

(9)/22 Binder #2

SCREENED  
by *lap* on *9/29/01*

4/13/71

4/13/71 2:45 p.m.

President, H (Haldeman), E (Ehrlichman)

1. President - JE Hoover conversation Easter w/President

1. Boggs thing shouldn't get him down

2. We were fostering defense

Boggs sick

3. Volunteered: any time I'm a liability I'll leave

I want you reelected in '72

President: I passed it off

4. Attacks make me tough

5. Praised Wed. Speech

6. Raised hell re Kleindienst testimony re investigation  
of FBI

A/G great

RK (Kleindienst) not

(AG phoned me this a.m. to find out what was said -- JEH (Hoover)

memo 4/12 cut; Mardian out of domestic intelligence & implied;

JEH (Hoover) bugged some at President's request)

President - reassuring -- built him up

2. Psychopathic -- must go

G Sh in, H (Haldeman)out

2.

4. IRS & Barth (JC appointment)

With HRH(Haldeman) only --

5. Conversation with J. Edgar Hoover

Sun. and/or Monday

- Cut off Mardian Intell. (memo to 12)

- Elec. surveillance at President's request

- Known only to JEH (Hoover) and Sullivan

- Using President as tool

DRAFT

7/6/71

TRANSCRIPT OF A RECORDING OF A PORTION OF  
A MEETING BETWEEN PRESIDENT NIXON, HALDEMAN  
AND EHRLICHMAN ON JULY 6, 1971

---

MITCHELL: But, uh, they are, of course, these obvious leaks that go back into the Halperins, or the or Larry Lynn or the rest of them and that's what they've been working on over the weekend and I'll have a briefing on that today.

NIXON: John, would you like -- do you think it would be well to put, uh, to put uh, for you to put some -- oh, maybe that isn't the place for it. Maybe the place for it's up in a committee of Congress. Let Ichord and his bear cats go after it. Uh, what I'm getting at is, that, uh, you've got the Ellsberg case. I, I'm not so interested in getting out and indicting people and then having our mouths shut. I'm more interested in frankly, getting the story out, see the point? That's even on the Ellsberg thing. I'm not so sure that I'd would. that I'd want him tried, convicted -- we had to do that because he's admitted -- but as long as we can, uh --

MITCHELL: Well, uh, we have Ellsberg back into some of our domestic Communists.

NIXON: Have you?

MITCHELL: Yes.

NIXON: You really have?

MITCHELL: Yup.

NIXON: Domestic Communists -- now, that's that's great. That's the kind of thing we need.

MITCHELL: That's right. And we're putting the story together. He's been, attended meetings out in Minnesota and, uh, for this Communist lawyer in a trial out there and we're putting all that together. We're gettin' --

NIXON: Is that, is that the result of Hoover or the Defense Department, do you think?

MITCHELL: You mean the information?

NIXON: Yeah.

MITCHELL: It, it came out of a U.S. Marshal out in Minnesota who, uh . . .

NIXON: Oh?

MITCHELL: . . . recognized the guy and recognized his background . . .

NIXON: Great

MITCHELL: . . . and had, had him under surveillance at one of those meetings.

NIXON: Mm Hmm.

HALDEMAN: Shouldn't somebody get at -- I assume they keep the files on all those taps when we were running all those people through.

NIXON: You know that's - -

MITCHELL: Halperin --

HALDEMAN: This -- In light of this, some of that stuff may be a hell of a lot more meaningful now . . .

MITCHELL: I

HALDEMAN: . . . than it was then.

MITCHELL: I, I, I've had them reviewed in the Bureau.

HALDEMAN: There were a lot of conversations with Sheehan in them, to my recollection.

NIXON: Were there?

HALDEMAN: I think there were. I may be wrong but I sure think there was. And nobody would agree --

(several talking at once)

NIXON: In light of current history who's got the time to read it. I haven't, I naturally never saw any of that stuff.

HALDEMAN: Well some of it may have been gobbledy gook at the time but it may --

MITCHELL: Well, a, Bob is right. You never know what those taps mean . . .

NIXON: No.

MITCHELL: . . . until it relates to . . .

NIXON: No.

MITCHELL: . . . something. And they're being reviewed.

EHRlichMAN: John, don't you think that, uh, we could get ourselves into a, into a dilemma if Mardian begins to develop evidence on this conspiracy and we want to go on a non-legal approach -- either leaks or through the Ichord committee. If it, if it gets too -- if, if, if the Justice . . .

NIXON: too far down the track

EHRlichMAN: . . . (Unintelligible). . . too much in the predominance so to speak in the development of this - -

MITCHELL: Well, it's my idea that we should only pick out the hard cases to try where we know we can convictions.

NIXON: John what is your feeling on -- speaking of hard cases, now -- uh. Or, are you, do you say that you're gonna, they're having a grand jury -- do you, did somebody told me that Cheean or Sheehan --

EHRlichMAN: Yeah, Mardian told me that.

MITCHELL: Well, we're running a grand jury in, in Boston which doesn't necessarily relate to anybody.

NIXON: I see.

MITCHELL: It relates to the overall case.



NIXON: Now, on Sheehan. Let's talk about that. Is that smart? Just, just being quite candid. Is it smart to go after Sheehan? My feeling, off the top of my head, is to convict that son of a bitch before a committee.

MITCHELL: Shehan?

NIXON: Make him the (unintelligible) Here's the point. Uh. Let me say that, uh let me, let me recap in my own mind the whole attitude on the whole thing on this. First, and despite all the beating and so forth you've taken, you did the right, we've done exactly the right thing up this point. You had to get that case to court. It had to go to the Supreme Court and when you read those, when you read the, the the opinions -- as even Scotty Reston agreed -- it, it gave them goddam little comfort.

MITCHELL: This is the general census in the newspapers now which I think is right. . .

NIXON: Right, that's right.

MITCHELL: . . . which I think is right and great.

NIXON: But my point is that it had to be done. On the, on the other, on the next point, however, I think that having done that and now, now, we've got to continue to protect the security of these, these things -- having in mind our own security -- but, not recognizing that there is, in my view, I think there is -- I, I won't say there, but there's very, it seems to me, pretty good evidence of a conspiracy. Do you feel there's a conspiracy?

MITCHELL: Well, yes.

NIXON: I don't just don't know.

EHRlichman: Yeah.

MITCHELL: No. I wouldn't want him to testify because if he did, he'd ask for immunity and that would be the end of it.

EHRlichman: That's right.

MITCHELL: And we can get the testimony out, we know

EHRlichman: You can never, you can never get Sheehan except on the testimony of uh witnesses on the, uh well, uh, on the committee or on testimony of others, others, limited, and so forth and so on.

MITCHELL: Well --

HALDEMAN: All we'd have to do get maybe somebody who received the stuff.

EHRlichman: Plenty of people, people have been convicted without (unintelligible) it's a terrible lesson.

MITCHELL: Sheehan, Sheehan's wife was one of them. She's got a quite a police record including shoplifting down here in Washington.

UNIDENTIFIED: Well, I suppose, (unintelligible)

HALDEMAN: She has no expectation.

MITCHELL: No, no<sup>is</sup>e of them have any immunity explicit or (unintelligible)

NIXON: We're we're . . .

EHRlichman: We're going to have to gather this information in that's available to the President.

MITCHELL: All right. Dick Moore has been working on some of this. He's got a lot of the background memoranda.

EHRlichman: He'll be (unintelligible)

MITCHELL: (unintelligible)

EHRlichman: He can't (unintelligible)

MITCHELL: Yeah.

7/10/71

7/10/71  
President, H (Haldeman), E (Ehrlichman), RMW

Explain to Whittier

Close to home

Further from Univ.

No commercial advantage to anyone

Sell to Whittier

Nixon Institute for World Peace

In a Quaker College where it belongs

Thru GSA --

Totally personal for pol. papers

Be kept there, riot here

Here: Museum

Library

Split up papers

OK to split up

Whittier -- quantity land

parking

not prox. to President

2. Conf. resid.

A conservative center

3. Make use interchangeable

w/Whittier

9. Ellsberg at Sperling GP

Tonken Gulf

McNamera tapes

While consultant to JC of S

10. Rogers -- should be tapping more --

11. Re grand jury --

Don't worry re taps on discovery re Wtts(White House or witnesses)

12. Goal

Do to McNam, Bundy, JFK, etc. the same

destructive job that was done on <sup>U</sup>Herbert

Hoover years ago

LBJ Angle -- the Kennedy people be inherited --

7/12/71

7/12/71 11 a.m.

President, H (Haldeman), E (Ehrlichman)

1. Straub -- check him re   
 Referred

3. Pendleton site for library --

    Holding out zoo

H (Haldeman) out

Mardian In

1. Re National Security taps

Epecially Special Coverage Taps

Beecher

Sheehan

Hedrick Smith

Overhearings would be disclosed

Referred

HRH (Haldeman) In

President

2. Southern District of New York

Whitney N. Seymour, Jr.

Summer Interns

Disloyal

Lindsey-types

Including North Seymour

3. M (Mardian): a number of documents out

NSC has

H (Haldeman) has

4. H (Haldeman) recover documents from Haig

5. President -- ok. obtain and destroy all logs



3.

6. Tell Hoover to destroy
7. M (Mardian): Ordered only to go with grand jury  
short of newspaper  
Witnesses or newspaper  
Indictments  
Await instructions from Attorney General  
Now at that point  
Can make Sheehan (?) Ellsberg cases now
8. President -- Let the Committees  
Eastland  
Ichord  
Hit the papers
9. E.G. Congressional fight CBS  
Don't call newspapers before grand jury
10. 10 year Statute of Limitations  
Espionage  
An inadequate statute  
Need to inquire re law is adequate

4.

11. M (Mardian): Question is Ichord  
Eastland more dependable --  
Has best lawyer  
Kleindienst and M (Mardian) to Sen. E (Eastland)  
President requests him to  
Do it soon
12. FBI going all out now
13. We'll not deny Ichord the stuff  
Get Eastland in too
14. Haig return documents to FBI  
Then to RM (Mardian) for destruction  
Haig request the FBI (Sullivan) to destroy all  
special coverage  
Sullivan will contact Mardian
15. 20% of source documents missing (Ellsberg)  
Can't be found in Government files
16. Mathias -- didn't deliver his documents
17. President phone call
18. Gelb the principal co-conspirator

10/2/71

H

Warning of worry --

Sullivan at FBI -- will blow big

Top guy will come out bad

Political football major proportions

Other side will use it

And Sullivan will sing

We should stand loose

DRAFT

TRANSCRIPT OF A RECORDING OF A PORTION OF  
A MEETING BETWEEN PRESIDENT NIXON, JOHN  
MITCHELL AND JOHN EHRLICHMAN ON OCTOBER 8,  
1971, FROM 10:04 A.M. TO 10:46 A.M. IN  
THE OVAL OFFICE

---

10/2  
10/8/71

MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

MITCHELL: Mr. President, two other quick things if you have another moment.

PRESIDENT: Sure.

MITCHELL: We have those, uh, tapes, logs and so forth over in Mardian's safe on that background investigation, wiretapping we did on Kissinger's staff, the newspapermen and so forth. Hoover -- uh, those were given to Mardian by Sullivan before he left.

EHRLICHMAN: We have all the FBI's copies.

MITCHELL: Yeah. Uh. Hoover is tearing the place up over there trying to get at 'em and, uh, of course the defense is that Mardian, Mardian has them because you directed him to have them. The question is, should we get them out of Mardian's office before Hoover blows the safe or, and bring 'em over here and put 'em in John's custody -- I think John's custody, which I think would be the appropriate thing to do because they're part of the overall investigation of uh, the Pentagon Papers and this whole mess.

EHRLICHMAN: My impression from talking to Mardian is that Hoover feels very insecure without having his own copy of those things because, of course that gives him leverage with Mitchell and with you . . .

PRESIDENT: Yeah.

EHRLICHMAN: . . . and because they're illegal. Now, he doesn't have any copies and he has agents all over this town interrogating people, trying to find out where they are, -- He's got Mardian's building under surveillance --

PRESIDENT: He doesn't even have his own, uh --

MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

EHRLICHMAN: Now, see, we've got 'em. Sullivan sneaked 'em out to Mardian.

PRESIDENT: Now why the hell didn't he have a copy, too?

EHRLICHMAN: If he does, he'll beat you over the head with it.

MITCHELL: Yeah.

PRESIDENT: Oh.

MITCHELL: I think that it's very well structured where it is, but the imp--, the . . .

EHRLICHMAN: He's got (unintelligible)

MITCHELL: . . . crunch, the crunch is that they shouldn't be in Mardian's hands because he would suspect what Mardian might do with them vis a vis Hoover.

PRESIDENT: Mardian's in Justice, you've gotta get them out of there. Do we have them in my hands, then?

MITCHELL: Sure, sure.

PRESIDENT: Why don't we just say the President wants them in his own hands and I'm getting, trying to get some from Helms in my own hands. Why don't we say it that way? And Hoover knows damn well I'm not going to do anything.

MITCHELL: Well, Hoover won't come and talk to me about it. He just got his, uh, G-, Gestapo all over the place.

PRESIDENT: Yeah.

MITCHELL: If, if he does, I'm just gonna say they're over here.

PRESIDENT: Who will, who will, who will do this. You've got in mind?

MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

EHRLICHMAN: Sure.

PRESIDENT: Just say that we want them. Put them in a special safe.

EHRLICHMAN: I've got, I've got a place I can put 'em.

PRESIDENT: But not to mention, you tell Hoover.

EHRLICHMAN: No, I, I would say that if we don't tell Hoover anything. If Hoover comes to John which is what Mardian's been telling him to do . . .

PRESIDENT: Yeah.

EHRLICHMAN: . . . then John can say the President has them and, Justice.

MITCHELL: That'll, that'll turn him off.

PRESIDENT:

Referred

EHRLICHMAN:

PRESIDENT:

MITCHELL: Uh, Mr. President, Mr. Hoover is tearing up that damn place over there and, uh, we have, as I know it's a difficult problem. Uh, but I want to tell you that I've got to get him straightened out which may lead to a hell of a confrontation unless we find another say . . .

PRESIDENT: Yeah.

MITCHELL: . . . because he has practically shut off Mardian from the Bureau . . .

MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

PRESIDENT: I understand.

MITCHELL: . . . and uh, I don't know how we go about it, whether we reconsider Mr. Hoover and his exit or whether I just have to bear down on him. Lead to a confrontation or what, uh --

PRESIDENT: Well, as I told you, I will start off that practice. He says think it's right. He says I know whenever you -- you've gotta get re-elected (unintelligible). If you think that my presence is going to be really harmful, he says, I will resign. That's a pretty, pretty nice way of saying I don't think I am harmful. He was talking about his support on the Hill and so forth and so on.

MITCHELL: Well, sure.

PRESIDENT: Uh, as of the moment that is true that he oughta resign, for a lot of reasons he oughta resign, in my view is he oughta resign while he's on top, before he becomes an issue in the current, the least of it is he's too old.

MITCHELL: He's getting senile, actually.

PRESIDENT: He should get the hell out of there. Now it may be, which I kind of doubt, I don't know, maybe, maybe I could just call him in and talk him into resigning.

MITCHELL: Shall I go ahead with this confrontation, then, on this uh availability of the agents and their material?

PRESIDENT: Sure.

MITCHELL: . . . and the Secret Service.

PRESIDENT: I think you should --

MITCHELL: I think we should.

PRESIDENT: And then -- well, let's, let's run that by (unintelligible with noise) then. Well,



MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

I mean, I'm willing to take it on if we have to do it. There, there, there're some problems in it I mean, the day Hoover goes, why he goes out -- you see, it's like all these people that say, well, the hell, they have got Agnew, change and, and a certain area poll shows that Agnew at the present time would be liability more than an asset at a certain period of time. We know that Agnew can't leave that ticket unless he does. Can't do it. And the same is true of Hoover -- if I fired Hoover, if you think we've got an uprising and a riot now (unintelligible with noise) would be terrific Edgar Hoover has got to go. If he does go, he's got to go of his own volition -- that's what we get down to, and that's why we're in a hell of a problem. And at the present time, I don't think, John, I think he'll stay until he's 100 years old. I think he loves it.

MITCHELL: I think he's just a --

PRESIDENT: He loves it.

MITCHELL: He'll stay til he's buried there. Immortality. The way he's, the way he's handling that department -- uh . . .

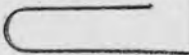
PRESIDENT: Yeah.

MITCHELL: . . . this, this stuff's gonna break . . .

PRESIDENT: Yeah.

MITCHELL: . . . around it.

PRESIDENT: Well, can I, uh, can we do, uh (unintelligible) I'm willing to fight him, but I don't. You see, I think we've got to avoid the situation where he -- he could leave with a blast that is (unintelligible) I don't think he will. I think he's so damn patriotic and he knows very well that (unintelligible). .

MITCHELL: He's not, he's not gonna blast us. 

MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

PRESIDENT: . . . for us, but I'm, on the other hand, you can't have him go out of there mumbling. What do you want to do? I mean, if you think you want him out, I'll play the game with you, to get him in here and --

MITCHELL: You feel that he, he will not take the scenario that we've talked about -- for the big hurrah on January 1, . . .

PRESIDENT: Well.

MITCHELL: . . . let's say, with somebody in there in the meantime.

PRESIDENT: I sorta, I went all round with him. I said it might be better to do that, trying to start at the other end. Just couldn't run the risks with the election.

MITCHELL: Maybe we oughta let, maybe we oughta let some of these Indians loose over there and start tearing 'em up a little bit.

PRESIDENT: Well, maybe a friend of his in the press oughta write that. They've got the guts to do it. A Dick Wilson, people like that. Hoover oughta do this at the peak of his career. In other words, it's like Lou Gerhig and all the great guys you know -- Bob Feller -- the ones that you remember, are the ones, you know, who didn't play that extra year. They struck out. They got out Ted Williams didn't (unintelligible)

MITCHELL: Is there any such person that's that close to Hoover?

PRESIDENT: Damned if I know.

EHRLICHMAN: The, uh -- our, our time frame, I think, is ve tight because of Sullivan is sitting out there and with a hell of a lot of information.

MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

MITCHELL: I wonder if DeLoach could go and talk to him.

EHRLICHMAN: There's bad blood there, I'm told.

MITCHELL: No.

EHRLICHMAN: Isn't there?

PRESIDENT: I don't know. I don't know. I don't know that there's anybody. Dick Berlin? Want to try him? He's been awfully close to Hoover through the years.

MITCHELL: I didn't realize that.

PRESIDENT: Oh hell yes. Close friends. Dick always useful and that he, he just oughta get out of there and John, in the meantime, I don't think John oughta handle the confrontation. What do you think?

MITCHELL: Yes, sir.

PRESIDENT: You start it, you start it, and then maybe I can step in and tell him that this (unintelligible)

EHRLICHMAN: I got (unintelligible with noise)

MITCHELL: One last point that (unintelligible) no (unintelligible)

UNIDENTIFIED: Short, short, brief.

MITCHELL: One last point. They're going to meet with Peterson and, uh . . .

PRESIDENT: Yeah.

MITCHELL: . . . Flanigan.

PRESIDENT: Right.

MITCHELL: For Christ's sake, we've got to get that State Department from cuttin' you to pieces, uh, Kennedy should go over there and settle this thing as they just don't have this back fighting.

MEETING BETWEEN PRESIDENT NIXON, MITCHELL AND EHRLICHMAN  
ON OCTOBER 8, 1971, FROM 10:40 A.M. TO 10:46 A.M.

PRESIDENT: Yeah, yeah. Because (unintelligible)  
we can't (unintelligible) I guess, well,  
(unintelligible). Everybody has a  
(unintelligible)

MITCHELL: Goodbye, Mr. President.

PRESIDENT: Well, Charleston Associates in the city,

EHRLICHMAN: Yeah.

PRESIDENT: . . . What're you going do (unintelligible)  
when I get all the press in here and all.  
Thank you very much, John. Have a good  
trip to (unintelligible)

MITCHELL: Yes, sir. You, too.

PRESIDENT: Thanks. I appreciate your commin' in.

MITCHELL: Right.

**SECRET**

TRANSCRIPT OF A RECORDING OF A  
MEETING IN THE OVAL OFFICE BETWEEN  
PRESIDENT NIXON and JOHN EHRLICHMAN  
OCTOBER 25, 1971 from 12:35 to  
2:05 p.m.

10/25/71

**SECRET**

DECLASSIFIED  
Classified into removed  
By clg NARS, Date 9/29/01

~~SECRET~~

(unintelligible). I, it might be, it might be advantageous I guess.

Ehrlichman. (Unintelligible)

President. I can see, for example, why we had to do entire (unintelligible) It was basically an issue that could have been a hell of an issue, otherwise.

Ehrlichman. Yeah, yeah.

President. Revenue sharing, I think was just something we just did ...

Ehrlichman. Defensive --

President. (Unintelligible)

Ehrlichman. Defense --

President. Just to be doing something, to be trying

Ehrlichman. Well, it's, it's our answer to the problems of the cities, the farms

President. Problems of the (unintelligible) and all that, as far as the average guy is concerned, it didn't make much, uh, it didn't make as much headway. I wonder this year if, ah, we really want to go on a new, a great new initiative, I wonder, I wonder, I --

Ehrlichman. Well --

President. I ... you see, the point that I, uh, raise and incidentally, this is related also to our problem on Hoover. I read his, I mean your memorandum. That's a very good fellow, is it Liddy?

Ehrlichman. Liddy.

President. Smart, isn't he?

Ehrlichman. Yeah, very.

President. Must be conservative as hell

Ehrlichman. Conservative?

President. Smart. How'd he get, why'd get in the Bureau?

SECRET

~~SECRET~~

3

Ehrlichman. Uh, he was Hoover's ghost writer. Uh, did a lot of Hoover's speeches. (unintelligible)

President. And Hoover fired him?

Ehrlichman. And, uh, no, no, he got disillusioned. And, uh, he, he put in for a transfer and we found him over in, uh---

President. Let me tell you what I have a feeling on it. It's a way out thing. His, his analysis of Hoover from a psychological standpoint is tremendously perceptive. We may have on our hands here a man who will pull down the temple with him, including me. I don't think he would want to, I mean he considers himself a patriot, but he now sees himself as McCarthy did, Benson did, and perhaps Agnew does...

Ehrlichman. Yep.

President. ...now...

Ehrlichman. Yep.

President. ...as, he sees himself as an issue rather than the issue which is the great...

Ehrlichman. Well --

President. ...weakness of any political man.

Ehrlichman. Ordinarily I would not,...

President. Hickel did.

Ehrlichman. ...ordinarily I would not have sent you the whole piece, ..

President. I heard the whole thing

Ehrlichman. ...but I wanted you to get that buildup that this guy gave you.

President. That piece would make a brilliant, brilliant piece for a magazine, anyway. He makes -- actually, and this is -- gets down to your other point, interestingly enough, a stronger case for not doing something on Hoover than doing something.

~~SECRET~~

~~SECRET~~

4

Ehrlichman. Hummmmm, mmm

President. Now, there's something in between  
[noise]

Ehrlichman There must be

President. You see, first of all, the, after, let's suppose  
we, we, we get Hoover in and I convince him we  
can't, or, you know, order, no way I'm gonna say  
I didn't (unintelligible)

Ehrlichman. Yeah.

President. Now, just let me run this by you, just occurred  
to me right now, the helicopter the devious way  
to get at a very entire difficult problem.  
We do that, then Hoover, through all of his  
operatives, will piss on anybody that we send  
up there who other name. And I don't think he  
will approve any other name. That's my guess.  
You have the feeling maybe that he might approve  
Pat Gray, is that correct?

Ehrlichman. Well, I, uh, I think Pat has a better chance than  
most.

President. Yeah, But look, so you, so I send Pat Gray's name  
up, then you come to something else. You're gonna  
come into one of the hellest, damnedest Senate  
confirmation fights you ever saw, who is Pat Gray?  
How is he qualified? He's a Finch, a stooge, a  
Nixon stooge, now I agree he isn't, you should have  
have a proper Bureau, if you have somebody from  
the Bureau, they'll say you should have somebody  
from outside. And then, uh, Ramsey Clark will be  
recommended.

Ehrlichman. [Laughs]

President. No, I'm serious.

Ehrlichman. I know, I know.

President. Now, there's a way to get around it. That we  
defuse the whole god-damned thing. Hoover made a  
very interesting point, he said, regardless of who  
wins in '72, he says, I'll probably be out. And

~~SECRET~~



~~SECRET~~

5

of course he's right. Why doesn't he announce now that I am, this is my last year in the Bureau, I am submitting my resignation effective on January 1st, 1972...

Ehrlichman. Hmummm

President. ...so that the new President, I mean, the President who's elected, so that I will not be an issue in the campaign. The President will select him, they elect anybody that he wants. Now, let's look at that for a moment. The weakness in it is that we've still got a, an inefficient FBI to screw around with for a year. I'm not sure we can do a hell about, a hell of a lot about the efficiency of the FBI in a year anyway. Uh, the, uh, the other weakness is that presumably Hoover's enemies would be so furious at having the issue removed they would continue on it. But it's pretty hard to take on a man when he says "Now, I've, I, I think I've had it. I've done my job and at the end of this, I, I might give the new President, whoever he is, whether it's President Nixon or it's uh, the other President, I want them to know that this, this is that I'm going to take the Bureau out of politics.

Ehrlichman. Uh huh.

President. Now from Hoover's standpoint, he just, he has to realize that he can't stay forever. He has to realize that, that the new President, that at, uh, 78 years of age -- is that what he would be then?

Unidentified. He's 77 now.

Ehrlichman. I don't know, I forget.

President. Anyway, uh, then, the, the advantage of that is that, uh, well, what I'm more concerned about than anything else that I, I don't think we talked through adequately (unintelligible) of getting Hoover out. It's going to be a problem. I should think the confirmation project would be one that would make the Supreme Court look like, uh, you know --

~~SECRET~~

~~SECRET~~

6

Ehrlichman. Yeah.

President. Whatcha doin' about civil rights?

Ehrlichman. Wiretapping and

President. What do ya ask about wiretapping.

Ehrlichman. Yeah.

President. What is the, ah on Hoover -- look up Hoover's name and age.

UNKNOWN. Hoover's age?

President. Don't call the FBI to find out, just, just look it up. I think it's 76 or 7, I would want to know month of birthday. Ah, now, you, let's let's look at that in terms of, uh,

Ehrlichman. One thing that'll happen --

President. No, I don't know, I don't know, maybe it won't work, but I, I guess, I guess, I, that, I think that we could get Hoover, I think I could get Hoover to resign if I put it to him directly that without it he's going to be hurt politically which I happen to believe if you do it otherwise. But I think if he resigns, and I think, he's going to, I don't think he's going to like it, I don't think I I think that your confirmation is going to be one hell of a job. And you want to remember whoever we appoint, uh, is appointed at the will of the President anyway. (unintelligible) They can (unintelligible) if we lost the election.

Ehrlichman. Sure. You take the position that you'll pick his successor if you're elected.

President. Yes.

Ehrlichman. In other words, there'd be no, uh, campaign issue there.

President. Right, that's right. I'm not willing to suggest it now, who's it gonna be. I'll state only that it's not gonna be Ramsay Clark. (unintelligible) Tough. You know, just say that's an issue, that the FBI should not be an issue in the campaign, we'll pick the very best possible man we can get at that time. And that's it.

~~SECRET~~



~~SECRET~~

8

President. Oh, didn't Sullivan do some of the intelligence work for Hoover --

Ehrlichman. Oh, yes.

President. And us.

Ehrlichman. Sure

UNIDENTIFIED: That's right, sir. He will be 77 next birthday, which is January 1st.

President. Fine. Now, you see, there it is.

Ehrlichman. Yeah

President. No, no man in his right mind can say at 78 the President of the United States ought to be appointing him as director of the FBI. He's too old.

Ehrlichman. Yeah. Uh, Sullivan was the man who executed all of your instructions for the secret taps.

President. So he knows all of them.

Ehrlichman. Oh, I should --

President. Will he rat on us?

Ehrlichman. Uh, it depends on how he's treated. It's dependent, it's, see, uh, uh --

President. Can we do anything for him? I think we better.

Ehrlichman. What he wants, of course, is vindication. He's he's been bounced, in effect, and what he wants is the right to honorably retire and so on. Uh, I think if you did anything for Sullivan, Hoover would be offended, right now, it would have to be a part of the arrangement, whatever it is, that Sullivan could be given an assignment somewhere else in the Government. And, uh--

President. Out of the Government. Yeah, he'd be a hell of an operator...

Ehrlichman. We could use him

President. He'd do a good job.

SECRET

~~SECRET~~

Ehrlichman. We could use him.

President. Hmm, Mitch and I agree

Ehrlichman. We could, we could use him on other things.

President. Liddy's not on your committee?

Ehrlichman. He's got, he's got a fund of information and, uh, uh, could do, uh, could do all kinds of intelligence and other work.

President.

Ehrlichman.

President.

Ehrlichman.

President.

Ehrlichman.

President.

Ehrlichman. He'd be very, he'd be very qualified for that kind of a (unintelligible).

President. Hoover upsets me. "Is the sun down"? is that what he calls it? That's his favorite term.

Ehrlichman. Yeah, and, and, uh, he strictly in Mardian's orbit. You see he treated with the

President. Mardian's the "Lebanese Jew"

Ehrlichman. (Laughs). Ya see that. He's treated with the enemy so, uh, and he has. Sullivan delivered the papers to Mardian that are unbelievable what I've got up in my safe. All the inside documents.

[PAUSE]

~~SECRET~~

~~SECRET~~

10

President. What do you lean to at the moment?

Ehrlichman. Well, I like your idea. I, uh, haven't had a chance to think it all through.

President. Well, don't mention it to anybody.

Ehrlichman. Well, I won't.

President. The difficulty is that I have decided after our agonies over the Court that from now on, and incidentally this is the main reason for not submitting it to the Bar in advance. We're just playing everything very close to the vest and you know, we, it's inevitable around here (unintelligible) it doesn't affect you so much as it does Kissinger, of course, uh, to a certain extent (unintelligible) Petersen and the rest, where 19 out of 25 bureaus did you see that, in Washington said that the back-grounders were, uh, quite off the beat and so forth and so on. Well, fine, let's not have them.

[7 MINUTE DELETION]

President. Well, digression, let me say that I think that the best way to do here is to--I feel it would help us to, as we get closer to election, their only interest is to, it seems to me that every-time we, it gets out the fact that some poor agent over here (unintelligible) say well that was our last scandal.

Ehrlichman. Yeah. I saw that.

President. Who could possibly have done that?

Ehrlichman. Well, you see the problem.

President. Some guy who's tired.

Ehrlichman. Some low-level guy, in the NSC...

President. Yeah.

Ehrlichman. ...could have been called---

President. Why the NSC, might have been over in, uh, McGregor's shop.

Ehrlichman. It could have been, it could have been.

~~SECRET~~

President. (Unintelligible)

Ehrlichman. I think this . . .

President. Princeton study?

Ehrlichman. . . . this Princeton thing is gonna get into the folklore and it's gonna become a part of the givens. It's gonna be a part of the, of the established findings.

President. Well, when will that happen?

Ehrlichman. Well, the, the end of this month.

President. They told me that -- well, it's a very leftish group.

Ehrlichman. Oh, it is, it's stacked, just stacked

President. So --

Ehrlichman. Uh --

President. So we let a man be crucified by a stacked jury.

Ehrlichman. No, I think

President. (Unintelligible)

Ehrlichman. No, I think if his resignation were in hand you could afford to defend him. And I think you can afford to do a lot of things for him as a lame duck as you get into the campaign which will be appreciated by his friends and will be virtually uncriticizable. And, and, and I see that as a real --

President. Do some thinking about it

Ehrlichman. I will, I will

President. . . . and I'll tell you what will happen. Then you and Herb and, and Mitchell and I will talk about it.

Ehrlichman. Okay

President. There's only the three. There's only one other one that I might bring in on it is Moore. His, his P.R. judgment is not infallible but it, he has good antenna . . .

~~SECRET~~

15

Ehrlichman. Yeah

President. . . . he has a good feel

Ehrlichman. Yeah

President. And he doesn't leak.

Ehrlichman. Yeah. All right, well, I won't, I won't say anything to the two of them, but, uh, when you're ready, why, uh, we'll talk about it.

President. Well, what I meant is, first, you give it your judgment.

Ehrlichman. Yeah.

President. Oh, wait a minute. You could, no, I'll tell you what you could do. Don't run it by Mitchell because I need to do that or I should feel that, that this is not, I don't want him to feel that this idea is coming from somebody else, Mitchell thinks he has to go, but I would like for you to kick it around. Do you think you should kick it around with Moore or do you just want to make --

Ehrlichman. Let me do this. Let me let Moore read Liddy's article and, uh, uh, I've got a copy of it --

President. Let me get it out of my file.

Ehrlichman. Okay -- and then I'll, . . .

President. He can read my copy.

Ehrlichman. . . . I'll talk to Moore.

President. I understand. Right.

Ehrlichman. I've got the only other copy of this.

President. And, uh, then Moore?

Ehrlichman. And then, let Dick and I -- Dick and I've talked about Hoover's problem before. He's very concerned about it.

~~SECRET~~



~~SECRET~~

20

Ehrlichman. Sure.

President. . . . these are Presidential appointments . . .

Ehrlichman. Sure.

President. . . . apparently, aren't they.

Ehrlichman. Well, they're dir--, they're appointed by the Director as a practical matter, old Ronney and, uh, the Hill have a lot to do with the appointment of these guys.

President. But just think of that . . .

Ehrlichman. Yeah.

President. . . . they won't have to clear Civil Service

Ehrlichman. That's right.

President. And incidentally, I am, I am continuing that issue.

Ehrlichman. Yeah, yep, yep. It has . . .

President. Anything come out of that? . . .

Ehrlichman. . . . it has given . . .

President. . . . or . . .

Ehrlichman. . . . that discipline that this fellow talks about, uh, that internal discipline that, that has been so important to the success of that thing. Uh, well, lemme, lemme think about it and I'll try and make a list of the negatives, if there are any and drop you a note on it.

President. There are negatives, just don't drop me a note . . .

Ehrlichman. All right.

President. . . . we'll talk about it.

Ehrlichman. All right

~~SECRET~~

~~SECRET~~

21

President. We'll talk about this and then, we'll talk about this with you, Moore, and we'll have, uh, and Mitchell, and, uh, no more. Just those.

Ehrlichman. Yeah.

President. And then maybe we'll move the damn thing.

Ehrlichman. All righty.

President. It'd be great if he would do it. But what the hell would he do, what the hell, what can he say to that though? If he's a lame duck.

Ehrlichman. Ah, that it would impair his, impair his usefulness is the one, is the one thing that occurs to me. And it would be hard for him to maintain internal discipline if everybody knew he was leaving and so on and so forth but hell, everybody knows he's leaving now, you know, it's just a question of time. And they all, they all now are on one side or another of either contributing to or slowing down his departure. And there's a, there's an internal war going on there.

President. Getting back to the tax thing.

~~SECRET~~

~~SECRET~~

1/8/73

1/8/73

Re FBI -- current status?

Gray can't cut it -- need to change -- deterioration

Ruth may not have the stature & mystique

President thinks Gray not able enough -- lacks the energy

Have to find another post for Gray

President thinks he could do Bonn (or OEP No)

Keep it open for him

Thorough run thru on appointments -- sub Cab

Don't be too hard on our friends

Soon as we're ready -- have a go on appointments

DRAFT

~~SECRET~~

Transcript of a Recording of a Conversation  
of February 16, 1973 between President Nixon,  
John Ehrlichman and L. Patrick Gray from  
approximately 9:08 to 9:39 a.m. in the Oval  
Office

~~SECRET~~

2/16/73

DECLASSIFIED	
<i>Classified into removal</i>	
By <i>clp</i>	NAIS, Date <i>9/19/01</i>

# SECRET

Transcript of a Recording of a Conversation  
of February 16, 1973 between President Nixon,  
John Ehrlichman and L. Patrick Gray from  
approximately 9:08 to 9:39 a.m. in the Oval  
Office

---

Unintelligible.

President: Hi. How are you.

Gray: Mr. President. How are you sir?

President: How are you? Nice to see you.

Gray: You look great.

President: Fine. How're you feeling?

Gray: Good.

President: Fine.

Gray: Mean, nasty.  
(Laughs)  
(Unintelligible) . . . a bit happy . . .

Ehrlichman: That's cause I got you up early this morning?

Gray: A little bit early.

President: Let me ask you, just how is your health, uh,  
(unintelligible) . . .

Gray: Good.

President: You had your operation?

Gray: It's good, Mr. President. I called that  
thing Sunday morning when we wakened to go  
to Mass, I told Bea, I said that damn  
obstruction is back and that's exactly  
what it was. There was no evidence of  
tumors, no cancers, there was just a simple  
adhesion around there.

President: In other words, as far as your ability to  
work and everything, why, no question need

# SECRET

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

2

President: be raised, in other words you'll put in the long hours and all.  
(cont.)

Gray: No, I'm still doing it -- did it right in the hospital the day after the operation, I brought my executive assistant up and started right away.

President: Let me ask a couple of other things, uh, having to do with, uh, whether we decide here, uh -- as you probably are aware, uh, what this, if you were to be nominated, and uh, I think, of course, I've talked to John Mitchell, about this, (unintelligible). Uh, you, obviously open up, before a different committee than the Ervin Committee, the whole Watergate thing. Now the question is, uh, whether you feel that that, uh, that, that you can handle it, whether that's a good thing, bad thing and so forth -- what I mean is, the Watergate committee, even though it has these, (unintelligible) and three wonderful jack-asses on it and so forth. It will be bad enough there, your committee would have Kennedy, and Tunney on it.

Gray: Right.

President: They'd like to make, uh, uh, make quite a deal about the thing. What I'm getting at is this, uh, I'm not concerned about the substance, about the facts coming out. I am, all I'm, all, I'm thinking is, uh, whether it's to the interest of everybody concerned to have, uh, the uh, man who is to be nominated for Director of the Bureau be badgered and so forth on whether it's good for us to have that story told twice before two committees, uh, et cetera. So, uh, why don't you give me your judgment on that. You must have thought about it.

Gray: Oh, yes.

President: You must have thought also of the kind of a story you'd have to tell when you'd be examined on it. Without being limited to Watergate, they would probably ask you about such things as, do you know about any other

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

3

President: (cont.) things that the Bureau's done, have you got into this domestic wiretapping, where incidentally, parenth--, parenthetically, whatever you're hearing, it's time to start getting out the truth there which is, is, heighten the evidence that is on hand. It's the Robert Kennedy Administration, Justice Department, when there were over a hundred a year. It's been cut down to a very small amount. Then, I would be not that defensive about it. I'd say, yes, we have to do it because, uh, this involves the possibility of, uh, violent groups that we've got this what happened to Wallace, (unintelligible) judicial judgment.

Ehrlichman &  
President: (Unintelligible) . . .

Ehrlichman: He can tell a strong story.

President: Yeah, say, look, what do you want us to do about this? Do you want to let people get shot?

Referred

Ehrlichman: I think the Bureau's been very stupid, I must say, and also . . .

Gray: We, uh . . .

President: All this domestic wiretapping, it isn't just, uh, it's anything to do with the United States and so forth, and of course you can (unintelligible).

Referred

it has to do with national security, uh, the, there're a hell of a lot of people, these violent groups, who would threaten these uh, the Jews and all the others around, the Arabs.

Gray: Um - hum.

President: Either one, either side, you know, there's this violent Jewish Committee that wants to kill the Arabs and the Arabs want to kill the Jews and Christ, they're --

NW#:36514

DocId:31443854

~~SECRET~~



February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

4

Ehrlichman: Terrorism is, is a tragic problem.

President: Terrorism, hijacking is another thing. And you've got to get into that. Right. Some of that requires wiretapping. Higher -- and your authority, your, your responsibility in hijacking, your responsibility for, uh, this. I think that you've got to get, and I want, John and me for next time. (unintelligible) I'm already hitting. I don't believe we should be defensive. First of all, we're doin' less. Second, it's uh, it's, uh, it's extremely necessary. We must not be denied the right to use the weapon. The idea that we're wiretapping a lot of political groups is bullshit.

Gray: That's right and that, simply not --

President: Let's, let's get back to the fundamental part of it.

Gray: It's, it's the other --

President: You know the, you know the, you know the mood of the Congress, as you know they're, they're panicked, depressed, by Watergate and so forth. What should we do, would it hurt or help for you to go up there and be mashed about that?

Gray: Uh, I think probably, Mr. President, I'm the man that's in the best position to handle that thing.

President: Why?

Gray: Because I've consistently handled it from the outset, before Judge Sirica's order came to play, when we were talking only procedure not substance, and I handled all kinds of questions from all kinds of press people and then when Sirica shut the valve, why I had to shut up, even on, uh, things procedural. I've been intimately connected with it. I've been responsible for quite a bit of the uh, decision-making insofar as the Federal Bureau of Investigation is concerned. I feel that I would have taken a greater beating had not the Ervin Committee been established

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

5

Gray:  
(cont.)

and this is always a possibility there that you're not going to get too much flack before Judiciary. I think you'd, I think I'm going to take the, uh, expected heat from, uh, Kennedy, Bayh, Hart, Tunney, that group, uh, but I don't think it's going to be nearly as severe as it would have been had not the Ervin Committee been established. I think that's where it's all gonna, uh, hang out and I'm not ashamed for it to hang out because I think the Administration has done a hell of a fine job in going after this thing and I think we're prepared to present it in just that light. Now if you bring somebody else in, uh, you can be attacked, uh, as, uh, ducking the issue, trying to put a new boy in so he can go up there and say, "I didn't have anything to do with this. This happened on Gray's watch. Get him back here and let him talk about it." I think it's a thing we ought to meet head on, on every front.

President: (Unintelligible) Let, let me say, what, what, what kind of story could you tell when they say you, that you didn't go into, that we had a very intensive investigation, we ran down all leads, who'd you talk to, yes we, we questioned at very great length, took sworn statements.

Ehrlichman: Did you swear in statements?

Gray: Yes, yes, we did.

President: And that members of the White House staff -- why didn't you question Haldeman? What do you say to that?

Gray: Perfectly good reason we didn't question Mr. Haldeman. Because no agent, even the case agent right at the lowest level, felt that any trail led to Mr. Haldeman. He did not recommend that a lead be set out to interview Mr. Haldeman. The field supervisor did not. The circulation charts did not. The Bureau supervisor did not . . .

President: It did, leads did lead to others?

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

6

Gray: It did lead to others.

President: (Unintelligible) and so forth.

Gray: And we went after them.  
(unintelligible)

Ehrlichman: This is one I had . . .

President: You questioned Mitchell.

Gray: Sir? Yes, sir.

President: Yeah, Mitchell was questioned.

Gray: Oh, thank you.

President: You questioned Stans and so forth.

Gray: Yes, we, Stans, three times, Mitchell once. Bob Haldeman not at all. I'm not really afraid of that thing because I called those agents in at the end of that first week and just gave them unshirted hell and told them to go and go with all the vim and vigor possible. I furthermore called Larry O'Brien that Saturday morning and I said, "Mr. O'Brien, I hear there're some rumors around this town that the FBI is not, uh, pursuing this with vigor." And, he said, "No, oh no," he said, "Let me assure you we're very happy with what you're doing." So, I'm gonna lay that on their backs and other things like that. I, I don't fear that investigation at all, Mr. President.

President: What else do you think, they will raise? Morale in the Bureau, and so forth and so on?

Gray: Well, I think they'll do that but I think we can shoot that down easily because I've got all kinds of, uh, letters from the field that I wouldn't let come to you. I stopped them. They tried to, uh, respond to this criticism that morale is bad. It's actually higher than it's ever been in the Bureau.

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

SECRET

7

President: What other situation, for example, uh, you see, you haven't been able to do anything or have you, up to this point, about the leaks, (noise) you know are all coming from the Bureau, that the whole story, we've found is coming from the Bureau.

Gray: Well, I'm not completely ready to buy that, Mr. President. We have done something. I've been wiping people out of there, you know, like the Assyrian on the foe. I wiped out a whole division.

President: (Unintelligible) Do we have, do we have any question about that leaks, those leaks coming from the Bureau?

Gray: No.

Ehrlichman: Yeah, Pat and I talked about that, (unintelligible)

President: That isn't what our, that isn't what our, our, our Time magazine guy says, he's got a direct channel to the Bureau.

Ehrlichman: That's right.

Gray: Well, he probably has. Sandy Smith used to talk to a lot of guys in the Bureau and I won't talk to the S.O.B. anymore because if he lays the cards down.

President: This is very high.

Gray: No. We laid the cards on the table and that's low -- three times, right. Laid 'em right out there. Gave the same cards to Newsweek and each one wrote, wrote differently and I just said no more to this clown and I won't, I won't deal with him.

President: Well.

Ehrlichman & President: (Unintelligible)

Ehrlichman: There is no two ways about it . . .

SECRET

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

8

President: Smith has written stuff that is true, right out of the Bureau . . .

Ehrlichman: There, there is no . . .

Gray: . . . right out of the Bureau.

Ehrlichman: . . . question about their getting . . .

President: Yeah . . .

Ehrlichman: the uh, uh, the, the information . . .

President: Yeah.

Ehrlichman: . . . off the 703's or whatever those forms are, . . .

President: Yeah.

Ehrlichman: . . . the investigation summary forms.

President: So they --

Gray: 302's?

President: Yeah.

Ehrlichman: And, uh . . .

President: Because, I would say if they were false, then I would just say it was time to . . .

Gray: There're some things . . .

President: . . . bring those things to an end. But this is a case where they have true information and I say well damn it, somebody from the Bureau. Do you think Petersen's office puts it out?

Gray: Uh, Mr. President, you have to realize that other people than, than we get the 302's and I have put some pretty strong controls on our dissemination and our accounting. And, I don't say that it's not possible it can come from the Bureau, it is possible.

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

9

President: Well, let me ask you this, for example, did you follow through on the, uh, directive which I understand was given that everybody in the Bureau was to take a lie detector test as to whether, uh, what part they played in the wiretapping of my plane in 1968, has that been done?

Gray: No, no that directive was not given out.

President: Well, it's given now.

Gray: Yes sir.

President: Yeah. Now, uh, what, what happened there, who dropped the ball on that?

Ehrlichman: I don't know, of it, Mr. President.

Gray: Do . . .

President: Yeah. There, that charge has been around, whether it's true or not, I don't know but, uh, that is to be, uh, that has to be, that has to be, uh, the Washington Star has the straight story, uh, uh, Johnson killed it in the Star, uh, but it has to be checked out, just for the, for the, for the integrity of the Bureau.

Gray: I checked out some of the allegations that John Dean gave me on Bromley, uh, Smith, I guess the book's name is and what they were doing on Anna Chennault and how they tried to uh, uh --

President: But there was a wiretap, there was a phone wiretap for sure and there was an allegation that . . .

Gray: On your plane, sir?

President: Hoover told me . . .

Gray: Mm.

President: . . . that the Bureau tapped my plane . . .

Gray: Um hum.

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

10

President: . . . in 1968 and he told Mitchell the same thing.

Gray: Um hum.

President: Now I want everybody in the Bureau who has anything to do with wiretapping at that time questioned and given a lie detector test.

Gray: Um hum.

President: . . . not because I'm telling you this but because the allegation's been made and the Star's been running the story . . .

Gray: Right.

President: . . . and we wanta knock it down. Don't you believe you should?

Gray: Oh, sure. But I haven't --

President: (Unintelligible)

Gray: I didn't have any directive like that, I had some questions from, uh, from John Dean about Bromley Smith, Anna Chennault and company.

President: I understand. I'm not making charges, but I do know that that has come up. All we do is to play it very . . .

Gray: I wouldn't put it past them to do it.

President: I wouldn't put it past Johnson.

Gray: No.

President: It's not trying to do him in but it is very important that it be known in the Star and I think the Star is working with one magazine, I don't know which one, that it be known, that that's being investigated, so that we just don't say, oh no, the Bureau didn't do it. I know the, uh, I know the Bureau's sensitivity on that, but, uh, are the same people that do wiretapping for the Bureau now, are they the same ones you had in '68?

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

11

Gray: We think, uh, we think, Mr. President, that if such an order came, it came to Deke De Loach from Lyndon Johnson and that it . . .

President: Well, then, De Loach must be brought in and put on a . . .

Gray: Yeah, if Deke got it, he gave it.

President: All right, he used to have it, he's gonna lie detector also.

Gray: Um hum.

President: He's out, I know, but he's still gotta take one. I mean, this has gotten -- I want this -- don't you agree, John? We've got to get to the bottom of the damned thing.

Gray: Well, I wanta, you know . . .

President: I'm not gonna be in here denying it from here unless the Director of the FBI tells me that it's been checked.

Gray: Right.

President: The FBI cannot be above, uh, the law on this thing.

Gray: Oh, I know it, no, if this was done we've gotta look into it and if, even if the allegation is there we've gotta look into it.

Ehrlichman: Was Felt there in those days?

Gray: No. He was not at, uh, -- he may have been in the Bureau, I shouldn't answer that too quickly.

President: Who, would you put, uh, who, who do you think would be a fault of either the second man over there. Uh . . .

Gray: I think, I think, Mr. President, that, uh, my, my recommendation to you now would be to continue Felt but I think what I've got

~~SECRET~~



February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

12

Gray: to do is, and which I'm in the process of  
(cont.) doing, is come up with an overall plan to  
submit to you and you and I should discuss  
that plan.

President: The only problem you have on Felt is that  
the lines lead very directly to him, and  
I can't believe it, but they lead right  
there and, uh, and, uh --

Ehrlichman: Well, you know we've tried to trap him . . .

Gray: (Unintelligible)

Ehrlichman: . . . the trap is, the trap is, set traps  
around to see if we, to see if we can turn  
something up and, uh, and uh --

President: Well, why don't you get in the fellow that's  
made the charge, then.

Ehrlichman: Well, maybe that's (unintelligible)

President: Of course he's, of course he's, he's not  
a newsman, on the other hand.

Ehrlichman: No.

President: He's a lawyer . . .

Ehrlichman: That's right.

President: . . . for Time.

Gray: I know who he is, Mr. President.

President: . . . and, uh, well.

Gray: I knew the reason, I knew the allegations  
existed and I think, I think one thing  
Mr. President, I would like to say to you,  
because I believe I must say it to you,  
those, those people over there are like  
little old ladies in tennis shoes and they've  
got some of the most vicious vendettas going  
on and their gossip mill is . . .

President: In the (unintelligible)

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

SECRET

13

Gray: In the FBI.

President: In the FBI.

Gray: Sure, it's a, it's the damnedest . . .

President: It's eaves by eaves, hating everybody else.

Gray: That's right.

President: I have been hearing -- what about this fellow Sullivan, good, bad or indifferent? Would you bring him back? Would that (unintelligible) . . .

Gray: I wouldn't bring him back, at all, I wouldn't touch him at all.

President: Why not?

Gray: His first words when he came back to Washington, in response to questions from some of the people in the Domestic Intelligence Division as to why he was here, in two words, "For revenge." Bill Sullivan was a very disappointed man when Hoover, uh, put Deke De Loach in the position as Assistant to the Director.

President: He fired, I mean, yeah.

Ehrlichman: . . . Hoover didn't like him.

Gray: Didn't like him and he began attacking Hoover. Uh, the guy, the guy is too nervous, he's, he's not articulate at all, . . .

President: Coming back to, coming back though to Felt, uh, it would be very, very difficult to, uh, have a Felt in that position without having that charge cleared up.

Gray: I . . .

President: And, incidentally, let me say this, this is, this is also a directive, you should take a lie detector test on him.

SECRET

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

14

Gray: You want him . . .

Ehrlichman: (Unintelligible) accounts.

Gray: You want him . . .

President: You're willing for him to take a lie detector test, aren't you?

Gray: Sure.

President: Why shouldn't he?

Gray: I've taken, uh, hell, I've . . .

Ehrlichman: Has he ever taken one?

Gray: I don't know.

President: Have him take one. Now, that charge has been made, John you prepare the questions, you know, that have been made. Has he talked to Time magazine? Uh, this and that and the other thing and he's to do it or he isn't going to get the job. That's the way it has to be. You see, the thing is that there's a lack of discipline over there at the present time. And we've, -- that's part of the problem, the morale, that's part of the problem with leaks.

Gray: In the FBI, Mr. President?

President: Sure, this stuff didn't leak when Hoover was there. I've never known of a leak when Hoover was there. I could talk to him in this office about everything. And the reason is that, it wasn't because they loved him, but they feared him. And they've got to fear the man at the top and that's why I'd get it again -- And Hoover'd lie detect those guys, I know that he, he even did it to Lou Nichols once, because of charges made he leaked. You've got to play it exactly that way, you've got to be brutal, uh, tough and respected, uh, because, uh, the, uh, -- we can't have any kind of a relationship with the Bureau, which is

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

15

President: necessary, you know, here, we can't have  
(cont.) any kind of a relationship unless we can  
trust it and I've, uh, . . .

Ehrlichman: That's right.

President: . . . I used to have, and I, and I would  
expect with the, the Director in the future  
to have a relationship -- with Hoover,  
he'd come in about every month, he'd be  
there at breakfast or he'd come in here.  
He'd come in alone not with the Attorney  
General. I'd talk about things. I used to  
have him -- my contact with him, it wasn't,  
you know he'd always said tht he didn't want  
me to designate one person he called, he  
called on things and, uh, raising hell about  
Helms and the Agency, CIA, and the State  
Department, and so forth. Much of it was  
extremely valuable but -- and it never  
leaked out of here, you know that he was  
giving me the stuff that he had. And he  
talked -- uh, Ehrlichman was my contact.  
Ehrlichman will be in the future, you've  
gotta have one man . . .

Gray: Um hum.

President: . . . that will not talk . . .

Gray: Um hum.

President: I wouldn't think of having it to go, uh,  
but, uh, anybody else.

Ehrlichman: I could use Dean but he's too busy on other  
things so I . . .

President: John, the point is . . .

Ehrlichman: . . . (unintelligible) rest.

President: . . . The reason, Pat that the relationship  
of the Director, to the Director and President  
is like the relationship of the President and  
the Commander, uh, uh, and the Chairman of  
the Joint Chiefs.

Gray: Right, I understand.

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

16

President: I, uh, as you know, uh, Mel Laird, uh, is, uh, very tough on that, but, uh, he didn't -- he always wanted to be in with the Chiefs, and uh, -- and, uh, just yesterday, two days ago, I brought Moorer over, didn't let anybody from the NSC staff come in. (unintelligible) Wasn't a hell of a lot we wanted to talk about that they couldn't have heard, but I didn't tell 'em. The reason was that I found this summer, for example, at a time when right after we had the May bombing, that I had put out several directives to continue to step up the bombing because I knew that this, that was about the time to do it, to put the pressure on to bring about the negotiation. And Moorer told me that he sent over at least twelve recommendations that never reached my desk because Laird didn't want to go forward on it. Now, goddamn it, this is not going to happen. Now, with the Bureau, it's the President that's the Director, not that you have the Attorney General as the Director. Now having said that, though, we can't do it, we cannot do it, unless there's total communication and total discipline in that Bureau. And, hell, I think if we pick up Time magazine and see that something's leaked out, either out of the Bureau -- I understand leaking out of the CIA, those goddamned cookie-pushers -- but if it leaks out of the Bureau, then the whole damn place ought to be fired. Really, it should, until, just move them all out to the field. I, I think you've got to do it like they did in the war, you say whenever you know, uh, you remember in World War II, uh, the Germans, uh, if they went through these towns and then one of their soldiers, a sniper hit one of them, they'd line up the whole goddamned town and say until you talk you're all getting shot. I really think that's what has to be done. I mean I don't think you can be Mr. Nice Guy over there.

Gray: I haven't been. I think Mr. President --

President: The leaks are, leaks are occurring. There's from some place.

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

17

Gray: That's right, from some place, but as to discipline, I have done things with regard to discipline that Mr. Hoover didn't dare to do. I took on Grap, and I met him face to face, and I threw him right out of the Federal Bureau of Investigation.

President: Sure.

Gray: These guys know they can't lie . . .

President: (Unintelligible) . . .

Gray: . . . to me like they used to lie to Hoover.

President: . . . (unintelligible). I'm I'm not really referring to that kind of stuff.

Gray: Mm hm.

President: Frankly, I am referring to discipline of the highest sensitivity involving what may be political matters.

Gray: Oh, I know.

President: . . . partisan political matters. But I've got to know, for example, what's going on, uh, that, uh, even, uh, now on occasion, uh, let's suppose something on the Pentagon Papers leaks out, uh, let us suppose there's a leak to a certain member of the press. I gotta have a relationship here where you go out and do something and deny on a stack of Bibles.

Gray: Right.

President: Okay.

Gray: Right. And I understand.

President: You gotta get that 'cause I don't have anybody else. I can't hire some asshole from the outside.

Gray: No. No.

Ehrlichman: The, the relationship is a self-serving one in a sense . . .

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

18

Gray: Uh huh.

Ehrlichman: . . . and Hoover used to call . . .

President: Assert.

Ehrlichman: And say, uh, we've picked up something  
here and, uh, Referred

President: We knew, for example, let me tell you that

Referred  
and so Hoover got us

the information.

Ehrlichman: Very helpful to us to know.

Gray: Mm hmm.

President: See what I mean?

Gray: Mm hmm.

President:

Referred

Gray: Mm hmm.

President: See? That's the kind of thing that we've  
just gotta know.

Ehrlichman: And, and . . . .

President: We live in a dangerous world.

Gray: Oh, I know that.

President: And, uh . . . .

Ehrlichman: That's the enormously valuable part of  
this relationship . . . .

President: Yeah.

Ehrlichman: . . . for us.

NW#:36514

DocId:31443854

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

19

President: That's the kind of thing where you don't want to have that done by Felt or whoever is down the line. I mean you just, if you have to identify it, by, you say

Referred

Gray: Well, just like I was telling Chief (unintelligible) . . .

President: Referred

Gray: Yes sir.

President: . . . may be -- you it's that sort of thing that -- Hoover, of course, was a great cops and armed robbers guy in through the whole era. He was overly suspicious, actually. But that helped a bit, because as a result, he ha, -- he got us information, which is extremely helpful, because you see these past four years have not been an easy -- we've had almost the entire bureaucracy, including many in Defense who were opposed to what we were doing in Vietnam, opposed to Cambodia, opposed to Laos, opposed to May 8th, it worked, and of course when the whole time for the December bombing, uh, we, uh, -- and incidentally, most of the White House staff was against it. Uh, they didn't go out and yap about it but they were against it. I understand that. My point is that with the media's against you, with the bureaucracy against you, uh, with the professors, uh, with the church people and the rest, let alone the Congress, it's a hard damn fight. Now at the present time, we've, uh, we've come through with that big issue, uh, come through rather well, and we have some allies from dif -- unexpected sources driving the goddamned media right up the wall. This POW (unintelligible) (unintelligible) well --

Gray: Um hmm.

President: Let me tell you, there were times an-an-and (stuttering) and, and, Lyndon Johnson told me this same thing, when I felt that the only

~~SECRET~~



February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

20

President: person in this goddamned government who  
(cont.) was standing with me was Edgar Hoover.  
He was the only one.

Gray: Well, I was sure standing there with you  
all the way through it.

President: I'm sure of that, I'm sure of that. Now  
what did I mean (unintelligible). Now I  
don't mean just coming in and saying "Now  
look Mr. President you're doin' great."

Gray: No, no.

President: He would often do that. But the point was  
that he would break his ass if he saw some-  
thing that was wrong, being done, if somebody  
was pissing on us, I mean, leaks, . . .

Gray: Mm hum.

President: . . . uh, that sort of thing. Not, not  
interfering with the rights of the press,  
not interfering with the, you know, the,  
you know all that crap.

Gray: Right, right.

President: The thing is, the thing is that, that in  
your case -- you see, the difficulty with  
having someone, who's a, who is basically,  
as you are, a Nixon loyalist, and a friend,  
first of all they're gonna raise all kinds  
of (unintelligible) about that.

Gray: Sure, oh I know it.

President: Second, a Nixon loyalist and a friend  
feels generally, and I've found this to be  
true of half the Cabinet -- he's gotta go,  
or bend over backwards to prove that he's  
neutral.

Gray: Hm.

President: We can't have that. Publicly you must do  
that. Publicly. But, privately what you've  
got to do is to do like Hoover. Now, the

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

21

President: (cont.) reason Hoover's relation with me was so close, even closer than with Johnson, even though he saw Johnson more often, was that we started work in the Hiss case. He knew, that, uh, he could trust me, I knew I could trust him and as a result, he told me things that, uh, like this wiretap he told me about. (Unintelligible) Understand. My purpose in checking this wiretap business is not to put it out. I don't intend to put it out. But I damn well want to know who did it. See what I mean? I want to know who the Bureau to use and, and I want it know, should we it, see then you may find that whoever's the guilty one will put out the story . . .

Gray: Um hmm.

President . . . and, that, uh, that, uh, he did and that, uh, will be useful. We'd like to know such things, that's the whole point. Not to just . . . . Of course, Johnson should not have have done that.

Gray: No question about it.

President: Absolutely should not have wiretapped or, either the plane or the phones. The phones were done for sure, we, even De Loach has admitted that. But the planes, he denies now, Hoover told the plane, the cabin on my plane for the last two weeks of the campaign, they put it on the basis of Madame Chennault or some goddamn thing were tapped. What the hell do you think happened then? Every damn thing we had -- we didn't have any discussions about, political discussion, went to Johnson and you know what the hell he did with them, gave 'em to Humphrey.

Gray: Humphrey. Sure.

President: That kind of a game is a hell of a game.

Gray: We could get, we could get positive evidence of that, we could nail Deke on that because I'm sure, from what checking I've done on this other thing that it came through Deke.

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

22

President: We just want to be sure. We want to know who did it, you know. Well let me say this, the, the the main thing, the main point is that, uh, as I said, the uh, the, I think it's gonna be a bloody confirmation . . .

Gray: Oh, I do, too.

President: I think, all right, I think, uh, we just wanted you to know that if, if you do go through it, you've got to be prepared to take the heat and get bloodied up. But if you do go through a bloody one, you do go through a bloody confirmation let's remember that you're probably going to be in probably for just four years.

Gray: That's right.

President: And they're gonna throw you out and then let's do some good for the country. As you know, I would never ask the Director of the Bureau to do anything that was wrong, I mean, but I am certainly going to have to ask the Director of the Bureau at times to do things that are going to protect the security of this country . . .

Gray: No problem.

President: . . . this country, this, this bureaucracy, Pat, you know this, you know this Radford one, too, it's crawling with, Pat, at best, at best unloyal people and at worst treasonable people.

Gray: Treasonable people.

President: We have got to get them, break them.

Gray: Right, I know that. I agree.

President: The way to get them is through you. See?

Gray: I agree. I have no problems with that.

President: We have to pick up people, some people That's the price of --

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

23

Gray: I would like to. I wish the one on Witten would have stuck -- the informant.

President: Witten -- Oh, Christ, that, I'm not concerned.

Gray: Small potatoes.

President: It isn't the press that bothers me, it's the people within the bureaucracy that bother me. Those are the ones that there's no excuse for leaks, right? So, we, I think, I think, under the circumstances that, uh, it seems to me just, I've asked these questions only to be the devil's advocate, this morning, uh, I think that, uh, if you, you gotta make the decision, if you've got the health, if you've got the uh, the, the, uh, desire, uh, and also if you can, if you feel that you can have a, the kind of a relationship that we had with Hoover, which, of course, we can't, we shouldn't have had up to this point.

Gray: No.

President: And you can't have it (unintelligible) Well, except, from the moment you're nominated, I think you've gotta start crackin' the whip, having in mind the fact, having in mind the fact that, uh, always, that you don't want crack any whips that are gonna force some bastard to go out and testify against your nomination.

Gray: That's right. That's the thing.

President: So you've gotta be careful. But the moment you're confirmed then I think we've got to have the kind of relationship we had with Hoover. We had, I, on the other hand, we had, we knew everything because I knew everybody and they were supporting me. But then I think we've got to do that, you've got to watch everything around the world, in your own shop, watch the papers and see (unintelligible) and when you think something's not right oh, for example, for Christ's sake, you can tail people, you know, from time to time.

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

24

Gray: Sure. Sure.

President: Suppose we've got some jackass in the State Department some assistant to the Secretary as we know is a little off, so you tail him.

Gray: Sure, we can launch an --

President: Right. You tail him because you're looking for the Referred right? Because you're doing it for his protection.

Gray: That's right.

President: That's the way Hoover did it.

Gray: Sure, and those things can be done, can be done easily and, uh, can be done perfectly on the record, just like this thing was done here on . . .

President: Well, we think of, uh, I think uh, think uh, I've talked, uh, I've, we've had the Court keep this very closely held, a major investment in it, John, uh, we know that the bloody uh, I one of the reasons, I'd say, as far as the Watergate, I'd rather throw it all out there and not be defensive. The other side of the coin is, we don't quite do this thing (unintelligible) they're gonna call you in on it.

Gray: That's right. Sure.

President: If, personal, hotter and hotter temper-- The Ervin Committee will call you in.

Gray: Sure.

President: Uh, so, uh, so that's the feeling we have. Now the question is, is to I guess you and John'll work that out, if, as to how and when the announcement should be made.

Ehrlichman: Yeah.

NW#:36514

DocId:31443854

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

25

President: How're your relations with Eastland?

Gray: Very good. And was --

President: Is he for you?

Gray: Very good, yes, I'm positive of that.

President: Yeah. That's very important. Should --  
who else should be informed? Hruska, at  
least, Hruska?

Ehrlichman: Well we've haven't told the Attorney  
General yet.

(Laughter)

President: Well hell the Attorney General, the  
Attorney General will support that.

Ehrlichman: There's no question about that.  
Yes.

President: Well, well, let us talk to him.

Ehrlichman: We, I think we can get most of the clearances  
uh, uh, I don't know where Eastland is at  
the moment.

President: Do you want me to tell him, er Pat, do you  
want me to tell the Attorney General?

Ehrlichman: I think that'd be good.

President: I'll tell him today.

Gray: All right.

President: So then what, when will we announce though,  
I want to get it done -- what do you mean  
clearances?

Ehrlichman: Well, just this idea of contacting Eastland  
and uh, uh Hruska . . . and uh, uh, I don't  
know who else gets well (unintelligible) I  
imagine they'd be the only two.

Gray: That'd be (unintelligible)

~~SECRET~~

February 16, 1973  
from 9:08 - 9:39 a.m.

~~SECRET~~

26

Ehrlichman: (unintelligible) the Appropriations Subcommittee, uh.

Gray: Probably John Rooney's people and the Senate side, too.

President: Well, why don't you -- Kleindienst will be coming to the Cabinet meeting, could you, and uh, could you and Pat meet now and work out that thing?

Ehrlichman: Sure.

President: Because I want, time is of the essence. I'd like to get this done like by today.

Ehrlichman: All right. Yeah.

President: We've got to move (unintelligible) this motion's gonna leak. This damn Gray's a leaker. (Laughs)

Gray: Yes I am, Mr. President.

President: (Laughs)  
(Unintelligible)

Gray: Nixon loyalist. (unintelligible)  
You're goddamn right I am.

President: Congratulations.

~~SECRET~~

2/25/73



2/25/73

14:30 phone

Talked to Ehrlichman re Times' latest thing on FBI stuff

Had names of Brandon and Safire

Ehrlichman told Ziegler just stonewall it --

Everything handled by Dean, Kleindienst, etc.

Ehrlichman and I stay out of it

2/27/13

DRAFT

~~SECRET~~

TRANSCRIPT OF A RECORDING OF A MEETING  
BETWEEN THE PRESIDENT AND JOHN DEAN ON  
FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

~~SECRET~~

DECLASSIFIED	
<i>Classified info removed</i>	
By <i>clg</i>	NAME, Date <i>9/29/01</i>

~~SECRET~~

TRANSCRIPT OF A RECORDING OF A MEETING  
BETWEEN THE PRESIDENT AND JOHN DEAN ON  
FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

PRESIDENT: Good afternoon, John, how are you?

DEAN: Pretty good.

PRESIDENT: I, uh, discarded some (unintelligible) won't interrupt us (unintelligible) uh, uh, did you get your talk with Kleindienst yet?

DEAN: I just had a good talk with him.

PRESIDENT: Yeah, fine. Have you got him, uh, positioned properly, the uh--

DEAN: I think, I think he is.

PRESIDENT: (Unintelligible) properly--ah, has he talked yet to Baker?

DEAN: No, he hasn't, he, uh, he called Sam Ervin and offered to come visit with both he and Baker. And, uh, that was done last week.

PRESIDENT: Uh, huh.

DEAN: But he thought that timing would be bad to call Baker prior to the joint meeting. So he says after I have that joint meeting, I'll start working my relationship with Baker.

PRESIDENT: Well, Baker left with me that he was going to, going to set up a joint meeting well, anyway (unintelligible). I see. So Kleindienst has talked to, uh, uh, he has talked to Ervin and Ervin said-- (unintelligible).

DEAN: Ervin has left it dangling and said, "I'll be back in touch with you." Uh, I think what, what disturbs me a little bit about Baker was his move to put his own man in as minority counsel, so quickly, without any consultation as he had promised consultation. And I'm told this man may be a disaster himself, the minority counsel.

~~SECRET~~

~~SECRET~~  
FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

2

PRESIDENT: He is? What do you mean to, is he--?

DEAN: Well he's a, well I can't knock age, he's 30, he's 30 years of age, he doesn't know a thing about Washington.

PRESIDENT: Yeah.

DEAN: So we'll have to--

PRESIDENT: Baker, Baker says that he puts the blame on the White House. He says, whatchamacallits his name, Korologos called him and suggested somebody else, that was a great mistake. Course I didn't know anything about that. Apparently...

DEAN: Well Baker apparently is quite open in his felicity I want to counsel with you all, and I don't want to move until I've told you what I'm going to do, and then he did just the reverse. So it was curious: one, that he wanted a meeting with you. Uh, secondly: that, uh, he suggested Kleindienst as a conduit...

PRESIDENT: That's correct.

DEAN: ...and there is hope, I think that, uh, he may try to keep an eye on this thing and not let it get into a total circus up there.

PRESIDENT: Who? Baker.

DEAN: Baker, Baker might.

PRESIDENT: Well that's what he indicated, he indicated but of course, of course with the regard to his, uh, situation, his position though, and with regard to Kleindienst's position, I, uh, I shook Kleindienst up a bit but (unintelligible) really is the, is the fellow who's going to get hurt most out of this (unintelligible) is Mitchell. Said others are gonna get hurt too, but Mitchell is, ah, the real problem is whether or not Mitchell will--uh, get him on perjury.

~~SECRET~~

DEAN: Hum.

PRESIDENT: I said now look, ah, perjury's very damn hard thing to prove too, fortunately. But, uh, if you, uh (unintelligible) keep from poppin' off. I said, well, I, I, I talked (unintelligible) did ya ever talk to Mitchell about this. Never has.

DEAN: No.

PRESIDENT: He says he has never talked to him. Did you go into the Mexican part of it with Kleindienst or did you get...

DEAN: Well, I...

PRESIDENT: ...into any substance at all?

DEAN: I've always, I've always, braced Kleindienst in the past about, you know, the potential implications of what this whole investigation the Bureau conducted, what the U.S. Attorney's Office was doing...

PRESIDENT: That's right.

DEAN: ...what the trial meant...

PRESIDENT: That's right.

DEAN: ...I think this could come to haunt...

PRESIDENT: That's right.

DEAN: If it gets out of hand, I don't want to get into a lot of specifics.

PRESIDENT: Yeah.

DEAN: I, at this last meeting, I just sat with him and said Dick, I said, "I don't think I ought to brief you on everything I know. I don't think..."

PRESIDENT: That's right.

DEAN: ...that's the way to proceed. But if I see you going down the wrong track, I'm going to have to tell you why."

~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

4

PRESIDENT: Um hum. Good, good. What did he say?

DEAN: He said, "I agree, that's the way it should stand."

PRESIDENT: On the Executive Privilege one, I worked with, uh, talked to John Ehrlichman a little and decided that the last paragraph, which, uh, should be modified so that it covers what I might have to say if I were asked at a press conference, he'll indicate what it, but in, in a nut shell, uh, rather than simply, flatly say that I think that what we should say is uh, that uh, that uh, that the uh, that members of the President's staff I will not appear before a formal session of the Commission, committees. However, under proper, appropriate circumstances that uh, informal discussions, or so forth, can be conducted to obtain information and so forth and so on-- appropriate, I want, I tell you what you're, what we're up against, right here's, uh, Kleindienst, Kleindienst has indicated to me, I don't know whether he did to you, that uh, he felt that the back-up position here should be an executive session of the Committee. And I said, "Well, that's a hell of a difficult thing the, for the men." I said, "I think that the position should be one of a, that our position should be one of a, a, a solution. That you can't-written interrogatories (unintelligible) which is unlikely, of the two committee--I, uh, the, the ranking committee members and the counsel, questioning any member of the White House staff, you know, under proper, you know, restrictions...

DEAN: Um hum.

PRESIDENT: ...and so forth and so on. I put that to Baker as well and, uh, (unintelligible) said Baker, Baker probably, uh, probably wants to get, for the same reason that Ervin does, because of the publicity and so forth, wants to haul down the White House staff and...

DEAN: Um.

PRESIDENT: ...put them in the glare of those lights.

DEAN: True.

~~SECRET~~

PRESIDENT: Uh, that we cannot have. That we cannot have. On the other hand, we cannot have a stonewall, uh, so that it appears that we're not letting them. And so I think we've got to be in a position to, did ya discuss this with Kleindienst, as to what the position would be on that point? That, I think, John, is the important thing that Kleindienst has gotta stand God damn firm on.

DEAN: I did, I talked to Dick about that. I said that, uh, "One, there's a statement forthcoming. I don't know the timing on it."

PRESIDENT: Yeah.

DEAN: The Department will issue. I said that, it's fortunate the context it's coming out in, because Clark Mollenhoff solicited the statement in a press inquiry that's coming out in unrelated context and not related to Watergate per se.

PRESIDENT: Right, right.

DEAN: And so that'll be out soon and that will define what the outer perimeters are. It also gives--

PRESIDENT: Have Kleindienst say that nobody from the White House staff will testify before a committee.

DEAN: That's right.

PRESIDENT: Of course, that doesn't help much at all.

DEAN: Well, under normal circumstances, if they're--

PRESIDENT: ...if they were normal.

DEAN: That's the, there's little, uh, slide in there. And then what, in a practical matter I told 'em would probably happen, would be much like the Flanigan situation where there's an exchange and the, the issues become very narrow as to the information that's sought.

~~SECRET~~



~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

6

PRESIDENT: Well, you worked with, uh, if you'd talked to John Ehrlichman, you worked at revising that last paragraph.

DEAN: We've done that.

PRESIDENT: Oh, you've already worked with him on that.

DEAN: Um hum.

PRESIDENT: And, uh, well, after I see his, uh, this Cardinal Midi (phonetic) take me about, I think five, we ought to get rid of him in about, ah, fifteen or twenty minutes. You might bring it down and, uh, you've got it written already?

DEAN: Yes, sir.

PRESIDENT: Then let me take a look at it again.

DEAN: Uh huh.

PRESIDENT: And we'll approve the statement, I don't want to put it out right now because I, I, just depends (unintelligible) I decide to do on the, do on the, the press thing.

DEAN: It'd probably be easier not to have those questions in your press conference per se.

PRESIDENT: I, I, would prefer, that's what I want to do, is to have this statement come after the press conference, to say, if they ask anything about it, that "I've covered that in a statement that will be issued tomorrow on Executive Privilege. It's very complicated (unintelligible) that's what I had in mind. I'd rather not be questioned on the statement.

DEAN: Mollenhoff himself will debate you right there on the subject.

PRESIDENT: Right. So I'll say I'm covering--

DEAN: And I did talk to Mollenhoff yesterday at, uh, Rogers' request.  
Rom's

~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

7

PRESIDENT: ... (unintelligible) want to look in the case.

DEAN: Tell him I want to look in the case and I had an extended discussion with him on the Executive Privilege question. Of course, he differs somewhat from where we're coming out, but he agrees that certainly the President has the legal authority to do that and he agrees also that it's, uh, it's--

PRESIDENT: Well, in his case, I mean what was he talking about?

DEAN: Well, he says, he thinks that all White House staff should be ready to run up to the Hill and testify and he asked...

PRESIDENT: (Unintelligible).

DEAN: ... as to what they're doing and it's a rare exception when the President invokes the privilege. I said, "Clark, that's got to be the other way around. The staff can't operate if they're going to be queried on every bit of communication they had with the President."

PRESIDENT: That's right.

DEAN: Mansfield, himself, Mr. President, has recognized that communications between you and your staff are protected. He said this in a policy statement before they issued this resolution up there on, uh, having confirmable individuals agree they'd testify before they are confirmed.

(Pause)

PRESIDENT: Well...

DEAN: I'm--

PRESIDENT: ... as for confirmable individuals are concerned, they're all available for testimony though.

DEAN: That's right. It's no problem there.

PRESIDENT: It's no problem there.

DEAN: There's not a giveaway by any means on that.

~~SECRET~~

PRESIDENT: They, of course, will, uh, they, they, they, I guess, we, we would not normally claim Executive Privilege for Cabinet officers would we?

DEAN: Uh, no sir. Only, only if in, say the rare instances where we have already, where they're going for information which should be protected. Investigative files, uh, classified material or say, aid programs or something, when we did it in the last--IRS files. Those are the instances in which we've done it.

PRESIDENT: Yeah.

DEAN: And they're quite, uh, traditional and, and should be expected by the Congress when they go after information like that.

PRESIDENT: I think, I think went over to Kleindienst, I said just to show you how the worm turns here, what we went through in the Hiss case. There, we were, investigating, not, uh, espionage by a political, what one political organization against another, but a charge of espionage against the United States of America, which was a hell of a lot more serious. And in that case, the Department of Justice, the White House, the FBI totally stonewalled the committee. The FBI would not furnish any information and here the FBI had a chance to furnish information to this committee.

DEAN: Yes.

PRESIDENT: That's according to Gray, right?

DEAN: Right.

PRESIDENT: All right. The Department of Justice refused to give us any information at all and of course the White House used Executive Privilege and the press was all on their side. You see that was...

DEAN: That's right.

~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

9

PRESIDENT: ...that was a, that's, sure it's whose ox is being gored. Now here you got so-called espionage involving a political organization and, uh, so now (unintelligible).

DEAN: Well, you know I've been...

PRESIDENT: (Unintelligible).

DEAN: ...and in, in, uh, doing some checking.

PRESIDENT: I told Dick a (unintelligible). That's what our Democratic friends did when we were trying to get information.

DEAN: Lyndon Johnson, uh, was probably the, uh, greatest abuser of the FBI, I'm told by people, some of the old hands over there.

PRESIDENT: He used it for everything.

DEAN: He used it as his personal, uh--

PRESIDENT: But didn't he use it against the press?

DEAN: He...

PRESIDENT: That's ah--

DEAN: ...used it against the press, he used it against his own party, uh, back in '64 when the Walter Jenkins thing broke, uh, he had high officials of the FBI out trying to strong-arm a doctor to say that this man had a brain tumor, uh, Walter Jenkins, he also, then, turned his, the FBI loose on the Goldwater staff, uh, this sort of thing is starting to seep...

PRESIDENT: Uh, who knows?

DEAN: ...out now.

PRESIDENT: Is it getting out?

DEAN: Uh, I'm sorry. (Unintelligible).

~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

10

PRESIDENT: But you, of course, know the incident of his, uh, (unintelligible) the, the famous incident of the bugging of our plane . . .

DEAN: That's right.

PRESIDENT: which, uh, maybe--, they really know is true. And you know the instances that they talk about, about the, uh, about our bugging, the FBI stuff, believe me, I know exactly what those were.

Referred

DEAN:

PRESIDENT:

DEAN: Um hum. Now they're so--

PRESIDENT: And then, of course, the other things involved leaks out of the NSC, where we, they bugged Haig, Lake, or Halperin, I mean. But that was all.

DEAN: That's right.

PRESIDENT: We were as limited as hell, I mean Hoover, good God, we could have used him forever. He's, he's-- but Johnson had just apparently, just used them all the time for this sort of thing.

DEAN: That's what I'm learning. There's more and more of this --

PRESIDENT: Who's, who's, who from the FBI is trying to put out this stuff on us?

DEAN: God, I thought, I wish I knew, Mr. President, uh.

PRESIDENT: You don't believe it's a--

DEAN: I've heard there're, there're several names that are bantered around. I, I tried for example, to track the lead

PRESIDENT: You don't think it's Sullivan?

DEAN: N, no, I, I confronted Sullivan, as a matter of fact, right after this, I said, "Bill," I said, uh, I

#:36514

DocId:31443854

called him into my office, I said, "I want to tell you what Time Magazine said they have." His reaction was not that of a man who has leaked something. Uh--

PRESIDENT: Yeah.

DEAN: And then he helped.

PRESIDENT: (Unintelligible)

DEAN: He told me, he said, "If this ever comes down to the very short strokes," he said, "As far as I'm concerned this was Hoover and Sullivan. No one else. And I'm ready to stand forward and take it at that." I said, "Well, I don't think it's ever going to be that because, uh--

PRESIDENT: Well, what, why would it be Hoover and Sullivan, did Hoover order him to do it?

DEAN: Hoover ordered him to do it.

PRESIDENT: In order to ah--

DEAN: They did this -- so he could say I could cite examples chapter and verse of Hoover telling me to do things like this.

PRESIDENT: Now Sullivan knows that their, it was terribly limited -- it was limited.

DEAN: That's right.

PRESIDENT:

Referred

DEAN: That's right.

PRESIDENT: And that I must say, I think we did request though, did we say find out the leaks, and so Hoover goes and, uh, bugs people.

DEAN: Well, I, I think . . .

PRESIDENT: That's the way to do it.

DEAN: . . . the way it's postured now, uh, we can stonewall it, ah, Gray can go up there in his confirmation hearings and he's not gonna have to bother with it, because they'd accused him in the article of being, sitting on the top of the bugs . . .

PRESIDENT: Yeah.

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

12

DEAN: ...it was there once he came in, which is not factual.

PRESIDENT: Well, there weren't any.

DEAN: There were none there when he came in.

PRESIDENT: Well, three years ago that this happened...

DEAN: That's right.

PRESIDENT: ...and there hasn't been a God damned thing since.

DEAN: That's correct.

PRESIDENT: Right.

DEAN: That's correct.

PRESIDENT: Another thing you can say, too. John, is the fact that all this had to do with the war...

DEAN: I know.

PRESIDENT: ...and now the war is over.

DEAN: Now--

PRESIDENT: Now Johnson, on the other hand, went bugging his political opponents, and every son-of-a, everything you can imagine. We've been, that's the problem, we're getting a real bum rap, aren't we?

DEAN: We cert--, we are getting a terrible rap, ah--

PRESIDENT: You stop to think of, we got rid, we got rid of the Army bugs, we got, you know that Army ah, espionage business, intelligence business, we got, you remember that?

DEAN: That's right.

PRESIDENT: Uh, we've limited the FBI things to national security bugs, to very, very certain few, probably too few.

DEAN: We're, we're now (unintelligible).

---

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

13

PRESIDENT: But somebody's gonna get a shock one day, and they'll wonder why we didn't bug 'em, huh?

DEAN: That's right. We are getting a bad rap.

PRESIDENT: Well, for example . . .

DEAN: The fact is --

PRESIDENT: . . . as you know, as you know, Hoover did bug Martin, Martin Luther King.

DEAN: That's right, I was aware of that also.

PRESIDENT: Well, Christ yes, Hoover used to tell us about what his, what a, a morally depraved sone-of-a-bitch he was -- And Johnson probably ordered him to do it, now let's face it.

DEAN: Um hum.

PRESIDENT: So, ah, I don't, well you can't blame Hoover. I'm sure he didn't do it unless, ah, Johnson asked him to, but Johnson was that kind of a man, he used the FBI as his own private patrol, but God, we've been as careful, I've, I've talked to Hoover any number of times but we've never ordered anything like that. But he'll come in with his little things.

DEAN:

Referred

PRESIDENT:

DEAN: Johnson, ah . . .

PRESIDENT: Huh?

DEAN: . . . Johnson, used the FBI to cover the, ah, New Jersey convention before he dropped out, officially, he had all the delegates --

PRESIDENT: He did?

DEAN: That's right, which is kind of fantastic.

PRESIDENT: Sullivan knows this?

NW#:36514

DocId:31443854

~~SECRET~~



FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

14

DEAN: Um hum, Sullivan is a wealth-of-knowledge and the more I, you know, sort of generally chat with him about these problems, the more it comes out he's the man that can also document--

PRESIDENT: Why did Hoover have a fight with him? It's a hell of a mistake for Hoover to do that. Sullivan knows too much.

DEAN: That's right, ah.

PRESIDENT: Why didn't Sullivan squawk?

DEAN: I think Sullivan probably is loyal to the...

PRESIDENT: ...institution--

DEAN: ...the institution and doesn't want--

PRESIDENT: Somebody over there is not, can he help you find out who the hell is not? Isn't it a possibility...

DEAN: He advised--

PRESIDENT: ...the guy that--Time Magazine's lawyer, you don't think it's him?

DEAN: He speculates, and, the speculation is generally, is it's either Sullivan himself, Mark Felt, who is--

PRESIDENT: I know, the lawyer says that.

DEAN: That's right. Ah, and the other one is a fellow Tom Bishop who is now departed, who was in charge of their public information and where--

PRESIDENT: Does he know about these things, Hoover didn't tell people like that, about these things...

DEAN: No.

PRESIDENT: ...did he?

DEAN: For example, the '68 thing, I try-, was trying to determine who might know about that.

PRESIDENT: Yeah, ah...

~~SECRET~~

DEAN: Hoover, apparently...

PRESIDENT: Ah, I guess.

DEAN: ...Hoover apparently told Pat Coyne, Patrick Coyne, who used to be on the NSC staff.

PRESIDENT: I know, I know, I believe, is he still living?

DEAN: I don't, I don't know the man.

PRESIDENT: He told Pat Coyne?

DEAN: He told Pat Coyne; Coyne told Rockefeller; Rockefeller relayed this to Kissinger, this was one channel that might have it in a public domain. The other is when Sullivan took the records, or all the documents in connection with this, ah, out of his office, and out of the Bureau, he also instructed the Washington Field Office to destroy all their records, which they did. Ah, Hoover, incensed at this, that he couldn't reconstruct, that he didn't have the records and couldn't get them from Sullivan, tried to have the Washington Field Office reconstruct them, which they couldn't. As a result of that movement and flailing around by Hoover, a lot of people in the agency were aware of what had happened and it was on the grapevine.

PRESIDENT: Oh, that's when it happened then, the night Sullivan left, he took the records with him--

DEAN: He took the records with him...

PRESIDENT: And that's the only records there were?

DEAN: ...and that's the only records there are.

PRESIDENT: He did it out of, uh, I mean, pissed off at Hoover.

DEAN: No, ah, he was doing it to...

PRESIDENT: Protect...

DEAN: ...protect, ah--

~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

16

PRESIDENT: ...the Bureau.

DEAN: No, he was doing it to protect the White House and the people over here.

PRESIDENT: Oh, oh, but for Christ sakes, Hoover, I mean, (unintelligible).

DEAN: Hoover never got his hands on the records is what happened. Sullivan has them, Sullivan had his, ah, his pissing match with Hoover and then took them with him at that time.

PRESIDENT: I see.

DEAN: And then he turned them over to Mardian ultimately.

PRESIDENT: I see.

DEAN: And--

PRESIDENT: That's how we got them.

DEAN: And then--

PRESIDENT: Where's Sullivan now?

DEAN: Sullivan is back at Justice in the Drug Intelligence (unintelligible).

PRESIDENT: We owe him something.

DEAN: We do. He wants to go back to the Bureau and work on, ah, domestic, ah--

PRESIDENT: Why is it that Gray doesn't want him?

DEAN: I think Mark Felt has poisoned Gray on this issue and I think once Gray--

PRESIDENT: Well, who in the hell, somebody is doing Mark Felt in. You know what, do you, do you believe the Time Magazine lawyer? Is Felt (unintelligible), is he capable of this sort of thing?

~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 TO 4:20 P.M.

17

DEAN: Well, let me tell you where I; where else I heard that from, ah, was Sandy Smith, ah, I had told, not, not the lawyer but somebody else told Felt was his source...

PRESIDENT: Yeah.

DEAN: ...and this came to Henry Petersen, ah, Henry Petersen's an old hand over there, as you know, and, ah, bless his soul, he's a valuable man to us. Ah--

PRESIDENT: Yeah. What did he say?

DEAN: Ah, he said that he wouldn't put it past Felt but, ah, the other thing I was talking to Kleindienst about this when I was over there, he said if Felt is the source...

PRESIDENT: Yeah.

DEAN: ...and if we gets Felt way out of joint we are in serious trouble.

PRESIDENT: 'Cause he knows so much?

DEAN: He knows so much.

PRESIDENT: What's he know?

DEAN: I don't know, I didn't ask for specifics with, ah, he said, one thing, he said he could knock.

PRESIDENT: Does he know about Sullivan stuff?

DEAN: Yes, he knows about that. I called Felt, asked him what he knew about it and he was, for example, very cool when I, I said, "There's a Time Magazine story running, Mark, ah, that in '68..."

PRESIDENT: Yeah.

DEAN: or, or in '69 and '70...

PRESIDENT: Yes.

~~SECRET~~

DEAN: and so on and so forth. He said, uh, I said "True or false?" and he said, "True." I said, "How do you know that?" and I said, "I've never heard of that before." He said, "Well, if you talk to Bill Sullivan, he'll tell you all about it." When he did he, sort of a general, he painted a general picture about it. Ah, but just cool as a cucumber about it. Ah--

PRESIDENT: And what does he say about Time, again, how does he, is he gonna stand up for the denial?

DEAN: He says, "John, " he said, ah, I said "First of all, I don't, I don't believe this could happen," I was protecting us, as far as...

PRESIDENT: Yeah.

DEAN: ...doubting what he had said. He said, "Well, John, as far as I'm concerned, our, our phone call is totally off the record, we never had it," so that's a good one to watch, just right there.

PRESIDENT: In other words, you can't blow the whistle on Felt, just like you can't blow the whistle on the son-of-a-bitch out there, the yeoman, in the Jack Anderson case, right?

DEAN: That's right, but there will become, ah, there will come a day when Gray's comfortably in there, when other things come past, that ah--

PRESIDENT: Like what?

DEAN: I think that Gray can, at some point when, if this sort of thing continues, once he gets through his confirmation, I don't know why he couldn't himself say "I'm gonna take a lie detector test and I'm gonna ask everybody in my immediate shop to take one and then we're gonna go out and ask some of the other agents to take them..."

PRESIDENT: Just for leakage.

DEAN: "...as for leakage, because this, this only hurts, ah, this whole institution."

(Pause)

~~SECRET~~

FEBRUARY 27, 1973, FROM 3:55 to 4:20 P.M.

19

PRESIDENT: Where do you, ah, where do you stand on the, how will we leave it on Kleindienst hears, with regard to the, that's what there, ah, let me put it this way. You take the responsibility for Kleindienst, I'm gonna keep Ehrlichman and Haldeman out of it--out of their--any relationship with Kleindienst. You should have it only, but you've got to watch him and brace him--, on the Executive Privilege thing, that you, that you tell him what the line is...

DEAN: I have, I have...

PRESIDENT: ...and where he's to stand.

DEAN: I have told him and I've s--, I said "It's gonna be important."

PRESIDENT: Didn't he raise the idea of their hurrying the Executive Session refusal?

DEAN: No, he did not.

PRESIDENT: All right. Be sure he knows what the back up position is, which is (unintelligible), as I understand it, if we went in there under proper ah, ah, restrictions, allow, uh, two committee members to come down. Is that what you would do?

DEAN: I think we wo-, ought, if I think we ought to draw the line at written interrogatories. I think the position should be that you were holding nothing back, information wise.

PRESIDENT: That would be sworn.

DEAN: That's right, that would be sworn, uh, you can't be in a position of protecting any, anybody around here.

PRESIDENT: That's right.

DEAN: The information has to be available. But to go up there and make a circus out of the appearance of, of people--

PRESIDENT: Right.

~~SECRET~~

DEAN: Ah --

PRESIDENT: Good, well let me say about ah, about Felt, it sounds as if he knows, it sounds as if maybe he's --

DEAN: Kind of watch it like a hawk, Mr. President

PRESIDENT: Yeah.

DEAN: . . . and I just got to watch him, ah, he's too close to Pat Gray right now . . .

PRESIDENT: Yeah.

DEAN: . . . for our interests.

PRESIDENT: Pat Gray is a little naive.

Referred

DEAN: Yeah. Well I think it's--

PRESIDENT: And he never ever has anything wrong, find out some interesting facts, but, ah, nothing we ever used. I mean we just were awful careful. Joe Kraft, of course, should have been bugged. I would think the son-of-a-bitch is, ah, practically an agent to the communists.

DEAN: Well, what you said about Bob and John, too, I think, as before the election, I tried to only bother them or consume any of their time when it was just absolutely essential.

PRESIDENT: Right.

DEAN: And I think that's the way it's been.

PRESIDENT: That's right, that's right.

DEAN: He, ah . . .

Unidentified: (Unintelligible) is here.

PRESIDENT: Fine, fine.

NW#: 36514 DocId: 31443854  
HALDEMAN: Did he buzz?

FEBRUARY 27, 1973, FROM 3:55 to 4:20 P.M.

21

PRESIDENT: I buzzed twice, that means they, for 'em to come in. (Unintelligible) buzz (unintelligible) that means.

HALDEMAN: Apparently the phones aren't working properly.

PRESIDENT: Oh fine, sure, sure, sure, have 'em come right in. Right there

(Unintelligible with noise)

DEAN: Well, sir, I'll get that statement on executive privilege.

PRESIDENT: If you could, uh, if you could, uh, do your best to, uh, if you could keep me posted on (unintelligible) everything that way you need to but particularly with relation to Kleindienst. Okay?

~~SECRET~~



4/19/13

FINAL

EXCERPT FROM

TRANSCRIPT OF A TAPE RECORDING OF A  
CONVERSATION BETWEEN PRESIDENT  
RICHARD NIXON AND RICHARD MOORE ON  
APRIL 19, 1973 FROM 3:34 TO 5:00 P.M.

APRIL 19, 1973 FROM 3:45 P.M. TO 5:00 P.M.

MOORE: Yeah.

PRESIDENT: Edgar Hoover wouldn't do Ellsberg because Louis, uh, Marx, the daughter was married. Marx was a friend of Hoover's. You know the story there.

MOORE: Ahh.

PRESIDENT: The toy man. The daughter was married to Ellsberg and Edgar -- just personally -- just couldn't bring himself to get into it. So we had to do something on Ellsberg and, and the capabilities to here to try to get information on the Ellsberg case. But now on that score . . . There was no bugging, I found. They had the FBI do bugging once it got into the case, let me assure you, but, but as far as the -- there was this crazy thing where Hunt goes out and breaks into the psychiatrist's office and has a picture taken. I mean, I mean, uh, (unintelligible) look at some files and so forth. But, Ehrlichman, Ehrlichman had no knowledge of, of that particular thing. He did not approve anything like that and so forth and so on. And I don't know what Dean's talkin' about the Plumbers. Is that it? . . .

4/19/73

DRAFT

~~SECRET~~

TRANSCRIPT OF A RECORDING OF A MEETING  
BETWEEN THE PRESIDENT AND HENRY PETERSEN  
IN THE OVAL OFFICE ON APRIL 19, 1973,  
FROM 10:12 TO 11:07 A.M.

---

IN-CAMERA SUBMISSION APRIL 30, 1974  
U.S. v. EHRLICHMAN

---

~~SECRET~~

DECLASSIFIED	
<i>Classified into removed</i>	
By <i>clp</i>	NARS, Date <i>9/29/01</i>

~~SECRET~~

4/19/73 President/Henry Petersen Oval Office 10:12-11:07 a.m

Mr. Petersen is here.

PRESIDENT: Fine. I'll be finished --- would you tell him that  
(unintelligible)  
You know I'm sorry. I keep thinking (unintelligible)

PETERSEN: Morning, Mr. President.

PRESIDENT: Come on in (unintelligible) wanted to get you back in the  
court room. I wanted to tell you -- (unintelligible) which  
I think probably should be (unintelligible) in this whole  
thing.

PETERSEN: Yes, I need to know.

PRESIDENT: Well, the problem basically is this. This is the Ellsberg  
case. You remember our late, dear departed friend, Edgar Hoover  
You will recall -- you know how he handled the Ellsberg case.  
Personally, it involved Marx. He was one of his closest  
friends. Marx. Not the Marx Brothers, the toy makers.

PETERSEN: Um.

PRESIDENT: Marx's daughter is married to Ellsberg and Hoover just kicked  
and churned and said, "I'm just not going to investigate this  
thing. I can't do it." (Unintelligible) This is at least what  
we got through Mitchell. Under the circumstances, Henry, an  
investigation was undertaken with a very, very small crew at  
the White House. That's where the Hunt group -- nothing in  
terms of break-ins or anything was approved.

But seeing what these crazy bastards have done since, and  
seeing what -- now the investigation also and this is the  
hopeful thing as far as the prosecution, they didn't do a  
damn bit of good. I mean all they got, they got mostly what  
appeared in the papers that Ellsberg had psychiatric problems;  
that Ellsberg was a (unintelligible) to Henry Kissinger. He  
was one of his students at one time. It was quite a, apparently  
quite a --

PETERSEN: Well, by the time I tell Peters --

~~SECRET~~

~~SECRET~~

2

PRESIDENT: What I think is this. None of it will win in the prosecution. Then after that finally Hoover got into it. Now, when Hoover got into it -- it should now be wiretapping.

PETERSEN: Oh?

PRESIDENT: He said there was no question about that. I don't know who he wiretapped. But I mean that national security taps were used at that time and then as you know with the hullabaloo that arose out there we knocked off all of those taps (unintelligible). I am quite aware of the fact that we do a lot of business in this field.

PETERSEN: Yes sir, yes sir. And I don't know ---

PRESIDENT: I just want you to know. I just want you to know that my purpose --

PETERSEN: Yes sir. We could hardly be called illegal in this field ---

PRESIDENT: My purpose in the Hunt thing in calling you is simply to say it is, it was a national security investigation. It is not related in any way to the Watergate thing.

PETERSEN: Correct.

PRESIDENT: And that the purpose of it was ---

PETERSEN: Well, is there any other -- you know I can't stay away from that which I don't know.

PRESIDENT: Certainly. Did Hunt do anything else?

PETERSEN: Is there any other national security stuff that we could --

PRESIDENT: Yes.

PETERSEN: -- inadvertently get into through Hunt.

PRESIDENT: Yes, you could get into other things. For example, Hunt -- Hunt involved in bugging, apparently. He tried, for example, on one occasion, he was -- it was basically (unintelligible) Ellsberg period, you know, this place was leaking like a sieve, and you remember Kissinger's National Security people.

PETERSEN: Yes, sir. I do.

~~SECRET~~

~~SECRET~~

3

PRESIDENT: We had a horrible time and frankly the country was in jeopardy because I -- it was imperative that our situation with foreign governments and a lot of others that I'd get Hoover in and say, "Damn it, we've got to (unintelligible)." (Unintelligible) for myself. You know how Hoover was. You know, but he hated to get into anything involving press. So when you -- I think though, quite candidly, Hoover for years -- you should know this -- bugged the --

Referred

PETERSEN: I remember the situation, but I don't (unintelligible)

PRESIDENT: I can't tell you --

PETERSEN: I remember the entire thing, I remember. I know who you mean but I can't recall his name, either.

PRESIDENT:

Referred

And I know that when I first came into office he used to send that stuff over here by the carload. He used to love that sort of thing. That we discontinued also. We discontinued that.

PETERSEN: Well, I should say, Mr. President, just coincidentally that since they transferred the Internal Security Division to me, uh --

PRESIDENT: You have (unintelligible)

PETERSEN: Yes. And I-I. But I'm also --

PRESIDENT: I don't know --

PETERSEN: The authority runs from you to the Attorney General.

PRESIDENT: Certainly.

PETERSEN: The way some of it is being exercised is only (unintelligible).

PRESIDENT: What?

PETERSEN: The way some of it is being exercised is only (unintelligible). I just set up. I just set up.

NW#: 36514

DocId:31443854

~~SECRET~~



~~SECRET~~

4

PRESIDENT: I don't want the damned thing (unintelligible), you understand. I understand it's been knocked off. I want some -- I don't want (unintelligible) understand you're going after gangsters or other things like that. It just isn't worth it.

PETERSEN: No. I am not talking about the national security stuff in the country. I am talking about either foreign intelligence stuff. I am holding some of them up -- I am holding some of them up because they have to be approved by a Deputy somebody over at the State Department and we are tightening up the procedure. That's all.

PRESIDENT: The President approves (unintelligible)

PETERSEN: I understand.

PRESIDENT: I don't know about the Attorney General,   
 Referred -- now, you have also heard about Joe Kraft.

PETERSEN: Yes, sir.

PRESIDENT: You've read that column. (Unintelligible) was bugged, I think. But what it involved were leaks of national security documents that had gotten into Kraft's columns and so forth and so on. Nothing came of it as a result except they, I think, fired somebody over here. Now that -- now that's another thing.

PETERSEN: Right.

PRESIDENT: I just wanted you to know that they are investigating,  but it is miniscule compared to what Johnson was doing. You--you know what I mean. As you know, it was very heavy during that period -- very, very heavy. And as Sullivan sent a memorandum to me and it was pretty shocking. He went after Stevenson on the Democratic Committee and also bugged our plane during the campaign.

PETERSEN: I understand.

~~SECRET~~

NW#: 36514

DocId: 31443854

~~SECRET~~

5

PRESIDENT: Now, my point is that that doesn't justify anything now. But in the case of the Hunt thing, you should know that when he was at the White House and he was working in the field of drugs. He worked on this particular activity and Liddy worked with him as I understand. I think Liddy did too. This -- but frankly, I really didn't know this myself until this case came out. I said, "What in the (expletive removed) is Hunt doing?" I understand what he was doing and I would have approved at the time because we had nothing that we could get out of Hoover. Hoover did conduct the investigation and did a hell of a good job. Hoover did recommend the investigation to the prosecution on Ellsberg which I think is probably safe. I don't know if he will make it or not.

PETERSEN: I don't know either.

PRESIDENT: I hope so.

PETERSEN: Incidentally ...

PRESIDENT: I want you to understand that I have never used the word national security unless it is. As far as Watergate is concerned, or any of that crap, you just -- but when I called you the other day I said I am not going to let any stone unturned and that is what you and I have got to understand. But I am anxious to get one or two things, Henry, very important. In terms of privilege -- That you -- that, One. Any conversations with the President are obviously privileged.

PETERSEN: Yes, sir. I understand that.

PRESIDENT: Everybody shall have a mind and any conversations -- and the -- in the national security area -- you can ask any others around here -- you ask Dean -- Dean -- Ehrlichman and Maldeman if Hunt was involved in the Ellsberg -- and he was involved -- we called it the plumbing operation. And basically it was leaks from the National Security Council which appeared in the columns and it involved only -- and did not involve any uh -- it did not involve any uh -- any electronic device, eavesdropping, but it involved a hell of an investigation, one hell of a lot.

PETERSEN: I indicated to you --

~~SECRET~~

~~SECRET~~

6

PRESIDENT: That's as much as I know about it at this time.

PETERSEN: I indicated to you the other day --

PRESIDENT: I don't know whether Dean -- Dean may be quite familiar with this because he was very much -- you know what I mean, he was sort of in charge of this kind of activity and he may be familiar with it and he may not be but I have tried to get this sorted out. I have just had them on it over here, as you know, what did they do and what is there -- as far as I am concerned, I don't mind anything coming out, but -- want anything coming out on the Ellsberg thing.

PETERSEN: Right.

PRESIDENT: We had to do it. I don't want anything coming out on what we were doing with NSC. I don't want anything coming out -- what we were doing -- Hoover (unintelligible) Hoover (unintelligible)

PETERSEN: (Inaudible)

PRESIDENT: (Unintelligible) I am hoping for the day when the man I have in mind for that job gets away from what he is presently doing so I can put him in but we have got to get a man in there and fast. And I am going to clean everybody out of the Bureau at second level. Everybody.

PETERSEN: Well---He needs -- he's a little ----

PRESIDENT: You know you -- with a job like his. (Unintelligible)

PETERSEN: It's no job anybody should run for, Mr. President.

PRESIDENT: What is that?

PETERSEN: It's not a job anybody should ask for or run for. The responsibilities are almost as great as your Office.

PRESIDENT: You should know that I felt -- that you were -- you came highly commended. Mitchell said Henry Petersen is the best guy for the job.

PETERSEN: In this present difficulty, I am flattered.

~~SECRET~~

~~SECRET~~

7

PRESIDENT: Well, it's a hell of a thing -- a very important thing.

PETERSEN: Mr. President, the other day I indicated that we had a problem with leaks, and as you know, we do.

PRESIDENT: It was shocking to me to see Strachan's testimony -- not his latest testimony where the U.S. Attorney --

PETERSEN: Well, I think we are going to have to do something ...

PRESIDENT: (Unintelligible) verbatim -- verbatim (unintelligible) legality of this thing (unintelligible).

~~SECRET~~