

Comparison of Tape Transcripts Made by

Special to The New York Times

WASHINGTON, June 20 — President Nixon's tape-recorded conversations with former White House aides have become a central issue in the House impeachment inquiry.

The White House and the House Judiciary Committee have made separate transcriptions of Watergate tapes in the panel's possession. Mr. Nixon published an edited version of the conversations on April 30. The committee transcripts are confidential, but portions of them have been disclosed in a series of staff memorandums.

What follows is a comparison of available portions of the two sets of transcripts:

Feb. 28, 1973

The President and John W. Dean 3d, former White House legal counsel, discuss such issues as the possible use of executive privilege to excuse Administration officials from testifying at Senate Watergate hearings, and the attitude of convicted Watergate burglars awaiting sentencing.

WHITE HOUSE

MR. NIXON: Well let's go back so it is clearly understood. He must go forward on that. I think you had better get in touch with Dick [Richard G. Kleindienst, then Attorney General] and say Dick you keep it at your level.

MR. NIXON: What the hell do the [convicted Watergate burglars] expect though? Do they expect clemency in a reasonable time? What would you advise on that?

MR. DEAN: I think it is one of those things we will have to watch very closely.

MR. NIXON: I will not comment on the hearings while they are in process. Of course if they break through—if they get muckraking—it is best to cultivate that thing here at the White House.

MR. DEAN: Herb [Herbert W. Kalmbach, the President's personal attorney]—they have subpoenaed his records, and he has records that run all over hell's acres on things. You know Herb has been a man who has been moving things around for Maury [Maurice H. Stans, former Commerce Secretary and 1972 re-election campaign finance chairman] and keeping things in tow and taking care of—

MR. NIXON: What is holding up his records?

MR. NIXON: And Kleindienst owes Mitchell [former Attorney General John N. Mitchell] everything. Mitchell wanted him for Attorney General. Wanted him for deputy, and here he is. Now [expletive deleted]. Baker's [Senator Howard H. Baker Jr., Republican of Tennessee] got to realize this, and that if he allows this thing to get out of hand he is going to potentially ruin John Mitchell. He won't. Mitchell won't allow himself to be ruined. He will put on his big stone face.

JUDICIARY COMMITTEE

MR. NIXON: Well, let's go back to executive privilege for a moment so it is clearly understood. We must go forward on that, I think you'd better go over and get in touch with Dick and say—you keep it at your level; don't say the President told you to say so.

MR. NIXON: What the hell do they expect though? Do they expect that they will get clemency within a reasonable time?

MR. DEAN: I think they do. What we're going to do—

MR. NIXON: What would you, what would you advise on that?

MR. DEAN: I think it is one of those things we will have to watch very closely.

MR. NIXON: I will not comment on the hearings while they are in process. Of course if they break through—if they get a lot luckier — it is best not to cultivate that thing here at the White House.

MR. DEAN: Herb—they've subpoenaed his records, and he's got records that run all over hell's acres for the past few years. You know Herb has been a man who's been moving things around for Maury and keeping things in tow and taking care of little—

MR. NIXON: What'll he do about his records? Is he going to keep them all?

MR. NIXON: And Kleindienst owes Mitchell everything. Mitchell wanted him for Attorney General, he wanted him for deputy, and here he is. Now, goddamn it, Baker's got to realize this, and that if he allows this thing to get out, he's going to potentially ruin John Mitchell. I mean Mitchell won't allow himself to be ruined. He's too clever. He'll put on his big stone face act.

the White House and Judiciary Panel

DAY JUNE 21, 1974

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March 21, 1973

Morning Meeting

On March 21, the President and Mr. Dean, later joined by H. R. Haldeman, then the White House chief of staff, had a 103-minute morning discussion of the Watergate cover-up attempt.

MR. DEAN: And Liddy [G. Gordon Liddy, one of seven convicted Watergate conspirators] was starting to make arrangements to go in to bug the McGovern operation.

MR. NIXON: They had never bugged Muskie [Senator Edmund S. Muskie, Democrat of Maine], though, did they?

MR. DEAN: No, they hadn't, but they had infiltrated it by a secretary.

MR. NIXON: By a secretary?

MR. DEAN: By a secretary and a chauffeur. There is nothing illegal about that.

MR. DEAN: All right, so arrangements [for secret cash payments to Watergate conspirators] were made through Mitchell, initiating it. And I was present in discussions where these guys had to be taken care of. Their attorneys fees had to be done. Kalmbach was brought in. Kalmbach raised some cash.

MR. NIXON: They put that under the cover of a Cuban committee, I suppose?

MR. DEAN: Well, they had a Cuban committee and they had—some of it was given to [E. Howard] Hunt's lawyer, who in turn passed it out. You know, when Hunt's wife was flying to Chicago with \$10,000 she was actually, I understand after the fact now, was going to pass that money to one of the Cubans—to meet him in Chicago and pass it to somebody there.

Mr. Nixon. [unintelligible] but I would certainly keep that cover for whatever it is worth.

MR. DEAN: And [James W. McCord Jr., another Watergate burglar] wanted to talk about commutation, and things like that. And as you know Colson [Charles W. Colson, former White House special counsel] has talked indirectly to Hunt about commutation.

MR. DEAN: Hunt has not made a direct threat against Ehrlichman [John D. Ehrlichman, then White House domestic adviser]. As a result of this, this is his blackmail. He says, "I will bring John Ehrlichman down to his knees and put him in jail. I have done enough seamy things for him and Krogh, they'll never survive it."

MR. NIXON: Was he talking about [Dr. Daniel] Ellsberg?

MR. NIXON: Your major guy to keep control is Hunt?

MR. DEAN: That is right.

MR. NIXON: I think. Does he know a lot?

MR. DEAN: He knows so much. He could sink Chuck Colson.

MR. DEAN: And Liddy was starting to make arrangements to go in and bug the, uh, uh, McGovern operation. They had done prelim—

MR. NIXON: They had never bugged Muskie, though, did they?

MR. DEAN: No, they hadn't, but they had a, they had, uh, they'd.

MR. NIXON: [unintelligible]

MR. DEAN: Infiltrated it by a, a, they had—

MR. NIXON: A secretary.

MR. DEAN: A secretary and a chauffeur. Nothing illegal about that.

MR. DEAN: All right, so arrangements were made through Mitchell, uh, initiating it, in discussions that—I was present—that these guys had to be taken care of. Their attorneys' fees had to be done. Kalmbach was brought in. Uh, Kalmbach raised some cash. Uh—they were ob—uh you know—

MR. NIXON: They put that under the cover of a Cuban committee or [unintelligible].

MR. DEAN: Yeah, they, they had a Cuban committee and they had—some of it was given to Hunt's lawyer, who in turn passed it out. You know, when Hunt's wife was flying to Chicago with \$10,000 she was actually, I understand after the fact now, was going to pass that money to one of the Cubans—to meet him in Chicago and pass it to somebody there.

MR. NIXON: Maybe—well, whether it's maybe too late to do anything about it, but I would certainly keep that [chuckles] that cover for whatever it's worth.

MR. DEAN: Pll—

MR. NIXON: Keep the committee.

MR. DEAN: And [Mr. McCord] wanted to know? Well, you know, [cough] he wanted to talk about commutation, and things like that. And as you know Colson has talked to, indirectly to Hunt about commutation.

MR. DEAN: This is his blackmail. He says, "I will bring John Ehrlichman down to his knees and put him in jail. Uh, I have done enough seamy things for he and Krogh, uh, that they'll never survive it."

MR. NIXON: What's that, on Ellsberg?

MR. NIXON: Well, you, your major, your major guy to keep under control is Hunt.

MR. DEAN: That's right.

MR. NIXON: I think. Because he knows—

MR. DEAN: He knows so much—

MR. NIXON: About a lot of other things—

MR. NIXON: He knows so much. Right. Uh, he could sink Chuck Colson.

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

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

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

MR. DEAN: That's right.

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

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

Mr. Dean: I, I think that's—

Mr. Nixon: Damn soon?

Mr. Dean: That is, uh— I talked to Mitchell about that last night—

Mr. Nixon: Mitchell.

Mr. Dean: And, and, uh, I told—

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

Mr. Dean: That's right; that's right.

Mr. Nixon. In order to have any options.

Mr. Dean. That's right.

Mr. Nixon. Either that or let in all the below right now.

MR. DEAN: He [Mr. Kalmbach] sent \$400,000, as he has described it to me, somewhere in the South for another candidate [in 1970]. I assume this was \$400,000 that went to Wallace.

MR. NIXON: Wallace?

MR. DEAN: Right. He [Mr. Kalmbach] has maintained a man who I only know by the name of "Tony," who is the fellow who did the Chappaquiddick study.

MR. NIXON: I know about that.

Mr. Dean: He sent \$400,000, as he described it to me, somewhere in the south for another candidate. I assume this was four hundred, uh, that went—

Mr. Nixon: Wallace.

Mr. Dean: To Wallace. Right, Uh, he has maintained, uh, a man I only know by the name of "Tony," who is the fellow who did the Chappaquiddick study and—

Mr. Nixon: I heard about that.

MR. DEAN: We have a runaway grand jury up in the Southern District. They are after Mitchell and Stans on some sort of bribe or influence peddling with Vesco.

Mr. Dean: The other vulnerabilities: We've got a, uh, runaway grand jury up in the Southern District.

Mr. Nixon: Yeah. I heard.

Mr. Dean: They're after Mitchell and Stans on some sort of bribe or influence peddling.

Mr. Nixon. On Vesco.

Mr. Dean. With Vesco.

MR. NIXON: You feel that really the trigger man [on the Watergate bugging scheme] was really Colson on this then?

MR. DEAN: No. He was one of us. He was just in the chain. He helped push the thing.

MR. NIXON: All I know about is the time of I.T.T. [International Telephone and Telegraph Corporation]. He was trying to get something going there because I.T.T. was giving us a bad time.

MR. DEAN: I know he used Hunt.

MR. NIXON: I knew about that. I didn't know about it, but I knew there was something going on. But I didn't know it was a Hunt.

Mr. Nixon: [Unintelligible] You think—you feel that really the man, the trigger man was Colson on this then?

Mr. Dean: Well, no, he was one of the s—, He was just in the chain. He was, he helped push the thing.

Mr. Nixon: Called them up about it and said, "We've got a, we've got a good plan, hang on with it." Christ, he would be the—oh, I'll bet you. I know why. That was at the time of I.T.T. He was trying to get something going there because I.T.T., they were bugging us. I mean they were—

Mr. Dean: Uh.

Mr. Nixon: Giving us hell.

Mr. Dean: Well, I know, I know he used, uh—

Mr. Nixon: Hunt to go out there?

Mr. Dean: Hunt.

Mr. Nixon: I knew about that.

Mr. Dean: Yeah.

Mr. Nixon: I did know about it. Uh, I knew that there, there was something going on there—

Mr. Dean: Right.

Mr. Nixon: But I, didn't know, it was a hunch.

MR. DEAN: Everyone is getting their own counsel. More counsel are getting involved. How do I protect my ass.

MR. NIXON: They are scared.

MR. DEAN: That is bad. We were able to hold it for a long time. Another thing is that my facility to deal with the multitude of people I have been dealing with has been hampered . . .

MR. NIXON: I know you have a problem here. You have the problem with Hunt and his clemency.

MR. NIXON: Well, also so let's leave you [Mr. Dean] out of it. I don't think on the obstruction of justice thing—I take that out. I don't know why, I think you may be over the cliff.

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

MR. DEAN: That is worth buying time on.

MR. NIXON: That is buying time, I agree.

MR. NIXON: The first vulnerable point would be obvious. That would be one of the defendants, either Hunt, because he is most vulnerable in my opinion, might blow the whistle and his price is pretty high, but at least we can buy time on that as I pointed out to John [Dean].

MR. NIXON: The point is, your feeling is that we just can't continue to pay the blackmail to these guys?

MR. DEAN: I think that is our great jeopardy.

MR. NIXON: Now, let me tell you. We could get the money. There is no problem in that. We can't provide the clemency. Money could be provided. Mitchell could provide the way to delivery it. That could be done. See what I mean?

MR. NIXON: Well, it sounds like a lot of money, a million dollars. Let me say that I think we could get that. I know money is hard to raise. But the point is, what we do on that—let's look at the hard problem—

MR. NIXON: These fellows though, as far as what has happened up to this time, are covered on their situation, because the Cuban committee did this for them during the election?

MR. DEAN: Well, yeah. We can put that together. That isn't of course quite the way it happened, but—

MR. NIXON: I know, but that's the way it is going to have to happen.

MR. DEAN: Everyone is getting their own counsel. More counsel are getting involved. How do I protect my ass.

MR. NIXON: They're scared.

MR. DEAN: They're scared and that's just, you know, that's bad. We were able to hold it for a long time.

MR. NIXON: Yeah I know.

MR. DEAN: Uh, another thing . . .

MR. NIXON: Now we got—

MR. DEAN: Well, that's, yeah, that's—

MR. NIXON: A problem, you've got a problem here. You have the problem of hunt and, uh, his, uh, his clemency.

MR. NIXON: Let's, let's leave you and—I don't, I don't, I don't think on the, oh, uh, the obstruction of justice thing—I think that one we can handle.

MR. NIXON: But at the moment, don't you agree it'd be better to take the Hunt thing? I mean, that's worth it, at the moment.

Mr. Dean: That, that's worth buying time on, right.

MR. NIXON: In other words, it would be if, uh, uh, one of the uh, defendants, particularly Hunt, of course, who is the most vulnerable in my opinion, might, uh, blow the whistle, and he, he—and his price is pretty high, but at least, uh, we should, we should buy the time on that, as I, as I pointed out to John.

MR. NIXON: The point is, your feeling is that we just can't continue to, to pay the blackmail of these guys?

MR. DEAN: I think that's our greatest jeopardy.

MR. HALDEMAN: Yeah.

MR. NIXON: Now, let me tell you, it's—

MR. DEAN: 'Cause that is—

MR. NIXON: No problem, we could, we could get the money. There is no problem in that. We can't provide the clemency. The money could be provided. Mitchell could provide the way to deliver it. That could be done. See what I mean?

MR. NIXON: But let's now come back to the money, a million dollars, and so forth and so on. Let me say that I think you could get that in cash, and I know money is hard but, there are ways.

MR. NIXON: As far as what happened up to this time, our cover there is just going to be the Cuban committee did this for them up through the election.

MR. DEAN: Well, Yeah. We can put that together. That isn't, of course, quite the way it happened, but, uh—

MR. NIXON: I know, but it's the way it's going to have to happen.

MR. DEAN: It's going to have to happen. [Laughs.]

MR. NIXON: That's right.

MR. DEAN: It's going to have to happen.

MR. DEAN: No, you can't have a lawyer before the grand jury.

MR. NIXON: Oh, no. That's right.

MR. HALDEMAN: But you do have rules of evidence. You can refuse to talk.

MR. DEAN: You can take the Fifth Amendment.

MR. NIXON: That's right.

MR. HALDEMAN: You can say you have forgotten too, can't you?

MR. DEAN: Sure but you are chancing a very high risk for perjury situation.

MR. NIXON: But you can say I don't remember. You can say I can't recall. I can't give any answer to that that I can recall.

Mr. Haldeman: Okay but you. You do have rules of evidence. You can refuse to, to talk—

Mr. Dean: You can take the Fifth Amendment.

Mr. Nixon: That's right. That's right.

Mr. Haldeman: You can say you forgot, too, can't you?

Mr. Dean: Sure.

Mr. Nixon: That's right.

Mr. Dean: But you can't—you're—very high risk in perjury situation.

Mr. Nixon: That's right. Just be damned sure you say I don't remember; I can't recall, I can't give any honest, an answer to that that I can recall.

MR. NIXON: That's why for your immediate things you have no choice but to come up with \$120,000 [demanded by Mr. Hunt] or whatever it is. Right?

MR. DEAN: That's right.

MR. NIXON: Would you agree that that's the prime thing that you damn well better get that done?

MR. DEAN: Obviously he ought to be given some signal anyway.

MR. NIXON: [Expletive deleted], get it. In a way that—who is going to talk to him? Colson? He is the one who is supposed to know him?

MR. DEAN: Well, Colson doesn't have any money though.

Mr. Nixon: That's why your, for your immediate thing you've got no choice with Hunt but the hundred and twenty or whatever it is. Right?

Mr. Dean: That's right.

Mr. Nixon: Would you agree that that's a buy time thing, you better damn well get that done, but fast?

Mr. Dean: I think he ought to be given some signal, anyway. To, to—

Mr. Nixon: Yeah, I know. Well, for christ's sakes get it, in a, in a way that, uh—who's, who's going to talk to him? Colson? He's the one who's supposed to know him.

Mr. Dean: Well, Colson doesn't have any money though.

March 21, 1973

Afternoon Meeting

Mr. Nixon discussed with Messrs. Dean, Haldeman and Ehrlichman, for 41 minutes late the same day, various ways to deal with the Watergate matter, particularly Mr. Hunt's money demands.

MR. NIXON: And then so the point we have to, the bridge we have to cross there, that you have to cross I understand quite soon, is what you do about Hunt and and his present finance? What do we do about that?

MR. DEAN: Well apparently Mitchell and LaRue are now aware of it so they know how he is feeling.

MR. NIXON: You as White House counsel, John, I asked for a written report, which I do not have, which is very general understand. I am thinking now in far more general terms, having in mind the facts, that where specifics are concerned, make it very general, your investigation of the case. Not that "this man is guilty, this man is not guilty," but "this man did do that."

Mr. Ehrlichman: "The only thing we can say is that we have investigated it backwards and forwards in the White House, and have been satisfied on the basis of the report we had that nobody in the White House has been involved in a burglary, nobody had notice of it, knowledge of it, participated in the planning, or aided or abetted it in any way. And it happens to be true as for that transaction.

MR. NIXON: So the point we have to, the bridge we have to cut, oh—cross there is uh, which we've got to cross, if I understand, quite soon, is whether, uh, we, uh, what you do about, uh, his present demand? No what [unintelligible] about that?

MR. DEAN: Well apparently Mitchell and, and, uh, uh—

UNIDENTIFIED VOICE: LaRue.

MR. DEAN: LaRue are now aware of it, so they know what you're [unintelligible] feeling.

MR. NIXON: The middle ground taken would be . . . uh, if you as White House counsel, John, uh, on direction—uh I ask you for a, a written report, which I think, uh, that — which is very general understand. Understand I don't want it that Goddamned specific. I'm thinking now in far more general terms . . . but if you make it general in terms of my—your investigation indicates "That this man did not do it, this man did not do it, this man did do that."

Mr. EHRLICHMAN: The only thing that we can say is for Ziegler [Ronald L. Ziegler, White House press secretary] to say, "Look we've investigated backwards and forwards in the White House, and we're satisfied on the basis of the report we have that nobody in the White House has been involved in a burglary, nobody had notice of it, knowledge of it, participated in the planning, or aided or abetted it in any way." Well that's what we could say and it happens to be true—as for that transaction.

Mr. NIXON: [Laughs] Sure. As for that transaction.

TO: Congressman

FROM: Bill Dixon

DATE: June 10, 1974

Pursuant to your request to review the material related to the cover-up of the cover-up of the Watergate burglary, I have reviewed the publicly released versions of White House transcripts. I have also reviewed the news accounts of the Grand Jury's vote of 19-0 to name the President as a conspirator in the cover-up crimes. Because I have not mentioned them in my previous memoranda, I wish to call to your attention 4 Presidential conversations which may be interpreted, depending upon the inflection in the President's voice, to support the theory that he encouraged key participants in the cover-up to conspire to present a unified stand with one story to the prosecutors. This material is presented to you in accord with your direction to me to interpret this material and it is obvious that some of these conversations could be interpreted by others in a different fashion.

Beginning of a memo written by William P. Dixon, lawyer on permanent staff of the House Judiciary Committee. The memo was one of 14 that were written at the request of Democratic members of the committee.

March 22, 1973

For nearly two hours, Mr. Mitchell, the former Attorney General and director of the President's re-election campaign, joins Mr. Nixon, Mr. Haldeman, Mr. Ehrlichman and Mr. Dean in discussing Watergate and its consequences. A chief topic is how and whether to issue some form of a "Dean eRport," perhaps to prevent calling Mr. Dean as a witness at Senate Watergate hearings.

Mr. Nixon: [Should Mr. Dean be called] You simply say well that is out. Dean has made this report and here is everything Dean knows.

Mr. NIXON: You'd simply say, "Now that's out. Dean has—he makes the report. Here's everything Dean knows. That's where, that's why the Dean report is critical."

[Published White House transcripts contain no reference to a set of comments by Mr. Nixon to Mr. Mitchell about alleged Watergate cover-up efforts up to March 22.]

Mr. NIXON [to Mr. Mitchell]: And, uh, for that reason, I [unintelligible] I don't give a — what happens. I want you to [unintelligible] stonewall it, plead the Fifth Amendment [unintelligible] else, if it'll [unintelligible]. That's the big point . . .

Mr. NIXON [to Mr. Mitchell]: But that's the way [unintelligible] Even up to this point. The whole theory has been containment, as you know, John . . .

Mr. NIXON [to Mr. Mitchell]: That's the thing I was concerned with—we're going to protect our people, if we can.