

2 Versions of Sept.

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The House Judiciary Committee transcript of a Sept. 15, 1972, presidential conversation contains numerous differences, some of them significant, from the White House-edited transcript of the same conversation that was made public April 30.

Although the White House transcript of the conversation appears to contain no deletions, other than expletives and unintelligible remarks, the Judiciary Committee version shows that lengthy passages were omitted in the White House version without any indication that material was excised.

In addition, the Judiciary Committee version differs in scores of instances on specific words used by the participants. At other points, the White House version leaves out comments made by speakers and sometimes the committee version differs from the White House version as to the identity of the speaker.

Both transcripts record a conversation between Mr. Nixon, White House chief of staff H. R. (Bob) Haldeman and White House counsel John W. Dean III in the afternoon of Sept. 15, about two hours after a federal grand jury returned indictments against seven men in connection with the Watergate break-in and bugging.

The first significant difference in the two versions of the conversations is that the White House transcript deletes three pages of conversation between Haldeman and Mr. Nixon prior to Dean's entering the White House Oval Office where the meeting took place. The White House version of the conversation begins with the notation, "This opens just as Dean comes in the door."

The two versions then differ almost immediately in what was said. (Words in italics represent differences in the two versions or represent a comment contained in one version but not the other.)

White House version —

President: Hi, how are you? You had quite a day today didn't you? You got Watergate on the way *didn't you?*

Dean: *We tried.*

One of the most puzzling differences in the two versions of the Sept. 15 conversation occurs when President Nixon receives a telephone call.

In the White House version, the phone call is introduced by a paraphrase of what apparently was recorded on the tape: "Someone asked the President if he wanted Mitchell's call—he said, 'Yeah.'" The ensuing conversation, during which only Mr. Nixon's side is heard, suggests that Mr. Nixon is speaking to John N. Mitchell, former Attorney General and former Nixon campaign director. Mr. Nixon at one point calls the person at the other end of the line "John."

In the House committee version, a person identified only as "unknown" asks Mr. Nixon, "Would you like to take Clark now, sir?"

White House chief of staff H. R. (Bob) Haldeman asks, "MacGregor's call?" and Mr. Nixon says, "Yeah. Go ahead."

Clark MacGregor was then Mr. Nixon's campaign director.

During the phone conversation as presented in the House committee version, however, Mr. Nixon calls the person at the other end of the line "Henry."

The following excerpts show how the two transcripts present the same conversation:

White House version —
Telephone call from John Mitchell:
Hello.

President: comments only from here on until end of call:

Well are you still alive. I was just sitting here with John Dean and he tells me you were going to be sued or something.

Good, good.
Yeah.

Judiciary Committee version —

President: Hi, how are you?
Dean: *Yes, sir.*
President: Well, you had quite a day today, didn't you? You got, uh, Watergate, uh, on the way, *huh?*
Dean: *Quite a three months.*

Judiciary Committee version —

(telephone rings)
President: *Huh.*
Dean: *So it's, uh, he's got the abuse of process suit also (unintelligible)*

President: Yeah. Hello. *Well you're still alive. Yeah, yeah. I was just sitting here with John Dean and he tells me that, uh, that he, that you're going to probably be sued or some damn thing, I don't know.*

Dean or Haldeman: *Oh, God—Now don't say that (unintelligible)*

Good.
Sure.

Well I tell you just don't let this keep you or your colleagues from concentrating on the big game. This thing is just one of those issues and a month later everybody looks back and wonders what all the shooting was about. *OK, John. Good night. get a good night's sleep. And don't bug anybody without asking me? OK? Yeah. Thank you."*

President: *Did you put that last bug in? Huh? Yeah. (unintelligible) suit. (Unintelligible) Yeah. That's right, right, that's right (unintelligible) Yeah. Good. Sure. Well, I'll tell you, uh, just don't let this keep you or your colleagues from concentrating on the big game. Yeah, that's right. I mean this, uh thing is just uh, you know, one of those side issues and a month later everybody looks back and wonders what the hell the shooting was about. Yeah — Yeah. Well, okay, well, Henry, get a good night's sleep. And don't bug anybody without asking me. Okay? (Long silence) Thank you. Always. Okay.*

The White House declined yesterday to try to explain the discrepancy between the White House version's identifying the caller as Mitchell and the House Committee's version identifying the caller as Clark MacGregor or "Henry."

In the White House version of the telephone conversation, Mr. Nixon is not quoted as asking, "Did you put that last bug in?" He apparently was referring to a second bugging device discovered inside the Democratic National Committee headquarters about the same time that the indictments were returned.

At another point in the conversation, the White House version omits a remark by Mr. Nixon in response to a comment by Dean that a federal judge, Charles R. Richey, was having improper contacts with Republican lawyers concerning a civil suit brought by the Democrats against the Committee for the Re-election of the President. (Richey has denied having any such contacts.)

A White House analysis released May 4, comparing what the White House-edited transcripts show against Dean's sworn testimony last summer before the Senate select Watergate committee, asserted that Dean had testified falsely in saying that Mr. Nixon had said, "That is helpful," when Dean told him about Richey's alleged actions.

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"Mr. Dean's suggestion that the President greeted with pleasure a statement that improper contacts were being made with a federal judge turns out, on inspection of the tapes, to be false," the May 4 White House analysis asserted.

The House Committee version, however, quotes Mr. Nixon as saying, "Good," when Dean told him about Judge Richey's alleged activities.

The two versions also show other differences:

White House version —

Dean: *You might be interested in some of the allocations we got. The Stan's libel action was assigned to Judge Richey.*

President: *(expletive deleted)*

Dean: Well now that is good and bad. Judge Richey is not known to be one of the *(inaudible)* on the bench, that is considered by me. He is fairly candid in dealing with people about the question. He has made several entrees off the bench—on one to Kleindienst and one to Roemer McPhee to keep Roemer abreast of what his thinking is. He told Roemer he thought Maury ought to file a libel action.

President: Did he?

Haldeman: Can he deal with this concurrently with the court case?

Besides these differences between what actually appears

Judiciary committee version —

Dean: *Another interesting thing that's developed is, regarding the private litigation we've got is, uh, the Stan's libel action was assigned to Judge Richey.*

President: *Oh, Christ.*

Dean: Well, now, that's good and bad. Uh, Judge Richey is not known to be one of the *intellects* on the bench. That conceded by many that he is uh, uh.

President: *(unintelligible) in his own stupid way he's sort of, uh*

Dean: Well, he's been thoroughly candid in his dealing with people about the case. He's made several entrees, uh, off the bench, to to uh, one to Kleindienst, two to, uh, his old friend Roemer McPhee, to keep Roemer abreast of what his thinking is. He told Roemer he thought that Maury ought to file a libel action.

President: Did he?

Haldeman: *(laughter)*

President: Good.

Dean: *Uh*

Haldeman: Well, can he deal with that case concurrently with the other case?

in the two versions, the Judiciary Committee's version contains lengthy passages that do not appear at all in the White House version.

One such deleted portion in the White House version concerns Washington attorney Edward Bennett Williams. At one point in the Judiciary Committee version, President Nixon, referring to Williams, says, "I think we are going to fix the son of a bitch." The conversation about Williams takes up more than one page of typed material in the Judiciary Committee version. The White House version has no indication that anything has been deleted in the segment where the conversation about Williams has been excised.

Another segment, concerning press coverage of the Watergate affair, also has been deleted in the White House version without any indication of the deletion. At one point, in this segment, President Nixon remarks, referring to the Watergate defendants, "God damn it, if they'd been Communists, you'd have The Washington Post and The New York Times raising hell about their civil rights."

In another segment, which consumes more than a page in the Judiciary Committee transcript, the three men discuss reprisals to be taken against radio and television stations owned by The Washington Post Co.

During a morning press briefing yesterday, deputy presidential press secretary Gerald Warren said in answer to a question that "it is clear" that material deleted from the Sept. 15 conversation in the White House version "is unrelated to Watergate . . . I will just remind you that we did this with the full knowledge that the Committee had the full tape."

Warren said that the White House transcripts released April 30 "in our view tell the complete story of the President's awareness of and action's relating to the Watergate matter."

Warren declined to comment on the remarks made by Mr. Nixon concerning Williams and The Post stations except to say that "The Washington Post has not faced and is not facing any threat."

According to White House sources, the White House version of the transcripts was prepared by four secretaries working under time pressure to complete the task. White House sources have conceded that the equipment used by House Judiciary Committee in transcribing the tapes is more sophisticated than that used by the White House.