reporting with what you had told various investigators as quoted sources close to you as to what he had said. A number of these news reports, for example, the page 1 story in The Washington Post of June 3, alleged that you began your private meetings with the President either early in the year or, as in the case of this particular story, beginning on Jan. 1st.

According to your testimony, your first private meeting with the President in 1973 was not until Feb. 27. Did you or did you not tell investigators and/or friends that you began meetings with the President firstly, either the first of the year or beginning Jan. 1st, and were these stories an attempt to exaggerate the length of time which you had been dealing directly with the President and by implication imparting to him knowledge of the Watergate?

Source Is Unknown

A. Senator, where the source of that story came from I do not have any idea. It certainly was not from me. I always, in dealing with any of the investigators or from either this committee or from the prosecutor's office, told them exactly what I knew. I do not know of any exaggeration at any time, any place, regarding my knowledge of this matter. So I cannot—it is obviously a loaded question, and I do not know how to answer it other than to say what I just said.

Q. Is it your testimony that the first private meeting you had with the President of the United States in the year 1973 was on Feb. 27? A. That

is correct.

Q. Mr. Dean, the number of source stories containing allegations against the President attributed directly or indirectly to you over the last four or five weeks—

A. Excuse me, Senator, I do recall—was that, did you say, private meetings? In other words, after the inauguration there was a church service meeting as I recall, where I had a brief encounter with the President where he actually stopped me in the reception line as a result of an incident that had occurred during the inauguration. It may be relevant. I had not planned to discuss this, but if the committee wishes me to show my recollection of dealings with the President, this may be very well relevant. Right after the inauguration or during the inauguration apparently there was a demonstrator who ran

through the police lines and toward the President's car.

That night the head of the Secret Service detail protecting the President called me and told me the President was quite angry and anxious to do something about this man charging at the President's car. The man had made it about five feet from the curb before he had been knocked down by Secret Service agents. I do not think anybody in the whole world who was watching the inauguration on television saw it, I certainly did not. Mr. Taylor, when he called me, said "What do I do? The President wants something done."

'I Will Check Into It'

"Well, you just tell the President you reported it to me and I will check into it", which I did.

The next Sunday morning when I was going through the reception line the President pulled be aside and said to me, "I want something done about that man, that fellow that charged the car". I had looked into the case. The best this man could be charged with was a collateral offense for breaking police lines. There was no assassination attempt, there was no evidence of anything like that. He was merely trying to make a point, as many demonstrators do, by being arrested in a public forum to make his protest.

I had occasion to request

the Secret Service to make a full investigation of the matter. They said they, after examining the man, had released him.

I also talked to Mr. Petersen at the Justice Department, and Mr. Silbert at the Justice Department, and they told me there is no case here. They had talked to the Secret Service.

Meanwhile, I was receiving further reports from Mr. Haldeman, saying "What are you going to do with the man? We want a case made against him." That is one where I just quietly let it go away because there was no case.

Q. Mr. Dean, the number of source stories containing allegations against the President attributed directly or indirectly to you over the last four or five weeks have been most numerous. Do you deny that these stories were planted in a calculated attempt to influence Federal prosecutors to believe you had such important testimony that they should give you transactional immunity from the crimes which you have committed in return for your testimony against others?

'Planted No Stories'

A. I gave my testimony directly to the prosecutors. I planted no stories at all to do that, and the prosecutors certainly would not make any decision based on what they are reading in the newspaper. They would want to hear it directly from me, and I was dealing directly with the prosecutors. As likewise with Mr. Cash when he began to interview me to find out what the scope of my knowledge was, to make a decision for this committee as to whether they wished to grant me immunity.

Q. Mr. Dean, the May 14, 1973, edition of Newsweek carried a long article about you and your prospective testimony. In this article you are quoted a number of times and instances. The quotes in that article were word-by-word identical to the testimony you have given this week. Indeed, for the most part this Newsweek article was a very accurate preview summary of the lengthy statement which you detailed before this committee.

There are, however, several very noticeable differences. One difference is an omission from the testimony you gave here. You told this committee that when the President discussed the matter of your investigation of Watergate, you

did not tell him you made no investigation.

The Newsweek article, however, reports that in your meeting with the President of March 21, and I quote "Dean also bore down hard, he said, on the fact that there had never been any study clearing White House staffers. Mr. Nixon replied that he had had verbal reports of Dean's work, but the counsel insisted 'Nobody asked me for reports, Mr. President,'" he said.

"He said, 'I did not go around asking people questions in their offices. There was no report.'"

"At this point sources quoted Dean as saying 'The President came out of his chair into a half crouch of astonishment and shock.'"

Account Denied

If the Newsweek account is correct, Mr. Dean, the President's reaction was most inconsistent with that to which you have testified before this committee. Did you or did you not tell the President that you had never conducted an investigation, and have you made the statement previously that "the President came out of his chair into a half crouch of astonishment and shock"?

A. Well, I have testified here already that I have never seen the President come out of his chair in that manner. I recall the inter-

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view that you are talking about, and the ground rules for that interview my wife was present with me, and she will recall that well; Mr. McCandless was with me, and the rules were set that I would enter into no, what I considered testimonial areas at all of a substantive nature regarding my direct dealings with the President. I was asked if I had prepared an investigation or done an investigation into that, I merely just said, no.

As I say, the interview that was given, and that story does not meet with what I told the reporter, because I said anything I say I want it for attribution, I am not giving you any anything on background or the like and I will not enter into testimonial areas and it was very clearly understood that I would not. I would recall to the Senator

again that at this time I was coming under increasing character assassination attacks.

People said, "John, you just cannot sit down and take that, you have got to come out and say at least a few words that you are living and breathing and a real human being," and that is the reason I held that interview.

Q. Mr. Dean, if I recall correctly, you testified to this committee that it was not your idea for Magruder's diary to be altered, nor were you aware before Mr. Magruder testified before the grand jury last September that Mr. Magruder would testify that the first meeting appearing in his diary had been canceled, and the second meeting had been to discuss election laws.

On both of these points, your testimony is in direct conflict with the sworn testimony of Mr. Magruder. Are we to believe that Mr. Magruder lied as to these details concerning you and, if that is your position, what could be Mr. Magruder's motive for lying about the details of the manner in which Mr. Magruder's perjury was conceived?

Stands by Testimony

A. Well, Senator, I will stand on my testimony and not on the conclusions drawn in the question that has been propounded by you at the request of the White House.

Q. Mr. Dean, Mr. Magruder also testified that Mr. Liddy told him that you, among others, had indicated to him that he would have a million dollars for his plans, which he had been working on before he even came to the committee. You testified, on the other hand, that you were surprised when Mr. Liddy briefed his million-dollar intelligence plan to Mr. Mitchell in your presence. To what motive do you attribute Mr. Liddy's report to Mr. Magruder that you knew about his extensive plans before you saw them in Mr. Mitchell's office?

A. Well, if the Senator will check the exhibits, there is one of the exhibits in there where I had an interview or a discussion with Mr. Mitchell. He reported to me that Magruder at that time Mr. Mitchell had made this statement to him.

My response at that time to Mr. Mitchell was that I had no recollection at all of ever making such a statement to Mr. Liddy, and I can't conceive of the state-

ment being made for this reason: I was quite aware of the fact that a far different plan, operation Sandwedge, that had a half-million-dollar budget suggestion, had been deemed to be far more than necessary for anything to deal with even the security problems that were going to confront the campaign.

Q. Mr. Dean, just prior to taking Mr. Liddy to meet Mr. Magruder in early December, 1971 did you and Mr. Liddy not have a meeting with Mr. Egil Krogh and did you not at that time have one million dollars for intelligence gathering at the committee?

A. I recall a meeting with Mr. Krogh and Mr. Liddy when I described the job, and I don't recall specifying a dollar amount as to what the intelligence for dealing with demonstrators would be. I have no recollection of that, Senator, no sir.

A Matter of Recollection?

Q. This is my question: Is it a matter of recollection or did it actually happen? I am very much impressed by your power of recollection.

A. Well, as I say, I remember very well the meeting with Mr. Krogh. The meeting was at the time I was describing the job to Mr. Liddy. The thrust of the description of the job was the fact that he would be the general counsel of the Re-election Committee. I said one of the responsibilities he would have would be for dealing with the potential problems of demonstrators. I don't recall at that time any extensive discussion at all as to, you know, how this plan would operate, what it would involve, what would be the substance of it because I never did, in fact discuss this with Mr. Liddy at all.

Q. Did you discuss any sums of money?

A. I may have told him at that time whatever he feels is necessary will probably be

allotted to him after he presents his plan, but he didn't really have a plan in mind himself at that time.

Q. Wouldn't a sum of one million dollars be significant enough for you to remember?

A. I have no recollection of a million dollars, as I have repeated earlier. In fact, to the contrary, that seems like an extremely high amount.

Q. I will now return to the White House questions. Mr.

Dean, Mr. Magruder testified that in March, 1972, Mr. Liddy had threatened to kill Mr. Magruder and that Mr. Magruder made a decision to terminate Mr. Liddy's employment. In this connection, Mr. Magruder testified that he received a call from you encouraging him not to become personally concerned about Mr. Liddy and not to let personal animosity get in the way of Mr. Liddy's project. Did you in March intercede with Mr. Magruder on Mr. Liddy's behalf and, if so, since you have said you assumed Mr. Liddy's intelligence project died after your meeting in February, what was the project of Mr. Liddy that you urged Mr. Magruder to give priority over his personal animosities?

Did Not Intercede for Liddy

A. I did not intercede for Mr. Liddy, in answer to that question, and I think I have described yesterday, I believe it was yesterday, yes, that what happened is I was aware of the fact of a strained relationship between Liddy and Magruder.

Mr. Strachan at one point called me and told me that there were serious difficulties between Liddy and Magruder and Liddy—Magruder wanted to fire Liddy. I said, well, that is a personnel problem for the Re-election Committee, they need a lawyer over there, that I suggested Mr. Mardian deal with the problem because I didn't think it was something worth taking to Mr. Mitchell.

Q. Mr. Dean, Mr. Magruder testified under oath that prior to his Aug. 16 grand jury appearance at a meeting in your office you told him that if the worst happened "everything would be taken care of, even executive clemency." Did you make such a promise of executive clemency to Mr. Magruder as he testified and, if so, did you have authority from anyone else to make

such an offer or was it on your own initiative.

A. Well, I can recall on numerous occasions that Mr. Magruder was very worried, he was very shaky at some stages. As I alluded earlier, or discussed earlier, the fact that the strategy that had been developed, that Mr. Haldeman, Mr. Ehrlichman were quite aware of was that, stop the case with Liddy. That is why apparently they made the decision to keep Mr. Magruder on at the Re-election Committee, contrary to my recommendation that he be removed. There were a num-

ber of occasions that they asked me how was he doing and the like, and I would say, you know, he is either calm today or upset today or the like.

I do recall his having a conversation with me, "What happens if this whole thing comes tumbling down, will I get executive clemency and will my family be taken care of?" And in a manner of not serious import or serious discussion I said something to the effect, "I am sure you will."

But I wouldn't call that what I would consider a firm offer of executive clemency, and it was not in that context at all. He didn't specifically ask "will I get executive clemency." He was just saying he wanted assurances.

Q. Then your testimony, your answer to the question, did you have authority from anyone else to make such an offer is, no. A. That is correct.

Q. And was it on your own initiative, the answer is yes? A. Yes.

Operation Sandwedge

Q. Mr. Dean, did I understand you to testify earlier that you had led Mr. Caulfield to believe you were assisting him in obtaining approval and funding for what he called Operation Sandwedge, but that in fact you let Operation Sandwedge die a natural death?

A. I wasn't encouraging Mr. Caulfield. Mr. Caulfield was anxious for my assistance. I told him that I would talk to Mr. Mitchell about it, which I did. Mr. Mitchell virtually rejected it out of hand. In an effort to save a man's feelings who had spent a great deal of time, he had involved a number of other good friends of his own who had major positions and had taken time off to work on the project, rather than come back and bluntly say, "You have been shot out of the water" and it had been disapproved, I realized that through a period of time he would realize the plan was going nowhere, and it did die a natural death.

Q. I call your attention to Exhibit No. 11, which is a memorandum from the Attorney General from John Dean, dated Jan. 12, 1972, and I call your attention to the first sentence of the second paragraph, which says:

"Operation Sandwedge will be in need of refunding at

the end of this month, so the time is quite appropriate for such a review."

Mr. Dean, if you let Operation Sandwedge die a natural death, why did you state to Mr. Mitchell that it would be in need of refunding at the end of January?

A. Well, as I testified to this committee, after the November 24th meeting that Mr. Caulfield had had with Mr. Mitchell, he continued to do various investigative assignments. He was doing an investigative assignment with Mr. McCloskey; Mr. Mitchell was interested in that. He continued to call what had formerly been just his relationship with Mr. Ulasewicz, Operation Sandwedge.

Mr. Ehrlichman had raised with me the fact that he thought Mr. Ulasewicz could be of assistance, he would like to keep him around, and that Mr. Mitchell and Mr. Caulfield should decide what Mr. Ulasewicz's future should be. This is the result of the label that Mitchell understood all of Caulfield's operations and I think he has a mis-impression that, dating back to somewhere in 1959, I think Mr. Mitchell assumed that everything had been called Operation Sandwedge.

At least in my conversations with him, that is the way he referred to it. So rather than go into a lengthy explanation when I was communicating with him on this matter, I merely called it Operation Sandwedge.

Q. Mr. Dean, you have depicted all others in the White House as excessively preoccupied with political intelligence, use of covert methods and security, and yourself as a restraining influence on these preoccupations. Yet, your background of responsibilities at the Justice Department seems to suggest that your experience in these very types of activities might have contributed to your being invited to join the White House staff. What, precisely, were your duties in connection with demonstrations while you were at the Justice Department?

A. Well, I would like to address myself to the first part of the question before I answer the second part of the question regarding being a restraining influence.

I do believe I was a restraining influence at the White House to many wild and crazy schemes. I have

Figures in Senate Inquiry

Special to The New York Times

WASHINGTON, June 28 — Following are the names of individuals who figured today in hearings by the Senate select committee on the Watergate case:

COMMITTEE MEMBERS

Sam J. Ervin Jr., North Carolina Democrat, chairman.
Herman E. Talmadge, Democrat of Georgia.
Daniel K. Inouye, Democrat of Hawaii.
Joseph M. Montoya, Democrat of New Mexico.
Howard H. Baker Jr., Republican of Tennessee.
Edward J. Gurney, Republican of Florida.
Lowell P. Weicker Jr., Republican of Connecticut.

COMMITTEE COUNSEL

Samuel Dash, chief counsel and staff director.
Fred D. Thompson, chief minority counsel.
Rufus L. Edmiston, deputy counsel.

WITNESSES

John W. Dean 3d, former counsel to the President.

PERSONS NAMED IN TESTIMONY

J. Fred Buzhardt, special counsel to the President.
John J. Caulfield, former employe of the Committee for the Re-election of the President.
Charles W. Colson, former counsel to the President.
John D. Ehrlichman, former White House adviser.
Fred Fielding, former assistant to Mr. Dean.
L. Patrick Gray 3d, former acting director of the F.B.I.
H. R. Haldeman, former White House chief of staff.
G. Gordon Liddy, former White House aide, convicted in the Watergate break-in; in jail.
Jeb Stuart Magruder, former deputy director of the Committee for the Re-election of the President.
Peter L. Maroulis, Gordon Liddy's attorney.
John N. Mitchell, former Attorney General and former chief of the Committee for the Re-election of the President.
Charles N. Shaffer, attorney for Mr. Dean.
Hugh W. Sloan Jr., former treasurer of Finance Committee to Re-elect the President.
Gordon Strachan, former assistant to Mr. Haldeman.
Kenneth Tapman, employe of Interior Department.
Anthony T. Ulasewicz, former New York detective, aide to Mr. Caulfield.

testified to some of them; some of them I have not testified to. Many of the memorandums that came into my office became a joke, in fact, some of the things that were being suggested.

I think if you talk to some of the other members of my staff or if your investigators would like to talk to them, they would tell you some of the things that we would automatically just file—just like the "political enemies" project. Many of these just went right into the file and never anything further, until extreme pressure was put on me to do something, did I ever do anything. So I do feel I had some restraining influence. I did not have a disposition or a like for this type of activity.

Now, let me go to my responsibilities for the Department of Justice. And I will

speaking specifically with the area of demonstrators. When the demonstration situation was first developing, it was quite obvious that somebody was going to have to talk to the demonstration leaders. I can recall that the first time that I had any knowledge of being involved in this was when I was on my way, doing my normal Congressional relations work, coming up here to Congress on some project.

I had a call just as I was leaving the department, down at the gate of the 10th Street entrance. I was on my way out and they said, the deputy Attorney General wants to see you right away, would you go up to his office?

I went into his office and here was a large gathering in his conference room, many members of the military, representatives of all the different departments and agencies, the metropolitan police, and the like. At that time, the deputy attorney general said, John, you are going to be the negotiator for the Government with the demonstrators to determine who will have permits and what the parameters of those permits will be.

At that time, when I started discussing permits with demonstration leaders, I was offered F.B.I. information on all the demonstration leaders that I was negotiating with.

I said I do not want to have that information, I want to deal as one man looking in another man's eye and know that man for the reaction I get from him just dealing across the table; I do not want to know what he has been doing all his life or the like. I said, that is for others to judge rather than me. I just merely want to tell you the results of my negotiations.

So I was not involved in intelligence from the outset. Now, as I testified, I did become aware from time to time of requests from the White House, because of my proximity to the decision-making processes, for various intelligence that would relate to political figures in their

associations with the demonstrations and also, I was hearing complaints that the White House staff was unhappy about the quality of this intelligence.

But my role was merely a conduit from the demonstration leaders back to a major committee that would make decisions and talk

about what I would report. In fact, I would often put myself, in that I could be most effective in this capacity in the role of advocating the position of the demonstrators, because many times, I thought they had a good point.

For example, one I thought that the Government was taking a terrible beating on was in the November moratorium on this big issue of Pennsylvania Avenue versus no Pennsylvania Avenue. I thought that the demonstrators got a million dollars worth of publicity or \$2-million worth of publicity out of the Government's posture on refusing to give Pennsylvania Avenue. Instead, they insisted that they go down Constitution Avenue. I did not see that it made all that much difference in the long and short of it.

Duties of Tom Huston

Q. Immediately after you were appointed counsel to the President, did you not take over the responsibilities of Mr. Tom Huston in connection with intelligence activities?

A. I think that you would have to know Tom Huston and my relationship with Tom Huston to know that there was no way I would take over anything regarding Mr. Tom Huston.

He is a very brilliant, independent man. I did not even know what he was doing half the time. In fact, it was some months after he had joined my staff that I learned he had some sort of scrambler phone locked in a safe beside him, and he made a lot of calls.

Mr. Huston did an awful lot of things that I have no idea what he was doing in the intelligence field. The only thing I know is that at that point, he was the liaison for the receipt of F.B.I. information regarding radical groups and he would be the distributor throughout the White House and he put me on a distribution list. Most of this material was not, even to me, worth reading, because I was not particularly interested unless it was a very current demonstration.

So I inherited Mr. Huston. Mr. Huston and I worked with a friendly relationship. As I say, he is a very independent man, and he and I think a little differently and handle memoranda a little differently.

I recall one rather interesting occasion when he pre-

pared a rather strong and blunt memorandum for my signature to the Attorney General, on a very minor request for something. The memorandum was in my mail stack. I read it quickly and didn't think much about it; I was signing the mail. Two days later, I had a call from Mr. Kleindienst, and he said, in short, who in the hell do you think you are writing a memorandum like that to the Attorney General of the United States? Now that you are up at the White House, you think you are high and mighty.

Political Intelligence

So I pulled the memorandum back out and realized that it is not the kind of memorandum I would send to Mr. Kleindienst. I apologized for the memorandum, because it was a rather strong and harsh memorandum for me to send to anybody.

Q. You did testify, did you

not, Mr. Dean, that political intelligence was routed to you in the White House?

A. Political intelligence? I had requests for political activities to embarrass people. I think I have turned over in exhibits 5, 6, 7 and 8 a fair sampling of the sort of things. If the committee would like to go through those at some point, I would like to explain that most of those ended up in my file with no action.

I did refer to one yesterday with regard to commencing a tax audit on Mr. Gibbons. I did not start that tax audit.

Q. Mr. Dean, I believe that you were the author of the memorandum to the Attorney General which led to the establishment of the Intelligence Evaluation Committee. Did you hold the first meeting of that committee in your office?

A. Yes, I believe that is correct.

Q. Were you not the one on the White House staff who levied requirements on and received the reports from the Intelligence Evaluation Committee?

A. That is correct—well, I didn't—I asked them to suggest areas they would like to go into. This would get into a couple of areas that they wanted to get into that directly relate to national security under the rulings of the chair, so we will have to defer from those. But they would often suggest areas that they would like to be

into, and I would have to check them with others on the White House staff, particularly the foreign areas, which I didn't think was appropriate for this group, but they had domestic implications. I went to Mr. Haig and he in turn checked with Mr. Kissinger and he would decide there was nothing to be done in this area. We would receive regular calendars from them of events.

I would have a man on my staff, initially Mr. Caulfield and subsequently Mr. David Wilson, who would decide if there was a demonstration coming based on these regular calendars they would send to us, was this a demonstration that we would need intelligence on. And I would, in turn, either summarize or send a direct report to Mr. Haldeman or any other member of the staff that the I.E.C. report would relate to.

Q. In interagency meetings to plan for handling demonstrations, were you not the White House representative?

A. From the time I went to the White House, I was, yes, with some exceptions. There were some types of demonstrations that I did not go to the Justice Department on or I went with others, because they were of a particular nature that I had no expertise in the problem area. I am thinking particularly of the Wounded Knee situation. I did go over to the meeting on how to deal with Wounded Knee, but I really was not personally aware of the Indians grievance problems, so Mr. Garment took over and dealt with that.

When there was a demonstration to occur in Washington like the Mayday demonstrations, I did participate with the Attorney General in those in finding out what the Government was going to do, because I was asked and expected to report in my summaries that the President had a great interest in as to what was going to be the Government's response in dealing with such situations.

Mr. Ehrlichman frequently maintained a continuing interest in this. In fact, I can recall another member of the staff saying that as far as demonstration goes, Mr. Ehrlichman is like a dalmatian at the fire; he just can't stay away from them. He liked to

know what was happening.

Q. In The St. Louis Post Dispatch of May 14, 1973, there is a report that you attempted to recruit a Department of Interior employe, Mr. Kenneth Tapman, for undercover work at the Democratic convention. Did you attempt to recruit Mr. Tapman or any other for undercover work and what prior experience did you have in recruiting for undercover work?

A. Well, I can't recall recruiting anybody for undercover work other than I did have a discussion with Mr. Tapman, but I have to put this in context.

Mr. Tapman had been with the Department of the Interior for a number of years. He and I had worked very closely with the demonstrators. He was with me during most of the negotiations we had on the major demonstrations.

Rapport With Protesters

Mr. Tapman wears his hair far longer than I do; he developed an excellent rapport with many of these people. He also had rapport with the police officials, the metropolitan police and the like. When I was having no relationships at this point in time as we went down toward the planning for the convention with what the re-election committee was going to do, but I knew that there was going to be a need for the White House to be well-informed, I suggested that Mr. Tapman might like to do this, because I would be able to have a set of eyes and ears down there of somebody who I thought could assess the circumstances. Somebody who is unfamiliar with a demonstration, and a lot of people overreacted to demonstrations, would see that, you know a group was coming down the street and because one tear gas canister was thrown, they would react that a hydrogen bomb had been thrown.

Mr. Tapman was a type who had been probably through more tear gas than anybody other than Chief Wilson himself.

I thought Mr. Tapman would serve as an excellent source of information for me and I told him that I wanted him, asked him if he was interested in going down there. I said, you can't be on the White House payroll to do this, quite obviously.

Q. Then your answer to

this question, did you attempt to recruit Mr. Tapman

A. Is yes. This was for both conventions, incidentally, I might add. First of all, to go down and get an understanding of what type of demonstrations were occurring at the Democratic convention, that were the logistic problems, I wasn't really familiar with Miami because I hadn't been to the '68 convention and I didn't know the logistical problems that were confronting us, so I suggested he go, for example, to both and see how the police handled it and see what the problems were going to be and the like.

Conversation with Walters

Q. This is another very lengthy question: Mr. Dean, you have testified concerning your conversations on three different occasions with Gen. Vernon Walters, the deputy director of the C.I.A., beginning on the 26th of June. General Walters prepared a memorandum for the record of each of these conversations with you.

In General Walter's memorandum record for your meeting with him on 26 June, you are reported to have asked General Walters whether there was not some way that the Central Intelligence Agency could pay bail for the Watergate defendants and if the men went to prison, could C.I.A. find some way to pay their salaries while they were in jail out of covert action funds.

In your testimony, you made no mention of asking General Walters whether the C.I.A. could pay the Watergate defendants bail or salaries while they were in prison. Was this an intended omission on your part in the interest of saving them or do you deny that you made these specific requests of General Walters?

A. I recall I did make those requests and as I say, the omission was not intentional. I have never really read in full General Walter's depositions. So the answer is that, in fact, I recall that, that was discussed.

Q. Mr. Dean, I believe you testified that on March 26, while you were at Camp David, you called Mr. Maroulis, the attorney for Mr. Liddy, and asked for a statement by Mr. Liddy that you had no prior knowledge of the Watergate break-in. Is that correct? **A.** That is correct, and I have so testified.

Q. Now, you also testified,

did you not, that it was on March 28 that Mr. Haldeman called you to meet with Mr. Mitchell and Mr. Magruder and that it was at that time you became convinced you would have to look out for yourself. Isn't that correct?

A. That isn't my interpretation. I had decided while I was at Camp David, in fact before I went to Camp David, that I didn't have to watch out for myself, but I saw what others were doing and

I realized that I ought to, well, as I say, I retained counsel up there initially and told him because of The L.A. Times story. I retained him.

At that point in time, I told him I would like to talk to him when I got back and suggested to him that he begin to think about a criminal lawyer.

Q. If on March 26, after you, according to your testimony, had admitted to making payments to Watergate defendants to obstruct justice, offering clemency to defendants to obstruct justice and suborning perjury, you were still actively trying to build your defense against having prior knowledge of the break-in on March 26, doesn't this demonstrate that throughout this affair, your motivation was to protect yourself against the criminal charge of authorizing and directing the Watergate break-in?

A. The reason I sought the statement from Mr. Liddy is, you will recall, I testified that on the 25th, I learned there was going to be a story published in The L. A. Times that I had prior knowledge. I felt that was libelous. I was trying to build what I thought would be a good defense or a good case if I decided I wanted to bring a libel action. In fact, I had mentioned that in my conversation with Mr. Maroulis also.

Q. Mr. Dean, you stated that Mr. Maroulis called you back on the 29th of March and told you he could not get you the statement you wanted from Mr. Liddy. Did you record either of these telephone conversations you had with Mr. Maroulis?

A. Yes. The first telephone conversation was recorded. It is almost inaudible, and I don't know if it is because of the form I recorded it in. I would be happy to turn it over to the committee, and if the committee can get off the tape what is on there,

fine. I have been unable to.

Q. Mr. Chairman, that was the last question from the White House. However, the White House has also submitted a short statement, I presume this is the closing statement, sir. "A central credibility question is what prompted Dean's tactics in March and April of 1973. The desire to have the truth or the effort to achieve—"

SENATOR ERVIN: Senator, so the record will be correct that is a statement which White House counsel has prepared?

SENATOR INOUE: This is a statement prepared by Mr. J. Fred Buzhardt, special counsel to the President.

SENATOR ERVIN: And it is a statement of his contentions about evidence and not evidence as such.

MR. DEAN: May I ask a question? Does this represent the White House view or Mr. Buzhardt's view?

SENATOR INOUE: This was delivered to me yesterday under cover letter signed by Mr. Fred Buzhardt.

"A central credibility question is: What prompted Dean's tactics in March and April 1973 — the desire to have the truth told or the effort to achieve immunity from prosecution?"

"Dean's admitted personal connection with the offer of clemency to McCord in January (Dean to Caulfield to McCord via Ulasewicz). Dean's admitted personal connection with Hunt's demand for more money on March 19 (Hunt to O'Brien to Dean).

"Dean's meeting with the President on March 21-22. On any version of this meeting it was an effort to get the President to take action on what was becoming a personal problem for Dean.

"McCord's letter to Judge Sirica on March 23."

A. May I just comment there?

Q. Please do, sir.

A. I, in the 21st meeting, had hoped that would be the truth punctuation point that indeed, the cover-up.

It was after that, that morning meeting when I saw that it was not going to end, that the period had not been placed in the story. That my whole thinking began to change and I began to think of how can I now proceed while others are unwilling to proceed, particularly Mr. Haldeman and Mr. Ehrlichman, and at that point in time I certainly wanted to try to still get the President out in front of this entire matter.

'The Crucial Break'

Q. "McCord's letter to Judge Sirica on March 23. This was the crucial break in the cover-up. Dean learned via a call from O'Brien. On March 25 press comments directly linked Dean with knowledge of the Watergate break-in. He called Liddy's attorney, Maroulis, on March 27th to get a statement that he did not have prior knowledge of break-in. Maroulis called back on March 29th with word that he couldn't give him a statement. This statement might have been taped. On March 28th and March 29th he solicited names of criminal counsel. On March 20th, he decided to retain Mr. Shaffer.

"Time had run out; the cover up had come apart; Dean was centrally involved. He sent his lawyers to the U. S. attorney on Monday, April 2, and commenced his negotiations for immunity.

Mr. Chairman, this ends the statement.

SENATOR ERVIN: Do you want to respond to the statement which has just been read to you?

A. I believe I have commented through the questions and answers to most of those matters. The fact, I would just make this point. I would recall the fact that the question of clemency for Mr. McCord was a result of the fact that the issue of clemency had come up directly with the President. That was not something that I initiated. It was something that came in, Mr. Colson went to Mr. Ehrlichman, Mr. Ehrlichman, in turn went to the President, Mr. Colson also went to the President. I received word that the fact that clemency had been offered to one similar assurances should be given or could be given to all, so that is clearly in the record on the clemency matter.

The 21st meetings I have explained repeatedly what my hope in accomplishing with that meeting was, and my disappointment when I had thought I did have access to the President, I thought what I call my cancer-on-the-Presidency speech did not result in immediate surgery but rather continued cover-up.

The 23d letter of Mr. McCord, I was asked by Mr. Ehrlichman what my assessment of it was based on, the earlier conversation I had had with Mr. O'Brien, at best it was hearsay that he had if any wanted to perpetuate the

cover-up at that point through further perjury, I am sure they could have, because he had no hard evidence. This was revealed in a conversation which I have submitted to the committee and a conversation I had with Mr. Magruder who was not concerned about this, that the fact that McCord could prove nothing, he could say a lot, but he could prove nothing.

Let me see here. I will recall the reason again that I was seeking to get the comment from Mr. Liddy was in a sense two-fold. First of all, the President had done a tremendous embrace of me that next morning when the story was printed.

He had said that based on conversations he had had with me, which in fact he had not had, but rather I had had conversations with Mr. Haldeman and Mr. Ziegler, both, and informed them I was prepared to file a libel suit, and I believe the White House has also admitted the fact that that phone call never took place between the President and myself on that day. But in an effort to develop what would be necessary for a libel suit, not that I was planning to file one at that point, but just in preparing for it, I thought the strongest statement I could have would be a statement from Mr. Liddy, and that was the reason I approached Mr. Maroulis to see if he could do it.

The reason that Mr. Maroulis could not get the statement was because he was concerned about his client's Fifth Amendment rights. So those are the only points I would make on that closing statement that was offered by the White House.

Transfer From Justice

SENATOR ERVIN: When did you transfer from the Justice Department to the White House?

MR. DEAN: July of 1970.

Q.: Was he [Tom Houston] at the White House when you arrived there? A. Yes, he was there.

Q. Do you know anything about a meeting having been held in the office of the President on or about the 5th of June, 1970, at which the President and Mr. Huston and others discussed laying plans for gathering domestic intelligence? A. I have hearsay knowledge of that, Mr. Chairman that such a meeting did occur.

Q. Now, you were informed in substance that the President assigned to Tom Charles Huston White House staff responsibility for domestic intelligence and internal security affairs? A. That is correct.

Does that not constitute a recommendation from Tom Charles Huston concerning domestic intelligence, the part you have there? Now that document, does not that document, in short, make these recommendations as to the manner or rather the technique that should be followed, in Mr. Huston's view, in gathering domestic intelligence and matters affecting internal security?

Q. Now, as a result of this meeting there was a review by the heads of the C.I.A., the F.B.I., the N.S.A and the D.I.A. of the techniques used by these information or intelligence gathering organizations to gather intelligence both domestic and foreign, was there not? A That was my general understanding, on hearsay again.

Q. Now, I will ask you to look at the exhibit entitled "Recommendations, Top Secret, Handl via Comint Channels Only, Operational Restraints on Intelligence Collection," that you have there.

What I asked was the first recommendation, was techniques for removing limitations on electronic surveillance and penetration. Then the next, the second recommendation was for the use of the mail coverage. The third

Cont'd on Following Page

Continued From Preceding Page

in jail. Mr. LaRue indicated that Mr. Stans had only a small amount of cash. I believe he said \$70,000 or \$80,000, but more would be needed. Mitchell asked me to get the approval of Haldeman and Ehrlichman to use Mr. Herb Kalmbach to raise the necessary money. Before I departed the meeting Mr. Mitchell, in an aside for my ears only, told me that the White House, in particular Ehrlichman, should be very interested and anxious to accommodate the needs of these men. He was referring to activities that they had conducted in the past that related to the White House, such as the Ellsberg break-in.

I conveyed this request to Haldeman and Ehrlichman and they told me to proceed to contact Mr. Kalmbach.

The 'Dean Report'

It was while I was in San Clemente, at the end of August, that the President announced at a press conference the so called "Dean Report" which cleared everybody presently employed at the White House or in the Administration from any complicity in the Watergate matter. This statement was made on Aug. 29th, 1972.

I had no advance knowledge that the President was going to indicate that I had investigated the matter and found no complicity on the part of anybody at the White House or anyone presently employed in the Administration. I first learned of the matter when I heard it on a television news broadcast.

Had I been consulted in advance by the President, I would have strongly opposed the issuing of such a statement. First, I was aware that Gordon Strachan had close, daily, liaison with Magruder and had carried information relating to wiretapped conversations into the White House and later destroyed incriminating documents at Haldeman's direction.

Secondly, I had never been able to determine whether Haldeman had advance knowledge or not, and in fact, had never asked him because I didn't feel I could.

Thirdly, I had always suspected, but never been able to completely substantiate my suspicion, that Colson was far more knowledgeable than he protested.

I don't know if the President's statement was meant to be a very literal play on carefully chosen words or whether he intended to give it the broad-brush interpretation that it later received.

The issuing of the so-called "Dean Report" was the first time I began to think about the fact that I might be being set-up in case the whole thing crumbled at a later time.

In early September, the concern of the White House and the re-election committee shifted to the very active investigation that was being pursued by the Democratic National Committee through its discovery proceedings in its lawsuit against the re-election committee. The Democrats were making daily headlines.

Presidential Request Related

On or about Sept. 9th or 10th, I received a Presidential request from both Haldeman and Colson. The President

felt that the best defense to the actions being pursued by the Democrats, and the charges and implications that were stemming from the lawsuits being filed by the Democrats, was our own counter-offensive with our own series of lawsuits against the Democrats. Colson called me and reported that he had just come from the President's office and that the President wanted action on this as quickly as humanly possible. I informed Mr. Colson that I was working on it but that I wasn't going to suggest filing any lawsuit or taking any action that was not well founded.

It was also about this time, later July-early September, that I learned during a meeting in Mitchell's office that Mr. Roemer McPhee was having private discussions with Judge Richey regarding the civil suit filed by the Democrats. I was told by Parkinson, and later McPhee, that Judge Richey was going to be helpful whenever he could. I subsequently talked with Mr. McPhee about this, as late as March 2d of this year, when he told me he was going to visit the judge in the judge's rose garden over the weekend to discuss an aspect of the case.

On Sept. 15th the Justice Department announced the handing down of the seven indictments by the Federal grand jury. Late that afternoon I received a call requesting me to come to the President's Oval Office.

The President told me that Bob [Haldeman] had kept him posted on my handling of the Watergate case, told me I had done a good job and he appreciated how difficult a task it had been and the President was pleased that the case had stopped with Liddy. I told that I thought that there was a long way to go before this matter would end and that I certainly could make no assurances that the day would not come

when the matter would start to unravel.

Early in our conversation the President said to me that former F.B.I. director Hoover had told him shortly after he had assumed office in 1969 that his campaign had been bugged in 1968. The President said that at some point we should get the facts out on this and use this to counter the problems that we were encountering.

The President asked me when the criminal case would come to trial and would it start before the election. I

told the President that I did not know. I said that the Justice Department had held off as long as possible the return of the indictments, but much would depend on which judge got the case. The President said that he certainly hoped that the case would not come to trial before the election.

The President then asked me about the civil cases that had been filed by the Democratic National Committee and Common Cause. I then told the President that the lawyers at the re-election committee were very hopeful of slowing down the civil suit filed by the Democratic National Committee because they had been making ex parte contacts with the judge handling the case and the judge was very understanding and trying to accommodate their problems. The President was pleased to hear this and responded to the effect that "well that's helpful".

The conversation then moved to the press coverage of the Watergate incident and how the press was really trying to make this into a major campaign issue. At one point in this conversation I recall the President telling me to keep a good list of the press people giving us trouble, because we will make life difficult for them after the election.

I.R.S. 'Tool' Discussed

The conversation then turned to the use of the Internal Revenue Service to attack our enemies. I recall telling the President that we had not made much use of this because the White House didn't have the clout to have it done, that the Internal Revenue Service was a rather Democratically oriented bureaucracy and it would be very dangerous to try any such activities. The President seemed somewhat annoyed and said that the Democratic Administrations had used this tool well and after the election we would get people in these agencies who would be responsive to the White House requirements.

The conversation then turned to the President's post election plans to replace people who were not on our team in all the agencies. It was at this point that Haldeman, I remember, started taking notes and he also told the President that he had been developing information on which people should stay and which should go after the election.

I would next like to turn to the White House efforts to block the Patman committee hearings. The focus of the investigation at the outset was the funding of the Watergate incident, and other possible illegal funding that may have involved banking violations. The White House concern was twofold: First, the hearings would result in more adverse pre-election publicity regarding the Watergate, and second, they just might stumble into something that would start unraveling the cover-up.

On Sept. 25th, Chairman Patman announced that he would hold a vote on October 3d regarding the issuing of subpoenas to witnesses.

In discussing it with Haldeman I asked him how he thought the Patman hearings might be turned off. He suggested that I might talk with Secretary Connally about the matter because Connally would know Pat-

man as well as anybody. I called Secretary Connally and told him the reason I was calling. He said that the only thing he could think of, the only soft spot that Patman might have, was that he had received large contributions from a Washington lobbyist and had heard rumors that some of these may not be reported.

Matter Was Dropped

I discussed this matter with Bill Timmons and we concluded that several Republicans would probably have a similar problem so the matter was dropped. At this time I cannot recall the name of the lobbyist.

A number of people worked on getting the votes necessary to block the Patman committee hearings. Mr. Timmons discussed the matter with the House Republican leaders who agreed to be of assistance.

Congressman Garry Brown had been working with several members of the Democratic side of the Patman committee to assist in voting against the hearings or as an alternative not to appear for the vote. Timmons informed me that he was also in direct contact with one of the leaders of the Southern delegation who was being quite helpful in persuading the Southerners on the committee not to vote for the subpoenas or in the alternative not to appear at the meeting on Oct. 3d.

Also, Mitchell reported to me that he had been work-

ing with some people in New York to get the New Yorkers on the committee to vote against the hearings. He told me, and I cannot recall now which members of the New York delegation he referred to, that he had assurances that they would either not show up or would vote against the hearings. On Oct. 3d the vote was held and the subpoenas were defeated by a vote of 20 to 15 and another sign of relief was made at the White House that we had leaped one more hurdle in the continuing cover-up.

Segretti Is Named

While the Segretti matter was not directly related to the Watergate, the cover-up of the facts surrounding Mr. Segretti's activities was consistent with other parts of the general White House cover-up which followed the Watergate incident.

I first heard of Mr. Segretti when Gordon Strachan called me in late June and told me that the F.B.I. had called a friend of his, by the name of Donald Segretti, and requested to interview him. Strachan gave me a very general description of Segretti's activities and said that he was a "dirty tricks" type operator who was being paid by Mr. Kalmbach. He also informed me that Mr. Chapin had been involved in hiring Segretti.

Several days after Segretti's F.B.I. interview, he called me and said he told the F.B.I. everything he knew about Mr. Hunt and the fact that he had no knowledge of the Watergate incident and that the agents had not pressed him in a manner that required him to reveal the names of Strachan, Chapin, and Kalmbach.

I received a call from Mr. Chapin who indicated that Segretti was very concerned about the fact that he was being called before a Federal grand jury in Washington investigating the Watergate. And that he was concerned again that he might have to reveal the names of Strachan, Chapin, and Kalmbach.

After my conversation with Chapin, I called Mr. Peterson at the Department of Justice and explained the problem. I told Peterson that to the best of my knowledge Segretti had no involvement in the Watergate incident but he had had dealing with Hunt in connection with some campaign activities he had been performing for the White House. I also informed him that he was being paid by the President's personal at-

torney, Mr. Kalmbach and that he had been recruited by Chapin and Strachan. I said that these facts, if revealed, would be obviously quite embarrassing and could cause political problems during the waning weeks of the election. Mr. Peterson said that he understood the problem.

How Names Came Out

I later learned from Segretti that the names had come out during the grand jury appearance and I had a discussion later with Peterson also on the subject in which he told me that Mr. Silbert had tried to avoid getting into this area and in fact did not ask him the question which resulted in his giving the names, rather that a grand juror had asked the question despite the fact that the prosecutors had tried to gloss over it.

I had by this time learned the full story, that in fact Haldeman, in a meeting with Kalmbach, had approved Segretti's activities and authorized Kalmbach to make the payments to Segretti. In discussing this with Chapin and Strachan before their appearance, they both had great concern about revealing Haldeman's involvement. In fact, I recall that Strachan came into my office and said that he would, if necessary, perjure himself to prevent involving Haldeman in this matter.

On Oct. 10, 1972, an article based on leaked F.B.I. information reported the Segretti story for the first time publicly. Following the Oct. 10th story there commenced a series of stories involving Chapin, Strachan, Kalmbach, and, later, Haldeman. These stories created a new frenzy in the White House press office. On Sunday, Oct. 15th I went to the White House where a meeting was in session in the Roosevelt room. In attendance at the meeting were Ehrlichman, Ziegler, Buchanan, Moore, and Chapin. The purpose of the meeting was to prepare Ziegler for his press briefings on the Segretti-related stories.

Like Other Sessions

I might also add that this session was not unlike many other sessions that had preceded it and that were to follow it in preparing Ziegler to meet with the White House press corps. It would, however, take me another 200 pages to give that story. As the press accounts of Segretti's activities lingered

on after the election as well as the continuing Watergate stories, there was serious discussion about putting the facts out. In late November, I recall a conversation with Haldeman in his office. I told him that I thought the then pending trial would be put back into a grand jury and it was very likely that any reconvened grand jury would get into questions of obstruction of justice which would lead right to us.

Haldeman said that the President wished, now that the election was over, to get rid of the Watergate and related matters by laying them open but based on what I had just told him he said it doesn't seem to be a very viable option.

It was the first week of December that Mitchell called me and said that we would have to use some of the \$350,000 fund to take care of the demands that were being made by Hunt and the others for money. He indicated that the money that was taken out would be returned in order that the fund could be made whole again. He asked me to get Haldeman's approval.

I called Haldeman and described the situation in full to him and that I had told Mitchell that I was very reluctant to see White House money used. I told Haldeman that I didn't think this was good idea to further involve the White House in raising money for these men but I frankly had no answer. Haldeman said he did not like it either, but since we had the assurance that the money

would be returned, I should inform Strachan that he could make the delivery of the money to the committee.

I do not recall how much money was delivered by Strachan but I believe it was either \$40,000 or \$70,000.

It was sometime shortly before the trial when the demands reached the crescendo point once again. O'Brien and LaRue came to my office and told me the seriousness of the problem. Subsequently, Mitchell called me and told me that once again I should ask Haldeman to make available the necessary funds. I told him I thought it was time to get the entire money out of the White House rather than continue as we were with, every few weeks, further bites being taken out of the apple.

After we discussed the matter Haldeman said send the entire damn bundle to them but make sure that we

get a receipt for \$350,000. After receiving my instructions from Haldeman I called Strachan and told him that he was to deliver the remainder of the money to LaRue but that he was to make certain that he got a receipt for \$350,000. Strachan later told me that LaRue refused to give him a receipt.

With each of these deliveries, I am only aware of the fact that money was delivered to LaRue by Strachan and have no knowledge of how LaRue in turn delivered it to those who were making demands upon the committee, nor do I know how much, in fact, was paid.

O'Brien told me that Hunt was quite upset and wished to plead guilty but before he did so he wanted some assurances from the White House that he would receive executive clemency. O'Brien told me that Hunt would only take the assurances from Colson.

On the morning of Jan. 3d, Colson called me. I told Mr. Colson that I was aware of the fact that Bittman wanted to discuss the matter of executive clemency for Hunt and that Hunt would only take assurance from him [Colson].

I next met with Ehrlichman told him about the situation and he thought that

Colson should meet with Bittman.

In trying to reconstruct as best as I can recall what occurred, there was a meeting in Ehrlichman's office on Jan. 3d, after Mr. Colson had had a conversation with Bittman about Hunt's potential for executive clemency. I recall that when Colson came to the meeting with Ehrlichman he was extremely shaken, which was unlike Colson. He was not specific in his arguments to Ehrlichman but said that he felt it was imperative that Hunt be given some assurances of executive clemency. The meeting in Ehrlichman's office did not last long and Ehrlichman said that he would have to speak with the President. Ehrlichman told Colson that he should not talk with the President about this. On Jan. 4th, I learned from Ehrlichman that he had given Colson an affirmative regarding clemency for Hunt.

After the meeting in Ehrlichman's office, Colson told me that although Ehrlichman had told him that he [Colson] should not discuss this mat-



The New York Times

Mrs. John W. Dean 3d arriving at hearing.

ter with the President, that he, in fact, thought it was so important that he had taken it up with the President himself.

As I shall state later, the President himself raised this subject on two occasions with me, and told me that he had discussed the matter of executive clemency for Hunt with both Ehrlichman and Colson. The President raised this with me on March 13th, 1973, and April 15th, 1973.

White House Plans for Perpetuating the Cover-Up Throughout the Senate Watergate Investigation

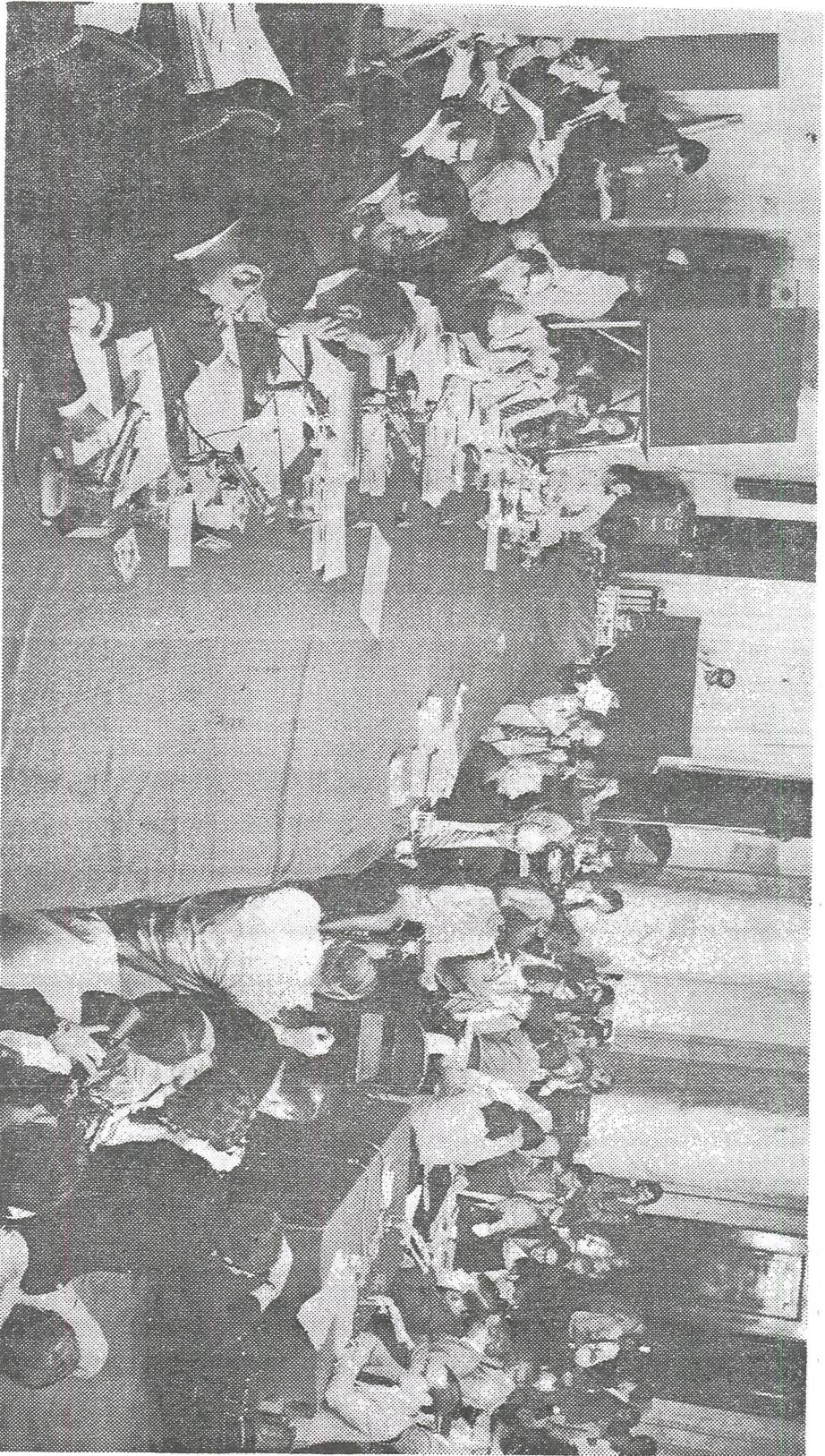
Even before the Watergate criminal trial in January of this year, there had been press reports and rumors that the Senate was planning independent hearings on the Watergate and related matters. The White House Congressional relations staff reported that the subject of Watergate hearings was being discussed in the Senate Democratic Policy Committee, but they did not know the substance of those discussions. I was made aware of the interest of Ehrlichman and Haldeman in the prospects of such hearings because they had discussed it with me, and Bill Timmons told me they had discussed it with him.

On Dec. 13, 1972, Timmons informed me that Senator Jackson was coming to the White House for a meeting with the President. Timmons said that Senator Jackson was a member of the Senate Democratic Policy Committee and had an excellent rapport with the President. Timmons asked me what I thought about having the President inquire of Senator Jackson regarding the potential of a Senate inquiry into the Watergate. I responded that I thought it was a good idea, but would have to check.

Jackson Did Not Know

I learned that day from Timmons, who later met with Senator Jackson, that the Senator did not know what the Senate Democratic Policy Committee was going to do about the Watergate. I do not know if the President discussed this subject with Senator Jackson.

Timmons continued to report to Haldeman and me that there were rumblings on the Hill that the Senate was going to proceed with hearings. Senator Kennedy's Subcommittee on Administrative Practices and Procedures had been conducting an investigation for several months, but it was uncertain as to whether they would proceed. It was learned in late December/early January that Senator Mansfield was pushing hard for Watergate hearings, but there was a debate as to who should handle the hearings. On Jan. 5th or 6th, it was re-



Members of the Senate committee on Watergate and others listening to John W. Dean 3d, on right at table, read his statement yesterday

The New York Times

ported in the press that Senator Mansfield had sent letters to Senator Eastland and Senator Ervin regarding the holding of hearings. Before that letter became public, however, both Wally Johnson and Fred LaRue had informed me that they had talked with Senator Eastland.

The White House wanted Senator Eastland to hold such hearings because they felt that Senator Eastland would be friendly and that the White House had more friends on the Judiciary Committee than on Senator Ervin's Government Operations Committee. I was told that the White House Congressional relation staff was doing what it could to get the hearings before Senator Eastland's committee. On Jan. 11th of this year, the Senate Democrats formally voted that Senator Ervin would head the inquiry into the Watergate incident and released matters, and I must add, much to the displeasure of the White House.

On Feb. 5th, 1973, the chairman introduced his resolution to create this committee. An advance copy of the resolution was forwarded to me by Timmons and I was subsequently required to attend a luncheon meeting with Ehrlichman, Timmons and Johnson to discuss the resolution.

Amendments Offered

I was asked what I thought about the resolution and did I have any suggested amendments that the Republicans might offer. I had not had an opportunity to study the resolution closely so I re-read it and offered a few suggestions off the top of my head: that it be broadened to cover other elections than the 1972 Presidential campaign; that the minority members have adequate staff; That it be bi-partisan with equal representation of the Republicans and Democrats, and that the minority members have the power to call for an executive session when they believed it necessary. Wally Johnson indicated that he could get someone at the Justice Department to draft amendments and that he and Timmons would peddle them to friendly Republicans.

I later had discussions with Haldeman and Ehrlichman about the Senate hearings and they felt that it was time to develop a strategy for dealing with the Senate situation.

We had made it through

the trial without any problems but the Senate hearings were a new and possibly larger problem. Accordingly, I suggested that there be a meeting called where these matters could be discussed. I also suggested that we might call on Mr. Bryce Harlow. Ehrlichman, Haldeman and Mitchell all agreed that Mr. Harlow's counsel would be most helpful. Accordingly, I had my secretary schedule a meeting in Ehrlichman's office on Feb. 6th, 1973.

Prior to this meeting, but after my meeting with the President in September when he had mentioned to me that Mr. Hoover had told him that he [the President] had been bugged during his 1968 campaign, the thought of getting this information out had been discussed. I can recall discussing it with Ehrlichman and Haldeman, and in turn, discussing it with Mitchell. Haldeman and Ehrlichman wanted Mitchell to get the information from Mr. De Loach.

Met in Ehrlichman Office

The meeting assembled in Ehrlichman's office. Those present were Ehrlichman, Haldeman, Mitchell, Harlow, Moore and myself. When Mitchell arrived, he reported that there had been some surveillance by the Johnson Administration, but de Loach was unaware of a bugging or wiretap.

The meeting then turned to a general discussion of the proposed amendments and Timmons was called for from the Congressional leadership meeting that was then in session in the Cabinet Room. Timmons reported that the Senate was going to begin debate on Senator Ervin's resolution that afternoon. Timmons was instructed to request Senator Hugh Scott to come to his office after the leadership meeting and I was instructed to go to Mr. Timmons's office to explain the amendments to the resolution to Senator Scott. I was also told that I should tell the Senator to raise the 1968 bugging incident as a reason to expand the scope of the resolution to prior Presidential elections.

On Feb. 7th, Timmons informed me that the White House amendments had been virtually rejected out of hand and the resolution adopted 77 to 0. Timmons told me he had discussed with Haldeman the possibilities of suggesting names for the Republican side of the select

committee with Senator Scott and Scott seemed receptive. On Feb. 8th, the members of this committee were named and I recall Timmons telling me that Haldeman had "chewed him out," but Timmons told me Scott had never given him a chance to make any recommendation. I received a call from Ehrlichman in San Clemente telling me that he wanted Mr. Moore and me to come to California that night so

that he could discuss in full detail the problems of how to deal with the forthcoming Senate hearings.

The La Costa Meetings

Everyone was staying at the La Costa Resort Hotel, south of San Clemente. The meetings with Haldeman and Ehrlichman, Moore and myself ran for two days, and I would estimate they involved between 12 to 14 hours of discussion.

What had happened by this point in time was that the cover-up had become a way of life at the White House, and having made it to this point, those involved were becoming careless and more open about it. Also, the Senate was different than the courts, grand jury, F.B.I., and the like that had been dealt with earlier. It was realized that it was going to take an all out effort by the White House to deal with the Senate inquiry, because of the scope of the resolution, the composition of the committee, the investigative powers of the committee, and the general feeling that the Senate was a hostile world for the White House. Haldeman and Ehrlichman were disappointed that the efforts to influence the Senate resolution creating the select committee had failed, as well as the White House efforts to recommend members to the select committee. Thus, the focus of the discussion was how to deal with the committee, henceforth.

It was during the morning meeting in Ehrlichman's office at San Clemente that there was a discussion of the members of this committee. Ehrlichman said that the White House could not look for any help from the Democrats. I recall that when we were discussing the Democratic members of the committee, and I read from the Congressional Directory the data on Senator Inouye, Ehrlichman said that his name is and then said, indeed, there

ain't-no-way he's going to give us anything but problems.

The Republican members of this committee were also discussed in that morning meeting. It was Ehrlichman who was doing most of the assessing. But occasionally, Haldeman would add a comment. Senator Weicker was an independent who could give the White House problems. Senator Gurney would help the White House and would not have to be told to do so.

Senator Baker was an unknown and neither Haldeman nor Ehrlichman knew which way he might go. I might add that in a subsequent discussion I had with the President he also reached a similar conclusion regarding the Republicans. He thought that Senator Baker might help, but was not sure. He was confident, however, that Senator Gurney would protect the White House and would do so out of political instinct and not have to be persuaded to do so.

Later, after the meeting had reconvened at La Costa, the discussion turned to a general approach of how to deal with the select committee.

After a general discussion, Ehrlichman and Haldeman concluded that the theory for dealing with this committee should be as follows: The White House will take a public posture of full cooperation, but privately will attempt to restrain the investigation and make it as difficult as possible to get information and witnesses. A behind-the-scenes media effort would be made to make the Senate inquiry appear very partisan. The ultimate goal would be to discredit the hearings and reduce their impact by attempting to show that the Democrats have engaged in the same type of activities.

During the meeting on Saturday afternoon [Feb. 11th] Ehrlichman instructed me to call Wally Johnson and tell Johnson that he was to go visit with Senator Baker during the then Congressional recess to find out how Senator Baker planned to operate (that is—was he going to be friend or foe) and to ask Senator Baker how the White House could aid him, particularly regarding the selection of the minority counsel.

Legal Discussion

At one point in the meeting, Ehrlichman raised the question of whether or not

the select committee was going to be able to obtain the grand jury minutes and other investigative records from the F.B.I. and the U.S. Attorney's office. I said I did not know and then a discussion of possible legal options ensued. No one really knew what the law might be regarding this matter, but Ehrlichman stated that the Attorney General will have to be told that the Justice Department should resist turning over such records, and that I should get word back to the attorney for the defendants that they should fight the release of these investigative records to the Senate.

When discussing how to handle the press coverage of the Senate hearings, Haldeman suggested that Pat Buchanan be used as a watch dog of the press. Mr. Bu-

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chanan could prepare speeches on the biased press coverage. He could write op-ed articles and actually attend the hearings and be a White House spokesman to take the pressure off Ziegler's daily briefings.

There was lengthy discussion of the importance of the minority counsel. Both Ehrlichman and Haldeman felt very strongly about having a man, as minority counsel, who would work with the White House. A number of suggestions were made and discussed. Ehrlichman thought that Mr. Fred Buzhardt would be an excellent choice. I was asked to come up with some names for consideration as soon as possible and report back.

It was toward the end of the meeting on Sunday afternoon, Feb. 11th, that Ehrlichman raised the bottom line question: Would the seven Watergate defendants remain silent through the Senate hearings? I say this was a bottom line question because the entire strategy was based on this continued silence. I reported that I could not answer the question because I did not know. I said that I understood that they were still demanding more money, but as we had discussed previously, there was no more money available.

Matter for White House

I told both Haldeman and Ehrlichman that I had carried

their messages to Mitchell, that this is something he should take care of, but they were aware of Mitchell's feelings that the White House should be concerned about the matter. I said as far as I was concerned that they would have to take this up with Mitchell in that Mitchell felt it was a matter for the White House.

At this point, Ehrlichman told Mr. Moore—who was hearing all this for the first time—that he [Moore] should go to Mitchell and simply lay it out that it was Mitchell's responsibility to raise the necessary funds for these men. It had been decided at the outset of the first day of the meetings that Moore would go to New York and report to Mitchell on what had been resolved regarding dealing with the Senate hearings, and now Ehrlichman was telling Moore that an important element of his visit with Mitchell would be for him to raise the necessary future funds for the seven

Watergate defendants.

On Feb. 13th I received a call from Johnson, who informed me that he had talked with Senator Baker by telephone. Johnson said that he had discussed the minority counsel position with Senator Baker, and the Senator did not want any official input from the White House and had already given some thought to the qualifications he was seeking in his minority counsel. Johnson told me that he didn't think Senator Baker had ruled out the White House's making some suggestions, but we would have to move quickly. Mr. Johnson also reported that Senator Baker had told him that the White House should be concerned with the President's posture vis-à-vis the Senate inquiry.

Agenda Requested

I returned to the office spoke with Haldeman on either the 19th or 20th. He requested that I draw up an agenda for a meeting with the President regarding matters which the President should reflect on as a result of the La Costa meeting and subsequent matters which had come up. Mr. Haldeman and I went over the high points of what should be raised, including items that had not come up at La Costa, such as Magruder's desire to return to the White House and sending Mr. Stans for a confirmable post as a tactic to counter the Watergate hear-

ings.

I prepared the agenda. I thought that I was going to attend the meeting with the President. but Haldeman called for the agenda, and not me. I have submitted to the committee a copy of the agenda. You will see that the agenda deals with five items to be discussed and resolved with the President (1) Senator Baker's requested meeting with the President: (2) Submitting to Secretary Stans's name for a confirmable position: (3) What to do with Mr. Magruder: (4) Using Mr. Buchanan during the Senate hearings; and (5) Getting the Attorney General back in touch with the White House.

meeting with the President, he informed me that (1) the President would meet with Senator Baker; (2) I should discuss with Mr. Stans his interest in a confirmable position: (3) Mr. Magruder could not return to the White House staff; (4) Mr. Buchanan could not be used at the Senate hearings; and (5) the President would meet with the Attorney General.

I have not explained at this point the details of this rather significant document, but I believe the document is rather self-explanatory of the continuing cover-up. I was not present when the President and Haldeman discussed these matters, but I had discussed them with Haldeman

before he went to see the President and he informed me of the President's decisions after the meeting; thus, I assume that the agenda I had prepared was the basis of their discussions.

On Feb. 20th or 21st, Timmons told he had arranged for the President to have an off-the-record, private meeting with Senator Baker.

After the President met with Senator Baker, I was informed by Haldeman that the Senator had appeared to be very interesting in being cooperative and the President had the impression that he might be helpful. This, of course, was the White House hope, but nothing that was reported from the meeting made this anything more than a hope. Also, Senator Baker told the President that he wanted his contact point to be Mr. Kleindienst, rather than someone on the White House staff. Haldeman told me that Senator Baker had urged the President to waive executive privilege and send members

of the White House staff to the hearings as quickly as possible, but the President had told Senator Baker that he was going to hold the line at written interrogatories. Finally, I was told that both the President and Senator Baker had discussed that there should be an effort to get the hearings over as quickly as possible.

This report of the meeting which Haldeman gave me was later confirmed in discussions I had with the president myself in early March of this year.

On February 22nd, Mr. Haldeman requested that I prepare a briefing paper for the president's meeting that day with attorney general Kleindienst. Throughout the watergate investigation Haldeman and particularly Ehrlichman, had complained about Mr. Kleindienst's passive role in the investigation and prosecution. The senate watergate hearings presented the real possibility for the justice department having to make further criminal investigations that would lead back to the white house. Accordingly, the president was the only one who could bring Mr. Kleindienst back in the family to protect the White House and this meeting was designed to do just that. As a result of senator Baker's request that Kleindienst be his contact point, the president had a perfect vehicle to solicit Kleindienst's assistance during the hearings and, if anything should develop during the hearings, to not let all hell break loose in a subsequent investigation.

The President subsequently discussed this meeting with me in early March. He told me that he would continue to call Mr. Kleindienst from time to time, but I should also make certain that Kleindienst was working closely with Senator Baker in preparation for the select committee hearings.

It was during this period of time, which I believe was mid-February, Magruder had a conversation with Mr. O'Brien in which he told O'Brien that he had received his final authorization for Liddy's activities from Gordon Strachan and that Strachan had reported that Haldeman had cleared the matter with the President. I reported this to Haldeman, who expressed concern over Magruder's statement. After I reported this information, the White House efforts to find a job for Magruder became intense.

Meetings With President

I would now like to turn to my direct dealings with the President which began in late February of 1973 with regard to the Watergate and related matters. I feel I can best set forth what transpired at these meetings by discussing what occurred at each meeting. Meeting on Feb. 27th:

This was the first meeting I had had with the President since my Sept. 15, 1972, meeting which related to the Watergate. It was at this meeting that the President directed that I report directly to him regarding all Watergate matters. He told me that this matter was taking too much time from Haldeman's and Ehrlichman's normal duties and he also told me that they were principals in the matter, and I, therefore, could be more objective than they.

The President then told me of his meeting with Senator Baker and the Attorney General. He told me that Senator Baker had requested that the Attorney General be his contact point and that I should keep in contact with the Attorney General to make sure that the Attorney General and Senator Baker were working together.

The President recounted that he had told Senator Baker that he would not permit White House staff to appear before the Select Committee, rather he would only permit the taking of written interrogatories. He told me he would never let Haldeman and Ehrlichman go to the Hill. He also told me that Senator Gurney would be very friendly to the White House and that it would not be necessary to contact him because the President said Senator Gurney

would know what to do on his own.

I had received word before I arrived at my office that the President wanted to see me. He asked me if I had talked to the Attorney General regarding Senator Baker. I told him that the Attorney General was seeking to meet with both Senator Ervin and Senator Baker, but that a meeting date had not yet been firmed up.

He said that he had read in the morning paper about the Vesco case and asked me what part if any his brother Ed had had in the matter. I told him what I knew of his brother's involvement, which was that he was an innocent

agent in the contribution transaction. We then discussed the leak to Time magazine of the fact that the White House had placed wiretaps on newsmen and White House staff people. The President asked me if I knew how this had leaked. I told him that I did not. He asked me who knew about it. I told him that Mr. Sullivan, Mr. Mark Felt, and Mr. Mardian were aware of it.

Hoover Termed Source

I told him that Sullivan had told me that he thought that director Hoover had told somebody about it shortly after it happened because Hoover was against it and that Sullivan said that he had heard that this information had gone to Rockefeller and in turn had come back from Governor Rockefeller to Dr. Kissinger. We then talked about the executive privilege statement and the President expressed his desire to get the statement out well in advance of the Watergate hearings so that it did not appear to be in response to the Watergate herings.

Before departing his office, he again raised the matter that I should report to him directly and not through Haldeman and Ehrlichman. I told him that I thought he should know that I was also involved in the post June 17th activities regarding Watergate. I briefly described to him why I thought I had legal problems, in that I had been a conduit for many of the decisions that were made and therefore could be involved in an obstruction of justice. He would not accept my analysis and did not want me to get into it in any detail other than what I had just related. He reassured me not to worry, that I had no legal problems. (I raised this on another occasion with the President, when Dick Moore was present.)

Meeting of March 1st

The first meeting on this date and the afternoon meeting which occurred on March 1st related to preparing the President for his forthcoming press conference. The President asked me a number of questions about the Gray nomination hearings and facts that had come out during these hearings.

In particular I can recall him stating that there should be no problem with the fact that I had received the F.B.I. reports. He said that I was conducting an investigation for him and that it would be perfectly proper for the

Counsel to the President to have looked at these reports. I did not tell the President that I had not conducted an investigation for him because I assumed he was well aware of this fact and that the so-called Dean investigation was a public relations matter, and

that frequently the President made reference in press conferences to things that never had, in fact occurred. I was also aware that often in answering Watergate questions that he had made reference to my report and I did not feel that I could tell the President that he could not use my name. There had been considerable adverse publicity stemming from the Gray hearings and the fact that Gray was turning over F.B.I. information to the Senate Judiciary Committee.

He also told me the F.B.I. Watergate materials should not be turned over by Gray. I informed him that I had a meeting several days prior with Mr. Sullivan who had been at the F.B.I. for many years and Sullivan had alluded to the fact that the F.B.I. had been used for political purposes by past Administrations. I cited a few examples that Mr. Sullivan had given me. The President told me to get this information from Sullivan. He also told me that I should gather any material I could gather regarding the uses and abuses of the F.B.I. by past Administrations so that we could show that we had not abused the F.B.I. for political purposes. The President told me that he was convinced that he had been wiretapped in 1968 and the fact that de Loach had not been forthcoming indicated to the President that de Loach was probably lying. He told me that I should call Don Kendall, de Loach's employer and tell him that de Loach had better start telling the truth because "the boys are coming out of the woodwork." He said this ploy may smoke de Loach out.

He also asked me who else might know about the bugging of his 1968 campaign, and I suggested that Mr. Tolson, Hoover's former assistant, might have some knowledge of it. He told me that he probably ought to call Mr. Tolson and wish him happy birthday or good health and possibly get some information from him when he talked to him.

It was during the days after this March 1st meeting with the President that the name Dean began coming in-

creasingly to the forefront in the Gray confirmation hearings, and the rumblings were that there was going to be a situation where Dean could be called to the committee to testify and a number of Senators were anxious to use me as a vehicle to test executive privilege. On March 4th or 5th, I had a conversation with Ehrlichman in which I told him that I thought it would be very difficult to maintain a court test of executive privilege over me, when in fact I had only met with the President infrequently and had had very few conversations with him that would be protected. It was following this conversation with Ehrlichman that I began meeting and talking with the President, at his request, with ever increasing frequency.

The President instructed me to tell the Attorney General to cut off Gray from turning over any further Watergate reports to the Senate Judiciary Committee. He said this just had to cease.

Meeting of March 13th

This was a rather lengthy meeting, the bulk of which was taken up by a discussion about the Gray hearings and the fact that the Senate Judiciary Committee had voted to invite me to ap-

pear in connection with Gray's nomination. It was at this time we discussed the potential of litigating the matter of executive privilege and thereby preventing anybody from going before any Senate committee until that matter was resolved. The President liked the idea very much, particularly when I mentioned to him that it might be possible that he could also claim attorney/client privilege on me so that the strongest potential case on executive privilege would probably rest on the Counsel to the President.

I told him that obviously, this area would have to be researched. He told me that he did not want Haldeman and Ehrlichman to go before the Ervin hearings and that if we were litigating the matter on Dean, that no one would have to appear. Toward the end of the conversation, we got into a discussion of Watergate matters specifically. I told the President about the fact that there were money demands being made by the seven convicted defendants. And that the sentencing of these individuals was not far off. It was

during this conversation that Haldeman came into the office. After this brief interruption by Haldeman's coming in, but while he was still there, I told the President about the fact that there was no money to pay these individuals to meet their demands. He asked me how much it would cost. I told him that I could only make an estimate that it might be as high as a million dollars or more. He told me that that was no problem, and he also looked over at Haldeman and repeated the same statement.

He then asked me who was demanding this money and I told him it was principally coming from Hunt through his attorney. The President then referred to the fact that Hunt had been promised executive clemency. He said that he had discussed this matter with Ehrlichman and contrary to instructions that Ehrlichman had given Colson not to talk to the President about it, that Colson had also discussed it with him later. He expressed some annoyance at the fact that Colson had also discussed this matter with him.

The conversation then turned back to a question from the President regarding the money that was paid to the defendants. He asked me how this was done. I told him I didn't know much about it other than the fact that the money was laundered so it could not be traced and then there were secret deliveries. I told him I was learning about things I had never known before, but the next time I would certainly be more knowledgeable. This comment got a laugh out of Haldeman. The meeting ended on this note and there was no further discussion of the matter and it was left hanging just as I have described it.

Meeting on March 15th

It was late in the afternoon after the President's press conference. The President was amazed and distressed that the press had paid so little attention to the fact that he made an historic announcement about Ambassador Bruce opening up the liaison office in Peking. He said he was amazed when the first question following that announcement was re-



Early arrivals waiting for the Watergate hearings to get under way yesterday morning

The New York Times

garding whether or not Dean would appear before the Senate Judiciary Committee in connection with the Gray hearings. The conversation then rambled into a discussion of the Hiss case.

It was during the afternoon of March 20th that I talked again with Dick Moore about this entire cover-up matter. I told Moore that there were new and more threatening demands for support money. I told him that Hunt had sent a message to me—through, Paul O'Brien—that he wanted \$72-

000 for living expenses and \$50,000 for attorney's fees and if he did not receive it that week, he would reconsider his options and have a lot to say about the seamy things he had done for Ehrlichman while at the White House. I told Moore that had about reached the end of the line, and was now in a position to deal with the President to end the cover-up.

Phone Conversation of March 20th

When the President called and we had a rather rambling

discussion, I told him at the conclusion of the conversation that I wanted to talk with him as soon possible about the Watergate matter because I did not think that he fully realized all the facts and the implication of those facts for people at the White House as well as himself. He said that I should meet with him the next morning about 10 o'clock.

Before going in to tell the President some of these things, I decided I should call Haldeman because I knew that his name would come up in the matter. I called Haldeman and told him what I was going to do and Haldeman agreed that I should proceed to so inform the President of the situation.

Meeting of March 21st

As I have indicated, my purpose in requesting this meeting particularly with the President was that I felt it necessary that I give him a full report of all the facts that I knew and explain to him what I believed to be the implication of those facts. It was my particular concern with the fact that the President did not seem to understand the implications of what was going on.

For example, when I had earlier told him that I thought I was involved in an obstruction of justice situation he had argued with me to the contrary after I had explained it to him. Also, when the matter of money demands had come up previously he had very nonchalantly told me that that was no problem and I did not know if he realized that he himself could be getting involved in an obstruction of justice situation by having promised clemency to Hunt. What I had hoped to do in this conversation was to have the President tell me that we had to end the matter now.

I began by telling the President that there was a cancer growing on the Presidency and that if the cancer was not removed that the President himself would be killed by it. I also told him that it was important that this cancer be removed immediately because it was growing more deadly every day. I then gave him what I told him would be a broad overview of the situation.

I told him I did not know if Mitchell had approved the plans but I had been told that Mitchell had been a recipient of the wiretap information and that Haldeman had also received such in-

formation through Strachan. I then proceeded to tell him some of the highlights that had occurred during the cover-up. I told him that Kalmbach had been used to raise funds to pay these seven individuals for their silence at the instructions of Ehrlichman, Haldeman, and Mitchell and I had been the conveyor of this instruction to Kalmbach. I told him that after the decision had been made that Magruder was to remain at the re-election committee I had assisted Magruder in preparing his false story for presentation to the grand jury. I told him that cash that had been at the White House had been funneled back to the re-election committee for the purpose of paying the seven individuals to remain silent.

I then proceeded to tell him that perjury had been committed, and for this cover-up to continue it would require more paying and more money. I told him that the demands of the convicted individuals were constantly increasing. I then told the President how this was just typical of the type of blackmail that the White House would continue to be subjected to and that I didn't know how to deal with it.

I also told the President that I thought that I would, as a result of my name coming out during the Gray hearings, be called before the grand jury and that if I was called to testify before the grand jury or the Senate committee I would have to tell the facts the way I know them. I said I did not know if executive privilege would be applicable to any appearance I might have before the grand jury.

I concluded by saying that it was going to take continued perjury and continued

support of these individuals to perpetuate the cover-up and that I did not believe it was possible to continue it; rather I thought it was time for surgery on the cancer itself and that all those involved must stand up and account for themselves and that the President himself get out in front of this matter. I told the President that I did not believe that all of the seven defendants would maintain their silence forever. In fact, I thought that one or more would very likely break rank.

After I finished, I realized that I had not really made the President understand be-

cause after he asked a few questions, he suggested that it would be an excellent idea if I gave some sort of briefing to the Cabinet and that he was very impressed with my knowledge of the circumstances but he did not seem particularly concerned with their implications.

It was after my presentation to the President and during our subsequent conversation the President called Haldeman into the office and the President suggested that we have a meeting with Mitchell, Haldeman and Ehrlichman to discuss how to deal with this situation. What emerged from that discussion after Haldeman came into the office was that John Mitchell should account for himself for the pre-June 17th activities and the President did not seem concerned about the activities which had occurred after June 17th.

After I departed the President's office I subsequently went to a meeting with Haldeman and Ehrlichman to discuss the matter further. The sum and substance of that discussion was that the way to handle this now was for Mitchell to step forward and if Mitchell were to step forward we might not be confronted with the activities of those involved in the White House in the cover-up. Accordingly, Haldeman, as I recall, called Mitchell and asked him to come down the next day for a meeting with the President on the Watergate matter.

In the later afternoon of March 21st Haldeman and Ehrlichman and I had a second meeting with the President.

[It] was a tremendous disappointment to me because it was quite clear that the cover-up as far as the White House was going to continue. I recall that while Haldeman, Ehrlichman and I were sitting at a small table in front of the President in his Executive Office Building that I for the first time said in front of the President that I thought that Haldeman, Ehrlichman and Dean were all indictable for obstruction of justice and that was the reason I disagreed with all that was being discussed at that point in time.

It had been my impression that Haldeman and Ehrlichman were going to try to get Mitchell to come forward and explain his involvement in the matter. This did not occur. Mitchell said that he thought that everything was going along very well with

the exception of the posture of the President on executive privilege. He said that he felt that the President was going to have to come back down somewhat or it would appear he was preventing information from coming out of the White House.

During lunch there was some continued conversation about the general problems. Mr. Mitchell raised the fact that F. Lee Bailey, who had been very helpful in dealing with McCord, had a problem that he would like to bring up. He then said that Mr. Bailey had a client who had an enormous amount of gold in his possession and would like to make an arrangement with the Government whereby the gold could be turned over to the Government without the individual being prosecuted for holding the gold. Mitchell was addressing his request for assistance to Haldeman but Haldeman was non-responsive and the matter was dropped.

The meeting with the President, Ehrlichman, Haldeman, Mitchell and me was again a general discussion of the Senate Watergate hearings situation and, did not accomplish anything. Rather, it was a further indication that there would be no effort to stop the cover-up from continuing. I recall that Mitchell told the President that he felt that the only problem that he now had was the fact that he was asking for a public beating on his posture on executive privilege. Mitchell was not suggesting that members of the White House go to the Hill to testify, rather that some more cooperative position be developed to avoid the adverse publicity.

No Change in Attitude

The meeting was almost exclusively on the subject of how the White House should posture itself vis-à-vis the Ervin committee hearings. There was absolutely no indication of any changed attitude and it was like one of many many meetings I had been in before, in which the talks was of strategies for dealing with the hearings rather than any effort to get the truth out.

Following this meeting with the President, it was apparent to me that I had failed in

turning the President around, but Ehrlichman and Haldeman began taking over with regard to dealing with a new problem, which had become John Dean, as they were aware that I was very unhappy about the situation.

On Friday, March 23d, Paul O'Brien called to tell me about Judge Sirica's reading McCord's letter in open court. I then called Ehrlichman to tell him about it. He said he had a copy of the letter.

After my conversation with Ehrlichman, the President called. Referring to our meeting on March 21st and McCord's letter, he said: "Well, John, you were right in your prediction." He then suggested I go up to Camp David and analyze the situation. He did not instruct me to write a report, rather he said to go to Camp David, take your wife and get some relaxation. He then alluded to the fact that I'd been under some rather intense pressure lately. But he had been through this all his life and you can't let it get to you. He said that he was able to do his best thinking at Camp David, and I should get some rest and then assess where we are and where we go from here and report back to him. I told him I would go.

My wife and I arrived at Camp David in the midafternoon. As we entered the cabin in which we were staying the phone was ringing. The operator said it was the President calling but Haldeman came on the phone. Haldeman said that while I was there I should spend some time writing a report on everything I knew about the Watergate. I said I would do so. I asked him if it was for internal use or public use. He said that would be decided later.

I spent the rest of the day and the next day thinking about this entire matter. I reached the conclusion, based on earlier conversations I had with Ehrlichman, that he would never admit to his involvement in the cover-up. I didn't know about Haldeman, but I assumed that he would not because he would believe it a higher duty to protect the President. The more I thought about it the more I realized that I should step forward because there was no way the situation was going to get better—rather it would only get worse. My most difficult problem was how I could end this mess without

mortally wounding the President.

I called Mr. Moore and talked with him about it. We talked about a Presidential speech, where the President would really lay the facts out, we talked about immunity for everyone involved; we talked about a special Warren type commission that would put the facts out; we talked about some half measures that might satisfy the public interest; but we both realized that nothing less than the truth would sell.

On Sunday evening, March 25th, I was informed that the L. A. Times and The Washington Post were going to print a story that Magruder and I had prior knowledge of the June 17th bugging of the Democratic National Committee. I considered the story libelous then, as I do today.

On Monday morning, March 26th, I had a conversation with Haldeman about the story in The L.A. Times. I told him I was prepared to file a libel suit and had retained a lawyer. I told him that he knew that I had not known of the June 17th Watergate break-in in advance, that my knowledge of the entire matter ended with the second meeting in Mitchell's office. I told Haldeman that Magruder knew that I had no prior knowledge, but I didn't know if he would admit it publicly. Haldeman concurred in the fact that I had no prior knowledge and suggested I call Magruder and tape his conversation. I did call Magruder and by using a dictaphone held to the receiver, record the call. The long and short of this conversation was that Magruder acknowledged that the newspaper accounts were a "bum rap" for me because I had not had prior knowledge of the break-in.

March 28th, Haldeman called me at Camp David and requested that I return to Washington. He told me that he was meeting with Mitchell and Magruder and that they wished to meet with me about my knowledge of the meetings in Mitchell's office.

I went to meet with Mitchell and Magruder. They told me they wished to talk to me about how I would handle any testimonial appearance regarding the Jan. 27th and Feb. 4th meetings which had occurred in Mitchell's office.

Magruder said that it had been I who had suggested that the meetings be treated

would like to get it out in the open. I asked him if he had received his authorization to proceed with the burglary from Ehrlichman. Krogh responded that no, he did not believe that Ehrlichman had been aware of the incident until shortly after it had occurred. Rather, he had received his orders right out of the "Oval Office." I was so surprised to hear this that I said, "You must be kidding." And he repeated again that he had received his instructions out of the Oval Office.

April 2d my attorneys went to the Government prosecutors and told them that I was willing to come forward with everything I knew about the case.

As I began explaining what I knew it was evident that the prosecutors had no conception of how extensive the cover-up was so I tried to provide them with all the details that I could remember. Also, as the conversations regarding the cover-up began to get into more and more specifics we moved into areas that came closer and closer to the President, but prior to April 15th I did not discuss any of the areas of Presidential involvement.

I felt that I should tell Haldeman that I was going to meet with the prosecutors so I called him. He said that I should not meet with the prosecutors because, as he said, "Once the toothpaste is out of the tube, it's going to be very hard to get it back in."

During the week of April 9th to April 14th, I had several conversations with Ehrlichman and Haldeman. I recall some discussions however, regarding getting Mitchell to step forward. The theory was — "if Mitchell takes the rap the public will have a high level person and be satisfied and the matter will end."

On Monday April 9th, Mitchell called me and told me he was coming to Washing-

ton and wanted to meet with me.

The sum and substance of the meeting was that if and when I were called to testify I would testify fully and honestly. Mitchell said that he understood and did not suggest that I do otherwise. He did, however, believe that my testimony would be very harmful to the President and said that he felt that I should not testify if at all possible.

There were other discussions that week in which Haldeman and Ehrlichman talked about pinning the entire matter on Mitchell.

The more I told the prosecutors about the cover-up the more interested they became in it. At this time, Haldeman and Ehrlichman were still unaware of my direct dealings with the prosecutors.

I did not tell them at that point that I had had private meetings with the prosecutors or that I had told the prosecutors of the extent of involvement of Haldeman and Ehrlichman [but] I was quite confident that I had gotten the message through to Ehrlichman and Haldeman that they had a serious problem themselves and I had put them on final notice that I wasn't playing the cover-up game any longer.

I realized that indeed my message had gotten through, about one o'clock on Saturday night or Sunday morning, I received a call from Mr. Shaffer. He said that the prosecutor had called him

and that the Attorney General had called Mr. Peterson and them and wanted a full report on everything that was going on before the grand jury and where the grand jury was headed. The meeting with the Attorney General was to occur about 2 A.M. at the Attorney General's home. The Attorney General was being summoned to the President's office and the next morning to discuss the entire matter. I told Mr. Shaffer that I had hoped to tell the President personally that I had gone to the prosecutors several weeks ago.

I then wrote out a message for the president. In short, I told the President that I hoped he did not interpret my going to the prosecutors as an act of disloyalty, that I would meet with him if he wished to discuss the matter with me. Within forty-five minutes of sending this message I had a call from the White House operator informing me that the President wished to meet me at 9:00 P.M.

Meeting With the President April 15th

The President was very cordial when we met. I told the President that I had gone to the prosecutors. And, that I did not believe that this was an act of disloyalty but, rather in the end it would be an act of loyalty. I informed the President that I told the prosecutors of my own involvement and the involvement of others. The Presi-

dent almost from the outset began asking me a number of leading questions, which made me think that the conversation was being taped and that a record was being made to protect himself.

I also recall that the conversation turned to the matter of Liddy not talking. He said something about Liddy was waiting for a signal and I told him that possibly he was waiting for a signal from the President.

It was during this part of the conversation that the President picked up the telephone and called Henry Peterson and pretended with Peterson that I was not in the room but that the matter of Liddy's coming forward and talking had arisen during our conversation. The President relayed to Peterson that if Liddy's lawyer wanted to see him to get a signal that the President was willing to do this. The President also asked me about Peterson and I told him if anyone could give him good advice Henry Peterson could.

as dealing exclusively with the election law and that explained my presence. I told them that there was no certainty that I would be called before the grand jury or the Senate committee. That if I were called, I might invoke Executive privilege, so the question of my testimony was still moot. They were obviously both disappointed

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that I was being reluctant in agreeing to continue to perpetuate their earlier testimony.

On either March 28th or 29th, Mr. Krogh came to my office. He said he had come to express sympathy for me as a result of the adverse publicity I had received during the Gray hearings. He then began telling me that he had not himself had a good day since his own confirmation hearings and that he had been haunted by his experiences at the White House.

I told Krogh that I thought that there was a very likely possibility that the Senate Watergate committee could stumble into the Ellsberg burglary. I told him that there were documents in the possession of the Justice Department which had been provided by the C.I.A. in connection with the Watergate investigation which contained pictures of Liddy standing in front of Mr. Ellsberg's doctor's office in California. I told him that I had learned from the C.I.A. that these pictures had been left in a camera returned by Hunt to the C.I.A. and the C.I.A. had developed the pictures. I said I did not believe that the Justice Department knew what the pictures were all about but that any investigator worth his salt would probably track down the incident as a result of the pictures. I told him that Ehrlichman had requested that I retrieve the documents from the Justice Department and get them back to the C.I.A. where they might be withheld from the committee investigations but the C.I.A. had been unwilling to do it.

Krogh was very distressed to hear this news but sad that maybe it was for the best in that he had personally been haunted by this incident for so long that he



The New York Times

Senate guards and staffers wheeling in copies of the prepared statement of John W. Dean 3d, which were then distributed to reporters at the scene.



The New York Times

Democratic Watergate committee members, Senators Herman E. Talmadge of Georgia, left; Daniel K. Inouye of Hawaii, center, and Joseph M. Montoya of New Mexico, listening to President's former counsel, John W. Dean 3d, reading his statement yesterday.