

Gurney Presses Dean About

Yesterday's Senate Select Watergate Committee hearing began with Sen. Edward J. Gurney (R-Fla.) pressing the witness, John W. Dean III, about conversations with President Nixon, which Dean said concerned the Watergate cover-up. Here are excerpts of that exchange:

Gurney: Let's turn not to the Sept. 15, 1972, meeting with the President and Mr. H. R. Haldeman and yourself. That of course is a very important meeting, because I understand from your testimony that it was at that meeting that you felt that the President knew all about Watergate, is that right?

Dean: Well, I will say this, when I came in, the indictments had been announced, he acted as if it was a very cordial circumstance. The President asked me to sit down and told me that Bob (Haldeman) had told him what I had been doing and he expressed appreciation for it. He, you know, indicated that he was—I could tell, you know you can tell, when you are talking with the President when he understands or not. I learned that even more later when I had more dealings with him when I knew something would come up that he knew nothing about and I would have to go into greater detail.

Gurney: Did you discuss the criminal cases that were coming on for trial?

Dean: Yes, we did or it was the criminal case at that point. It was the entire seven being moved forward as a trial.

Gurney: Did you discuss the civil suits that were filed (against the Nixon reelection Committee) by the Democrats?

Dean: Yes, we did.

Gurney: Did you discuss the suit that had been filed by Common Cause?

Dean: That is correct.

Gurney: Did you discuss the (Rep. Wright) Patman hearings that were imminent?

Conversations With

Nixon

Dean: That is correct, we did.

Gurney: Any idea how long these discussions took?

Dean: I would say that the entire meeting lasted 30 minutes or some, 40 minutes.

Gurney: Did you discuss any aspects of the Watergate at that meeting with the President. For example, did you tell him anything about what Haldeman knew or what (John D.) Ehrlichman knew?

Dean: Well, given the fact that he told me I had done a good job I assumed he had been very pleased with what had been going on. The fact that the indictments, he was pleased that the indictments had stopped at (G. Gordon) Liddy because the only other link into the White House, as we had discussed earlier in sessions with Ehrlichman and Haldeman, was (Jeb Stuart) Magruder.

Gurney: Did you discuss what Magruder knew about Watergate and what involvement he had?

Dean: No, I didn't. I did not get into any, I did not give him a report at that point in time.

Gurney: Did you discuss the cover-up money that was being raised and paid?

Dean: No sir.

Gurney: Did you discuss (Gordon) Strachan bringing (Watergate) wiretap information into Haldeman?

Dean: No, I did not.

Gurney: Did you discuss Haldeman instructing Strachan to destroy all of these materials?

Dean: No, I did not.

Gurney: Did you discuss the CIA cover-up (for Watergate) idea?

Dean: I did not.

Gurney: Did you talk about coaching Magruder on his perjured (grand jury) testimony in August?

Dean: No, I did not.

Gurney: Well now how can you say the the President knew all about these things from a simple observation by him that "Bob tells me you are doing a good job."

Dean: Well, Senator, I assume you know how your staff operates. I assume members of your staff understand how you operate, how reporting requirements proceed. I was aware of the fact that Mr. Haldeman had often made notes, Mr. Haldeman has a good memory. Mr. Haldeman does not leave details aside. This was the hottest issue that was going in the campaign.

I can't believe that the fact that we were going to contain this matter would totally escape the President's attention and it was to me a confirmation and a compliment to me that I had done this.

Gurney: Don't you think the President might have been complimenting you on the, I will use the word, investigation even if you don't desire that word, of the involvement of the people in the White House, the FBI interviews, all of that business, don't you think he



Leafing through pages of testimony, John W. Dean replies to questions posed by Sen. Edward J. Gurney (R-Fla.) on cover-up.

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might have been discussing that?

Dean: I would think he would say something to the effect that "Well, your investigation has been very accurate" rather than "Bob's been telling me everything you have been doing and you have been doing a good job."

Gurney: Did he say that "Bob has been telling me everything you have been doing."

Dean: He said "Bob has been reporting to me," something of this nature.

Gurney: I thought you said that he said that "Bob has been telling me what a good job you have been doing."

Dean: Well, we are quibbling over words but I remember—

Gurney: We are not quibbling over words. We are talking about something very important, whether the President of the United States knew on Sept. 15 about the Watergate and the cover-up.

Dean: I am totally aware.

Gurney: This (affects) the Presidency and the Government of the United States.

Dean: I am quite aware of that and I have told you I am trying to recall. My mind is not a tape recorder. It does recall impressions of conversations very well, and the impression I had was that he had told, he told me that Bob had reported to him what I had been doing. That was the impression that very clearly came out.

Gurney: In other words, your whole thesis on saying that the President of the United States knew about Watergate on Sept. 15, 1972, is purely an impression, there isn't a single shred of evidence that came out of this meeting.

Dean: Senator, I don't have —

Gurney: That he knew anything about.

Dean: Senator, I don't have a thesis. I am reporting the facts as I am able to recall them roughly to this Committee.

Gurney: Let us go to the meeting now of March 21, 1973 in the White House, which is a very important meeting, of course, with you and the President. That, as I

understand it, is when you gave him a pretty complete rundown of the story about the Watergate, is that correct?

Dean: That is correct. I think I have stated in my intentions that what I had seen occurring—I had had earlier conversations. The President had been rather nonchalant in dealing with the million-dollar issue. We had discussed on the 13th the fact that he had discussed clemency with (White House Aide Charles) Colson and Ehrlichman. I really felt that the President did not understand the full implications of some of these activities and I did not know if he knew the full involvement of everybody, and I thought that I should report it.

I also would like to add one other thing. On a number of occasions, I asked Mr. Ehrlichman, particularly after the first of the year, if the President were being kept fully informed still, because he did the same amount of notetaking and the trial was over and things had sort of slowed down as far as the chaos that sometimes was occur-

ring at the White House. Ehrlichman assured me that the President was being kept regularly posted.

Gurney: On this meeting of (March) 21, did you explain to the President in full all you knew about Watergate?

Dean: Well, I would not say it was every detail, because as you know, it has taken me six hours to read a statement to this Committee, which is highlights of the full story . . .

Gurney: Did you tell him anything about your involvement in Watergate?

Dean: Yes, sir, I did. And I had on previous occasions. I had tried back as early as the second meeting, I believe, to tell him that I felt that I was involved in an obstruction of justice, particularly after he had told me that I should report to him and made the comment to me that Haldeman and Ehrlichman were principals. That stuck in my mind so very clearly that I thought maybe he did not understand everything that I was

doing. When I raised this with him, I gave him a few of the facts and he began to debate with me about the fact that he did not think I had any legal problem based on what I was telling him and I said I did. He did not want to get into it at that time. I do not know what was intervened, but we did not have an extended discussion . . .

Gurney: Did you talk to him about the cover-up money and your involvement in that? . . .

Dean: Yes, I did.

Gurney: Did Haldeman come in later at that meeting?

Dean: The President called Mr. Haldeman to come in.

Gurney: And did you go over the whole thing pretty much again while Mr. Haldeman was there?

Dean: No sir, I did not.

Gurney: What transpired while Haldeman was there?

Dean: A decision was made that Mr. (John N.) Mitchell should come down the next day and there was a brief discussion about that. From that, we went to a meeting in Haldeman and Ehrlichman's office.

Gurney: That was the only thing that was discussed?

Dean: That was the sum and substance of Mr. Haldeman's appearance in the President's office. We were along virtually the entire time and it was at the very end of the meeting that he came in.

Gurney: Do you remember how long he was there?

Dean: "I don't. I would not say more than five minutes or so, to the best of my recollection.

Gurney: Did you have a later meeting with the President and Mr. Haldeman and Mr. Ehrlichman? . . .

Dean: Yes sir.

Gurney: What was discussed at that meeting?

Dean: Well, as I say, I went from the President's office to a subsequent meeting with Ehrlichman and Haldeman and the discussions began to focus on Mitchell coming down and having Mitchell step forward and if Mitchell stepped forward and would account for this thing, then maybe the problems that had followed for the White House after the break-in would be forgotten. And we went to a meeting in the

President's office that afternoon to rediscuss that. A number of ideas came up.

Gurney: Now, who was at that meeting?

Dean: Well, initially, Mr. Ziegler was in there, as I recall, and as we sat down and assembled, Ziegler left. It was from there that the meeting really got down to a discussion between Ehrlichman, Haldeman, myself, and the President.

Now, during that meeting, I recall a number of ideas were being suggested and the like. At that point, it was the first time I had ever mentioned in front of Haldeman, Ehrlichman, and the President the fact that I thought they were all indictable—not including the President. I said that Haldeman, Ehrlichman and Dean could be indicted. For that reason, I disagreed with whatever they were talking about. The President on a number of occasions turned to me and said, do you agree? I said, no sir, I do not.

After doing this a number of occasions, I finally said I think that Haldeman, Ehrlichman and Dean are indictable and got a very, I might say, a chilling look from Mr. Ehrlichman . . .

During yesterday's afternoon session, Gurney laboriously led Dean through all his other meetings with the President, and then Gurney drew this conclusion from Dean's testimony:

Gurney: Now, then we come to the year 1973 and from what I have been able to gather in the questioning I have just finished your testimony is that on Feb. 28, 1973, you did discuss with the President this matter of obstruction of justice and then you also testified to what you did here on March 13, and then, of course, we come to the meeting on March 21 when you told him (the President) most of what Watergate was all about.

And the summary that I can see from the testimony (is that) the President of the United States certainly didn't know anything about all this business . . . until this thing on Feb. 28, 1973, according to your testimony, and on March 13 but especially, of course, the meeting on March 21

where you did discuss with him at great length the Watergate and he at a later press conference said that he learned about it on that date.

Thank you for your patience and, Mr. Chairman, especially I thank you for your patience and the rest of the members of the Committee. I am sorry I have taken so long.

Dean: I thank the Senator for his questions. I think they were very good.

Sen. Gurney also clashed with Dean on the subject of \$4,850 Dean said he borrowed from Nixon re-election committee funds in his office safe in order to finance his honeymoon and other expenses.

Gurney: Now then let's go to October, 1972 . . . and the money that was turned over to you, the \$15,200 of Nixon re-election committee funds; now, why were you put in charge of that money

Dean: I can't answer that question. I know that Mr. (Gordon) Strachan Halderman's aide and Mr. Richard Howard another White House aide brought it to me on the week of June 19, I think it was the 20th or 21st they brought it to me.

Gurney: Who brought it to you?

Dean: Mr. Strachan, Gordon Strachan and Mr. Richard Howard.

Gurney: What were their instructions?

Dean: Mr. Strachan told me that these are funds that had not been expended, they were in Mr. Howard's custody and asked me to take custody of the money and I told him I would. I told Strachan I would tell him what, you know I would remain accountable for the money.

Gurney: Now then, I understand that you withdrew \$4,850 from it.

Dean: That is correct . . . When I took it out. I took it out, I was seeking to take out about \$5,000, I thought that would cover my expenses. I might put this in context: when my prospective bride came back I was working around the clock on this, I had been on a couple of assignments.

I was supposed to get the minister or I was looking for a judge to do that, and also to get some wedding

music because the wedding was going to be held in a home. Come Thursday I hadn't even gotten a chance to take care of these matters. I had made some preliminary calls and had to get another member of my staff to go out and find somebody to perform the ceremony on Friday, and I sent my secretary to go out and find wedding music.

I didn't exactly sit down and plan this thing out and realized I would not have money to pay for the honeymoon and expenses to occur and this was a very easy thing for me to do and reach in and take out what I thought I would need at that time.

Gurney: Well, my question was was the money in a packet or envelope, the whole \$15,200?

Dean: It was in two envelopes. I had replaced it, I had put them both into one envelope, and put them in my safe.

Gurney: Then you put your check for \$4,850 in this envelope/

Dean: After I counted out what I thought was going to be roughly five and it came up to \$4,850. I put a check, in, wrote it to cash.

Gurney: How were you going to spend the \$4,850?

Dean: Well, to the best of my recollection.

Gurney: Will you just generally tell us.

Dean: Yes. To the best of my recollection I had made reservations for an accommodation in Florida that was going to run roughly \$100 a day. I had hoped to spend about two weeks down there. I also had food expenses, I was going to have people come in and do the serving, and travel expenses, and I assumed that just \$5,000 would cover it.

Gurney: It seems like a lot of money for a honeymoon.

(Laughter)

I am really trying to find out a just rough idea of how you were going to use all that money?

Dean: Well, sir, as I say I also was having my yard done that day and I thought I might have to pay having dirt delivered, my patio had been repaired, I had a whole host of other expenses I thought I was going to be hit with that night when I walked in.

Gurney: You can't give a better explanation of how

took the \$4,850, is that correct?

Dean: That is correct. I from time to time would call my broker when I felt I needed money and just ask him to send me money.

Gurney: This was a brokerage account?

Dean: That is correct.

Gurney: Where is it or where was it?

Dean: Shearson and Hamill in New York City.

Gurney: What was the broker's name handling it?

Dean: Mr. Arnold Katz.

Gurney: Did you ever call him for \$4,850 to replace this?

Dean: Not until early this year. I mean not early this year: It was in March or April of this year.

Gurney: Now then, of course you really never went on the honeymoon, did you, except for a short time?

Dean: I made several attempts but did not make it.

Gurney: Well, what did you do with the \$4,850?

Dean: Well, as I said, at one point in time, well, I began using it for personal expenses.

IT* Gurney: Did you use all of it for personal expenses?

Dean: Well, I did pay for some travel, I did pay for some expenses in Florida out of it. I have not sat down and tried to reconstruct every expenditure. It might be possible for me to do. I don't know in dealing with cash but I bought everything from groceries and just used it personally.

Gurney: I wonder if you would try to do that for the Committee, reconstruct how you spent it.

Dean: Certainly.

Gurney: Why didn't you replace it shortly after this time?

Dean: Well, at one point I did put in, back in what I had into the account, and in November when I was trying again to get a honeymoon in I took it back out again.

Gurney: How much?

Dean: Senator, I have no idea. I commingled it with other money of mine and put back in and taken back out.

Gurney: Do you recall how much you put back in?

Dean: No, sir, I do not.

Gurney: You don't recall how much you took back out?

Dean: I do not at this point.

Gurney: . . . Do you know this is a crime. Mr. Dean?

Dean: I am not aware what crime it is, no.

Gurney: Isn't it embezzlement?

Dean: Well, I had very clearly made, there was no intention on my part never to account for the full amount. I had understood later that by the time I had taken it out it was monies that had come over from the '68 primaries, and I knew at some point in time there were many people aware of the fact that I had custody of the money, that I was to account for fifteen two and I was perfectly willing, able and capable of accounting for that full amount.

Gurney: Did anybody know you had ever taken the money out?

Dean: Not to my knowledge, no.

Gurney: Did you tell anybody?

Dean: No, I did not.

Gurney: When did you tell somebody about handling this money?

Dean: When I went to the government, when I first began talking to the prosecutors I explained it to them.

Gurney: . . . In other words, you never told anybody about this or really did anything about it until April when, of course, the whole Watergate thing was blowing?

Dean: Well, Senator, I will tell you, I thought at one time I ought to stick cash back in there and I said that is the dishonest thing to do in this regard, I have to come forward and explain that I did make personal use of this money.

Gurney: Where is the money now?

Shaffer: Excuse me. I would like to say as counsel for Mr. Dean, that based upon the facts that have been discussed with Mr. Dean, if they are true, Mr. Gurney says that is embezzlement. I disagree with him, and I think there are enough lawyers in the room to know what embezzlement is, and I do not plan to take the time now unless the Chair expressly asks me to make that definition. However, I think it is unfair to the record to have the situation in a demurrer posture and to conclude that on the facts that are recited by Mr. Dean, if true, that that is embezzlement.

you were going to spend \$4,850?

Dean: Well, as I say, I was told that the back yard was going to cost about \$500. I thought about \$2,000 for the honeymoon and I didn't know what it was going to cost to have people that would do the serving and the like so I just took what I thought would be a safe amount to cover all my expenses.

Gurney: I recall in your testimony that you said that you had neglected or forgotten to get some money out of an account in New York, and that is why that you