

# Court Transcript of a Recording of Nixon

Special to The New York Times

WASHINGTON, Oct. 18—Following is the court transcript of a recording of a conversation between President Nixon and John W. Dean 3d, then his counsel, in the Oval Office on March 17, 1973, introduced as evidence in the Watergate cover-up trial today:

(Background noises—dragging noises on desk.)

PRESIDENT: Well, I was wondering what your latest developments were. Do you, ah, plan to keep your boys all hopping around?

DEAN: Well, hopefully, uh, Dick Moore and I are gonna work in this afternoon and today.

PRESIDENT: Where do you live?

DEAN: Pardon?

PRESIDENT: Where do you live, are you staying?

DEAN: Over in Covell.

PRESIDENT: Covell . . .

DEAN: Well, to work over in my office. It's pretty quiet around here today.

PRESIDENT: Any time that you need to (unintelligible) Camp David place is very conducive to that kind of awful work (unintelligible).

DEAN: I think that might be a good thing. I mentioned that to Mitchell yesterday, that, ah, we probably need a good sitdown, kick this thing around session. Ah, I would say that as a result of your press conference that the forward momentum that was going and building, stopped, and, and, that it, it fluctuated and again we're, in the breeding space. Uh, the press this morning is different, for example, it says the, uh, an accord has been reached. The Post is even willing to say that, uh, as the information, being provided. It couldn't, uh, try to find something nasty to say but they, they realized that it was a cooperative effort, uh (coughs) what we have to do is be in a good posture, uh, come the opening gun on Ervin's hearings. It's, it's always been to me the most troublesome thing is that if he were gonna be non-biased, if he were gonna be non-partisan, if he were gonna be fair and just, and the judge he likes to believe he is, 90 per cent of his hearings would be held in executive session.

PRESIDENT: Sure.

DEAN: . . . rather than . . .

PRESIDENT: And also the 10 per cent of them or so (unintelligible)

DEAN: That's right. That's right. Uh, what I've been trying to conceive of is, is some way that Ervin himself could come to that position. If he did, he would be harming innocent people, but he will be dragging people into things that, uh—it's like really dragging them in, but that's the name of the game in the city and he's gonna love to play it.

PRESIDENT: (Unintelligible) Hark back to the Hiss case. We did that on the Hiss case.

DEAN: You went into executive

PRESIDENT: . . . the first confrontation, between I, we,

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## -Dean Conversation on March 17, 1973.

we, we interviewed, we took, uh, after, uh, after, uh, Chambers, uh, Chambers went on and called himself and tried to challenge it.

Dean: Um hum.

Experience With Hiss

PRESIDENT: Hiss went on that, I, ah, executive session with Chambers alone, for a couple of hours (unintelligible) executive session, and Hiss alone. And then two together in New York in a hotel room.

DEAN: And that was private also, huh?

PRESIDENT: Executive. And then only after the executive, would we go public.

DEAN: Well, that you know, that would be the fair way for Ervin to play it. (unintelligible) go public. Ah . . .

PRESIDENT: Yeah, Well, anyway, that's a possibility, ah. The thing I guess you've got to figure, is to whether you and Moore, perhaps even individually or, uh (unintelligible) collectively (unintelligible) collectively in writing a paper, and say that, uh—and sit down and write what I would call a general, a very general statements that would be the—Senator Ervin. I would say Senator, you'd be interested to know what the hell we got here. Here, here's my point, as, ah, the ah that's one way. The other way would be to, ah, put down the, the, ar—course the fact that it's being done. The point that I made is this: We don't want to be in position of Dean and the White House, you and Dean, etc. are acting as the President's counsel to forward him information on the basis of it's confidential. You might just say now I can't say that this is all, everything, but it's everything we know. We can basically (noise-banging on desk) (unintelligible) in that sense, based on what we know (unintelligible) investigation (unintelligible) was not involved, or if he was this is all he knows. Ah, Chapin—this is what he knows and I'd go in to Chapin and Segretti and just lay it all out there. (unintelligible) and, ah, Colson, you know what I mean?

DEAN: Um hum.

PRESIDENT: And, ah, and,

or without going into it you could say, no one on the White House staff is involved, so forth and so on. This may be fact those kind of (unintelligible) statements. What I am getting at is that the moment that you get it too specific, and I realize that, they're gonna say why did you withhold something, that you could simply say here are the conclusions we have reached based on your evaluation of the information that came to your attention. They got a chance to look at all the other, we want to be as helpful as we can. Here's what we've concluded and we welcome you to review it.

#### Interesting Approach

DEAN: You, ah, you've raised something that, uh—let me just take you one step further. It might be a very interesting approach. Ah, if Ervin were to be called down here, and (coughs) and given sworn statements that were given to you, that's after I have prepared my report on Haldeman, Ehrlichman, Colson, Dean, everybody.

PRESIDENT: Right.

DEAN: . . . they stated to the degree of their knowledge—now what, what would be in there that would embarrassing politically — and you might put Ervin on the spot—is—'cause I don't think he would want to embarrass for the sake of embarrassment alone — is that, that there was knowledge that there was an intelligence operation in place.

PRESIDENT: I say that?

DEAN: But no knowledge that these people were going to do something criminal.

PRESIDENT: That's right.

DEAN: And to the contrary, Mr. President, efforts by the White House to cut off these things that would be illegal.

PRESIDENT: Oh, as matter of fact as you point out, you could make some self-serving statements all over that I had put and, uh, I had given instructions to the (unintelligible) he was to pass on to the campaign committee, I did not see them at that point, there was to be no acting, there was to be no violence, that th-th-th-th-th—we expected ours to be, we had to get the intelligence on it, from the standpoint of security, et cetera.

DEAN: Hum.

PRESIDENT: (unintelligible) prepared—put that whole thing out, put out the list on the seamy record of what we expected in San Diego, what we expected there and there's what we were trying to get at through intelligence, et cetera, you know what I mean.

DEAN: Um hum.

PRESIDENT: But point out that, ah, ah, you could just say here is some sworn statements signed by (unintelligible) people that I've gotten from them I, it was for the

record.

DEAN: Um hum.

PRESIDENT: Want further information, you can ask for it.

DEAN: The interesting thing is, in the sequence of way things occurred, ah I don't know if anyone has ever (coughs) taken you through this. But the last involvement to my knowledge of the White House was when I came back from a meeting. . .

PRESIDENT: (Unintelligible) answers "I know nothing about Watergate."

DEAN: Right, well, ah. . .

PRESIDENT: I stayed miles away from it so I didn't know even if there was a White House involvement.

#### Intelligence Operation

DEAN: Well, there was, ah, you know, there was a preliminary discussion of setting up an intelligence operation. . .

PRESIDENT: Yeah.

DEAN: . . . and the last, and the last. . .

PRESIDENT: (unintelligible)

DEAN: All right, and the last phase of it. . .

PRESIDENT: Phase of it was. . .

DEAN: I came back from a meeting with Mitchell, Magruder and Liddy and told—after telling them that they couldn't discuss this in front of the Attorney General of the United States, came back and told Bob that if there's something like that going on, we've got to stay two miles away from it, ten miles away from it, because it just is not right and we can't have any part of it. Bob said I agree and we'll have no part of it. That was where I thought it was turned off and the next thing I heard was that, that was this, the break-in on June 17th, which was. . .

PRESIDENT: (unintelligible)

DEAN: . . . over six months later. . .

PRESIDENT: You heard discussion of that, but you didn't hear any discussion of bugging did you, in that, your meetings? Or did you?

DEAN: Yeah, I did. That what, ah, distressed me quite a bit.

PRESIDENT: Oh you did.

DEAN: Um hum.

PRESIDENT: Who raised it? Liddy?

DEAN: That's right.

PRESIDENT: Liddy at that point said we ought to do some bugging?

DEAN: Right, Mitchell just

sat there on his pipe and puffed and said nothing. He the end of the meeting. . .

PRESIDENT: Well, you won't need to say in your statement the bugging.

DEAN: No.

PRESIDENT: You could say that they were gonna engage in intelligence operations, you said the main thing is that, ah, ah, it must be totally legal and that the laws and ethics and so forth ana so on. You came back and Bob says, he says (unintelligible). You know what I mean?

DEAN: Right.

PRESIDENT: I would think, make, I think you could make self-serving God-damn statements (unintelligible).

#### Embarrassment Seen

DEAN: The embarrassment for you would be that the White House knew that there was an intelligence operation going, ah. . .but—

PRESIDENT: But, why, did you mean embarrassed?

DEAN: All right.

PRESIDENT: I think every, everybody, ah, everybody that (unintelligible) naive basis, who knows? Haldeman knows, right?

DEAN: Right.

PRESIDENT: And of course, but you could be there if you justify it along the basis that. . .

DEAN: We knew it was to be legal.

PRESIDENT: Not only be legal but that it was totally necessary because of the violence, the, ah, the demonstrations, ah, the heck—, the kind of activities that we knew were threatened against us in our convention and in our campaign and in all of our appearances. We had to have intelligence and about what they were gonna do that we could in turn issue instructions to (unintelligible) find out what they're doing, and, uh, something like that.

DEAN: This is another point on not using the F.B.I. for political purposes either. Ah, while we would collect normal demonstration intelligence, we needed specific intelligence as to were there concerted efforts by opposing political people to demonstrate, cause disruption (coughs), get these peaceniks whipped up into a frenzy, and a like.

PRESIDENT: That's right.

DEAN: That's not, ah, that's not the function of the bureau.

PRESIDENT: You see, I've been thinking, I should say, for example, the matter was discussed as to whether or not, (unintelligible) the bureau, ah, should be, it was pointed out that in the 1964 elections, the bureau was used (unintelligible).

DEAN: Um hum.

PRESIDENT: Could you get that—the salt?

DEAN: Um hum.

PRESIDENT: You get my point?

DEAN: Um hum.

PRESIDENT: And that's uh, uh, then Haldeman said under No circumstances, or mention them, whatever they are, it all had to be done privately because the bureau may Not be involved in a partisan contest. We could not use the bureau in this. You can use them against demonstrations. But for political character, the bureau is



Jurors in the Watergate cover-up trial reading transcripts of a White House tape as it was played yesterday

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never used. Which is true.  
 DEAN: UM, but I...  
 Use of Secret Service  
 PRESIDENT: The Secret Service was used, but they—that's their job.  
 DEAN: ... but that's their job...  
 PRESIDENT: (unintelligible) make it quiet there.  
 DEAN: ... but they weren't ah, uh, they weren't collecting the same type, they were...  
 PRESIDENT: Oh, no they were...  
 DEAN: ... threats and...  
 PRESIDENT: (unintelligible)  
 DEAN: ... they were looking to see who was behind it or...  
 PRESIDENT: What I'm getting at is, uh, you have got, you can putt off all the self-

serving men and they in turn the main thing the President has — then, you see, that basically clears the President frankly...

DEAN: That's right.  
 PRESIDENT: (unintelligible)  
 DEAN: That's right.  
 PRESIDENT: (unintelligible)  
 DEAN: That's got to be done, that's right.  
 PRESIDENT: You need it very much. I want it. Now, you were saying too, as, what really, ah, where the, this thing leads, your view the vulnerables are basically Mitchell, Colson, Haldeman, indirectly possibly directly, and of course, the second level is as far as the White House is concerned, Chapin.  
 DEAN: And I'd say Dean, to a degree.  
 PRESIDENT: You? Why?  
 DEAN: Well, because I've been over this thing like a blanket.  
 PRESIDENT: I know, but you know all about it, but you didn't. You were in it after the deed was done.  
 DEAN: That's correct, that

I have no foreknowledge...  
 PRESIDENT: Here's the whole point, here's the whole point. My point is that your problem is you, you have no problem. All the others that have participated in the God-damned thing, and therefore are potentially subject to criminal liability. You're not. That's the difference.

DEAN: That's right. (pause)  
 PRESIDENT: And on that score of course, we have to know where we are.  
 DEAN: And on...  
 Magruder Discussed  
 PRESIDENT: Everybody — Magruder I understand knows, told some people that Haldeman knows, told other people that, ah, Colson knows (unintelligible).  
 DEAN: Oh Jeb, is a good man, but it Jeb ever sees himself sinking, he will reach out to grab everybody he can get hold of.  
 PRESIDENT: Will he?  
 DEAN: Yes, and I think the unfortunate thing is in this whole thing, Jeb is the most responsible for the whole incident.

PRESIDENT: (unintelligible)  
 DEAN: Well, let me tell you, one, after it happened and on, on Monday, I didn't take me very long to put the pieces together what had occurred, ah, I got a hold of Liddy and I said Gordon, I want to know who in the White House is involved in this and he said, John, nobody is involved or has knowledge, that I know of. Ah, that we were going in or the like, with one exception and it was a lower level person.  
 PRESIDENT: Strachan.  
 DEAN: Strachan, ah, he said I don't really know if he, how much he knew, and I said well in the hell did this happen, and he said Gagruder pushed me without mercy to go in there. Magruder said I had to go in there. He had to do this...  
 PRESIDENT: Who pushed Magruder?  
 DEAN: That's...  
 PRESIDENT: Colson?  
 DEAN: That's—that what Jeb...

PRESIDENT: Colson, did Colson push Magruder tough?

DEAN: Now that's where there's two stories.

PRESIDENT: That's my point, I don't, I think, I—Colson can push, but he didn't know Magruder that well.

DEAN: No.

PRESIDENT: I don't think (unintelligible) maybe Chapin did.

#### Strachan Discussed

DEAN: No, I think Strachan did. Because Strachan just had it on his tickler, he was supposed to be gathering intelligence and talking to Jeb and saying that, where is it and why isn't it coming in? You haven't produced it.

PRESIDENT: Intelligence problems? What were they worried about? They worried about, as I understand it, the San Diego demonstrations. I'm too sure of, but I guess everybody around here except me worried about them.

DEAN: Well, I, I don't know.

PRESIDENT: Well demonstrations, what else...

DEAN: I think...

PRESIDENT: Mitchell... though that they would be worried about, were secret, I mean, the ten million dollars, what the hell difference did that make.

DEAN: I can't understand why they decided to go in D.N.C. That absolutely mystifies me as to what — anybody's been around the national committee knows there's nothing there.

PRESIDENT: Well, the point is they're trying to see what the (unintelligible) developed in terms of the...

DEAN: So that's the, that's the...

PRESIDENT: And now PRESIDENT: And had very damn little confidence in him. Uh...

DEAN: Right.

PRESIDENT: ... so maybe that one can come from here. Is that your point?

DEAN: That's, ah, that's...

PRESIDENT: Think Haldeman pushed him?

DEAN: Well a, I think what happened is that on sort, of a tickler...

PRESIDENT: I can't believe Haldeman would push Magruder.

DEAN: No, I don't think happened.

they, now Magruder puts the heat on somebody else, you know, the way you see things, because I understand it, is a, that, possibly heard a friend of mine, that, ah—Sloan, Sloan starts pissing on Magruder and then Magruder starts pissing on, on, who even Haldeman...

Dean: No, no it's its, if...

PRESIDENT: I don't see...

DEAN: ... if, if somebody out of here were to start saying, or say, alright, Jeb, you're gonna, you're, you're gonna take the heat on this one, ah...

PRESIDENT: Somebody down here's gonna say that.

DEAN: No.

PRESIDENT: Can't do that.

DEAN: No.

PRESIDENT: I think what you've got to do, to the extent that you can, John, is cut her off at the pass. And you cut off at the pass. Liddy and his bunch just did this as part of their job.

DEAN: They were out on a lark. They went beyond any assignment they ever had.

PRESIDENT: Now on the Segretti thing, I think you've just got to—Chapin and all of them have just got to take the head. Look, you've got to admit the facts, John, and...

DEAN: That's right.

PRESIDENT: And that's our — and that's that. And Kalmbach paid him, and paid a lot of people. I, I just think on Segretti, no matter how bad it is — it isn't nearly as bad as people think it was. Espionage, sabotage, shit.

#### Segretti's Role

DEAN: The intent, when Segretti was hired was nothing evil, nothing vicious, nothing bad, nothing. Not espionage, not sabotage. It was prangsterism that got out of hand. It — and we don't know that. And I think we can lay our story out there. Ah, I have no problem with the Segretti thing, it's just not that serious. The, ah, ah, the other potential problem, ah, is Ehrlichman's and that is...

PRESIDENT: In connection with Hunt?

DEAN: In connection with Hunt and Liddy both.

PRESIDENT: They worked for him?

DEAN: They... these fellows had to be some idiots, as we've learned after the fact. They went out and went into Dr. Ellsberg's doctor's office and they had, they were geared up with all this C.I.A. equipment, cameras and the like. Well, they turned the stuff back into the C.I.A. some point in time and left film in the camera. Ah, C.I.A. has not put this

together, and they don't know what it all means right now. But it wouldn't take a very sharp investigator very long because you've got pictures in the C.I.A. files that had to turn over to Justice.

PRESIDENT: What in the world, what in the name of God was Ehrlichman having something (unintelligible) in the Ellsberg?

DEAN: They were trying to — this was a part of ah, an operation that, ah — in connection with the Pentagon papers. They were — the whole thing — and they wanted to get Ellsberg's psychiatric records for some reason.

PRESIDENT: Why?

DEAN: I don't know.

PRESIDENT: This is the first I ever heard of this, I, I (unintelligible)

DEAN: Ah...

PRESIDENT: ... care about Ellsberg was not our problem.

DEAN: That's right.

PRESIDENT: Jesus Christ.

DEAN: Well anyway, it, it, you know, it was under an Ehrlichman structure, maybe John didn't even know. I've never asked him if he knew. I didn't want to know.

PRESIDENT: I can't see that getting into, into this hearing.

DEAN: Well, look. Here's—no, here's the way it can come up.

PRESIDENT: Yeah.

DEAN: In the CIA's files which they—which the committee is asking for—in the material they turned over the Department of Justice...

PRESIDENT: Yeah.

DEAN: ... There are all the materials relating to Hunt. In there are these pictures which the C.I.A. developed and they've got Gordon Liddy standing proud as punch outside this doctor's office with name on it. And it's this material, it's not going to take very long for an investigator to go back and say, why would this somebody be at the doctor's office and they'd find out that there was a break-in at the doctor's office, and then you'd find Liddy on the staff, and then you'd start working it back. I don't think they'll ever reach that point.

PRESIDENT: Can't be.

DEAN: This was way...

PRESIDENT: It's irrelevant.

DEAN: It's irrelevant. Right.

PRESIDENT: That's the point. That's where—that's where—where, ah, Ervin's rules of relevancy—I'd like to know—now what the hell has this got to do with it?

DEAN: It has nothing as a lot of these things that they could stumble along into, ah is irrelevant.