

# Moore Had Feeling the

*Following are excerpts from the prepared statement of Richard A. Moore, who has served since April, 1971, as special counsel to the President.*

Mr. Chairman and members of the committee:

... I shall be glad, of course, to answer any questions concerning any aspect of these hearings, but I believe that the most significant testimony I can give to this committee relates to a limited time frame—that is basically the period from Feb. 6, 1973, the day Sen. (Sam) Ervin introduced his resolution creating this select committee, to March 21, 1973. March 21 is the date when President Nixon, as he later announced to the nation, learned of "serious charges" which caused him to begin "intensive new inquiries into this whole matter." This was the day, when Mr. (John) Dean, at my urging, went into the President's office and, as he has testified told him "everything."

In latter December, 1972, and January, 1973, I was primarily involved with Inaugural matters and can recall no particular meetings or consultations with regard to the Watergate or related matters until Feb. 6. On that day I attended a meeting in Mr. (John) Ehrlichman's office to discuss our legislative position with respect to the proposed resolution creating this select committee. Except for the discussion at this meeting, I knew of no other planning or preparation that had been going on with regard to these hearings, within the White House, I was a critic of this lack of preparation.

This may explain why I was called to the meetings in California on Feb. 10-11.

Mr. Dean and I met on Saturday, Feb. 10, 1973, at San Clemente with Messrs. (H. R.) Haldeman and Ehrlichman in Ehrlichman's office from 10:30 or 11 in the morning until 3 or 4 in the afternoon. On Sunday, we went to Mr. Haldeman's cottage at La Costa...

Summarizing these meetings is difficult because they involved about eight hours of conversation, with none of the participants adhering to any strict agenda. In addition, the many things that were said during these sessions were heard by anywhere from two to four people (depending on who was absent at the moment), each with a different background or degree of knowledge or point of view...

At the outset Mr. Ehrlichman or Mr. Haldeman asked Mr. Dean and me what we had been doing to prepare for the hearings. The answer was nothing. The focus of these hearings, they said, would be the activities of the Committee to Re-Elect the President, and it would be the committee that would have to take the primary responsibility for the defense. Had we had any discussions or, as they put it, any input, from John Mitchell? The answer was no. Either Mr. Haldeman or Mr. Ehrlichman then said that in that case, Dick Moore ought to sit down with John Mitchell as soon as he could and fill him in on the things that we discuss here and get Mr. Mitchell actively interested—he is the only one who could give real leadership to the people at the committee.

Either Haldeman or Ehrlichman then suggested that Mr. Dean be the White House coordinator for the hearing, and that I hold myself available to advise him...

The meeting then turned to a discussion of our relationship with the minority members of the committee. No one in the group had any firm view as to what was appropriate here, but the general feeling was that since this was in effect an investi-

gation of the Administration, the normal relationship might not apply and we probably should maintain an arm's length approach even to the Republican members.

In any event, it was agreed that Wally Johnson, then of the White House congressional relations staff, would be made available for whatever liaison with the committee might be appropriate.

Early in the discussions, Mr. Ehrlichman made it clear that the President wanted our position in the hearings to be one of full cooperation, subject only to the doctrine of separation of powers. It was agreed it would be important to work out a statement on executive privilege (the President had recently promised the press he would do so) that would enable us to cooperate and supply the information that the committee wanted. It is my recollection that at this time the question whether presidential advisers would be permitted to appear was still unresolved, although the consensus was that appearances should be permitted where the subject matter did not relate to their official duties for the President....

Mr. Dean, of course has testified about a discussion of money. His recollection differs from mine... The brief mention of money made at this meeting may have had a very different significance to a person with Mr. Dean's knowledge of the circumstances than it had to a person with my lack of knowledge. My recollection on that subject is as follows: The subject came up, I believe, on the second day at the hotel. In the context of a discussion of the litigation in which the committee was then involved, John Dean, in a sort of by-the-way reference, said he had been told by the lawyers that they may be needing some more money, and did we have any ideas? Someone said, isn't

that something that John Mitchell might handle with his rich New York friends. It was suggested that since I would be meeting with Mr. Mitchell I should mention this when I saw him and I said I would.

As I look back now, of course, with the knowledge I subsequently began acquiring in the latter part of March, Mr. Dean's reference to a need for money might well have stimulated some further inquiries on my part at La Costa. But I did not have that knowledge on Feb. 11—at that point I knew nothing about any prior payments to any defendants or their counsel—and no one else at the meeting went into any details. Moreover, I had served for a year as special assistant to Mr. Mitchell at the Department of Justice, and I know him well. I was certain that he wasn't about to be programmed into becoming a fund raiser by Mr. Haldeman and Mr. Ehrlichman, and I anticipated that Mitchell's answer would be no, as it turned out to be...

Mr. Dean has testified that we left the meeting together and that he had a conversation with me at which time he cautioned me against conveying this fund raising request when I saw Mr. Mitchell. I have absolutely no recollection of any such conversation and I am convinced it never took place...

From mid-February to early March, I was not asked to participate in any follow-up to the La Costa-San Clemente discussions about preparing for these hearings, except for my continuing participation in the



# President Had No Knowledge

preparation of the statement on executive privilege.

By the beginning of March, the Gray nomination hearings had become a major preoccupation for me and for Mr. Dean. During those hearings, Mr. Dean's role in the Watergate investigation became a subject of headline news. The Judiciary Committee's invitation to Mr. Dean to testify before it brought the question of executive privilege into critical focus.

A presidential press conference was scheduled for March 15, and Mr. Dean and I prepared, for the President's "briefing book" a list of more than 20 possible questions on the subject. Although it was not the President's usual practice to hold face-to-face briefing sessions before a press conference, he chose to do so on this occasion. And so began a series of meetings about which Mr. Dean has testified and marked the first occasion I had to discuss with the President any subject related to Watergate...

The first meeting on March 14 was in progress when I was called to the President's office. Messrs. Ziegler and Dean were already there...

At no time during this meeting, or during succeeding meetings on March 15, 19 and 20—all of which were attended only by the President, Mr. Dean and myself—did anyone say anything in my presence which related to or suggested the existence of any cover-up, or any knowledge or involvement by anyone in the White House, then or now, in the Watergate affair...

On March 19 or possibly

on March 20—before we met later that day with the President—Mr. Dean told me that Howard Hunt was demanding that a large sum of money be given to him before his sentencing on March 23, and that he wanted the money by the 21st. If the payment were not made, Dean said, Hunt had threatened to say things that would be very serious for the White House. I replied that this was pure blackmail, and that Dean should turn it off and have nothing to do with it, I could not imagine, I said, that anything that Hunt could say would be as bad as paying blackmail. I don't recall Mr. Dean's exact words, but he expressed agreement.

This revelation was the culmination of several other guarded comments Mr. Dean had made to me in the immediately preceding days. He had said that he had been present at two meetings attended by Messrs. Mitchell, (Jeb Stuart) Magruder and (G. Gordon) Liddy before the bugging arrests, during which Liddy had proposed wild schemes that had been turned down—specifically espionage, electronic surveillance and even kidnaping. He said that the Watergate location had not been mentioned, and that he had "turned off the wild schemes."

I believed then and believe today that Mr. Dean had no advance knowledge of the Watergate bugging and break-in. In addition, he had said that if he ever had to testify before the grand jury, his testimony would conflict with Mr. Magruder's, and that he had heard

that if Magruder faced a perjury charge, he would take others with him.

Mr. Dean had also mentioned to me that earlier activities of Messrs. Hunt and Liddy—not directly related to Watergate—could be seriously embarrassing to the administration if they ever came to light. He had also implied to me that he knew of payments being made to the defendants for litigation expenses, and Hunt's explicit blackmail demand raised serious questions in my mind as to the purpose of these payments...

As I sat through a meeting of March 20 with the President and Mr. Dean in the Oval Office, I came to the conclusion in my own mind that the President could not be aware of the things that Dean was worried about or had been hinting at to me, let alone Howard Hunt's blackmail demand. Indeed, as the President talked about getting the whole story out—as he had done repeatedly in the recent meetings—it seemed crystal clear to me that he knew of nothing that was inconsistent with the previously stated conclusion that the White House was uninvolved in the Watergate affair, before or after the event.

... I decided to raise the issue directly with Mr. Dean. I said that I had the feeling that the President had no knowledge of the things that were worrying Dean. I asked Dean whether he had ever told the President about them. Dean replied that he had not, and I asked whether anyone else had. Dean said he didn't think so. I said, "Then the

President isn't being served, he is reaching a point where he is going to have to make critical decisions and he simply has to know all the facts, I think you should go in and tell him what you know, you will feel better, it will be right for him and it will be good for the country."

I do not recall whether he told me he would take action or not, but certainly have the impression that he was receptive...

The next day, March 21, Mr. Dean told me that he had indeed met with the President at 10 o'clock and had talked with him for two hours and had "let it all out." I said, "Did you tell him about the Howard Hunt business?" Dean replied that he had told the President everything. I asked if the President had been surprised and he said yes.

Following this critical meeting on March 21, I had several subsequent meetings and telephone conversations with Mr. Dean alone, as well as several meetings with the President which Mr. Dean did not attend. I do not dispute Mr. Dean's account of the meetings between us as to any substantive point, and I have no direct knowledge of what transpired in Mr. Dean's subsequent meetings with the President. But nothing said in my meetings with Mr. Dean or my meetings with the President suggests in any way that before March 21 the President had known—or that Mr. Dean believed he had known of any involvement of White House personnel in the bugging or the cover-up...