

Nixon: 'Fight It Out... We'll

NOV 22 1974

Survive'

Following is the transcript of part of a meeting between President Nixon and his aides John D. Ehrlichman and H. R. (Bob) Haldeman on April 25, 1973 from 11:06 a.m. to 1:55 p.m. In the tape, introduced by the prosecution yesterday at the Watergate cover-up trial, Mr. Nixon and his aides acknowledge the threat of impeachment posed by the testimony of former White House counsel John W. Dean III.

Ehrlichman: And, I don't know if you feel you can do this, but I think the three of us know one another well enough, that, we've been through enough together but [unintelligible] [tape noise] necessary that we have your very candid . . .

President: Assessment?

E: . . . assessment of the threat to you. Obviously, neither one of us want to do anything to harm you in any way, we want to avoid harming you.

P: The threat [unintelligible] Dean?

E: Yes, sir.

P: All right.

E: Now, let me, let me just spin something out for you. As a, as a . . .

P: Right.

E: . . . it has a probably a far out point, as we work back . . .

P: Right.

E: . . . I think it's entirely conceivable that if Dean is totally out of control and if matters are not handled. Adroitly that you could get a resolution of impeachment.

P: That's right.

E: . . . in the Senate . . .

P: That's right.

E: . . . I don't know if you've thought of this or not, but I got thinking about it last night. Uh, on the ground that you committed a crime.

P: Right.

E: Uh, and that there is no other legal process available to, uh, uh, the United States people, other than . . .

P: Right.

E: . . . other than impeachment. Otherwise, you have immunity from prosecution.

P: Right.

E: Uh, so I think we have to, I think we have to think about that. We have to (unintelligible) . . .

P: Right.

E: . . . and see about, see what the point is, is it a crime, if any, and uh, how serious it is, and would Dean, is a threat, and what we do about it. Uh my own analysis is that what he has falls far short of any commission of a crime by you. So far as I know.

P: Yeah.

E: I don't know what you may have talked about with him in those 10 or 12 hours you and he spent there in the months, months of February and March.

P: Right.

E: Uh, but, uh, you get down to a point where you've

got John Dean prancing in there and saying, "The President said this and the President said that," and having somebody in your behalf come back and say, "No, the President didn't say that, and that's ridiculous." Uh, and, and, so you get a kind of credibility thing unless, like he seems to be doing, he's very busy, uh, dredging up corroborating evidence and looking for documentation or taking statements from people based on leads that may have developed from those conversations. And I think really the only way that I know to make a judgment on this is for you to listen to your tapes and see what actually was said then, or maybe for Bob to do it, or, or, somebody. See what was said there. And then analyze how big a threat that is.

P: Right.

E: If it didn't come out of those meetings, then I think it's imaginary.

P: Right.

E: Because it then does not come out of your mouth, it comes by reason of the actions of, or something that one of us said or did, and it can be handled. But if you're really confronted with that kind of a dilemma, or that kind of crisis in this thing, uh, I think before any other steps are taken, any precipitous steps (unintelligible) on us for that matter, uh, you better damn sure know . . .

P: That's right.

E: . . . What you hole card is.

P: I agree.

E: Uh, beyond that, uh, hell, I'm, I'm not afraid of Dean, uh and what he might say about me for instance. Uh I think it can be handled. Uh, I don't think Bob has anything to fear from Dean, basically, then, particularly based on what the attorneys tell us, uh, he has an almost unlimited capacity to dredge up, uh, anecdotes, uh, from a from a dim and murky past, and we're just gonna have, have to handle it one by one. You mentioned the La Costa plan. Our fellows probably didn't tell you this but Dick Moore's attorney called on him, uh, on John Wilson, and indicated that Dick Moore just doesn't have any memory at all about La Costa. He can barely re-

member even being out there.

P: Dick, Dick Moore told me . . .

E: I understand.

P: . . . he said there was something . . .

E: I understand.

P: . . . maybe his memory's become dim.

E: His memory is, apparently, feeble beyond measure, because his attorney has explained to him what his exposure is . . .

P: That's right.

E: . . . and Dick is scared

shitless, apparently. Uh . . .

P: To what point.

H: . . . To the point where he has contacted Silbert to ascertain that he will not be indicted prior to his daughter's wedding, so that he can go to his daughter's wedding.

E: Now, that was his proposal to his attorney to do that.

P: Okay.

H: He wanted his attorney to, to go and find out.

P: Dick think he's going to be indicted for that?

UNIDENTIFIED: Yeah.

H: . . . To the point where

P: Yeah.

E: But not for, but not for, not for that conversation alone . . .

E: Dick, Dick has been cheek and jowl with Dean, all through this process. And far more than either of us, far more.

P: Well, let me suggest this, Bob, uh, you've got the conversation (unintelligible).

H: Yeah.

P: (Unintelligible).

H: Yeah.

P: Now, let me say . . .

H: Yeah.

P: . . . (unintelligible) I think I remember, I would remember everything, except, you see, there's always a possibility that Dean may have discussed this case with (unintelligible). I know the Bittman conversation, you know . . .

H: Yeah.

P: . . . I know however, that in that conversation, the question was raised of blackmail — I know, however, that in that conversation, I also raised the question how much is it going to, would it cost . . .

H: Yeah. (Unintelligible).

P: . . . a million dollars. And I said facetiously, "Well, I guess we can get a million dollars." It was then that we started my whole investigation. Now, I don't know, how does that one sound to you?

E: Well, that sounds tough and . . .

P: Yeah.

E: . . . uh, yet it's manageable. (Unintelligible).

On April 25, 1973, the President queried Haldeman from 7:46 to 7:53 p.m. over the telephone about the possibility that Dean might have secretly taped or written memoranda about White House conversations to back his version of the cover-up.

P: [Unintelligible]

Operator: Thank you

P: Ya

H: Yes, sir.

P: Is there any, uh, way that, uh, even surreptitiously or discreetly or otherwise I mean, that, ah, way you could determine whether uh,

this matter of whether Dean might have walked in there with a recorder on him? I don't know.

H: No, I don't think there is any way. I think ya gotta, so remote as to be almost beyond possibility. And uh, and if he did [unintelligible].

P: Well we've gotta I mean, its, it [unintelligible], but the point is that that's ah, that's a real bomb isn't it?

H: Ah, ya.

P: Sure is. That, that's what may be his bomb. In other words he [unintelligible].

H: No...

P: Put that, on the desk with Henry Petersen and says, "I gotta recording of the President of the United States and here's what he said."

H: Well, that would be very hard.

P: If he did it, then we'd say, "yes..."

H: [Unintelligible] virtually impossible.

P: [Unintelligible] Not virtually impossible. If he did it we'd say, "Yes, sir, that was a recording and I was investigating..."

H: That's right.

P: On the other hand [laughs] it's be god damn hard on, I mean, he'd run that in the press that'd be [unintelligible]

H: Yeah.

P: Well, no way to, no way to find out is there?

H: No, there isn't any, there isn't any [unintelligible] no way anybody would know...

P: We have no...

H: Except him.

P: Record of uh, we don't have any (unintelligible) as to whether he has done...

H: None.

P: That before, have we?

H: None. We have no evidence at any time under any circumstances, and I've, you know, been involved in enough, you know, what is going on that I, I just find it impossible to think that, that there would [unintelligible] you know, it could possibly be the case.

P: Ummh. One thing

about those things, you think that you know, when a fellow walks into me, and I didn't look at him that closely, but you were there, god damn I mean, I, I'd think that it's a little, it's, it's, even the smallest ones are bulky enough that you mean, with a fellow like Dean you'd sort of see that wouldn't ya, where do you carry them, in your hip pocket or your breast pocket?

H: Oh, under your arm, you know, where they carry a pistol holster or somethin.

P: Um hmm, ya. Well...

H: [Unintelligible] I really don't think it's—it's so remote as to be almost beyond the...

P: Ya, ya

H: ... realm of possibility.

P: In this matter nothing is beyond the realm of possibility (laughter)...

H: No, that's true but ah...

P: Ya...

H: And, and...

P: But of course we draw

the sword on that if ah, if ah

...

H: [clears throat] I think if, if that's the subject he has in mind, that he, he's just going to do it on the basis of his own, you know, his own record afterwards, there's no check.

P: Oh well, on that we'll destroy him.

H: And ah...

P: It's his word against

...

H: You know from the big [unintelligible]...

P: His word against...

H: Something like that...

P: His word—what? His word against the President's the ah, the ah [unintelligible] you were there but particularly the President's on that [unintelligible]. The only other thing is, of course, his conversation with regard to the, I mean, the little slip in your office about the...

H: But that.

P: That was so casual.

H: I don't think you're going to have the problem with that. I mean, other than, other than perhaps an effort to, to base it on his conversation and you know, his memorandum afterwards or had he done something like that, but he didn't usually do that.

P: Didn't he?

H: Ummh ummh.

P: He didn't write conversations memorandum?

H: Not usually.

P: Hm. He probably did on this one. But uh, (unintelligible).

H: As I said it sounds as if he had notes which you, you said he thought he did to speak from you know he might have used that ah...

P: Ya that, but I mean, but he didn't make any notes in any conversation I ever had with him, he always sat there and then probably as a (unintelligible) with a good memory, you can go back and write everything down you can remember.

H: Ya, ya.

P: But ah, he's always had or made a memorandum of the conversation afterwards and I said this and that, on the other hand, Ziegler had a good point about Dean which he made a few days ago, he said John Dean's credibility is nil because...

H: Right.

P: The Dean report has proved to be false and everything else and...

H: Right.

P: And you have something to say and that's what we gotta have in mind here now without you and John to get too god damned discouraged about this because basically John Dean, ah, his

Report, uh, that he now claims that he didn't make, his subornation of perjury, his everything else...

H: That's right.

P: He's ah, who the hell is to believe what he's going to say now, and he's saying it now for what purpose? He's going to be, of course, saying, "Well I, they're making me the scapegoat and all the rest, and therefore I'm going to tell all," and he's going, and as he says, "I'll try this," his attorney says, "This administration right up to the President," he didn't say the President, but you know that's what they said.

H: Yeah, but that's [unintelligible] the purpose—when you get down to trying to do it, they got a very tough time.

P: Purpose of course was to get everybody—which now the Prosecutor Chuck, Bob, is not about to give 'em.

H: Really?

P: No, sir, they're not. Oh, Petersen says that I said, "Now alright, you make your judgment on your own," I said, "not on my behalf. He said "No," he says, "he's just—much involved as a principal. We just can't do it." And frankly I think it's just as well. I think if

...

H: That's right.

P: I think if you—I think if you're in a position now, that if you gave him immunity, he would sit there the rest of our lives.

H: hat's right.

P: Hanging it over ya, and the point is that ah, now if he's going to have this pissing contest (unintelligible) all right, bring it out and fight it out and it'll be a bloody god damn thing, you know in a strange kind of way that's life, isn't it (unintelligible) probably by understood and be rough as a cob, an we'll survive and some people you'll even find (unintelligible) in Mississippi you'll find a half a dozen people that will be for the President. Who knows?

H: (Laughs) Be a lot more than that.

P: (Unintelligible) No. We still have some support in the country, I hope. But, uh

...

H: Yep.

P: But we shall see, do you agree?

H: Absolutely.

P: (Laughs).

H: No question.

P: Ya, ya, that's right... Despite all the polls and all the rest, I think there's still a hell of a lot of people out there, and from what I've seen, they're—you know, they, they want to believe, that's the point, isn't it?

H: Why sure. Want to, and do.

P: All right. By the way, I thought there was just a th—thought that maybe you could ckeck tha-that thing

...

H: No...

P: But there no way you can check it.

H: There isn't anything to check.

P: You've never heard

that, uh, that he's ever done that before.

H: Never, never.

P: Um hmm. Although as I say, if worse comes to worse, and he has one, well, w've got one. [Laughs].

H: Yup.

P: No. But what I mean is—you've gotta live with it, that's it . . .

H: Well know it's here at least, an uh—

P: That's right, that's right, that's right. Tomorrow th, th, th, there's a little left on what the one you had this day, right?

H: Yep.

P: Um hmm. But—but you were there during that discussion.

H: Yep. *cont'd →*

P: And I suppose that we probably discussed how the hell we get the 120, right? I don't remember it.

H: No, no. I don't think so, I think it was, you know, just sort of a rehash of the other thing . . .

P: That's right.

H: and basically going into the impossibility of doing it.

P: And the next day you, I suppose the question is, well, did you get the 120, I may have asked him that, I don't know. I don't think I did but I . . . m [laughs].

H: I'm not even sure there was a second.

P: Well anyway—listen to it tomorrow an' lemme know. Will ya?

H: Yep.