
The Press in the President's Transcripts

JOHN EHRLICHMAN helped the President plan release of public statements to the press. John Dean wanted to leak information to *U.S. News and World Report*. President Nixon wanted his press secretary to call the *New York Times* about a story expected to link the White House to the Watergate affair.

The references are all in the transcripts of President Nixon's secretly taped conversations with his aides between Sept. 15, 1972 and April 27, 1973. They are among the thousands of words from 48 meetings and telephone conversations released last month by the President as relevant to the impeachment investigation by the House Judiciary Committee.

Throughout the meetings devoted to planning a defense against oncoming legal actions in the Watergate affair is a concern about the effects of news media coverage. Presidential aide H. R. Haldeman was concerned about "P. R." Ehrlichman sketched hypothetical news leads as part of his "press plan." Nixon discussed the bugging of journalists.

On Sept. 15, 1972 Nixon and White House counsel John Dean discussed their "enemies."

Dean — . . . one of the things I've tried to do, I have begun to keep notes on a lot of people who

are emerging as less than our friends because this will be over someday and we shouldn't forget the way some of them have treated us.

Nixon — I want the most comprehensive notes on all those who tried to do us in. They didn't have to do it. If we had had a very close election and they were playing the other side, I could understand this. No — they were doing this quite deliberately and they are asking for it and they are going to get it. We have not used the power in this first four years, as you know. We have never used it. We have not used the bureau and we have not used the Justice Department, but things are going to change now. And they are either going to do it right or go.

DEAN AND NIXON were not singling out the press as White House enemies in this reference. But, in a full transcript of the Sept. 15 conversation obtained and published by the *Washington Post*, Nixon is specific.

N — The main thing is the *Post* is going to have damnable, damnable problems out of this one. They have a television station . . . and they're going to have to get it renewed.

THE COMMENT followed Dean's revelation that the *Post* has assigned "a real large team" to investigate

Watergate. At the time, two television stations owned by Post-Newsweek Stations Inc. were about to seek license renewal from the Federal Communications Commission. Challenges to the *Post's* ownership were later filed by persons closely associated with Nixon and his reelection campaign, the *Post* said.

White House Press Secretary Ron Ziegler, following the disclosure of the deleted references to the *Post*, said, "The *Washington Post* has not and in reality is not facing any threats from the administration."

But there was little love lost between the *Post* and Nixon, and even less between the White House and the *Post's* young Watergate reporters Carl Bernstein and Bob Woodward — "Bernstein and what's his name," as aide Ehrlichman put it.

In April 1973, when the White House was trying to decide how to deal with collapsing walls around John Dean, Nixon told Asst. Atty. Gen. Henry Petersen he didn't want the *Post* breaking the story.

Nixon — And after all — we have broken this — you, the Department of Justice, damn it — you see — demonstrated that the judicial system does work.

THE FOLLOWING day, Haldeman deduced that the *Post* was "playing the long game," and would take its

time about printing some stories about Watergate.

The *Post* and Woodward and Bernstein were not the only elements of the news media to be wary of. According to Ehrlichman, the *Post's* Haynes Johnson was "notorious for finding what he's looking for."

And when Ehrlichman-Haldeman attorney John Wilson suggested that columnist Jack Anderson was getting grand jury information from a court reporter, Nixon said "Bull (laughter). A court reporter!"

Wilson's associate Frank Strickler said, "Fire him."

Ron Ostrow of the *Los Angeles Times*, according to Asst. Atty. Gen. Petersen, was a "reporter of character, if there are any." Petersen called Ostrow an "acquaintance."

Dan Rather of CBS, long considered a source of irritation, is hardly mentioned. One of Nixon's aides suggested the President might end up before a grand jury.

Nixon — I go before the grand jury. That's like putting Bob [Haldeman] on national television.

Haldeman — With Dan Rather.

N — What?

H — With Dan Rather?

N — Well by putting it on national television, period (unintelligible).

IN A March 13 conversation between Dean and Nixon, NBC came under attack. Haldeman's assistant Gordon Strachan had been on television.

Dean — . . . That NBC thing last night, which is just a travesty as far and we're talking about shabby journalism, they took the worst edited clips out of context, with Strachan saying he was leaving. And then had a little clip of Ron [Ziegler] saying, "I deny that." And he was denying something other than what they were talking about in their charge. It was incredible. Someone is going through and putting that altogether right now and Ron ought to be able to (unintelligible) to that one on NBC. It was a very, very dishonest television reporting out of sequence of events . . .

THE WHITE HOUSE was greatly concerned over the effect the press would have on public opinion and on legal proceedings. References are to "fair trial and a free press" and "prejudicial publicity."

On Feb. 28, 1973 Nixon and Dean discussed how Sen. Sam Ervin's Watergate committee would handle hearings with Nixon's personal attorney, Herbert Kalmbach, who had controlled secret funds for political sabotage.

Nixon — . . . I suppose the big thing is the financing transaction that they will go after him for. How does the money get to the Bank of Mexico, etc.

Dean — Oh well, all that can be explained.

N — It can?

D — Yes, indeed! Yes, sir! They are going to be disappointed with a lot of the answers they get. When they actually get the facts — because the *Times* and the *Post* had such innuendo — when they get the facts, they are going to be disappointed.

N — The one point that you ought to get to [Sen. Howard] Baker. I tried to get it through his thick skull. His skull is not thick but tell [former Atty. Gen. Richard] Kleindienst in talking to Baker — and Herb should emphasize that the way to have a successful hearing and a fair one is to run it like a court: no hearsay, no innuendo!

LATER IN the conversation, on the same subject . . .

D — That is a heck of an idea, Mr. President. Some of these early articles said — will Sam Ervin, constitutional man, be a judge? Will he admit hearsay? We can try to get some think pieces out to try to get a little pressure on him to perform that way, to make it look like partisan when he doesn't.

N — The point that Kleindienst gets out: no hearsay, no innuendo! There will be no hearsay, no innuendo. This will be a model of a congressional hearing. That will disappoint the (adjective deleted) press. No hearsay! No innuendo! No leaks!

IN THE same conversation, Dean said Maurice Stans, finance chairman of the Committee to Re-elect the President, had also been the victim of innuendo, but through another source, who was subsequently quoted by the media. Larry O'Brien, Democratic party chairman during the break-in at headquarters in the Watergate Hotel, filed suit for damages claiming Stans had financed the plan with GOP campaign funds. Stans filed a countersuit charging O'Brien with libel. Other suits filed by Republicans against O'Brien charged him with abusing the judicial process for political purposes. Newsmen were to be used as witnesses.

Nixon — . . . Ziegler was disturbed at the news that they subpoenaed newsmen. Did that disturb you?

Dean — No, it didn't disturb me at all. No, sir. I talked with Ron at some length about it on the other night. I said, "Ron, first of all you can rest assured that the White House was not involved in that decision." Exceptional case.

N — It should involve prosecution.

D — No, it is a civil deposition and it is not because we haven't reached the newsman's privilege issue yet, and that is way down the road yet, if for some reason they refuse to testify on some given evidence. What they are trying to establish is the fact that Edward Bennett Williams' law firm [representing the *Washington Post*] passed out an amended complaint that libeled Stans before it was into the court process, so it was not privileged. And the newsmen are the people who can answer that question. Also they are trying to find out how Larry O'Brien and Edward Bennett Williams made statements to the effect that this suit — the first law suit they had filed against the Committee — was not really to establish any invasion of privacy threat, rather they were harassing the Committee.

N — The Committee to Re-elect?"

D — They made this off the record to several newsmen and we know they did this. That this was

“... ‘There will be no hearsay, no innuendo. That will disappoint the (adjective deleted) press. No hearsay! No innuendo! No leaks!’ ...”

a drummed-up law suit . . . it doesn't bother me if they subpoenaed nine or ten —

N — Well, one hell of a lot of people don't give one damn about this issue of the suppression of the press, etc. We know that we aren't trying to do it. They all squeal about it. It is amusing to me when they say — I watched the networks and I thought they were restrained. What (expletive omitted) do they want them to do — go through the 1968 syndrome when they were 8 to 1 against us. They are only 3 to 1 this time. It is really sickening though to see these guys. These guys have always figured we have the press on our side. You know we receive a modest amount of support — no more. [Special counsel Charles] Colson sure making them move it around, saying we don't like this or that and (inaudible).

D — Well, you know Colson's threat of a law suit which was printed in Evans and Novak [syndicated columnists] had a very sobering effect on several of the national magazines. They are now checking before printing a lot of this Watergate junk they print. They check the press office trying to get a confirmation or denial, or call the individuals involved. And they have said they are doing it because they are afraid of a libel suit on them. So it did have a sobering effect. We will keep them honest if we can remind them that they can't print anything and get away with it.

ALTHOUGH they felt the media was growing more careful about checking sources of information, Nixon and his aides were still concerned the press would be able to find someone willing to talk. In a March 27, 1973 conversation, Haldeman and Ehrlichman discussed White House special assistant Jeb Stuart Magruder, who was beginning to talk.

H — If Magruder goes public on

this, then you know —

N — Incidentally, if Magruder does that, let's see what it does to Magruder.

E — It depends on how he does it. If he does it under immunity, it doesn't do anything to him.

N — All right — except ruin him.

H — Well, yeah. It ruins in a way. He becomes a folk hero to the guys —

N — He becomes an immediate hero with the media . . .

E — [CBS'] Mike Wallace will get him and he will go on “Sixty Minutes,” and he will come across as the All-American Boy . . . who was serving his President, his Attorney General and they misled him.

WHO ELSE was giving information to the *Post*? How did the N.Y. *Times* know what it knew? The White House wanted to find out. On March 13, Dean discussed the Sullivan bugging plan with the President. It turned out that Sullivan himself was a leak.

D — What [the FBI's] Bill Sullivan's desire in life is, is to set up a domestic national security intelligence system, a White House program. . . . He says we have never been efficient, because [the late FBI Director J. Edgar] Hoover lost his guts several years ago. If you recall he and Tom Huston worked on it. Tom Huston had your instructions to go out and do it and the whole thing crumbled.

LATER, ON the same subject:

D — Well, the way it came out when *Time* magazine broke on the fact that it charged the White House had directed that newsmen and the White House staff people be subjected to some sort of surveillance for national security reasons. I called, in tracking down what happened, I called Sullivan and I said, “Don't you think you ought to come

over and talk to me about it and tell me what you know.” I was calling to really determine whether he was a leak. I was curious to know where this might have come from because he was the operative man at the bureau at the time. He is the one who did it. He came over and was shocked and distraught and (unintelligible). Then, after going through with his own explanation of all what had happened, he started volunteering this other thing. He said, John, this is the only thing I can think of during this administration that has any taint of political use but it doesn't really bother me because it was for national security purposes. These people worked with sensitive material on Vietnam that was getting out to reporters.

A MONTH LATER, the President suspected Dean of being a leak. On April 17, 1973 Nixon said to Haldeman of a Los Angeles *Times* story, “Well, did that story say the White House was going to move? Oh, oh, oh. Heads are going to roll. That probably came directly from Dean. I think Dean did that.”

Two months earlier, Dean had told the President, “There has never been a leak out of my office. I wouldn't begin to know how to leak. And I don't want to learn how you leak.”

But Dean, on March 13, offered suggestions on how the White House could use leaks to its own advantage.

Dean — . . . we have a little bomb here that we might want to drop at one time down the road, maybe the forum to do it in is something totally out of context between the [Patrick] Gray hearings [on his appointment as head of the FBI] and the Watergate hearings. Maybe we need to go to the *U.S. News*, sir. Who knows what it would be, but we ought to consider every option, now that we've got it.

Nixon — Rather than going to a hearing, do "Meet the Press" and that will force the hearing to call him. That is quite the way to do it. Have him give an interview to *U.S. News*, "Wires in the Sky," or something. A respected reporter. Why not give it to [Clark] Mollenhoff [Washington bureau chief for the *Des Moines Register* and *Tribune*. Mollenhoff, a former Nixon employe, had also become a source of irritation to the President].

D — Well, that is interesting. Mollenhoff is close, but our guy gets near Mollenhoff. Mollenhoff may not do anything.

N — No, and we are in a position with Mollenhoff that he has been fighting us some. Maybe Mollenhoff would be a pretty good prospect for this thing. It is the kind of story he loves, but he digs on something. You couldn't call him, however (inaudible) — the (characterization deleted) loves to talk too much, although he is a hell of a guy.

D — OK. Can I call and say "Listen, Clark. A guy has brought me a piece of dynamite that I don't even want in the White House."

N — He will write that, won't he?

D — Yeah. Because it won't even look like a set-up deal. Well Clark Mollenhoff is the first guy to uncover a shield of anything, and he will say no way —

N — But he would do it. That is a very important piece . . .

EHRlichman also imagined how news magazines leads would treat the President's choice of alternative courses of action:

E — "The White House may have its cover-up finally collapsed last week when the grand jury indicted [Atty. Gen.] John Mitchell and Jeb Magruder."

N — Right.

E — "Cracking the case was the testimony of a number of peripheral witnesses who, each of whom contributed to developing a cross triangulation . . ." And then the tag on that is "White House Press Secretary Ron Ziegler said that the White House would have no comment."

N — I know. I know. It can't be done.

E — The other one goes: "Events moved swiftly last week, after the President was presented with a report indicating for the first time that suspicion of John Mitchell and Jeb Magruder as ringleaders in the Watergate break-in were facts substantiated by considerable evidence. The President then dispatched so-and-so to do this and that and maybe to see Mitchell or something of that kind . . . Charges of cover-up by the White House were materially dispelled by the diligent efforts of the President and his aides in moving on evidence which came to their hands in the closing of the previous week."

N — I'd buy that.

THE WHITE House also watched the "play" the networks and newspapers gave to developments in the Watergate affair. But, more importantly, Nixon and his aides tried to screen carefully who and what would get on the news from the White House. Haldeman figured the networks wouldn't spend the money to cover the Watergate hearings "live" and in entirety. Nixon predicted the evening news programs would give the hearings "five or ten minutes."

H — That's right.

N — That's the point.

H — It is going to be carried anyway. It is a question of whether it is carried for five minutes with one of us on camera for a couple of those minutes or whether it is carried for three minutes with —

N — [Sen. Lowell] Weicker [of the committee] —

H — Weicker and [NBC's] John Chancellor and Dan Rather saying: "Trembling with fear and obviously trying to hide the truth . . ."

NIXON CONSULTED his aides about possible TV appearances, and about statements released to the press.

N — What would be your view about this kind of a statement? You don't want it tonight?

E — I don't want it tonight, but I'd sure like to see you go full-breast on it tomorrow. See, Wednesday is

the energy message . . . And, we're going to be sort of saturating the press Wednesday with that.

N — Will they write and use it?

E — I don't know. I mean we're having briefings and all that baloney. And so, if possible, it would be best to go either tomorrow or Thursday with this and I prefer tomorrow.

THE NEXT day, Haldeman commented on the "play."

H — You know where the Watergate story is in the *Washington Post* today? Page 9.

E — (unintelligible).

N — I know. I know. And it'll be page 19 five months from now if we handle it right.

PRESS SECRETARY Ron Ziegler played an important role in the press plan.

On March 22, 1973, Nixon told Dean: "I think you could get off of having Ziegler have to comment — I was trying to pull Ziegler off that for my own sake, too. We will give the committee full cooperation, but we are not going to comment while the matter is being considered by the committee — unless the committee does this and that —"

Five days later, Nixon was telling Ziegler: "My view is today, unless you've got something more to say, would simply say I have nothing to add to what (unintelligible) I think that would be better. Just get out there and act like your usual cocky, confident self."

Z — Then if I am asked a question about whether or not Dean would appear before the grand jury — if I am asked that question —

N — Yeah.

Z — How should I handle that?

N — That's tough.

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

"WHAT DOES Ron think?" the President asked several times of his aides when discussing statements for the public forum. When Nixon was trying to determine what would be said about the Dean investigation

“... ‘OK. Take a hard line. Gergen to Woodward. Anything on that they better watch their damned cotton-picking faces’ ...”

of the Watergate affair . . .

N — I . . . I would say I was not satisfied that the Dean Report was complete and also I thought it was my obligation to go beyond that to people other than the White House.

E — Ron has an interesting point. Remember you had John Dean go to Camp David to write it up. He came down and said, “I can’t.”

N — Right.

E — That is the tipoff and right then you started to move.

N — That’s right. He said he could not write it.

THE FOLLOWING day, Nixon and Ziegler discussed possible press questions he might face.

Z — . . . They will say, does the President stand by the Aug. 29 statement that no one presently employed in the White House had knowledge and so forth? There, I think, I suggested to John, that this is an operative statement — position as it stands . . .

N — You’re not going to answer questions today are you?

Z — No, no. But I mean if I walk into the press room they’ll be pounding on my door.

N — Of course, Ron. Go ahead. Don’t (expletive removed) on Dean.

Z — No, I’m not going to.

N — He is, just say he —

Z — I’ll try to avoid it altogether, but I just want to get guidance. Then I could give the wires some background on how aggressively and how much time you’ve spent on this the past three weeks . . .

IN THE final transcript, April 27, Nixon takes a hard line with the New York *Times* and the Washington *Post* for their stories linking the White House to Watergate. He talks with Asst. Atty. Gen. Henry Petersen.

N — We have gotten a report that, ah, that really we’ve got to

head them off at the pass. Because it’s so damned — so damned dangerous to the presidency, in a sense. There’s a reporter by the name of [Seymour] Hersh of the New York *Times* you probably know.

HP — He’s the fellow that did the Vietnam stories [on the My Lai massacre].

N — Right. who told [William] Bittman [attorney for Watergate conspirator E. Howard Hunt] . . . apparently they have information — Hersh has information I don’t know. You can’t ever tell who is saying “this is from Hersh” or “this is from Bittman.” Information indicating that Dean has made statements to the prosecuting team implicating the President. And whether — and whether the *Post* has heard similar rumor.

PETERSEN AGREES to make phone calls to determine the truth of the stories.

N — You’ll say that “This is the story some New York *Times* reporter has and Woodward of the *Post*, but Hersh is reporting that Dean had made a statement to the prosecutors.” Now understand that this is not a grand jury thing. Now dammit. I want to know what it is.

LATER, NIXON meets with both Ziegler and Petersen. Petersen tells him little more about the stories.

N — Why in the hell can’t we stop though — the paper that Hersh — to think that to bring the President with a thing like that . . .

HP — Well, I told those fellows, look. I told those fellows this. I know you can’t believe these reporters all the time.

NIXON CONTINUES questioning about the grand jury testimony, and returns to the Hersh matter.

N — Now the problem about this Hersh story, is that if the *Times* comes out and runs this —

Z — Oh, no. As a matter of fact I talked to [*Times* Associate Editor] Clifton Daniel this afternoon, and he didn’t raise it.

N — The Woodward story. Woodward also has the same story. Woodward of the *Post*.

Z — Woodward said that reliable sources said that someone had implicated the President in his testimony, or referred to him.

N — In the Dean story?

Z — No, that was Hersh.

N — What did Woodward say?

Z — Woodward said they had two stories: one was the fact that it was reaching a new plateau, and he was not ready to read the story because he was still working on it, and Woodward was taking the position that he was confused and needed to talk to someone to get a perception.

HP — They are trying people.

Z — What they are trying to do is to get a fix on what’s happened over here.

N — OK. Take a hard line. [White House staffer David] Gergen to Woodward. Anything on that they better watch their damned cotton-picking faces.

NIXON REFERS again to the Hersh story. He suggests that Ziegler call Daniel about it.

Z — Just to put this into perspective. This is not, as I sense it, about to break in the papers. This is just rumor type.

N — Well, kill it. Kill it hard.

THREE DAYS later, President Nixon was on national television with his public statement on Watergate:

“It was the system that has brought those facts to light and that will bring those guilty to justice — a system that in this case has included a determined grand jury, honest prosecutors, a courageous judge, John Sirica, and a vigorous, free press.” ■

— HJC

are ex-felons, mental defectives, addicts . . . they have no skills, so they become guards . . . [they're] one step below German shepherds." ■

Bartering away the vice presidency

WASHINGTON bureau chief James Naughton sat down at his typewriter to begin the day's dispatch. The date: Oct. 22, 1973 — 12 days after the vice president of the United States had stood in a Baltimore courtroom to plead "no contest" to one charge of income tax evasion and permit the government to publish evidence that he had extorted bribes for a decade.

The collapse of Spiro T. Agnew's career was a negotiated decline and fall.

The dimensions of the bargaining were even broader than the public record suggested . . .

And those dimensions proved most difficult when it came to reporting them. This was not one of those overnight jobs. No story that ends up in a courtroom ever is. The biggest element of surprise here was the timing of the event. No one expected such startling developments to happen on this particular day (Oct. 10). Even so, the story was being prepared weeks in advance in the event that it might happen.

President Nixon sent a messenger to the vice president in early September to seek his resignation. The

vice president consented at that time, but fought to obtain a guarantee that he would not go to prison. The attorney general encouraged the bargain because he feared that fate might elevate a felon to the presidency . . .

The bargain: In return for Agnew's immediate resignation and no contest plea in court, the government settled for a sentence of three years of unsupervised probation and a \$10,000 fine.

There had been much behind-the-scenes maneuvering, with the *New York Times* sifting out as much information as quickly as it could. This included attempting to deal with sensitive legal negotiations.

The details behind Mr. Agnew's bartered resignation and disgrace were as fascinating as the event was stunning. They contained elements of psychological drama . . .

Naughton continued to write. His dispatch was based on reporting by him and four associates at the *Times*: national correspondents Ben Franklin and Agis Salpukas in Baltimore to watch the Agnew investigation, and John Crewdson and Christopher Lydon in Washington, working the Agnew lawyers and Justice Department. Naughton, a veteran Agnew reporter, was covering Agnew and his staff.

The five men found there was great reluctance, even after the event, of people involved in it to talk about it. Not until a few days after Agnew resigned and went on

national television to proclaim his innocence (with no apparent power of persuasion) did those people begin to open up. Sources who had previously been labeled "confidential" in stories during the team's investigation suddenly wanted to disassociate themselves from Agnew.

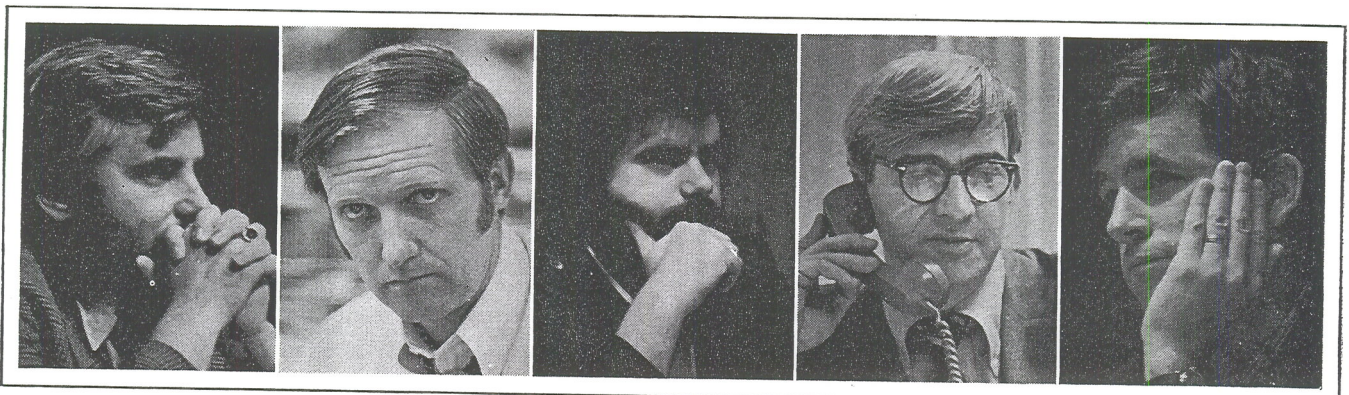
"We had gone to great lengths to protect them," Lydon noted, but when Agnew resigned, those same sources "wanted to be quoted and identified more. They all wanted more attribution."

The story was almost ready to be written when another historic event occurred: the firing of special Watergate prosecutor Archibald Cox and the resignations of Elliot Richardson and William Ruckelshaus of the Justice Department. It was an event which from Oct. 20 on would be known as "the Saturday-night massacre." Team members working on the Agnew investigation were also caught up in this one.

Distractions aside, Naughton proceeded to tell how Agnew bartered away his office to avoid a prison sentence.

. . . over barely 10 months, were ingredients more suited to a novel than to a national trauma: A President who could not bring himself to tell his heir apparent, to his face, to quit. A vice president inviting his own impeachment in order to threaten a President with the same prospect. . . ."

The story would run 5,500 words and appear in the Oct. 23 edition of the *New York Times*. ■



The New York Times team of Agis Salpukas, James M. Naughton, John M. Crewdson, Ben A. Franklin and Christopher Lydon