

Tape Transcripts as Edited and

Special to The New York Times

WASHINGTON, May 3—Following is the final installment of the transcripts of tape recordings of conversations concerning Watergate as edited and made public by the White House:

April 17, 1973

(9:47-9:59 A.M.)

Meeting: The President and Haldeman, Oval Office

(Band Music)

H. Yes, Sir.

P. Oh, hello—sit down. I was thinking that we probably ought to use John Connally more to try to hammer out what our strategy is here on Watergate.

P. Rose, I am sorry I didn't intend to push your button now. RmW. OK.

P. Thank you, Rose, I will call you later. H. The only question there would be whether we ought to meet earlier on the basis that, well, we—

P. I understand I can't have the Italian for a while. I could meet at 12:30. No, after that—1:00 o'clock.

H. The reason being, and the only reason, there is felt to be—and we may not want to react to it but we may—there is felt to be—Colson, for instance, called Ehrlichman this morning and said that his sources around town, department sources and everything, say that we've got one more day to act on our initiative.

(Material unrelated to Presidential action deleted)

H. And that all these breaks, this White House is all over town. P. So we may have to go today. H. And you have also seen or know the Los Angeles Times has the story. P. About (unintelligible)

H. The White House has got to move, and the thought is that, if we are going to move today we probably ought to meet earlier, so we are ready to move by three o'clock or 3:30 or something.

P. Fine. OK. If you just get together. I think we have to move today. H. Well, if we look like we have anything, we have to get out in front some way.

P. Well you might have to give them the full report today the way it is breaking so fast. Let me say that the problem you've got here—I had quite a long talk with Rogers, etc.—of course he was much more rational than Len. Len's (unintelligible). On the other hand, you've got the problem of you and John sort of being nibbled to death over a period of time. H. Yep.

P. And by not moving, having a situation where, frankly, the chances of your being—I mean of your being publicly attacked and also even the steam of the prosecution is greater. You know what I mean. It is a curious thing, but I am afraid that is the way it operates. You know every day there is some damn little thing that somebody touts around with, you see, so everything can be explained and try to defend and all that sort of thing. But I am not prepared to make that suggestion, but I want you to talk to John about it. H. Yeh. Ok.

P. Dean met with Liddy on June 19th, must have been when he did it. He was in California in January but that is irrelevant. But they keep banging around and banging around. The prosecution gets out the damn stuff. Did John talk with you about it?

H. Yeh, he mentioned it. Dean did tell us that story in Ehrlichman's office last week or two weeks ago.

P. But not to go all through this. H. I don't think so. P. Yeh.

H. I think I mentioned it to you. Remember I described the story to you in some detail (unintelligible) walked down 17th Street—P. This was all after we had started our own investigation. H. Oh, yeah.

P. I mean it wasn't back then. It wouldn't indicate that we knew about all this, etc. Another thing, if you could get John and yourself to sit down and do some hard thinking about what kind of strategy you are going to have with the money. You know what I mean. H. Yeh.

(Material unrelated to President's actions deleted.)

P. Look, you've got to call Kalmbach so I want to be sure. I want to try to find out what the hell he is going to say he told Kalmbach? What did Kalmbach say he told him? Did he say they wanted this money for support or—H. I don't know. John has been talking to Kalmbach.

P. Well, be sure that Kalmbach is at least aware of this, that LaRue has talked very freely. He is a broken man. The other thing is that this destruction of the [unintelligible] things is troublesome, of course. John tells me, too, and basically the culprit is Pat Gray. Does Colson know about that? Is that why they are calling Colson because Colson was in the room when it was handed to Gray?

H. No, he wasn't. Well, apparently he wasn't.

P. He says he wasn't? H. Colson thought, well there was a meeting before that, where they talked about the deep-sixing and all that supposedly.

P. He was in that meeting? H. Which Colson was supposed to have been in.

P. Right, right, right. H. Colson doesn't remember being in it, but Colson flatly says that there was never anything where he was where there was a discussion of Hunt getting out of the country. Kehrl says the same thing. He was supposed to be at the same meeting. In fact, Ehrlichman has checked everyone who was at that meeting and nobody recalls that being said except Dean. And we now have the point that Dean is the one who called Liddy and told him to telephone Hunt to get out of the country and then called him later and said not to.

P. I would like a policy. I think, Bob, we have to think, I must say, we've got to think about a positive move. I think it ought to be today. H. I agree.

P. I think it should be at 3:00 today. We have already, I hope the story doesn't break today in—H. Even if it does you can get into cycle with it.

P. Yeah. Well, I don't want to be answering it. H. No.

P. That is the problem with this Italian here. I want a thing done today and you and John have got to think, frankly, in terms, let me say, not just in terms as a national group for the President and all that—but also you

Released by the White House

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have to think in terms of having this damn thing continue to be dragged out bit by bit and answers dragged out bit by bit, anyway, I suppose. But the point is that Dean's incentive with the U.S. Attorney, incentive with everybody else will be this and that, you get my point? H. Yep.

P. I am sure you and John can talk about it. You see what's happened, the prosecutor has been pretty clever. They got Magruder. Well Magruder just caved, but it had to come. It had to come, Bob. It was going to come. H.

Yes, I think so. I think it had to and should.

P. That's right. The other point is the other element. The question now that is coming as far as Dean is concerned. He basically is the one who surprises me and disappoints you to an extent because he is trying to save his neck and doing so easily. He is not, to hear him tell it, when I have talked to him, he is not telling things that will, you know—

H. That is not really true though. He is.

P. I know, I know, I know. He tells me one thing and the other guy something else. That is when I get mad. Dean is trying to tell enough to get immunity and that is frankly what it is Bob.

H. That is the real problem we've got. It had to break and it should break but what you've got is people within it, as you said right at the beginning, who said things and said them, too, exactly as Dean told them. The more you give them the better it will work out.

P. I have to go. As a matter of fact, I am sure I will be ready by 1:00 o'clock.

H. Ok.

April 17, 1973

(12:35-2:20 P.M.)

**Meeting: The President,
Haldeman, Ehrlichman and
Ziegler, Oval Office**

(Material not related to Presidential actions deleted)

P. Where did we come out? E. Well,

we got two things, we got a press plan but it rests upon some decisions that you have to make on sort of an action plan.

P. Right, alright. E. And, I just finished an hour with Colson who came over very concerned and said that he had to see you. That the message he had for you that he had to and wanted to explain in length is why Dean had to be dealt with summarily. His partner has a tie in with the U.S. Attorney's office and they seem to know what is going on there. Very simply put, I think his argument will be that the City of Washington, generally knows that Dean had little or no access to you.

P. True, that's quite right. Dean was just a messenger. E. That knowledge imputed to us is knowledge imputed to you and if Dean is (unintelligible) and testified that he imputed great quantities of knowledge to us, and is allowed to get away with that, that, that will seriously impair the Presidency ultimately. Cause it will be very easy to argue—that all you have to do is read Dean's testimony—look at the previous relationships—and there she goes! So, he says the key to this is that Dean should not get immunity. That what he wants to tell you.

P. Well, he told me that, and I couldn't agree more. E. Now he says you have total and complete control over whether Dean gets immunity through Petersen. Now that's what he says. He said he would be glad to come in and tell you how to do it, why, and all that stuff.

P. I don't want Colson to come in here. I feel uneasy about that, his ties and everything. I realize that Dean is the (unintelligible), Dean, of course,

What Initials Mean

Following are the identities of persons described by initials in the transcripts of the White House tapes

P. President Nixon.

H. H. R. Haldeman, former White House chief of staff.

R. W. Rose Mary Woods, the Presidents' personal secretary.

E. John D. Ehrlichman, former assistant.

Z. Ronald L. Ziegler, press secretary to the President.

H. P. Henry E. Petersen, Assistant Attorney General.

R. William P. Rogers, former Secretary of State.

W. John J. Wilson, attorney for H. R. Haldeman and John D. Ehrlichman.

S. Frank H. Strickler, attorney for H. R. Haldeman and John D. Ehrlichman.

Let's look at what he has, his (unintelligible) and so forth about (unintelligible) go popping off about everything else that is done in the government you know, the bugging of the—

E. Well, the question is, I suppose is which way he is liable to do it most.

P. First of all, if he gets immunity he'll want to pay just as little price as he can. E. Well, the price that—the quid-pro-quo for the immunity is to reach one through us to all of us. Colson argues that if he is not given immunity, then he has even more incentive to go light on his own malfeactions and he will have to climb up and he will have to defend himself.

P. Now when he talked to me I said "Now I understand John. I understand the tactic of all three resigning." I said, "All offered to resign." I told him that, you understand. I told him that you and John had offered to resign so he's aware of that.

H. Well, have they told him that the price of his immunity is that if we resign they'll give him immunity? Do they feel that makes their case? Or, does he have to give them evidence?

P. I don't know. He's going to have a tough time with that. E. Well, to go on. My action plan would involve—

P. What would your plan be? E. My action plan would involve your suspension or firing of Dean in the course of a historical explanation of your reliance on the Dean Report—his apparent unreliability—

P. But going out—you see the Garment guy got him in today—Garment says it's all going to come out anyway (unintelligible) etc., etc., with the U.S. Attorneys. That's what Petersen's view is, of course.

E. What's that? The Garment deal?

'All Going to Come Out'

P. That it is all going to come out and Haldeman and Ehrlichman are going to resign. He told me that on Sunday. I asked him again yesterday. I said, "Now look it. That's pretty damned flimsy." He said, "Yes, I'm not talking about legal exposure. I'm just talking about the fact that as this stuff comes out they're going to be eaten, but eaten alive. Mr. President, the clamour is going to be something you cannot stand." I said, "Would it be better for them to get leave or something?" And he said, "No, this is the Government. Rather to sit there and later as a result of this tid-bit and that tid-bit and so forth—he lied and I don't lie and so forth. Haldeman

Continued on Following Page

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against Dean and Haldeman against Ehrlichman, Ehrlichman against Dean, who to hell is lying?" He said, "Definitely they'll say, (expletive removed), Mr. President, can't you let these fellows—" Now that's my point. That's what he said.

E. I understand.

P. That's an argument to be made. He said that to Rogers last night and that, of course, is Garment's argument. And I guess Rose, Chappie Rose agree with that, or whatever. My problem is, at the present time, I just don't want to have to talk to each of these sideline people individually, 'cause I don't know. I think some—Garment came in and was talking about the (unintelligible) story in The Times. Petersen told me about it last night. He said (unintelligible) had called. And I said, "That must have leaked out of your place." He said, "No, it didn't." Could it leaked out of here?

E. Could it have been Garment?

H. Could have been, but it isn't at all likely. It's a Justice.

P. But you see—what you say about Dean, I said to him (unintelligible). He supports the Garment plan. He's talked to Garment and Garment has talked to Dean.

E. Dean has talked to everybody in this place.

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

E. You told me that the other day, I didn't know that before. H. But so what? P. What? H. So what?

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

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

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

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

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

P. That's the only thing I can think of he's told me but I've not got him in yet to ask about this thing about you—Liddy (unintelligible)

E. Oh well, they'll be one of those a day.

P. Well, the point is can we survive it? E. Well—

P. Can Haldeman and Ehrlichman survive it. The point that I—Let me say this. I know your (unintelligible) It's a hell of a lot different that John Dean. I know that as far as you're concerned, you'll go out and throw yourselves on a damned sword. I'm aware of that. I'm trying to think the thing through with that in mind, because, damn it, you're the two most valuable members on the staff. I know that. The problem is, you're the two most loyal and the two most honest. We don't have to go into that. You know how I feel about that. It's not bull—it's the truth. The problem we got here is this. I do not want to be in a position where the damned public clamour makes, as it did with Eisenhower, with Adams, makes it necessary or calls—to have Bob come in one day and say, "Well Mr. President, the public—blah blah blah—I'm going to leave." Now that's the real problem on this damned thing and I don't think that kicking Dean out of

here is going to do it. Understand, I'm not ruling out kicking him out. But I think you got to figure what to hell does Dean know. What kind of blackmail does he have? I don't know what all he does—

E. Let me make a suggestion.

P. All right.

Ehrlichman's Suggestion

E. You've got Dean coming in to you saying, "I've talked to the U.S. Attorney and I've told him a lot of things that I did wrong." So you put him on leave. He isn't charged with anything yet, but he's said them to you.

P. I asked him that and he said I'll go on leave along with Haldeman and Ehrlichman.

E. Well, he's not in any position to bargain with you on that. Now when the time comes that I'm charged with anything wrong—

P. Well, John, you have been by a U.S. Attorney and by Petersen to me. Petersen is not charging you legal—

E. That's what I mean. See I understand the difference. You see Dean has broken the law on the face of his (unintelligible) to you—

P. Petersen has said to me, he says that there is—because of the evidence that has come in here—that Haldeman and Ehrlichman should (unintelligible) now I'm faced with that damned hardship.

(MATERIAL NOT RELATED TO PRESIDENTIAL ACTIONS DELETED)

P. Hmm. Say you get there. So you don't get immunity. Colson thinks it's in order not to give immunity, huh?

E. Right.

P. And tell him. Then he would say, "Well, what are you going to do about Haldeman and Ehrlichman?"

E. What you have to say is nobody—

H. He doesn't have to say that.

P. Yes, he does.

E. What you have to say is nobody in this White House—

P. Dean isn't going to say it. I mean—Petersen—Petersen's the guy that can give immunity.

H. Well, tell him not to give us immunity either.

P. (unintelligible) that's a problem. Now, come on! H. Well, see, it's none of his business whether you suspend us or not. That's your decision.

P. I know it is. The point is—let me put it candidly. If I do not suspend you, he will probably give him immunity. That's the problem (unintelligible) unbearable. If you do take a leave, I think he will—it's possible—well, it's possible that he would (unintelligible) even if

you do leave—that he would (unintelligible) I agree. But Dean is the guy that he's got to use for the purpose of making the case.

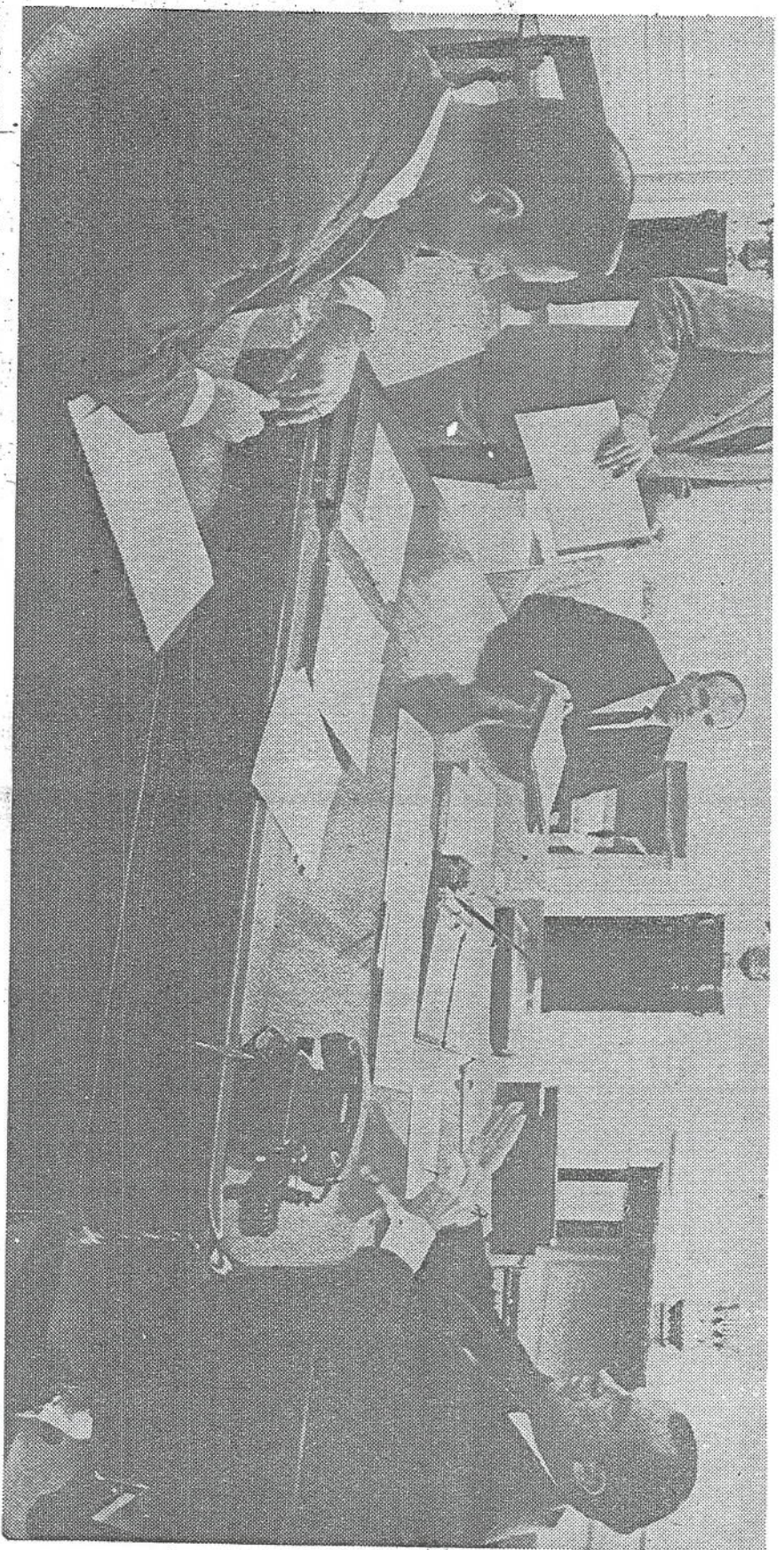
H. Yes, but, even Ehrlichman, which he already admits he doesn't have a case on (unintelligible) significance.

P. Well, he says legally, yes, he does. In the case of Haldeman, it'll discuss—the Strachan things have—determine a lot to do with what Strachan says and what Kalmbach says—the 350 thing and that sort of thing. H. Kalmbach has no relation to me on that. E. That ah—

P. Have you thought when you say before it gets to (unintelligible) thing out of the way. Have you given any thought to what the line ought to be—I don't mean a lie—but a line, on raising the money for these defendants? Because both of you were aware of what was going on you see—the raising of the money—you were aware of it, right? E. Yes, sir.

P. And you were aware—You see, you can't go in and say I didn't know what in hell he wanted the \$250 for. H. No—I've given a great deal of thought (unintelligible)

President Nixon meeting in the Oval Office in 1970 with top aides who have since left posts. They are, from left: H. R. Haldeman, chief of staff; Dwight L. Chapin, appointments secretary, and John D. Ehrlichman, domestic adviser. Meeting is typical of kind at which discussions on Watergate were later taped.



P. Well I wonder. I'm not—look—I'm concerned about the legal thing, Bob, and so forth. You say that our purpose was to keep them from talking to the press.

E. Well, that was my purpose—and before I get too far out on that, ah, I want to talk to an attorney and find out what the law is—which I have not yet done.

P. Right! H. That's just what I want to do too. This is only a draft.

P. Right. Good. The only point is I, I think it is not only that but you see that involves all our people. That's what I feel—it involves Kalmbach—E. Well.

P. And what to hell Kalmbach was told. E. Well, Mr. President, when the truth and fact of this is known, that building next door is full people who knew that money was being raised for these people.

P. E.O.B.? E. Yes, sir, just full of them.

P. Many who know, but there were not so many actors. In other words, there's a difference between actors and noticees. E. O.K. Well, apparently not, because I'm not a actor, ah—

H. The question there is testimony, I suppose.

P. I'm not trying to make any case—E. No, but—

P. I'm not stating a case. E. No, but I want you to think very critically about the difference here between knowledge of the general transactions going on, on the one hand, and being an affirmative actor on the other, because that's the difference between Dean and me. Now on this business on whether Dean should have immunity, I think you have to ask yourself really, the basic question, whether anybody in the White House who does wrong, ought to get immunity, no matter how many other people he implicates.

P. Strachan included? E. Anybody—anybody. I just question whether in the orderly administration of justice, it looks right for anybody in the White House to get immunity.

P. I could call Petersen in (unintelligible) basic (unintelligible) public statement out at 3:00 p.m. is that right?
H. Well, yes—but you don't have to.

P. Well Garment says we have to.
H. Well, yes, but isn't that what Garment said yesterday, the day before, and the week before that? Garment (unintelligible)—

P. Well, understand, I'm not panicking myself but they tell me there seems to be a considerable feeling that a—
E. Well, I agree with you. P. (unintelligible) LaRue's been called, Strachan's been called, Dean might put up a story of the times. You never know. We don't need a Haldeman/Ehrlichman.

Warning on Dean

E. Yea, but you see it's typical Dean position. If Dean is treated different from us, he will go out and say he's a scapegoat for higher-ups.

H. That figures 'cause he knows Ostrow and Ostrow is the guy that covers Justice.

P. I see and Petersen told me that. He told about conversations with that the wife of (unintelligible) apparently sat at some table with (unintelligible) libber they addressed, and the top guy, Rosenblatt or something like that, at the Post was talking to somebody else of the staff. "The Press is going to get out in front—we've got a hell of a lot more—we've just held it back." They might be bluffing—I would doubt that they are at this point.

H. I would think they probably have more, but I would guess what they have more of is in the committee. I don't think they got much more in the White House, unless, I don't know what it could be unless they got Colson stuff—that would be the only area. P. (unintelligible).

H. Yeah. That's the only area where

you have any jeopardy in the White House.

P. Let me say with regard to Colson—and you can say that I'm way ahead of them on that—I've got the message on that and that he feels that Dean—but believe me I've been thinking about that all day yesterday—whether Dean should be given immunity. The point is—I don't know that it can happen, but I can call Petersen in and say he cannot be given immunity, but nobody on the White House staff can be given immunity. And I—whether he'll carry that order out—that's going to be an indicator that that's Dean and (unintelligible). And then what do I say about Dean. Do I tell him that he goes?

E. Well, you see, the thing that precipitated Colson's coming over is that he found that Dean was still here. You see, Dick Howard called Chuck and went through that business of the F.B.I. men sending him into the arms of Dean. So, Colson called and says you've got an ass at your bosom over there, and so, today he checked again, apparently with Howard, and discovered that Dean was still here and he called and said, "I've got to see you." He came in and he says, "You guys are just out-of-your-minds," and said he wanted to see the President. He was fit to be tied about it.

P. Colson was? E. Yes, because he thinks—

P. But you see if I say, "Dean, you leave today," he'd go out and say, "Well the President's covering up for Ehrlichman and Haldeman" all right. There you are. Because he knows what I know. That's what he would say. I tried to put—I mean—I'm trying to look and see—John—what to hell we are really up against. First it was Liddy (unintelligible) scapegoat, now John Dean is.

H. Well, the answer to that is that if he said it publicly, the President is not covering up for anybody, and will not tolerate—

P. The way he's put it to me, Bob, very cute, as I have said, "Son of a gun (unintelligible) in view of what you have told me, if Haldeman and Ehrlichman are willing to resign, and so forth, I too, will resign." In other words, he basically put the shoe on the other—which of course is what led me to the conclusion that that's exactly what his attorney told him to do. If he can get Haldeman and Ehrlichman, that some way gets him (unintelligible) that's what you have here.

E. Yeah, because then that will be argued back to the U.S. Attorney, "Well you see, the President thought enough of Dean's charges to let these guys go."

P. I was trying to indicate to him that both of you had indicated a willingness to—in the event—that—you know what I mean.

E. And here's a guy that comes in and in effect, confesses to you the commission of crimes. P. And charges you. E. And charges you, that's right.

P. That's right. And I said, "Now wait—these charges are not—" and you see he also has an alibi in the U.S. Attorney—E. Small wonders.

P. He's asked (inaudible) Attorney General that the President should act—
E. Well, you see my point and—
P. Yeah. E. And you'd have to obviously, call us when—
P. Go ahead. Go ahead on the action—

E. Well, it would involve the suspension because it would involve a recounting of how you happened to get into the personal investigation of this by reason of Dean's being unable to reduce his full report to writing for you. And that that rang a bell, and you personally turned to and have spent a great deal of your time in the last several weeks on this—and have seen dramatic progress in the grand jury in the last several days. That would be Step 1. Now in addition to that you would say the Ervin committee has come up with a good set of ground rules which do provide us with—

P. Well, did you work that out?
E. Well, you'd say this. I think you'll find that they are going to go on television under oath, pretty much regardless, but, the ground rules give you a toe hold. They do provide for executive session.

P. Is executive session considered executive privilege? E. And they will consider—

P. And otherwise they will go into open hearings. E. Yes, but there again executive privilege is reserved.

P. Executive privilege is reserved, fine. H. At this point, the way we're in the soup now, we can lose nothing by going. P. That's right. H. I think we may gain.

P. That's right, I couldn't agree more. So if you can prepare me with at least that much, I'll agree. That I can say that today. H. Well, that's a hell of a bomb shelter right there. P. Yes, it is. But, let's get on with the rest of it. E. That's it. That's all I have for today. But it gets you into the case—it's you leading it. It notices the progress and the grand jury as related to

your efforts and it doesn't say what they are.

P. Well, the point is though the story today is that John Dean is suspended, but—and then John Dean is going to be out there plastering—out saying the President has indicated that Haldeman and Ehrlichman too might go.

H. Let me suggest a different process, which is that you don't suspend John Dean, but that you instruct John Dean that he is not to come to work any more. He is in effect suspended, but not publicly suspended.

P. He'll say, "What about Haldeman and Ehrlichman?"

H. I would suggest to you that you do the same with us. And I was going to suggest, I was going to request that action. For this reason—I've got to speak for myself. John's got to speak for himself. I have now concluded that my course is that I must put out my story. I must put it out in total and in my words, before I go to the—I don't know about the grand jury—before I—

P. Before you go to the Senate committee? H. go to the Senate committee. I'm going to have to put it out there anyway.

P. I don't think you're ever going to get to the Senate committee. I don't think the committee hearings will ever go forward.

H. I do. I don't think there is any chance of them not going forward. You think because of legal case (unintelligible) O.K. Great if they don't. Then maybe I never tell my story. But my view is that at some point in time I'm going to have to tell it.

P. But you—the way—I would reserve, Bob, the right to tell that story until you felt you did have to go to the committee hearings. See what I mean? Or, unless you got to a point where you were nibbled to death.

H. That's right. Or until a partial charge comes up. For instance, if the grand jury leaks or the Justice people leak the Strachan stuff, then that forces my hand.

P. John? E. Well, subject to attorney's advice.

H. That's what I was going to say. I will not make this statement until I have worked it out.

P. Bill said he just couldn't remember.

'My Interest Is Served'

H. Well, we've got some leads. We're going to start on today, so we've got that, but my interest is served and I will also argue that the better off I come out of this, the better off you come out of it—vis-a-vis me. In other words, anything I do in my interest is to your interest.

P. Let me ask you this, John. E. What's that?

P. You said that you ought not to come for awhile. On what basis? I mean, we do this on an oral basis.

H. What I'm doing now is requesting you, on an oral basis—
P. Yeah. H. to not expect me to carry out any duties for awhile because (inaudible) perfect this and get it ready—

P. Where would you do it, at home or in the office here?

H. I can do it wherever you want

me to. I think I ought to do it in the office, but—
P. Alright.

E. If Dean says, "What about Haldeman and Ehrlichman?" you say, "John, I'm talking to you about you. Now I'll take care of them my own way. I'm not going to have you bargaining with me."

H. I don't think the President can be in the position of making a deal with John Dean on anything.

E. Yeah. "I'll go if they go." Supposing I said, "I won't go unless Henry Kissinger goes!" Yeah, it's ridiculous. Let me speak to this. I have pretty much unplugged myself of my day-to-day stuff, because with this kind of stuff going on you just can't think about anything else.

P. O. course, it's been a little hard for me to also.

E. Sure. Now, I have a need to get into all kinds of records and my date books and these are volumes and volumes of correspondence and stuff. If I couldn't come into the office, I probably couldn't prepare a defense.

P. What about Dean coming in? Why not him? (unintelligible) I think I've told Dean he's to have nothing more

to do with this case.

E. Well, he's sure not following out your orders, if that's the case.

P. You see what I mean.

E. Now, you'd have another problem, and I don't know what's been going on in the last week or so, but I imagine he's carted stuff out of here by the bale. I just don't know.

H. You don't know that.

E. I certainly—

H. If you suspend him or tell him to leave in any way, you also move in to take care of his files.

P. Could I say this, "John, both Haldeman and Ehrlichman have both requested the opportunity to be relieved of their duties—I mean their main duties, so that they can concentrate on this matter to prepare for their appearance before the grand jury." Could I say that? E. Sure, well— P. Wait. H. The trap you're falling into there is that you're admitting to Dean that you regard the allegations that he has raised against us as of the same validity of his own criminal admission to you. E. If that's the case then maybe that's what you should say.

P. No, no, no, there are two different levels.

'Lot of Silly Garbage'

E. Then that's the way it ought to be put. He brought in a lot of silly garbage about me which doesn't add up to a nickel's worth of a law suit. Ah, he's come in and told you that he's been involved in all kinds of stuff. It seems to be a very different qualitative problem. Here again, I hate to argue my case—it's very awkward.

P. You should argue, John. I wonder if whether or not I trapped myself (unintelligible) about this business when I said, "Look, John," I said, "both Haldeman and Ehrlichman have offered to resign."

E. Well, I offered to resign at your total and sole discretion. You don't have to have a reason—

P. (expletive removed) (unintelligible) Then I said—E. Well—

P. Wait a minute. Wait a minute.

Then Petersen said, he said, "We've got to have corroborative testimony." So you see what I mean? E. Yeah.

P. Before we could get—Let me put it this way. He realizes that before he could try to give Dean immunity he's got to have corroborative testimony on the value of Dean's evidence. That's what he's trying to get at the present time. That's why he was calling Strachan, Colson, Kalmbach, et al. The purpose of it being, John, to get corroborative evidence that would say, well, Dean's evidence is so valuable as far as other people are concerned, that we can therefore give him immunity. Now I'm not a criminal lawyer, but does that make any sense?

E. I don't know.

P. But you see what his tactic is?

E. I put it.—I don't know what the previous commitment to him is, but he's not being fired, he's not being suspended, he's being directed to stay away from the office.

P. I might put it that since you are talking to a U.S. attorney. If I could put it that way to him I might be able to make some hay. Bring the U.S. attorney in. And I'll say don't give him immunity. E. From a public policy standpoint.

P. Yeah, (unintelligible). And I'll tell you what Petersen did tell me. He did say this much. I said, "What about Dean?" and he said, "Well, we haven't made a deal with him yet." I think I told you about this—E. Yep.

P. I said, "Why do you have to make a deal?" And he says, "Well, he wants to make a deal." And I said, "What do you mean let him off?" He said, "Well, that's what you do, Mr. President." I said, "Well," I said, "you're sort of (unintelligible)." We've



White House Photograph

President Nixon meeting in 1971 with Ronald L. Ziegler, press secretary, in the Oval Office. In a similar meeting there, according to transcript of April 17, 1973, Mr. Nixon said that John W. Dean 3d did not report to him, but spoke with Mr. Ziegler. In transcript of April 27, 1973, Mr. Ziegler said of Mr. Dean: "He is a very good friend of mine."

had some real good talks. I mentioned this to Rogers. Rogers just shook his head and said "That's right." And I said, "They have both said that." And I said "I will certainly have it under consideration."

E. Now there's another matter. If this is awkward for you, the best thing you should do is get rid of me, you know, once and for all. P. Yep. E. But if it is anything short of that — P. Yeah. E. Then it seems to be that you have to take into account qualitative differences.

P. Yep. E. And if you don't want to make a formal suspension, then the thing to say is, "I want you to stay away from the office. Just don't come around, because I know everything that happens in this building is being funneled directly to the U.S. Attorney through you, or I have reason to think that, and I cannot have that situation." Now that's the way—Yeah.

P. So he isn't going to do it simply on the basis. He isn't giving Dean immunity simply on the basis of what Dean has already said.

E. I understand. Ah, my fear here is—

P. Dean getting immunity? E. Dean getting immunity, or anybody in the White House getting immunity, it is in itself treatable as a cover-up. And obviously is we are put in a position of defending ourselves, the things that I am going to have to say about Dean are: that basically that Dean was the sole proprietor of this project, that he reported to the President, he reported to me only incidentally.

P. Reported to the President? E. Yes sir, in other words—P. When? E. Well, I don't know when, but the point is—

P. You see the problem you've got there is that Dean does have a point there which you've got to realize. He didn't see me when he came out to California. He didn't see me until the day you said, "I think you ought to talk to John Dean." I think that was in March.

E. All right. But, but the point is that basically he was in charge of this project.

P. He'll say he reports to the President through other people.

E. Well, O.K. Then you see what you've got there is an imputation. He says then—as that kind of a foundation—"I told Ehrlichman that Liddy did it." What he is saying is that, "I told the President through Ehrlichman that Liddy did it."

H. Which means that it was perfectly acknowledged as far as Ehrlichman was concerned and there was nothing that you were required to do about it anyway.

E. That's right. But you see I get into a very funny defensive position then vis-a-vis you and vis-a-vis him, and it's very damned awkward. And I haven't thought it clear through. I don't know where we come out.

P. Yeah. You see Dean's little game here [unintelligible]. One of the reasons this staff is so damned good. Of course he didn't report to me. I was a little busy, and all of you said, "let's let Dean handle that and keep him out of the President's office." And maybe you didn't want him in there for other reasons too. But he did.

Ziegler Talked to Him

E. Well, the case I'm going to make—

P. Well, of course, he would then say who the hell did he report to?

E. Well, in many cases, to no one. He just went ahead and did things.

P. The other point is that they'll say [unintelligible] the first time he reported to the President—

E. Well statistically, it's interesting. I'm now far enough in my records for last year.

P. You probably had five meetings a month.

E. Less than that. Matched against that, all the other things I was doing—substantive things—and Dean becomes practically the least of my worries.

Some of Persons Mentioned in Transcripts of White House Tapes

Following is a list of some persons mentioned in the transcripts of the White House tapes:

- Anderson, Jack—Syndicated columnist.
- Bittman, William O.—Lawyer for E. Howard Hunt Jr.
- Butterfield, Alexander P.—Former White House aide.
- Campbell, Donald E.—Assistant United States Attorney for the District of Columbia.
- Caulfield, John J.—Former employe of the Committee for the Re-election of the President.
- Cole, Kenneth R. Jr.—Successor to John D. Ehrlichman as chief domestic adviser to the President.
- Colson, Charles W.—Former special counsel to the President.
- Daniel, Clifton—Chief of the Washington Bureau of The New York Times.
- Dean, John W.—Former counsel to the President.
- Fielding, Fred—Former deputy counsel to the President.
- Garment, Leonard—Counsel to the President.
- Glanzer, Seymour—Assistant United States Attorney for the District of Columbia.
- Gray, L. Patrick 3d—Former acting director of the Federal Bureau of Investigation.
- Hersh, Seymour M.—A New York Times reporter.
- Howard, W. Richard—Special assistant to the President.
- Hunt, Dorothy—The late wife of E. Howard Hunt Jr.
- Hunt, E. Howard Hunt Jr.—Convicted Watergate conspirator.
- Kalmbach, Herbert W.—Former personal attorney for the President.
- Kehrl, Bruce A.—White House assistant.
- Kleindienst, Richard G.—Former Attorney General.
- LaRue, Frederick C.—Chief deputy to John N. Mitchell at the Committee for the Re-election of the President.
- Liddy, G. Gordon—Convicted Watergate conspirator.
- Magruder, Jeb Stuart—Former chief of staff of the Committee for the Re-election of the President.
- Mardian, Robert C.—Former deputy manager of the Committee for the Re-election of the President.
- Maroulis, Peter—Lawyer for G. Gordon Liddy.
- Marrion, J. Willard—Hotel executive.
- McCandless, Robert C.—Lawyer for John W. Dean 3d.
- McCord, James W.—Convicted Watergate conspirator.
- Miller, Herbert J. Jr.—Washington lawyer, former Assistant Attorney General.
- Moore, Richard A.—Special counsel to the President.
- O'Brien, Paul—Attorney for the Committee for the Re-election of the President.
- Ostrow, Ronald J.—A Los Angeles Times reporter.
- Rose, H. Chapman—Lawyer for four of the original defendants in the Watergate break-in.
- Rosenfeld, Harry—Metropolitan editor of the Washington Post.
- Ruckelshaus, William D.—Former acting director of the F.B.I.
- Shaffer, Charles N.—Lawyer for John W. Dean 3d.
- Silbert, Earl J.—Original chief prosecutor in Watergate case.
- Slitka, John J.—Former Chief Judge of the United States District Court for the District of Columbia.
- Strachan, Gordon—Former assistant to H. R. Haldeman.
- Timmons, William E.—Director of Congressional relations for the White House.
- Titus, Harold H., Jr.—Former United States Attorney for the District of Columbia.
- Woodward, Bob—Washington Post reporter.

P. How about you, Bob? H. I haven't any idea. I don't have a log. Unless Dean does.

P. The only thing he doesn't have is the fact that should have come in to see me. Ziegler talked to him, I guess and so forth and so on. E. Moore—frequently.

P. Moore—all right—Moore [unintelligible] but I haven't talked to Moore either, have I?

E. Well, I think, I've got to think this through. I just don't know where that leads.

P. [Unintelligible] White House staff,

Continued on Following Page
Continued-From Preceding Page

he is trying to blackmail the White House. Alright you called Bittman. Bittman says that—he says that O'Brien—Where did you get the money? And so forth—H.P. Now Bittman maintains that it's a lie.

P. He'd be better off to say it's a lie. H.P. Yeah. He simply says that this is a statement by McCord that is lacking in veracity.

H.P. And is attributed to (unintelligible) and Dorothy Hunt.

P. Of course, you've got Dean now corroborating—H.P. Well, we can have Dean alluding to it, but not in circumstances that we can use it. It depends upon whether or not—

P. But Dean must say—this is also hearsay on that point. I had forgotten this is hearsay. Because he says that he had heard that Bittman needed money, I mean, Bittman had said had had to have a hundred—H.P. The link here is O'Brien.

P. Huh? H.P. The link here is O'Brien.

P. I—uh, I see.

H.P. The lawyer.

P. I see, That Dean had heard from O'Brien, Bittman or O'Brien?

H.P. No. I say the link we can break into this is O'Brien. Cause O'Brien's a lawyer. He very scared and—

P. Yeah. So, O'Brien, Let's see what he says. I am just trying to see where it sorts out O'Brien—can you get him in? What's he done? Has he spoken up?

H.P. Well, I don't know that I can really predict—ah—ah—but conceivably if he said—ah—P. Bittman.

H.P. "As part of the scheme to insure silence of those that were convicted, we made an arrangement whereby money would flow through Bittman in the form of legal fees for distribution to those people."—Then you've got it.

P. In the form of legal fees, I see. And then you've got Bittman and then you've got O'Brien and then you got the people that did it. If they—ah—At least those that knew. Like Kalmbach, might not have known. H.P. That remains to be seen. And LaRue,

P. La Rue? LaRue did know. He had to. And Mitchell. You've got Mitchell there, you've got LaRue. Who else is missing? LaRue, is he the one that used the code name of Rivers?

H.P. I don't know whether— P. I have heard that name Rivers.

Involvement of Caulfield

H.P. I heard Baker. Now there's two, but these may be couriers that Caulfield recruited, I am not sure.

P. And in all that Caulfield is involved, probably only coincidentally. You can't—they say some of these down there. But O'Brien in other words. O'Brien is scared. And O'Brien says that Bittman—I am just trying to see how they ever got—The only way you could ever get—Let me say, there is no way they could get that to the President without going through Haldeman and Ehrlichman. But I am referring to this man here. There's no way they could get it to here except through the fact that on March 21st Dean, as I had reported to you, did report to me that Bittman had told O'Brien that they

needed the money. They needed the money. It was discussed and we, I said, "It can't be done. We can't do it." He went on to see Ehrlichman, and Ehrlichman said, "No dice." Nothing could be done. Now that is the fact. As far as we're concerned. That isn't much of a thing for Dean to have. H.P. Yeah.

P. But you could have Bittman I suppose Dean. He could have talked to him—but then you have hearsay. But Dean is not credible. He is not credible. He really can't. He can't go out and say, "Look I've talked to the President and he told me this and that and the other thing." First, it's not true.

H. P. That's the reason I say, in order to make Dean a credible witness; one, it seems to me that he has to plead and two, he has to be corroborated in an essential degree, not everything he says. But in sense an essential number of factors by other witnesses. And he may be corroborating in

one respect by LaRue and in another respect by O'Brien, and in still a third respect by someone else, and in a fourth respect by Magruder. You know, and that's the way it goes and the case is being built. So, maybe we can bring O'Brien out

P. Well, there's only this one charge I give to you, among many others, and that is: If any of this—I mean, I can't allow it. Believe me that even prosecutors shouldn't even have informed you of this one. Or me—I—

H.P. They have described it as bombast, and rhetoric, and—you know, posing—

P. You examine them tomorrow. And you tell them they are my men. I'm for them, too. I want them to do the job. I want this to come out solid and right here. And they will start right in to get the big fish. Let's come to the Dean thing again. I can give you some more time if you want to negotiate with him. I mean, when I say I—more time—

H.P. He needs more pressure. It's become counterproductive of the President. P. What?

H.P. It's become counterproductive. I think he was pressed up against the wall, he's seen the early-morning crisis pass and now he's had resurgence. You know, he sees Ehrlichman here. He sees Haldeman here. He sees John Dean still here. Nothing happens. His confidence is coming back rather than ebbing. And—

'I Can Ask—Just Resign'

P. What do you think? Without your advice—is the proper course of action to have Dean to either—there are two courses of action I can take. I can take a leave of absence until they clear. You know what I mean. Which of course is a very—Bill Rogers thinks is the fairest. And in the end and then they resign, of course. Or I can ask—just resign. Now the problem with resignation, which

tire investigation, that means the Ervin committee is in there too." If, for example, you don't happen to indict one of these three, or one or two or three. I am not going to take that as clear evidence—it is not enough to serve the President simply to get by—H.P. I understand—

P. And I have told them all of that. They have got to be—H.P. I don't see that we're in any disagreement there. The problem is one of timing, as I see it. I think, in my humble judgment, that the question of timing is working first to your detriment, with respect to your image, before the press and public.

Do you mean now would be a good time—

An Attitude of Hope

H.P. And secondly, I think it is working toward the detriment of the investigation because it is giving all of these people an attitude of hope that I think is unwarranted and I think that if he—

P. Let me ask you this: How about moving Haldeman and Ehrlichman and see what that does to Dean. I am just thinking about that—let me put it this way. I am not in communication with Dean at all. For obvious reasons. But Haldeman and Ehrlichman, I hold my damn brain sessions. I know that they are telling me the truth. Dean, I can't believe him. Because I don't what he is up to, you see? And, this leave of absence talk, let me say—please let us keep it within ourselves. I can't leak this out. It will kill them. It will kill the whole thing. I am particularly—can't let it out to Dean. I don't like to put the three of them in the same bag. Although they may all be there.

H.P. Mr. President, why do you not like to put them in the same bag? You don't like to put them in the same bag because Haldeman and Ehrlichman are loyal to the last minute, and you—

P. No, no it isn't that. It isn't that. H.P. I am not questioning your motive.

P. I am referring primarily to the fact that I have a different relation with the others. At this point I can't get Dean in and say, "Look fella, you take a leave of absence and if you come through clean I will take you back." You know, something like that.

H.P. Well, I, in all candor, I think a

leave of absence—absence—is just a preliminary step to ultimate departure. P. I see.

H.P. I don't see how either way any of them could come back. But it certainly at least in terms of bias and prejudice it indicates to the public at large that you haven't completely abandoned them. You haven't completely and unalterably decided their fate. On the other hand, I am separating myself from them and saying now, by golly, you — What you say is you are guilty until you are proven innocent. That's what the leave of absence is. You see. The other way I am saying, "Resignation — you're guilty." That's the difference, isn't it? The leave of absence in effect is saying, "Look, fellas, I give you leave of absence. So I hold you, basically, not that you're guilty," but—I'm not holding you guilty, I'm not finding you guilty, but I'm saying is that you've got to prove that you are innocent before you can come back. H.P. No.

P. Now in recognition I am saying—

Proof of Worthiness

H.P. No—you're saying that you have to prove you're worthy to work in the Office of the President.

P. Oh, I see. I understand. H.P. But I think that, I think that's a much more ritualistic way of saying—

P. Well, that's what I told them. That's what I told them. You know what I mean by guilt and innocence, I mean worthiness. H.P. That's right. P. You have to prove you're worthy.

H.P. But you see that's what I see has to get out to the public. But Mr. President, my wife is not a politically sophisticated woman. P. That's right—H.P. She knows I'm upset about this and you know, I'm working hard and she sees it. But she asked me at breakfast — She, now I don't want you to hold this against her if you ever meet her, because she's a charming lady—P. Of course.

H.P. She said, "Doesn't all this upset you?" And I said, "Of course it does."

P. "Why the hell doesn't the President do something?"

H.P. She said, "Do you think the President knows?" And I looked at her and said, "If I thought the President knew, I would have to resign." But, you know, now there is my own family, Mr. President—P. Sure. Sure. H.P. Now

hits at—There isn't any question about what I will do when you get through with your damned grand jury. I just don't—I don't want to—you know what I mean? I don't want him in effect—by something that I do—to totally prejudice even Dean. You understand what I mean?

H.P. I understand that aspect of it.

P. As President I shouldn't give a damn about that, but as President—I'll speak to the country on this. And I will soon. But my point is with a leave of absence, with a leave of absence for all three.

H.P. With a leave of absence, you have the best of both worlds. You have given them the benefit of the doubt and you haven't cut the Gordian knot. You haven't asked for their resignations.

P. I have asked for a leave of absence. And I say, "Now I will determine at the conclusion not just of the grand jury, but at the conclusion of this en-

whatever confidence she has in you, her confidence in me ought to be unquestioned. Well, when that type of question comes through in my home—

P. We've got to get it out. H.P. We've got a problem.

P. Well you know I have wrestled with it. I've been trying to—H.P. Mr. President, I pray for you, sir.

P. I have been trying to get the thing. Like even poor Gray—there was nothing we could do. Ah—wrestling with Dean's covers. But ah—H.P. I wouldn't try to distinguish between the three of them.

P. I understand. I understand. Well, I won't try to distinguish, but maybe they will be handled differently due to the fact that I am not communicating with Dean.

H.P. Mr. President, it is always easier to advise than it is to assume the responsibility.

P. I will do it my way. And it will be done. I am working on it. I won't even tell you how—how—H.P. I understand—

P. But what are you going to do? What will happen now? The FBI will now interview Dean on that report in California?

H.P. Yes, sir. They will interview Ehrlichman and they will, ah, attempt to identify the psychiatrist. They will interview the psychiatrist named as Ellsberg's psychiatrist to determine whether or not they were burglarized or know they were burglarized. They will attempt to determine if there's any police report of a burglary. We will check with the Defense Department since they have been involved in this thing. We will recheck the FBI. We've already checked them once.

P. What did they find? H.P. Well, nothing. We've checked our own people—

P. Now, the FBI did not do anything. H.P. I understand. But . . . we're talking about the evidence of information that may have been stemmed from that source.

P. Yeah. Well they got into the trial.

H.P. Whether any of that has gotten into the file in any way. And when we do that and we do that, we have to file a report to the Court and we will and ah we'll see what develops.

P. Alright. Thank you.