

3/20/73

7:29-7:43 p.m.

TRANSCRIPT OF A RECORDING OF A
TELEPHONE CONVERSATION BETWEEN
THE PRESIDENT AND JOHN DEAN ON
MARCH 20, 1973, FROM 7:29 TO 7:43 P.M.

PRESIDENT: John Dean, please.

Operator: Yes, Mr. President.

PRESIDENT: Hello.

DEAN: Yes, sir.

PRESIDENT: I hear you're having rather long days
these days, aren't you?

DEAN: Yeah. (Laughs)

PRESIDENT: I guess we all have. Yeah.

DEAN: Well, they'll continue to be longer.

PRESIDENT: What happened, uh, today in the, uh, the
Senate. Anything, uh...

DEAN: Well, I understand that Gray, uh, took a
little beating up there today. Uh, he was--
apparently, the approach they're working
that he's been an abandoned man. Uh...

PRESIDENT: (Unintelligible).

DEAN: Evidenced by the fact that Kleindienst, uh,
would not let him (cough) excuse me--insert
things in the record that he desired to
insert in the record and it was quite clear
that he has been left hanging by, uh,
countermanded by you and your decision.

PRESIDENT: Well, you know in a sense that I didn't
countermand him at all, I...

DEAN: No, I know, this is a theme they're playing.

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PRESIDENT: He could just ask for Sullivan.

DEAN: Right.

PRESIDENT: How would that be?

DEAN: That wouldn't be bad at all.

PRESIDENT: You don't have Sullivan's report yet?

DEAN: Uh, no, Sullivan, uh, told me--
he was out of town--he will have it for
me tomorrow.

PRESIDENT: Yeah.

DEAN: He will skip a meeting that he
has in the morning to make...

PRESIDENT: Just a second.

DEAN: ...sure he gets it (unintelligible) and over to me.

PRESIDENT: Just a second.

(Privileged material deleted)

PRESIDENT: Yeah, go ahead.

DEAN: Uh, so, he will have it over to me
tomorrow, and, that...

PRESIDENT: Right.

DEAN: I absolutely have to have it
tomorrow. There just can't be any
further deadline. The time is here
to look and see what you've got and
he said, "Well, I think I've got
good stuff. I think it's supportable,
(unintelligible)." I said, "Well,
Bill, I want to see it just as
quickly as possible tomorrow morning."

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PRESIDENT: Good.

DEAN: Cause it will be over.
And the other witness they've now subpoenaed--there are two other witnesses--there's the Hoback girl from the Re-Election Committee, who, she was interrogated by Committee staff and counsel as a result of her confidential, uh, interviews with the FBI--alleging that that had been leaked by me to them and then, of course, that was not...

PRESIDENT: That's not true.

DEAN: ...not true. And the other fellow they're calling is a fellow by the name of Thomas Lombard who is trying to establish a link between Dean on that one. Lombard did volunteer work for me in my office and, uh, and, uh, did volunteer work for Liddy and at one time he saw Liddy in my office. Big deal. (Unintelligible) purely campaign, uh, you know.

PRESIDENT: Well, is that what Lombard will testify to, or will he testify to, uh...

DEAN: Well, that's what he'll-- he's, he's written a very lengthy letter to the Committee asking, declining to testify originally and saying this is all I would have to say and it's obviously not relevant. I know nothing of Dean and Liddy's...

PRESIDENT: Yeah.

DEAN: ...connection...

PRESIDENT: Yeah, right.

DEAN: ...other than the fact that they...

PRESIDENT: That's not bad then. Maybe he'll make a pretty good witness.

DEAN: He might. He might. Uh...

PRESIDENT: (Unintelligible)the Hoback girl?

DEAN: The Hoback girl should, uh, be broken down. She should come out in tears as a result of the fact that she's virtually lying about what she's saying. And, uh, our people will, beyond a...

PRESIDENT: Well, mean, do our people know what to ask her?

DEAN: Yes, they do. Yes, they do.

PRESIDENT: Um hmm.

DEAN: Uh...

PRESIDENT: Why is she doing it? Do we know?

DEAN: She, uh...

PRESIDENT: Disgruntled? Somebody ...

DEAN: Disgruntled. She's been fairly disgruntled all along. She's, she's a Democrat that worked over there in the Finance Committee. She professes a personal loyalty to Maury Stans but that is about the extent of it, (unintelligible) loyalty.

PRESIDENT: Yeah.

DEAN: I never did figure out how she got in there. Uh, so, all tolled I'm told that today was a bad day for Gray and, uh, not much of a, uh

PRESIDENT: (Laugh)

DEAN: ...(unintelligible). They're taking a whip...

PRESIDENT: Yeah.

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DEAN: ...out on the floor to see what the
(unintelligible) there.

PRESIDENT: Yeah.

DEAN: We'll have that tomorrow morning.

PRESIDENT: What's your feeling, though, John,
about Gray? Uh, aren't you,
just as comfortable to let him go
down?

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

PRESIDENT: Which do you want? I mean, we can,
we can, put some pressures on, and,
uh, I, I just wonder.

DEAN: I don't think it's worth saving, sir.
I really don't.

PRESIDENT: Yeah, well that's my point. Isn't it
really a case of--if they, they want
to make him the martyr, they're gonna make
him the martyr.

DEAN: That's right.

PRESIDENT: Do you agree or not or er...

DEAN: I would ...

PRESIDENT: You feel differently, let me know.

DEAN: I would, I would agree that they're
trying to make him a martyr. I think
that, that Pat Gray's been so damaged
by these hearings that he will ...

PRESIDENT: shouldn't be the head of the Bureau.

DEAN: ...will be difficult for him to be the
head of the Bureau.

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PRESIDENT: That's right.

DEAN: It will be a year, two years for him to recover.

PRESIDENT: That's right.

DEAN: It's like Dick Poff when he decided to withdraw even from consideration for the court knowing that there had never been an effective justice for years.

PRESIDENT: That's right. The thing is too--that Gray though has got to make up his mind on that pretty soon. Don't you think so?

DEAN: I would--you know, I thought I'd be a called...

PRESIDENT: In fact, I, I was thinking you ought to do it fairly soon.

DEAN: Um hmm.

PRESIDENT: Excuse me, what were you gonna say?

DEAN: I was, I was thinking he might call today, very easily, and say, uh, uh, you know, at least make a pro forma gesture to see if, uh, someone over there--you know, if you were interested. Now...

PRESIDENT: What's the Kleindienst view of the whole thing now? Is he stayin' a mile away?

DEAN: I'll talk to, to Dick tonight. I don't know...

PRESIDENT: Um huh.

DEAN: ...what his reading is on (unintelligible) activity.

PRESIDENT: Yeah.

3/22/73

9:11-10:35 a.m.

PRESIDENT: How about those other problems?

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HALDEMAN: The problem you got with Petersen is that he wants to go out in private practice with Kleindienst.

PRESIDENT: Well, I'd soon (unintelligible)

HALDEMAN: Maybe he didn't.

PRESIDENT: (Unintelligible) a blank piece of paper.

HALDEMAN: I don't think that, if you're going to do this, you can't do it without Kleindienst knowing.

PRESIDENT: Right.

HALDEMAN: And I think here you just gotta (Unintelligible).

REEL TWO BEGINS

PRESIDENT: (Unintelligible). I, I, I'll just call him and say (Unintelligible)

HALDEMAN: Well, he used to, and I assume that that (Unintelligible) same ones, I think.

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PRESIDENT: Does Dean have his report from Sullivan?

HALDEMAN: Yeah.

END OF REEL ONE

HALDEMAN: Uh, uh, he does.

PRESIDENT: Not very good?

HALDEMAN: Oh, it's gotta--it's some of mostly the same old stuff. It's the Anderson and all, uh, crap, and, uh, uh--da, well there is, there's one thing that we could build up that would, that I think we could get built up that would be pretty good, which is about the extensive use of the FBI in the 1960, or 4, Democratic Convention and an attempt to use them in '68. There is also some cover-up on Walter Jenkins, and some instructions by Johnson to the FBI as to what they were to find when they were making this investigation and, uh--uh, I don't think we can use that, I mean, it isn't, that isn't--

PRESIDENT: Too nasty?

HALDEMAN: Ah. Then there's some Abe Fortas stuff they were involved with. That was intended (unintelligible) to use Fortas to implicate (unintelligible). As precise (unintelligible) he didn't like but there's a--I think you could blow a hell of a bombshell out of the, out of the '64 Democratic Convention--



PRESIDENT:

HALDEMAN:

PRESIDENT:

anything on the tapping or the watching the air bug and all that sort of...

HALDEMAN: Uh, the stuff on the air bug, we've gotten. Got DeLoach's stuff on that and all it is is that they did monitor the--

PRESIDENT: Telephone (Unintelligible)

HALDEMAN: Not the, not the content--they only monitored the--they, they did the check on, uh, where, to what numbers were calls placed and then they, they, uh checked them out. Didn't get--

PRESIDENT: Our plane, our plane (unintelligible)

HALDEMAN: And only when it was on the ground. Not that I (unintelligible)--

PRESIDENT: Still, to what numbers did he place calls? Still bad--No, not bad...

HALDEMAN: You could, you could--

PRESIDENT: That's right--

HALDEMAN: Oh -- Okay then, you don't need any, any other raw data for the, for the Congressional speech, and if you do the press conference, it would be Thursday so you wouldn't need the briefing book til . . .

PRESIDENT: Monday or Tuesday.

HALDEMAN: Yeah.

PRESIDENT: Okay. (Unintelligible) As far as the raw data is concerned (unintelligible) and so forth and so on. I mean I, I'm, I'm just, I'm gonna have to sit and think it through . . .

HALDEMAN: Yeah.

PRESIDENT: . . . Come up with a plan (unintelligible) come up (unintelligible) . . .

HALDEMAN: I think that (unintelligible) (Noises)

PRESIDENT: (Unintelligible) I think it's the best thing to do . . .

HALDEMAN: I do too.

PRESIDENT: . . . I think it's better than trying to go before a press conference . . .

HALDEMAN: I do too.

PRESIDENT: . . . and the other possibility is to not do anything (unintelligible).

HALDEMAN: That's what this, God-damn Watergate stuff -- Pat Gray's stuff and all this crap -- it's not the people's obsession. So you will be talking about a subject that, that they want to talk about instead of (unintelligible) Congress.

PRESIDENT: You get -- Congress you're all right. The point if I want a press conference that's what'd be.

4/18/73

3:05-3:23 p.m.

APRIL 18, 1973, FROM 3:05 TO 3:23 P.M.

EHRlichman: Yeah. It's awful hard to know.

PRESIDENT: I don't know, I mean ---

EHRlichman: But, that was a period of time, uh, ...

PRESIDENT: You're talking about the Dean report,
uh, --

EHRlichman: that was a period of time before you sent him to
Camp David to write it.

PRESIDENT: Right.

EHRlichman: And, I think it's reasonable to assume
that the blasts in the newspapers, the
Mc Cord revelations, the Gray
Hearings, and the charges against Dean,
all took place along in that period of
time. You were trying to figure out what
to do about Pat Gray ...

PRESIDENT: Yeah.

EHRlichman: You were trying to find out from Dean
what the circumstances of his contacts
with Gray may have been ...

PRESIDENT: Right.

EHRlichman: uh, about the raw files, the raw
FBI files.

PRESIDENT: (unintelligible), or else we're talking
about this case, and, uh, ---

EHRlichman: Well, --

PRESIDENT: What do you do, uh, why I had, particularly
with regard to the rest,
and if, if he's certain he brought in
information of that kind with regard to the
obstruction of justice ...

EHRlichman: Good.

APRIL 18, 1973, FROM 3:25 TO 3:23 P.M.

EHRlichman: I tell you the, again, the, uh, authorization for that, I've been going through my old files up there.

PRESIDENT: Yeah.

EHRlichman: The way that project was finally represented to me was that it was a covert look at some files, which could be read to be that they walked in when the nurse wasn't looking and they flipped through the file. Uh, --

PRESIDENT: This the Ellsberg case?

EHRlichman: Yes. It wasn't until much later that we learned that they had actually conducted a burglary.

PRESIDENT: What about the other thing, the wire, the, wiretapping?

EHRlichman: The wiretapping, in most cases, uh, was conducted under the statute by ...

PRESIDENT: The Bureau.

EHRlichman: leave of the Attorney General by the Bureau.

PRESIDENT: What about the, but we did some private wiretapping?

EHRlichman: Well, except it never came off, you see. It was never conducted, they could never do it. We had the idea --

PRESIDENT: Dean had told me he thought it was done.

EHRlichman: He may, he may have, but, uh, uh, the only, the only private one that I know of that was not actually conducted by the Bureau under proper sanction was one that was gonna be attempted, in Georgetown, ...

4/19/73

9:31-10:12 a.m.

EHRlichman: What...

PRESIDENT: And uh, I, I just, I'm not speaking just from the standpoint of, uh, I mean I, it just irritates me when people like Garment and others come in here and say, the hell with the people, the Presidency is bigger, and so forth. They can't, you can't separate the Presidency from (unintelligible) the people, the loyal people and I will not do it, God damn it. Remember, I often told you that Eisenhower said (unintelligible) and basically you folks didn't do a God damn thing. It happens, uh, at least (unintelligible) a small way (unintelligible) didn't mean to do anything bad. You know what I mean. Well now, the thing I am concerned about, though, looking at it coldly from a PR standpoint, from your standpoint, I think we've got to figure that I've just, let's just not let the day come, that uh, when uh, the Grand Jury as a result uh, the Grand Jury sends us and now will give us twelve hours notice, let's suppose we get twelve hours notice (unintelligible). Is Magruder before the Grand Jury today?

HALDEMAN: We don't know, the Post says so. Well, we apparently can't find out if they can't ...

PRESIDENT: (Unintelligible) before the Grand Jury was because (unintelligible). Well, I can get hold of Petersen. I think the least I could do is to get him in and lay out this whole business.

HALDEMAN: I just wonder if that would be good before we meet with our lawyers. Yes. And if we have no lawyers (unintelligible)

PRESIDENT: Yeah, maybe I'll try. (Unintelligible) I'm gonna level about the national security stuff what I'm going to say is you know the Bureau. Anyway, you know that Edgar had very, very close ties with, with Marx people, you know they didn't want to investigate the Ellsberg thing. Under the circumstances we had no choice but to go ahead

PRESIDENT
(CONT.) and do it in the White House. We did our best, and finally Hoover did take over the case by Mitchell's direct orders.

EHRlichman: You will find in the file an, an admonition to Hoover from here and I don't know if it was you personally, or me, or who, Krogh maybe, that this was to be handled as a principal case. He had laid back for months and months and months and refused to let his agents get into it.

PRESIDENT: That's right, so we couldn't use the agents, we couldn't use the (unintelligible).

EHRlichman: Well, he was, he was very tender about how agents would be used in this case.

PRESIDENT: Because of the, because of the Marx (unintelligible).

EHRlichman: And so certain rather routine investigatory efforts were conducted from here.

PRESIDENT: That's right, because it involved national security...

EHRlichman: This one, this one was apparently in excess.

PRESIDENT: Yes.

EHRlichman: But in the context of how the Bureau works...

PRESIDENT: The Bureau...

EHRlichman: ...they might have done the same damn thing.

PRESIDENT: Yeah. (Unintelligible) the situation is there. The thing is that we, I think we're getting to the point where we (unintelligible). I don't know what you talked about at the breakfast and so forth (unintelligible) but at least we can think about it.

EHRlichman: Sure and uh, timing uh, is out of our hands in a way, but uh, I, I would hope that we can let these fellows have a run at this today.

EHRlichman: You are in a rotten frame of mind on this, uh you are (unintelligible).

PRESIDENT: So are you.

EHRlichman: I, well, I have, no, as a matter of fact I'm not. Uh...

PRESIDENT: (Unintelligible)

EHRlichman: Well, that and...

HALDEMAN: No, not yet we're ready for, we're ready to figure it out (unintelligible).

EHRlichman: I, I'm very confident, I'm very confident, that the right thing is going to turn out and uh...

PRESIDENT: A few, couple days ago I, you were (unintelligible) well, remember when you had that call?

EHRlichman: Yeah.

PRESIDENT: From Gray, you said, "Christ, he just sunk me."

EHRlichman: Well.

PRESIDENT: "I'll never be a, I'm finished as a lawyer, I'll never do my..."

EHRlichman: (Unintelligible) nothing like a good Christian Science streak, and I sure did have that. No, the fact is that I'm, I'm very confident that the right thing is gonna unfold here, but that I, I am concerned about your general mental approach to this, frankly.

PRESIDENT: It (unintelligible) you.

EHRlichman: Yeah.

PRESIDENT: Really.

4/19/73

1:03-1:30 p.m.

TRANSCRIPT OF A RECORDING OF A
MEETING BETWEEN THE PRESIDENT
AND JOHN EHRLICHMAN ON APRIL 19,
1973, AT 1:03 P.M., TO 1:30 P.M.

1-000

EHRlichman: Mr. President.

PRESIDENT: John, John, how are you?

EHRlichman: Fine, sir.

PRESIDENT: The, (pause) did you see that piece?

EHRlichman: Yes, I did.

PRESIDENT: I told Ron that obviously the secretary,
I've run down the background.

EHRlichman: Yes, good.

PRESIDENT: (Unintelligible) I guess Dean has really been
shot across the bow there (unintelligible)
he's the scapegoat.

EHRlichman: Yeah.

PRESIDENT: Yeah.

EHRlichman: Have they made a deal with him of any kind?

PRESIDENT: No, sir, no, sir, not yet. So. Discuss that
one through.

EHRlichman: All right. (Unintelligible).

PRESIDENT: But you know on the other hand what the -- I
just don't know what the hell Dean can talk
about, he knows a hell of a lot, but uh, . . .

EHRlichman: Well, we're going over that now.

PRESIDENT: I see.

EHRlichman: Taking time to kind of spin it all out, but
it's pretty hard to, uhh . . .

PRESIDENT: Yeah.

EHRlichman: . . . but it's pretty hard to see how . . .

APRIL 19, 1973, FROM 1:03 P.M., TO 1:30 P.M.

PRESIDENT: I understand he's still in the White House staff, where there's a problem as to whether . . .

EHRlichman: Yeah.

PRESIDENT: We're going to fight that (unintelligible).

EHRlichman: Yeah, well, I'm sure if he were not, he would not have been as restrained as that.

PRESIDENT: Yeah, I figure it's best to keep him here.

EHRlichman: Yeah.

PRESIDENT: I had Ron call him and check and say that, we're going to say that there's not going to be any statement, we're trying to get the truth and my question (unintelligible) whether or not (unintelligible) the lawyers (unintelligible).

EHRlichman: Well, they're going to go right over there, this afternoon.

PRESIDENT: They are, fine, and . . .

EHRlichman: (Unintelligible).

PRESIDENT: That's what I went through (unintelligible) I told him about Hunt and the S.C. thing, the investigation, and, I mean, our investigation, why we had to do it, and how we're going to do the other thing and so forth and so on (unintelligible) the Department of Justice (unintelligible). I said, "What else did Hunt do?" (unintelligible) I said, I think he did, I think he was working in other fields regarding leaks to this matter.

EHRlichman: Right.

PRESIDENT: And I said, unless, but I don't want anything involving eavesdropping, which was carried on (unintelligible), is that correct?

APRIL 19, 1973, FROM 1:03 P.M., TO 1:30 P.M.

EHRlichman: Yes, as far as I know.

PRESIDENT: Yes, fine, but Dean, was Dean in charge of this?

EHRlichman: No, no.

PRESIDENT: This was ours, okay. But Dean must know about it, is that right?

EHRlichman: I think he must.

PRESIDENT: Ah, he was concerned about the Grand Jury, he was very concerned.

EHRlichman: Good.

PRESIDENT: I said (unintelligible). He said it's just terrible. He didn't know what to do.

EHRlichman: Our, our attorneys think that may be fatally defective.

PRESIDENT: Fatally defective.

EHRlichman: May be an illegal Grand Jury.

PRESIDENT: Well, don't you think you'll get another Grand Jury?

EHRlichman: I suppose they could, but, it may just it just may screw up this whole process.

PRESIDENT: Would you do that? This Grand Jury is, uh, for anybody.

EHRlichman: The prosecutors have a tough decision whether to go forward with these cases, these new cases with this Grand Jury or go right out and reprocess everybody through another one.
(Pause)

APRIL 19, 1973, FROM 1:03 P.M., TO 1:30 P.M.

PRESIDENT: I asked Bob Haldeman, I said, "Look, suppose I use him as an example, such as to postpone (unintelligible), would it affect our (unintelligible) much stress on that?" (Unintelligible) I put it to him, I said, "Dean inferred to me that if Haldeman and Ehrlichman left, uhh, that, uhh, that would be you," meaning if Petersen could grant immunity. He said that's not true. He said it would have much effect on the immunity (unintelligible) of the corroboration. I suppose Dean's theory, I suppose that is basically he carried out the orders of others. I said, "Does that put -- what effect does that have?" He says only in litigation, now, you can't, an agent committing a crime, so, you can't do that, so Dean rebutted the situation, what he's going to get, he's going to get total immunity, or whether he's (pause) and I suppose, the way I look at it, all we've got to consider is if we really got this thing (unintelligible).

EHRlichman: . . . with the facts coming out and whether giving him total immunity is going to make him act better. Your view is to have him hold it over us for the rest of our lives -- is that your point? That would be my theory. These fellows don't seem to think Dean can get immunity at this point, but they're going to go down and talk to Glanzer and see what's going on.

PRESIDENT: Good, the second point with regard to the cases, uh, the case, are you (unintelligible) much of a case, the deep six thing and they said that (unintelligible). Bob, I said, it looks to me if you get the contents to Gray, Gray could do that on that much, and he said (unintelligible) Ehrlichman and Dean . . .

EHRlichman: That's arguable, I was there.

PRESIDENT: All right, fine. That's all. But, I said did either of those things occur, and I said I didn't raise the point did it all occur before (unintelligible).

4/26/73

3:59-9:03 p.m.

APRIL 26, 1973 FROM 3:59 TO 9:03 P.M.

PRESIDENT: That was your...

HALDEMAN: "...in a position to fully evaluate about blackmail and everyone concerned--everyone was concerned about dire threats to the White House, but (unintelligible) blackmail we imagined the worst. Now clemency--O'Brien told Dean that Bittman was asked by Hunt to deal with Colson. Ehrlichman said (unintelligible) Bittman, he did. Colson said it was essential that Hunt be given assurance. He, Ehrlichman, agreed. Colson told Bittman he could make no commitment, but as a friend, he would assist, (unintelligible) the actual statement. Hunt was satisfied with this." (Unintelligible). And he said, "There was a problem with why a delay in giving notice to the FBI (unintelligible)." Dean says that Gray talked to Ehrlichman's office, told them about (unintelligible) crook." And that's the end of that phone call the 26th.

PRESIDENT: Boy.

(Pause)

HALDEMAN: On the 27th, (unintelligible), he says he had a long conversation with O'Brien. O'Brien's very distressed with Mitchell. He says Mitchell could cut the whole thing off if he would just step forward, did sign off on the Watergate. Jeb told O'Brien and Parkinson he believes that the whole Liddy thing was put together by the White House before it was presented to them. Dean cooked this up probably at Haldeman's instructions, the idea of the super-intelligence operation.

PRESIDENT: Dean is reporting what Jeb says now.

HALDEMAN: He's reporting what O'Brien tells him that Jeb tells O'Brien. "Mitchell bought it. It was an accomplished fact that the center (unintelligible) and then there was a hiatus. Dean's appeared in Mitchell's office. Liddy

APRIL 26, 1973, FROM 3:59 P.M. TO 9:03 P.M.

PRESIDENT: Huh?

HALDEMAN: A couple days went along when I didn't talk with you. (Unintelligible). That's what Mitchell was saying, and Ehrlichman was saying.

PRESIDENT: Yeah, that's right.

(Pause)

HALDEMAN: So, uh, (unintelligible).

PRESIDENT: Yeah. Maybe you can get John over and talk a little before you go home.

HALDEMAN: Check to see if there's anyone who wants to (unintelligible).

PRESIDENT: Oh, I want you to know, I haven't had any report yet from Kleindienst. I'm keeping in touch with him. He said he'd (unintelligible) to see if (unintelligible) what there are several others and I asked them what, what they are going to do with that memorandum that was sent up there. I let John...

(telephone conversation begins)

--Yeah, yeah, I'd like to point this out right now. -- Oh yeah. -- No, no. -- Yeah, I see. -- Yeah. -- Right. -- Yeah, uh, he, Bob told me that. He's just been here a few minutes, and he told me, and I think that's very important. Now on the Pat Gray story, what's your advice as an officer? -- Yeah. -- Yeah. -- Yeah, yeah, yeah, yeah. -- Right. --

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PRESIDENT,

Continued: What? Maybe, uh, maybe you should. --
(Unintelligible) April 15th, uh --
Yeah.--Right.--Right, I said right--Yeah.--Yeah.--
Yep.--Ah.--Sure, who, uh--Yeah, I just think you're,
uh, maybe your attorney should know that.
What do you think? I don't know. --
Yeah. -- Right. -- That's right. --
Right. -- That's right. -- Yeah. --
Why don't you drop -- maybe you can
come over, we can talk it over here. It
would be a great help. -- Fine, fine.
...The story regarding Mr. Gray's safe
has broken.

PRESIDENT: Kleindienst, please.

HALDEMAN: Who has it?

PRESIDENT: The New York Times (unintelligible).

PRESIDENT: (Unintelligible) Sure as hell is, you've
just gotta (unintelligible).

HALDEMAN: First the New York Times called my lawyer,
then he said he had a report, a first-hand
report from a high administration official,
that that official and Haldeman had engineered
the cover-up of Watergate. My lawyer --
now whether it's really a first-hand report --
you heard it with your own ears. My lawyer
said yes. He said a high present official
or former official (unintelligible).

PRESIDENT: Who, Mitchell and Haldeman?

HALDEMAN: The lawyer said, uh, Mitchell. The
reporter says that Mitchell said in his
presence and the presence of other reporters,
off the record, that he and Haldeman engineered

APRIL 26, 1973, FROM 3:59 P.M. TO 9:03 P.M.

HALDEMAN,

Continued: the Watergate cover-up. Yes, the lawyer is (unintelligible). But I don't believe, I think that's pure fishing on the part of Hirsch. (Unintelligible).

PRESIDENT: Mitchell, Mitchell's drinking.

HALDEMAN: That's the only thing I told the lawyer. Mitchell was drunk last night or something on the way back on the plane from Florida (unintelligible). Mitchell is certainly a professional Grand Jury testifier. I'd recommend him.

PRESIDENT: Yeah (unintelligible).

HALDEMAN: I think also Mitchell might have said it in a joke. You know, where he said that they're planning on it, and then say, "Yes, as a matter of fact, you smart-ass bastard, Haldeman and I sat down and engineered the whole fucking cover-up. Now what more do you want?"

PRESIDENT: The cover-up or the, or the, uh, the or the (unintelligible) or the bugging?

HALDEMAN: That's neither here nor there; I don't think I'd talk to Mitchell.

PRESIDENT: What John is referring to, in view of this disclosure, he feels that he may have to take leave because of the (unintelligible) involvement. That's what he was told on the phone, I told him you talked to John. Well, uh...

HALDEMAN: Well, when he "deep-sixed" the stuff...

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PRESIDENT: Yeah (unintelligible) but that they, the, the story is that the, that Ehrlichman and Dean...

(Telephone rings)

Yeah, yeah. -- About the, uh, report from the Times. -- Oh, yeah, go ahead, yeah. -- Yeah. -- I see, fine, good, good. I'll call you tomorrow. -- The other thing Dick, you know, there's the deletion. I think I should talk to you about -- this involved Pat Gray -- involving the, the, the, the -- Dean giving them the contents, some of the contents from Hunt's safe. And, uh, the New York Times (unintelligible) uh, and, and that Gray did, and that Gray destroyed it, you know. Uh, don't you feel that under the circumstance, that uh, Gray, uh, I don't know, I think I'm over-reacting, but uh, especially under these circumstances, don't you think he ought to resign? What do you think? How, how do we handle this? Do you want to think about it? What can we do? Call me back? -- Well, the point is that -- Yeah, well, we're not going to have you do it tonight, but I guess, I think I should, right, but I mean the story, uh -- What's Henry think, uh, we should do about it? -- Yeah. -- Right. -- All right. -- Well, can I ask you and, uh, you can think a little about it? -- Uh, we'll, uh, know, uh, the uh, let me say though, and I know this is, uh, an awful thing, but uh, believe me, I want the whole damn thing out, don't you? Tell it as it is. -- Well, sure, sure, it's going to come out

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PRESIDENT,

Continued: in the paper. But Dick, Dick, for crying out loud, God damn it, these damn things happen. Uh, I have preference, we've got to get them out. You know. That's my responsibility, my responsibility, and by golly I'm going to meet it. -- Yeah. -- All right. -- Well. -- Fine. -- Bye... He says "Well, we'll think about it."

(Pause)

Petersen, uh, please, Assistant Attorney General ... I'll tell Ron (unintelligible) John's trying to (unintelligible) John shouldn't ask for a week. Look, he knew, he knew, he knew. (Unintelligible). Look, the point is, he knew this was part of (unintelligible). Right?

HALDEMAN: (Unintelligible). For Christ sake, he, he, uh, observed the turning over of the stuff to the FBI. Now if you've got an FBI Director that's out of his mind, that isn't Ehrlichman's fault.

PRESIDENT: But he said that, because of the innuendo of the arrest, he wanted to take a leave until it was cleared up.

HALDEMAN: No, no, no.

PRESIDENT: Then if that happens, then, uh, Bob, basically, uh, Dean would have to, you would have to, wouldn't you? Dean would have to as well.

HALDEMAN: Dean should have been out long ago, if you can follow it up. Maybe it, maybe ...

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(phone rings)

PRESIDENT: Hello -- Oh, I just wanted to, uh, I just wanted to, uh, talk to Dick Kleindeinst. He said he'd chat with you, uh, uh. I just wanted to get your reaction to how we, uh, how we, uh, how we handled the Gray situation up at, uh (unintelligible). Do you want to think about it overnight or should you react right away or what? -- Good. -- Yeah. -- But how long can he really stay on? -- Uh -- But he should. -- Let me ask you this. Rather than my doing it, uh, I suggest that you ask Dick. Uh, you, would you mind discussing it with Kleindienst, uh, I, I think, uh, let's, let's not put it in a, put it in a context where I, uh, uh, I love him too, I love all of you, but you know what I mean. I, I want him, I want him to be this way so that he doesn't look like an ass. And I said, uh, wouldn't you, if you were in such a position, prepare to have, uh, Dick perhaps -- needless casualties (unintelligible). Why the hell did we start the damn thing? I'll be damned if I know. But I don't know what to do. That is another part of the, uh...Well, in any event, then, would you, uh, would you just, uh, would you, would you mind, would you talk to Kleindienst and say "Look, uh, would you talk to Pat and tell Pat, uh"-- Just a second here, just a second, somebody's on another line, let met get to another phone, hold on.

HALDEMAN: (Unintelligible). Does Petersen know why Gray destroyed the (unintelligible)? In other words, what Ziegler says ought to be guided at least in part by what

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HALDENMAN,

Continued: explanation Gray is going to give.
Petersen's (unintelligible).

PRESIDENT: Yeah. (Unintelligible). All right, I, I'm ready to talk now. But the one question I was going to ask you about is that, what, what in the world is Gray going to say as to why he destroyed it? Cause he obviously figures, well he counted on. Uh -- Yeah. -- Right. -- Did he have you put some confidence in Ehrlichman and Dean? -- That's good, well he isn't, uh, he can't say that Ehrlichman and Dean told him to destroy? Did he? Did he, by the way, see that story, uh, really wouldn't stand-up for him, I mean apart from needing help, for for him? Why does, why does, for example Ehrlichman and Dean call the Director of the FBI over and say, "Look, here's some documents, destroy them." Why the hell didn't they destroy 'em themselves? -- I see. -- I see. -- Yeah. -- Yeah. -- Um hmm. -- Yeah, and that he's going, uh, and that is what basically he's going to say, or has he said it? -- Yeah. -- Yeah, that, that Dean told, he said that these were documents that were wholly unrelated to the, the, to the Watergate, and that they could be destroyed. But that, that -- you know I, I, I think he, if he leaves, you know what I mean, and so forth and so on, for him to, for him to say that a, that, that, that record is, the story, in my view, simply doesn't, doesn't ring too damn much true. You know what I mean now? Why didn't, why in the world did the, did Dean and/or Ehrlichman, uh, call the Director of

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Continued: the FBI, hand him documents, and then say "Take them because they're not related to Watergate, and destroy them." You see my point? That's, that's a screwball, that's a screwball -- That's, I don't think he's there on another matter but that's a screwball purpose. -- What did Dean tell you? -- Yeah. -- Dean says that Ehrlichman told Dean to destroy them. -- Uh, that's the so called "deep-six" then? -- Right, right. -- Right. -- Well, I don't know, I'm not going to try to tell anybody to change the story and so forth, that is because I want, I understand we want the truth, but I, I, I just can't uh, believe, I just can't believe that, uh, anybody, I can't really believe that anybody's gonna believe that the Director of the FBI was handed some documents and told to destroy 'em. Ha! You wanna see? -- My God yes. And that he did it I mean destroyed them. Bet J. Edgar Hoover's got every, uh, every doodle that anybody ever had around, right there in his files. Right. -- When, uh, when will, uh, will Gray, uh, make, make this go back to our people here? -- Well, uh, well I'll tell you what. -- Yeah. -- I'll tell you what you do, uh, because basically uh, uh, how far, how far I want to get into this damn thing, I don't know. But I mean, I, I heard this, this insane story that, that the event -- that how this -- What, what function Ziegler set, function Ziegler set (unintelligible) -- I just, yeah, but that's our problem, he said well, we can't say that we just, I mean we had some, you know, we, in other words

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Continued:

the, our investigation here is the one that we've been undertaking, uh, the, uh, 21st of March, uh, we had information about this, but we haven't had the damn thing corroborated. You know what I mean? Yeah, I've never had, I've, Dean, I mean, let me put it this way, Pat Gray never told me this. Uh, he, uh, he's told you this. Remember, he's told you -- He first told you, as I remember, Henry, that nobody ever got any documents, and then later on he said, "Yeah, I got some but I destroyed 'em." Right? So uh, he was put in a tough position, there. -- Although, although on the other hand that's, uh, something you don't live with, and I guess that's your point. You were investigating him, he may have forgotten but, uh -- I see. -- It was a casual conversation. -- Right. -- Right. -- Yeah. -- And then the next day he said he refreshed, he refreshed his recollection and said, "Yes, I did get the documents, and I was told to destroy them." That's what Pat Gray now says, is that correct? -- Yeah. -- Well, I don't believe that, uh, (unintelligible). You see, the point is when you say that, uh, that, that Dean thinks that he fixed it and so forth, you haven't had Ehrlichman (unintelligible) you haven't had that corroborated yet, because basically, uh, Ehrlichman was in the room when this happened and Ehrlichman when it happened and Ehrlichman of course knows, uh, he uh, he uh, uh, and, uh, I'm gonna have to talk to him about this. I have to. But the point that I, the point that I make is this: whether or not, uh,

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PRESIDENT,

Continued: whether, whether uh, uh, d-did Dean corroborate Gray's story? That's what one thing I'd like to know. Did Dean say that in the presence of Ehrlichman, that, that he or Ehrlichman, or both told Gray "These are politically sensitive, unrelated to Watergate, and they should be destroyed." Did Dean say that? -- That's the whole point, you see, I think, I don't, uh, now, let me say, let me say, let me, let me say this, on this, for your information, I've questioned Dean about this, uh, uh, he uh, uh -- I see -- What? -- Yeah, yeah, no, after, uh, after we had your, our talk, you know, I said, I said that, uh, he just said I, we handed the doc-, he gave the documents to Gray. That's, uh, you know what I mean, and uh, that was that. He didn't say, but he never said we told him to destroy them. You see my point? But hell Dean was, uh, well let, let me put it this way. Assuming he had, why the hell is he going to implicate himself in such a thing as that? He can let Gray take the rap for it. -- Yeah. -- Yeah. -- Yeah, and he didn't. -- Right, right. -- That's right. -- Right. -- Right, right, right, right, right. -- Right. -- Right. -- Yeah. -- I see. -- I see, but that was not done, -- That's right. -- Incidentally, may I ask, without reviewing the contents, did, uh, did you get to the bottom of the Sheppard mystery? -- Okay. -- Fine. -- Yeah. -- Okay. -- Oh yeah. -- Yeah. -- Right. -- Exactly. -- Oh, hey, the reason why they thought that I was putting up the transcripts, huh. -- Ha ha ha ha ha ha -- Yeah. -- Well,

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Continued:

let me say this, uh, one of the, one of the (unintelligible) my record is clear on is I, you could swear on, on a stack of Bibles that I, in fact I've probably bent over more backward more than most people would have that did this. Fell on the Grand Jury, I do not want to know. I know. -- Right, right, and uh -- by direction. -- All right. -- On the, uh, on the Gray thing, uh, it seems to me that, uh, that Gray, you should have your meeting with Gray immediately. The three of you. Don't have him make a statement; however, until uh, until uh, he uh, I don't know whether, whether he should even make one tonight. Uh, uh, you know what I mean? I'm not sure I could react that soon. But I know that, uh, he's got convictions and maybe we shouldn't act like, uh...I think that under the circumstances that the destruction done or, even though it was done with no legal intent, uh, this ah, this uh, stupidity of the, it's unbelievable (unintelligible). He'll have to resign, which would be the best...Who's second man, uh (unintelligible) over there? Felt (unintelligible) -- Yeah. -- That's right. -- I know. -- Yeah, I know. -- I know. -- I know. -- No that's (unintelligible). No, no, we, we've got to be cleaned out, got to be cleaned out. My point is, my point is, this is not the time. This is not the time. I am not ready to name Gray's successor. I'm still searching, you know, and so therefore, but, but, but the point is if Gray leaves -- Huh, what? Yeah. -- But the point that I want to get across here, that they haven't been naming anybody to succeed Gray, I've got to do it on the basis of, uh, you know, an Acting Director at this point and, uh, and I do think we're going to have to make this to the point, to the point that, uh...I'll have to be leaving now, do you have a meeting at, uh, 6:10, uh, you and

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Continued:

Dick, uh (unintelligible) are going to meet with Gray (unintelligible) over there? Or should Gray -- Oh, I see. -- Yeah. -- Yeah, he's gotta think about it and uh, and he shouldn't make a, I don't think that Gray should pop off with a statement tonight on the thing. Uh, does that, doesn't that make sense? -- Yeah, after all, because basically he's gonna have to say what the situation is. Now what is your suggestion as to what, uh, uh, anybody else, I mean (unintelligible) investigating the matter. I mean after all, this is one of the things you are investigating this, this, this whole damn "deep-six" thing. Remember, I told you to locate the list, find out, you haven't, you haven't even, uh, you, well, as a matter, you, you haven't even had Dean's statement under oath yet, have you? And you haven't had Ehrlichman under oath? So (unintelligible) for a full moon. -- Yeah. -- Well, uh, one, one, one thing else, uh, that the, uh, what about your, what about your, your, your meeting with Dean? Uh, isn't it about time you get that done? Let's just get this thing rolling, or is that something (unintelligible)? When are you going to meet him? -- His attorney. -- Yeah -- Right. -- Yeah. -- See, the problem I have is this, as you see, but the, but the, but the problem I have is that, uh, they say, "Well what are you going to do about Ehrlichman?" Question is, "What, what are you going to do about Dean?" You see what I mean? -- You see. -- So therefore, the point is, the, the point is that, ah -- Yeah, yeah, I know, I know, oh, no, no, no, no, no, what I am referring to though is the terms of, of uh, of when you were going to get. Now I understand

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PRESIDENT,

Continued: . all in our conversation that, uh, that the attorneys for Haldeman and Ehrlichman are going to meet with the U. S. Attorneys and arrange for, uh, first the informal interview, which you suggested was the proper procedure. That's going to be done very soon, I understand. I suppose (unintelligible). Then, uh, so we get that out of the way. Uh, and then, of course, they will be able to go over to Grand Jury after they've had their meeting. Uh, but getting back to the Dean thing, uh, it came to me that, uh, uh, you've got to get Dean in there to them, uh, you know what I mean? I mean you've gotta, you've gotta decide the Dean thing, and-- Let me just say one thing, that on that, the decision is yours. He'll get, he comes to you, but, but don't be concerned about what he told, I mean, uh, what he holds, uh, trump card or blackjack and so forth. There's not going to be any blackmail here, and uh, don't you agree? -- What's that? -- Right. -- Right. -- Are Magruder's and Dean's stories variable (unintelligible)? -- Um hmm. -- Yeah. -- Yeah, you want Dean to plead. -- Yeah. -- Then you got a case. -- That's right. -- Yeah. -- I know you are. You're still sure of both Ehrlichman and Haldeman, but you've gotta get, but the part that, I, I understand and I'm not trying to take you out around the case, the only thing I think the plea is, uh. How I can still sit here with, uh, I mean, I mean I'm restless with Ehrlichman and Haldeman's problem, naturally, if we, if you, but then I also have to wrestle with Dean's problem, because I'm aware of information that you are. I mean, I agree and our blank conversation, but I'm aware of those conversations see, and, I

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Continued:

cannot move until, uh, without practically jeopardizing your, uh, prosecution. Can I? -- No, but I guess they didn't tell me. I mean the point is, uh, if you're -- All right, then I'll wait for you, but uh, I would say that, uh, Dean's decision ought to be made soon, uh, and uh, remember there's not going to be any blackmail or nothing of that sort. Call here, I want to follow this damn thing, and uh, I want it clearly understood. But, uh, we're, uh going to be concerned about blackmail anyhow. It's (unintelligible) him. I mean, uh, it's not the President, you can be sure of. The President's family all know that they may try a little of that and they may say, "Well, they all knew about the cover-up and so forth", all right, fine, but uh, don't let 'em blackmail you. Don't you be a bit concerned, I mean Dean, let me put up that Dean now has about as much, I'm afraid, in view of what has happened here, he has got about as much, uh, credibility as, as Magruder has, which ain't much. That's the problem. -- Yeah. -- That's right. -- Would you like, like anybody. Okay. Well, let me know about your day. How you go with Dick Kleindienst. Call me right back. ...Well, you heard it.

HALDEMAN:

Huh, the solution to that. Kleindienst said he had one iota of a (unintelligible) to get Gray off in a corner alone and say "You son-of-a-bitch, you can't talk like that". Yet he won't do it, maybe after this -- and Gray will -- and what you have to do is, is not tell me what to say, I'll just say, "Pat, I'm astonished at what you're going to say. I don't believe it and I want you to...

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PRESIDENT: Well...

HALDEMAN: ...tell me, is that true?"

PRESIDENT: Yeah. Here is the problem that, uh -- the thing that of course is the loose cannon out there is again the son-of-a bitch Dean.

HALDEMAN: Yeah.

PRESIDENT: Dean says he gets the story that Ehrlichman told him to destroy the documents. So forth (unintelligible) "deep-six" them and he said (unintelligible) but you heard what I said well now, that's a totally ridiculous story. I mean, if they're going to destroy the documents why would they call the Director of the FBI over and say, "Look, here's some documents, destroy them."

HALDEMAN: More than that, I thought Dean's story was that I said that, but he thought better of it. So he didn't.

PRESIDENT: And they gave 'em to Gray.

HALDEMAN: So he gave them to Gray. Dean's told me that...

PRESIDENT: Yeah.

HALDEMAN: ...several times. This doesn't fit that (unintelligible).

PRESIDENT: Kleindienst, please.

HALDEMAN: On the other side, you might want to use Kleindienst. He said Ehrlichman called

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HALDEMAN,

Continued: Gray at home Sunday night at 10:45 about the envelope in question, and Gray said, "John, I'm gonna say, I didn't know anything about it." He said, "Yeah." I said we deny it. I said, "Dean has, has talked about the delivery of the documents," and he said, "You can't let him say that." I said, "Well, Pat, he's already said it." And he said, "Well, I'll deny it." And he said, "You've gotta back me up." And then I called back, remember, four minutes later...

PRESIDENT: (Unintelligible). Well, whatever it was. He was sitting right here.

HALDEMAN: We met for twenty minutes. All right, I called him back, told Bob, and said, "Pat, I can't leave our previous conversation alone. You can't deny it, because I'm gonna have to back up Dean when he says he delivered it. But what you said is that you must tell the truth, Pat. You've got to state the facts, don't get crosswise on this."

PRESIDENT: The problem is, what is Dean going to say about this today? That's the point, isn't it? The point is what the hell he says about this, isn't that? See, we haven't got anybody to talk to him. Ziegler?

HALDEMAN: Ziegler could.

Reel 4 Eegins

UNIDENTIFIED: Yeah.

HALDEMAN: I suggested to Ron that he talk to Dean, but he wants to talk to you first.

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PRESIDENT: All right, get Ron over here (unintelligible).

HALDEMAN: Would you ask Ron Ziegler to come to the President's office, immediately, please?
Thank you.

Reel 3 Ends

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HALDEMAN: Gray said to you in that second conversation he didn't know where the papers came from, and I (unintelligible) say he didn't open it, but he destroyed it. And you put the thing down, the total shock saying he destroyed it.

PRESIDENT: Yeah. I know. You, you, you, you, you showed it. You showed me here and well, he says, there goes my, uh, career.

HALDEMAN: Well, the trouble is now talking. Sure did.

PRESIDENT: Well, I, I, I saw the expression.

HALDEMAN: (Unintelligible) said just threw you right, I mean (unintelligible) it would.

PRESIDENT: Yes, So I've a curious situation here I'd like to know more about (unintelligible) really important.

EHRlichman: I didn't tell you about this problem of why you didn't act on Gray sooner. (Unintelligible) Gray's two statements to Petersen. You can reason him out. In other words, Petersen's still investigating. But you say all the witnesses and all haven't been called again.

PRESIDENT: I know. But don't you think that in view of this--do you think Gray should resign?

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PRESIDENT: Yeah. Hello.

OPERATOR: (Unintelligible) calling.

PRESIDENT: Uh, Dick, are you where you can talk?--
Yeah. One thing I think is very important and perhaps that, uh, awfully difficult to (unintelligible) Pat Gray, uh, that, uh--a story to the effect--I'm talking now about the truth--a story to the effect that he came over to, uh, Ehrlichman's office and received documents and was told by Ehrlichman and/or Dean to destroy them, first, is not true. That's (unintelligible). What happened is, uh, is basically that he was handed the documents, and then the stupid fellow didn't--told him they were not related to Watergate, but they were political, uh, documents, politically, uh, uh, documents and they were delivering them to him. Now, it, it seems to me that Gray, uh, frankly, that he just walks out and says--I mean, you know (unintelligible)--but that he walks out and says something that is not true, because, uh, Ehrlichman has (unintelligible) I talked with Dean and, my God, what Dean will say now, I don't know. I mean there, uh, but, uh, but my talk with Ehrlichman, which I know is, uh, is the God's truth. They handed him the documents and I, I remember that when, uh, this matter came up, Ehrlichman called--you see the curious the--just so you know the facts, Petersen first called Patrick and said, "Did you have any, uh, did you receive such documents?" And Gray denied having ever receiving any. D-denied it twice.

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PRESIDENT:
continued

Then, finally, he said he refreshed his memory. He said, yes, he'd received them, but he destroyed them. Well now, the point is, uh, I, uh--Ehrlichman called Gray also, uh, and said, "Pat, what about those envelopes that you got?" And uh, uh, and Pat, of course--which of course he denied, you see--he said, "You remembered it, you got them," and he says, "Where the hell are they?" And he says, "I destroyed them." and Ehrlichman was utterly shocked. And I'm sure Dean was utterly shocked. Over what Dean would say now, I don't know. There was discussion of--Dean says there was a discussion we ought to get, we oughta destroy the documents in Hunt's safe that had nothing to do with Watergate, and so forth. But the point was, it was not done. It was handed to Gray, and Gray did destroy them. But the critical point is this--that the Director of the FBI--it's bad enough for him to say, "I took the documents, and I destroyed them because they weren't related to any cases you had, and I didn't feel we should have (unintelligible)." That's bad enough. But if he says that I destroyed them because I was ordered to, can you imagine what that makes him look like? And I, I want you to have a heart-to-heart talk with him on that point, 'cause I don't want to (unintelligible) that you're a liar. So, uh, are you (unintelligible)?

(Pause)

PRESIDENT:

Yeah--Yeah. All right--right. All right. Fine. All right. You call me back. Bye, bye...Well, crisis a day, crisis an hour.

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ZIEGLER: Yes, sir. Dean (unintelligible).

PRESIDENT: Right. Yeah. Well, I don't know, uh, when--the Times will run the story in the morning?

ZIEGLER: Oh, I suppose so. Yes, sir.

PRESIDENT: Yeah. And, uh, who'd they get it from? Do they know?

ZIEGLER: It's all over town, apparently (unintelligible) true.

PRESIDENT: (Unintelligible).

ZIEGLER: (Unintelligible).

PRESIDENT: And are they referring to the fact that--are they saying that--are they, are they using in the story the fact that Ehr-, Ehrlichman and Dean, and/or Dean ordered Gray to destroy them?

ZIEGLER: It doesn't say ordered him.

PRESIDENT: Told him to destroy them?

ZIEGLER: It doesn't say told, it says...

PRESIDENT: He destroyed them (unintelligible).

ZIEGLER: ...following--after a meeting.

PRESIDENT: That's right.

ZIEGLER: Uh, Truitt, uh, his comments, uh, it was after he had referred--he also had referred to the fact that the material was forged documents blaming uh, Kennedy for the assassination of (unintelligible).

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HALDEMAN: Diem.

PRESIDENT: I thought it was Diem.

HALDEMAN: Yeah.

ZIEGLER:

Referred

I don't know what I am--all I'm saying is what Truitt...

PRESIDENT: I understand. I understand. But that's I think probably what it was. I don't know. That's uh, but, uh, does anybody know what the hell the documents were?

HALDEMAN: The only person I know who has ever said that that's what it was is John Dean.

PRESIDENT: Yeah. Somebody has seen those documents. Somebody has got to have seen the God-damn documents.

HALDEMAN: Fred Fielding saw them.

PRESIDENT: 'Spose it helps, er, has anybody talked to Dean?

HALDEMAN: (Sigh). Dean told me that Fielding saw the documents.

PRESIDENT: And that they involved the assassination of Diem?

HALDEMAN: No, he--yeah, I guess he did. He said that th-, among them was--he said there was a bunch of very bad political stuff and among them was some phony document, uh, that, that, uh--saying that Kennedy has instituted the assassination of Diem. You think that was (unintelligible) Dean?

(Pause)

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PRESIDENT: Yeah. As I...

HALDEMAN: Dean says he never looked at it. He says Fielding is the only one...

PRESIDENT: Yeah. Yeah. Yeah. Well, I would think this--it would be important first, for, uh--you have not reacted yet.

ZIEGLER: No, I didn't think I should. Colson talked with me.

PRESIDENT: Yeah.

ZIEGLER: I think he wanted you to react to a story...

PRESIDENT: Yeah.

ZIEGLER: ...such as this, and I'd overreact all over the place...

PRESIDENT: I agree.

ZIEGLER: ...(unintelligible)...

PRESIDENT: I agree. Now the point is, uh, should John react?

ZIEGLER: I think he should. Whatever the situation is, as he knows it, I think you're -- Colson should release it.

PRESIDENT: Should, should Dean react?

ZIEGLER: Well, (unintelligible)

PRESIDENT: I didn't think he was (unintelligible).

ZIEGLER: But (unintelligible).

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PRESIDENT: Well, it would be helpful to know what the hell he's gonna say, would you mind explaining it to John, say we're getting queries on it and, uh, and, uh, and, uh, and, uh, the, uh, that the question is, uh, I just, is blackmail what you're, uh--what are, what if anything, uh, you're gonna say? What is your thinking?

HALDEMAN: Should we get into the fact that one report is, understand that, that...or, or we

PRESIDENT: Yeah.

HALDEMAN: ...that Gray claims that...

PRESIDENT: Gray?

HALDEMAN: ...that Gray was ordered to destroy them.

PRESIDENT: By Dean?

ZIEGLER: I don't know.

HALDEMAN: Well, you do now.

PRESIDENT: I told you that. I got that, I got that from, I got that from--I just talked to Kleindienst. Kleindienst told me, and Petersen.

HALDEMAN: (Unintelligible).

PRESIDENT: Petersen claimed he's told him (unintelligible) that, uh, Gray's, that uh, that uh, their version--Gray's version is that he was ordered to destroy them. By Dean. And that that's what the story is (unin-

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PRESIDENT:
continued

telligible) and say, "Was that the case
or did you just hand it to him?"

ZIEGLER: (Unintelligible).

PRESIDENT: See what I mean?

ZIEGLER: Yes, sir.

PRESIDENT: I just want to get, I just want to know
what he's gonna say. I'm just trying to
find out. Say, "John, uh," and uh, tell
him we're not gonna--we don't comment
stories here. Don't comment on 'em from
here. Not now."

EHRlichman: And ask him not to say anything without
checking with you first.

PRESIDENT: Any you ask him...

ZIEGLER: Okay. Let me just state it here.

PRESIDENT: All right.

ZIEGLER: In the last few days (unintelligible).
I have not been checking with Dean about
how he responds.

PRESIDENT: I see. All right.

ZIEGLER: ... (Unintelligible) asked me to do this,
so that's fine.

HALDEMAN: Well, this is different. This isn't just
a Dean story.

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PRESIDENT: This is one that involved getting out Ehrlichman and Gray. That's the problem we've got. Just say, uh, "John, the only purpose of this is to, uh..."

ZIEGLER: (Unintelligible)

EHRlichMAN: (Unintelligible) cover-up, right?

HALDEMAN: Right. Here, in a way...

PRESIDENT: Yeah.

HALDEMAN: ...I think we have to...

PRESIDENT: Yeah, I mean, the President has to know. I mean, uh, what uh, what uh, what what happened on that day?

ZIEGLER: Okay.

PRESIDENT: I mean, uh, what is his recollection? Just like to, like to know and that--er, Ron...

ZIEGLER: Yes, sir.

PRESIDENT: ...under no circumstances (unintelligible) no, no, we can't.

ZIEGLER: Right.

PRESIDENT: Uh, we can't talk about it, but uh, (unintelligible)--I think with this one we have to know.

ZIEGLER: Okay.

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(Door closes)

(Unintelligible conversation)

PRESIDENT: Well, let's see what we can do--uh, John, uh, I, I told Bob, uh, what your suggestion was and he said that we can't do that. (Unintelligible) part of the case and we have to--it's simply--makes the case. But the reaction to that, and so forth.

EHRlichman: That was Frank Strickler's reaction, too.

PRESIDENT: Who is Frank Strickler?

EHRlichman: Our, uh, our number two lawyer.

PRESIDENT: What did he say?

EHRlichman: He said he just--he didn't think that we had, uh, anything to worry about and that it was not that big a deal. He said it was a big deal for Pat Gray, but it won't mean anything to you. Once we get, uh, get a position on it.

PRESIDENT: But, well, what did he think you should get a position on?

EHRlichman: That's what we talked. I sent a copy of this over to him and, uh, with the understanding that we would talk about (unintelligible) want to talk about.

(Pause)

PRESIDENT: All our problems were (unintelligible) but the most stupid thing that you could possibly have the Director (unintelligible) I'll never forget the look of shock on (unintelligible).

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EHRlichman: What--did, did Petersen say that when he talked to Gray the first time that it was a casual conversation, and doesn't Pat hold that against him, or something to that effect?

PRESIDENT: No. He said, "Yes," he said that Gray is sorta casual and he asked him twice and that--Kleindienst told me that Gray denied twice that he had gotten the documents. He denied it twice. And then finally refreshed his recollection and said, "Yes, I got it."

(Pause)

HALDEMAN: Then it's then Petersen tended to appreciate that. I gather it (unintelligible).

EHRlichman: Appreciated, you mean, uh, uh, did it offend Gray?

HALDEMAN: Yeah.

PRESIDENT: No, no, no, no, no, he just said that. He says he just, he's just gotta take over this thing. And he said one of those god-damned thing is uh, just uh, you know, he--I don't--know.

(Twenty Second pause)

PRESIDENT: Not that it's--makes a hell of a lot of difference but who do you think, what do you think the source of this--(unintelligible) right out of the Grand--not the Grand Jury--U.S. Attorney or Dean?

EHRlichman: Dean.

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PRESIDENT: You think Dean?

EHRlichman: Dean, yeah.

(Pause)

It hasn't been to the Grand Jury. Either got to be the Justice Department or Dean or me.

PRESIDENT: Well, obviously (unintelligible) the Grand Jury, but I meant, u-, u-, u-, u-, by the Justice Department, the prosecuting team, the lawyers' department, the prosecuting team. See, undoubtedly (unintelligible).

ZIEGLER: He had just left for home, his secretary says.

HALDEMAN: Ha! (Unintelligible)

(Pause)

PRESIDENT: Well, Ron, I think that's what you have to do here. That son-of-a-bitch.

ZIEGLER: You know...

PRESIDENT: Ah, it's a story that will effectively knock him--destroy him. Get the word to the FBI and I'll soon know whether the FBI Director--what he's gonna say. But, I don't care what he says, Gray's got to go tomorrow. Or would you agree?

ZIEGLER: Yes, sir. I would agree.

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PRESIDENT: He can't--I mean, if he, if, if he destroyed them because he was ordered to (unintelligible) if he destroyed them. (Unintelligible)--he's gotta go either way. You see my point is, uh, that this potentially happens. Right?

HALDEMAN: Well, hell, material given to the eminent Director of the FBI in his official capacity, to identify the sensitive materials not related to the case at hand--purpose of giving them to him obviously was to have, have them retained.

PRESIDENT: Sure.

HALDEMAN: He went out and destroyed it. The guy is a frigging idiot.

PRESIDENT: That's right. That's exactly what happened. That's the truth in that.

EHRlichman: I didn't want any part of it. He asked me why, and I...

HALDEMAN: He said he was gonna lie and asked you to corroborate his lie.

PRESIDENT: That's right.

EHRlichman: And never, interestingly enough, never said, "But you told me to destroy this."

HALDEMAN: That's right.

PRESIDENT: No. No, that's new. That's new. But I (unintelligible).

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EHRlichman: Which put it back...

PRESIDENT: Right. Right.

EHRlichman: ...and then the normal reaction...

PRESIDENT: (Unintelligible) when I called back if I had said, "Pat, you're gonna have to tell the truth," if, if, in fact, he believed that I had instructed him, he would have said, "Well, yeah," so and so, and so and so.

EHRlichman: ...(Unintelligible).

HALDEMAN: You've got pretty good witnesses to that conversation.

EHRlichman: One--at least one of whom I can use.

(Laughter)

HALDEMAN: Use that, can use that one. I'm not sure I (unintelligible) could anymore.

(Pause)

PRESIDENT: If he goes, I think, uh--who could I do with as Acting Director?

HALDEMAN: I don't think you should (unintelligible).

PRESIDENT: But, uh, Bob, is there anybody else over there now, Bob, John, the Department of Justice that I could use? (Unintelligible). Okay, Ron, my boy.

ZIEGLER: Okay, I'll be reporting back.

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PRESIDENT: Can you report back on your Dean conversation?

ZIEGLER: Yes, sir.

PRESIDENT: Thank you. You got anything else you want to ask about?

ZIEGLER: No.

PRESIDENT: All right. Okay, Ron.

(Pause, door closes)

UNIDENTIFIED: Ambrose.

PRESIDENT: You can put Ambrose in there as Acting. Where is Ambrose now?

UNIDENTIFIED: He's still over in the Narcotics Administration. He's about to leave. You could ask him to stay on for awhile.

PRESIDENT: I'd rather put somebody like that in than to put Felt in. Right?

UNIDENTIFIED: Yeah.

EHRlichman: If Ambrose, if he won't do it for a couple of months, why, uh, you know, he's clean and, uh, (unintelligible) political coloration. New York Republican. Is he a campaigner? Would he agree to help as a campaign worker, because...

PRESIDENT: Oh, no. No, no. It...

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EHRlichman: Regarding that because of qualifications well, anyway, back when he had campaigned a lot, not a lot, yeah--

PRESIDENT: For us?

UNIDENTIFIED: Sure. He's conservative.

PRESIDENT: Yeah.

HALDEMAN: So he has a political coloration (unintelligible).

PRESIDENT: Yeah, but I'm not, (laughs) the point is I'm not, uh, we're not putting him in there for, well, remember the (unintelligible) Senate confirmation. We're just thinking of somebody temporary until somebody else can be put in there.

HALDEMAN: Uh huh.

(Pause)

Well, you could bring somebody like this James Q. Wilson from Harvard in temporarily, with the understanding in advance that he was only temporary 'cause you're not considering him on a full time basis.

PRESIDENT: We really ought to get somebody in the government. How about Ruckelshaus? Sure. (Unintelligible) Ruckelshaus, just for a couple of months?

HALDEMAN: Let him take a leave of absence.

PRESIDENT: Yeah.

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HALDEMAN: But this other thing--take this one?

(Pause)

(Unintelligible)

PRESIDENT: Well, we've been thinking (unintelligible)
a possibility for the job, too.

HALDEMAN: Right. Right. Right. He probably wouldn't be
interested in this as a permanent thing,
but (unintelligible).

PRESIDENT: Yeah.

HALDEMAN: If it's a temporary thing, maybe--

(Forty Second Pause)

PRESIDENT: Well, I don't know what Dean is trying
to prove by this, uh; but (unintelligible).

(Pause)

(Unintelligible)

PRESIDENT: Yeah... (unintelligible).

EHRlichman: But that kind of--the way the story came
from the Times, it was that Gray had told
friends de-da, de-da, but that's a standard
New York Times, that line. (Unintelligible).

(Pause)

(Unintelligible)

PRESIDENT: Can I see, uh, John, uh, can I see what
you have in my statement?

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EHRlichman: Sure. Then I'll -- Bob changes it somehow. I'll read it to you if I could. It's pretty screwed up (unintelligible). "Mr. Gray received some of the contents of the Hunt safe from Mr. Ehrlichman's office from Mr. Dean in June, 1972. Mr. Dean had previously sealed it in a large envelope. Mr. Gray was told by Mr. Dean that the contents were sensitive materials not in any way related to the Watergate case. Mr. Ehrlichman was present but neither then nor at any other time did he give Mr. Gray any request, suggestion, or instruction regarding what should be done with the contents. Mr. Ehrlichman does not know the nature of the contents. Up until April 15, Mr. Ehrlichman assumed the FBI Director still had the contents. Mr. Ehrlichman discovered certain new facts concerning the contents of the Hunt safe on April 15, 1973. He promptly reported his findings to the President the same day, and they were relayed to Mr. Petersen, the Assistant Attorney General. The matter has been under investigation by him since."

PRESIDENT: (Unintelligible).

EHRlichman: "Certain new fact concerning the contents" (unintelligible) "concerning the status of the contents."

PRESIDENT: Yeah. That's right.

EHRlichman: Or the, uh, the current, uh, position of the contents or something. Condition -- the status -- we already got that.

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PRESIDENT: Concerning, concerning the, uh...

EHRlichMAN: The status of the contents. The disposition.

UNIDENTIFIED: Yeah.

HALDEMAN: Yeah.

PRESIDENT: Oh, the disposition is the--what I'm driving at.

EHRlichMAN: Yeah. Yeah.

PRESIDENT: You gonna let Ziegler put that out, or will that be your (unintelligible).

EHRlichMAN: (Unintelligible) a couple of first names (unintelligible).

PRESIDENT: What's your thought, John, have, uh, Ziegler put that out?

EHRlichMAN: Well, Ron would rather not. He, he would rather not.

PRESIDENT: Yeah, (unintelligible)

HALDEMAN: Petersen, Petersen (unintelligible). Ehrlichman (unintelligible). You say I, I, I, you see.

PRESIDENT: Why don't you just put out the statement yourself, John?

EHRlichMAN: Fine.

PRESIDENT: I think it's best...

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EHRlichMAN: Fine.

PRESIDENT: I think it's best that you do that rather than having--Ron should stay in a position, "I'm not gonna comment on this case," so forth and so on.

EHRlichMAN: The White House Office could still put it out. Gerry Warren just puts it out...

PRESIDENT: Yeah.

EHRlichMAN: ...as a statement by John D. Ehrlichman.

PRESIDENT: Yeah. That's what I say. I, er.

(Fifty Second Pause)

PRESIDENT: He told me, incidentally, that the judge is taking under advisement the situation--didn't I, didn't I tell you?

EHRlichMAN: No.

PRESIDENT: He is taking under advisement the situation with regard to--(unintelligible).

EHRlichMAN: Um hmm.

PRESIDENT: The break-in, and, uh, he is making, making no decision on this (unintelligible) the Brady issue (unintelligible) now, or holding to the fact that (unintelligible) post-trial (unintelligible) grounds that it's just not, uh, pertaining (unintelligible).

EHRlichMAN: (Unintelligible)

PRESIDENT: I would hope and pray that they were (unintelligible).

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EHRlichman: Now, did I, er, understand from your end of the conversation that they're still trying to get Dean to make a guilty plea?

(Pause)

PRESIDENT: (Sighs) You see, here's the problem.

(Pause)

They got Magruder ready to plead. But they need Dean to--and, uh, um--

(Pause)

EHRlichman: Are Magruder and Dean (unintelligible)?

PRESIDENT: No. They're not. They're...

HALDEMAN: (Unintelligible).

EHRlichman: (Unintelligible).

PRESIDENT: Who basically, as I say, were mortal enemies (unintelligible) Dean and Magruder are.

EHRlichman: Well, Magruder ran for his ass very much; Dean had to coach him into his perjury.

PRESIDENT: Yeah, yeah. That's--Dean (unintelligible). He can slide out of everything else, but that, I can't see any, anything, any--all right. So they'll still talk to their lawyers with regard to, uh, what Dean is gonna do. And I guess Dean logged this kind of stuff in for the purpose of increasing his bargaining power. If then--

(Pause)

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PRESIDENT: ..
continued On the plea, wouldn't you (unintelligible).

EHRlichman: I don't know.

PRESIDENT: Well, what...

EHRlichman: (Unintelligible).

PRESIDENT: Go ahead.

EHRlichman: (Unintelligible) what it's about.

PRESIDENT: Well, just say, "But, but at the ending, uh, cross that bridge wherever it comes (unintelligible) of the blackmail." John, don't you agree?

EHRlichman: (Unintelligible)

PRESIDENT: Huh?

EHRlichman: No.

PRESIDENT: You can't do it. You can't do it. You, you can't be, I can't be. Even a Presidency cannot be and, uh, (unintelligible).

EHRlichman: How can you ask me what I mean in my notes, I didn't (unintelligible). I had I better call and redictate this (unintelligible).

PRESIDENT: Yeah. Would you like to (unintelligible).

EHRlichman: May give it to a secretary...

PRESIDENT: Yeah, Jan's around.

(Pause)

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PRESIDENT:
continued

I wonder if this changes our situation,
John, with regard to (unintelligible).

(Pause)

The book, you know. I wonder if you
(unintelligible) move on it today (unin-
telligible) long time.

(Pause)

(Unintelligible) expect contributions.
You've got that problem. And I--there's
no way, Bob, I can figure the son-of-a-
bitch. You heard what I told him? And
I said get him in (unintelligible).

HALDEMAN: (Unintelligible)

PRESIDENT: Well, that's true. He talked, uh, to
their lawyers and apparently got into
a plea.

HALDEMAN: I don't really understand that. Why do
they have to get into plea? Why don't
they just subpoena (unintelligible).

PRESIDENT: Well, to get more out of it.

HALDEMAN: (Unintelligible).

PRESIDENT: (Unintelligible). I wondered if (unintel-
ligible), but you shouldn't hit Ron,
all of you.

(Pause)

(Unintelligible).

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EHRlichMAN: (Unintelligible) uh. Mr. Ziegler,
please.

PRESIDENT: Uh, (unintelligible) get more deeply
involved.

(Phone rings)

Yeah, hold on your Dean call (unintelli-
gible).

HALDEMAN: You either...

PRESIDENT: This is a pretty--you know what I mean,
you can't, uh, (unintelligible).

HALDEMAN: This is not deadly problem. It's
damaging but not here. Unless Gray
decides to take this, this course--if
he tries to--if he goes out that way.
I'm sure we can because it shatters
the FBI (unintelligible). But that's
inevitable. And that's--we cannot do
that. No matter what Gray says. Even
if he was ordered to destroy it and did,
uh--it shatters him. But, I--this is
why I totally believe Dean. I am
absolutely convinced he did not tell
Gray to destroy them.

PRESIDENT: Did Dean--did you ever pass Dean or did
you ever get to discuss this with him?

HALDEMAN: Yeah. And Dean said I didn't discuss
it with him, he told me about it, but
this is one that he considered one of
his greatest moves. Was--now Dean does
say...

PRESIDENT: Ehrlichman told him to destroy it but he
didn't do it.

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HALDEMAN: But he said I was too smart for that. I figured out how to do it, which is to put it in the hands of Pat Gray and then, then, have the FBI put it in a sealed envelope that won't be used by these bastards who were leaking stuff out of the FBI. Just put in the Director's office in secret files.

UNIDENTIFIED: He thought that was an accident.

HALDEMAN: That's for sure. He went back and as I understand it Ehrlichman agreed with him (unintelligible) much better idea (unintelligible). That's his line. I have no reason to believe Ehrlichman did tell him to destroy it. I have a feeling he decided to destroy it.

UNIDENTIFIED: (Unintelligible).

PRESIDENT: Gray did it?

HALDEMAN: No, Dean did it. But then he thought through that he shouldn't destroy it. But soon figured out that the way to avoid the strike was to turn it over to Gray. We turned the other stuff over to the FBI agents (unintelligible) Gray. I don't think Dean--I really don't think Dean tried to destroy them.

PRESIDENT: Oh, I know (unintelligible).

(Pause)

HALDEMAN: (Unintelligible).

(Pause)

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UNIDENTIFIED: Dean hates Gray because Gray called him a liar and (unintelligible).

PRESIDENT: Then Dean could pos-, possibly could say that Ehrlichman ordered him to destroy it.

HALDEMAN: And then you mean, because we have to try and get both Ehrlichman and Gray (unintelligible). I don't think he knew it, I think Dean--Dean's interest--if you wanted to get Gray, this is a hell of a good way to get Gray. But when he said that I didn't tell him to destroy 'em, the dumb son-of-a-bitch did that himself.

PRESIDENT: Look, you've been through now--we've been through most of the stuff (unintelligible) March 21st thing to be quite honest that's his (unintelligible) that is his, uh, trump card, that's his trump card.

HALDEMAN: No.

PRESIDENT: You don't think that's his trump card? What the hell do you think his trump card (unintelligible)?

HALDEMAN: I would guess it's Petersen.

PRESIDENT: (Unintelligible). This administration (unintelligible). No, on this one--on this one he's (unintelligible). The encouraging part about it is the latter part that you wrote me today. Do you (unintelligible) legal matters. You recall it quite categorically (unintelligible) we went through all the documents and personal papers (unintelligible).

[Reel 5 begins]

PRESIDENT:
(Cont.) until (unintelligible) like to have an opportunity to clear myself of charges or until, until, I am completely clear of these charges or any others (unintelligible) charges or are any other wrongdoing uh, because I can't, uh, with integrity, which you have insisted upon (unintelligible)...

[Reel 4 ends]

PRESIDENT: ...and, uh, I, I, would say (unintelligible) I just, must--re-thinking. I told, told Ron to help. Told him to call the Dean as to, whether we wanna get--whether maybe if we ought not to do that.

UNIDENTIFIED: Um hum.

PRESIDENT: That is why, uh, my (unintelligible) gave that control if, if, if give you any information first, first Dean's gonna say one of two things. He'll either say, well, one, uh, Ehrlichman told him to destroy it, which would be false. And then you'll have to say--then you're up against two people lying, or you've gotta say, uh, Pat Gray is lying. It might not (unintelligible) destroy them. Let's just let it develop naturally.

EHRlichman: And the facts are now we have something from him already. Uh, now, Ron thinks probably this should not come out of his office.

PRESIDENT: Yeah, uh, could you get, uh, Ziegler?

(Hangs up telephone)

PRESIDENT: Well, you could put it, uh, out of your office. I mean, how do you do it (unintelligible).

EHRlichman: Well, I don't know. Uh, my attorney, I suppose.

(Telephone rings)

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PRESIDENT: Yeah. I just can't (unintelligible) call Dean, uh, Dean. Will you do that? Yeah. Dean. Right. Okay. Just say that, uh, (unintelligible). Okay. Thank you, thank you. Okay (unintelligible) Just, uh, there's an inquiry here about, uh (unintelligible). Very good. Bye.

(Hangs up telephone)

EHRlichman: I just talked to Wilson.

PRESIDENT: Yeah.

EHRlichman: And, uh, he, he approved this, and uh, doesn't mind except that, uh, this whole thing in context is nothing to get excited about unless Gray makes a statement which implicates you or me or somebody around here, in which case, (unintelligible) it's gonna have to be handled (unintelligible).

He says you're not going to settle for the first story, regardless of the man and his job, the statement implicating, for example, uh, (unintelligible).

UNIDENTIFIED: The President ordered him to destroy this?

EHRlichman: Well, no, he's saying if there's any evidence that the White House ordered it. He said that's gonna -- that's gonna, back headlines so big that you never saw the statement you put out, anyway, he said.

UNIDENTIFIED: Pretty good. Yeah, yeah.

PRESIDENT: Kleindienst (unintelligible) no Petersen, Petersen. Yeah.

HALDEMAN: You have to say this old guy is a pretty good PR man.

PRESIDENT: Yeah.

HALDEMAN: (Unintelligible) he, uh, uh, I guess (unintelligible).

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EHRlichman: He said, "Do not try to get John Dean's concurrence or cooperation." He said (unintelligible).

PRESIDENT: Right.

EHRlichman: You were just saying, and, uh, he had a little language to change. So, uh, I'm, I'm ready to go on this, and I'll just defer to your judgment and so forth, on how, how to put it out. Obviously, I would rather put it out here. This is where my office is. This is where I'm doing business, but, uh, uh, I don't ask Ziegler to vouch for it, uh--

HALDEMAN: Just put out a little statement by John Ehrlichman. They run it off and then (unintelligible) stick it out there (unintelligible) also press secretary (unintelligible) the point is--

PRESIDENT: Why, just give it to the-- just call in a New York Times reporter and give it to him.

HALDEMAN: You could call (unintelligible).

EHRlichman: Yeah.

HALDEMAN: And just say, uh, "You put a girl on. I'll dictate my statement."

PRESIDENT: Yeah, that's the way I think I'd do it.

EHRlichman: Right.

PRESIDENT: I think that's fair (unintelligible).

HALDEMAN: The New York Times will compose it.

PRESIDENT: Right. Say you've gotta, you've gotta call the press office.

HALDEMAN: Then the press office refers to your statement in the Times.

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EHRlichMAN: Or, I could give them a copy of it as I gave it to the Times and if they get inquiries on it, they just say, say, "Well, we've got a copy of the statement he gave to the Times."

HALDEMAN: That's right. So they put it back out and find an answer.

PRESIDENT: Certainly.

HALDEMAN: We should talk about--certainly we've been doing it as individual answer type. If the television reporter got (unintelligible).

EHRlichMAN: Yeah, okay, that's what we'll do. (Unintelligible) I better go and do that. That office has a deadline.

PRESIDENT: All right. Fine. Do that. I've gotta try to get (unintelligible).

HALDEMAN (Unintelligible) You ought to stay until you put someone on to dictate my statement that I--at this stage, we appreciate your (unintelligible).

PRESIDENT: Yeah.

EHRlichMAN: Do that on a personal basis.

HALDEMAN: Yeah.

PRESIDENT: Good night. Bye, John--trying to get--

HALDEMAN: (Unintelligible) Gray sure appreciated putting all this (unintelligible).

(Pause)

HALDEMAN: How would you do that on the (unintelligible). What would you--would you bring someone in to take over the role?

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PRESIDENT: I think you'd have to, particularly with Cole, (unintelligible) Ehrlichman, in that job.

HALDEMAN: Is Rush (unintelligible)?

PRESIDENT: I think it's a (unintelligible) thought of Rush, of Rush.

HALDEMAN: The New York Times says it has it all solved (unintelligible).

(Telephone rings)

HALDEMAN: (Unintelligible) serious.

PRESIDENT: Hello. Yeah. I wondered if you'd had your talk with uh, with Patrick. Yeah. Let me say, let me say that, uh, the one picture I think that (unintelligible) about this, that is totally devastating, because, uh, I have checked my notes on what Dean's told everybody here. Uh, I also, on this, this, this matter and, uh, Ehrlichman has put out, has put out his little statement. Pat Gray (unintelligible) was not told to destroy any, and he must not say that. That's that. You see, that's gonna compound it. Particularly in view of the fact that he had two conversations (unintelligible) where he remembered getting it. The, the, the only thing, if you--you see, if he agrees, you've gotta put it to him quite personally. I, I don't want to do it myself if necessary, but I will. But he can't do that because I would have to say he lied on it, so--Yeah, yeah. But, but, let me say--no, no, he, he must not. All that does is to say--look, uh, you understand? It doesn't help, it doesn't help him, uh, anymore and it hurts terribly here. You know the point? Yeah, yeah, just as a result of this, yeah, I understand. But, what do you do about Dean then? Uh, print it up or something? Yeah. (Pause) Yeah. On Gray? Well, I'm not suggesting that, uh, Gray will go, uh, uh.

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PRESIDENT:
continued

We don't have to do that to him the first thing, and just based on this one story. Is that what you're suggesting? Well, I'm, I'm not well, I'm, I'm, well, think about it. I agree. I agree, cause he's got a right to his day in court, too, and we don't have, and another thing--I don't have a substitute, not yet. Okay.

(Hangs up telephone)

PRESIDENT:

He's got a point there. He says, "I just don't see how you can have Gray go and others not go, too." The whole, you know what I mean, uh, story. Well, it's (unintelligible)

HALDEMAN:

I don't understand that. That guy is just somewhat, for some reason, he's obsessed with our leaving the--

PRESIDENT:

Well, how can he?

HALDEMAN:

Everything.

PRESIDENT:

(Unintelligible) what I told you (unintelligible) said about Dean.

HALDEMAN:

Not to him?

PRESIDENT:

No. I said, "What about Dean?"

HALDEMAN:

What'd he say?

PRESIDENT:

He said, "Well (unintelligible)." He said, the, I said, "You can't--if you're gonna say that somebody else lose, uh, uh--"

HALDEMAN:

There's something, I checked with (unintelligible). Why does he want to get out now? I'll tell you.

PRESIDENT:

That his case--

HALDEMAN:

Well, if Ehrlichman goes out, he's got one

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HALDEMAN: hell of a problem, Petersen has. Ehrlichman
continued is, is--he's hellbent to destroy Petersen.

PRESIDENT: Well, will Petersen do this to Gray?

HALDEMAN: Yes.

PRESIDENT: To Dean--

HALDEMAN: ...in alliance with Dean. See, John's
convinced that Petersen's out to get him
because the--and that the Justice Department
knew about it because John tried to remove
Petersen along with everybody else except
one guy, one of the people he failed--the
New York Division.

PRESIDENT: Oh, yeah.

HALDEMAN: And what I mean, Kleindienst may be wrong
about Baker (unintelligible) Petersen
(unintelligible) but I have a feeling that
he has his motivation to try to get John out
of here and, uh, knows that if John stays in
here and survives this, that Petersen never
(unintelligible) again.

PRESIDENT: What do you think, looking back (unintelligible).

HALDEMAN: Yeah.

PRESIDENT: Frankly, we need, uh, I, I, I guess I agree
with this, with that, that, I, I, I (unintelligible)
concluding that I know this is a problem. The
problem we have is getting the God damn White
House (unintelligible). I mean, I--

HALDEMAN: Yeah.

PRESIDENT: Yeah, and I, I mean, I, I really can't, I
can't call (unintelligible) do is worry
about other things and so forth, you know,
matters and that sort of thing. I don't--

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PRESIDENT: I know, I'm a hard man to work for. I'm a hard man (unintelligible), You know what I mean? Trust people.

HALDEMAN: Yeah, but you...

PRESIDENT: That's right.

HALDEMAN: You expect results. One of the problems you've been having, you're not going to get the results that you expect and then you, you just, that's--you gotta face that, you're not getting that.

(Pause)

PRESIDENT: I could rely more on (unintelligible) which I--

HALDEMAN: Yeah, but you could, you, you, are able to deal with (unintelligible) well.

PRESIDENT: I can say basically on the staff meeting, I think there should be staff meetings (unintelligible).

HALDEMAN: There's another guy you could bring in temporarily would be accepted and could do it, would be controversial, but it might not be a bad move and you could do it on a temporary basis. See whether it'd work, decide then (unintelligible). Thanks very much.

BULL: The Attorney General called (unintelligible).

PRESIDENT: Yes.

HALDEMAN: He called (unintelligible).

PRESIDENT: Kleindienst, please. Hello. Oh, hello, Dick. How are you? Yeah. Yeah. Right, right. (90 second pause) But he, but he, then, then did not--you say, did not say that he was ordered to destroy them. Is that, that--(pause) yeah, (30 second pause) Yeah. But it was Dean, too. That's right, that's right, that's right. (Pause) Yeah. Right.

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continued

(Unintelligible) you off. Right, right, right. That's--I know (unintelligible) but how do--we just--look, then you should say nothing. Yeah, yeah, but in terms of the resignation (unintelligible) talked to Dean. What about Dean? He said that Petersen (unintelligible). They're gonna have to, they're gonna have to get Dean. You know what I mean? And, uh, Dean's lawyers, uh (unintelligible) can you give him immunity? Dean. Dean? But you won't, will you? Right, that's right. Is there anybody advising him? That's my point. Well, then, then basically all you can talk to Dean about is, not immunity, but you may talk about, uh whether you'll give him the fairest treatment we can. Isn't that right? There's no way you can give him immunity for example, for perjury, is there? You see now that--no, I--well, that, that's right, that's right. No. Yeah, Yeah. Uh, and, and, that's the point and you also can, can say, uh, uh, he's gonna be (unintelligible) on Pat. What's your advice? What, what, what, what do you and Henry think? Uh, uh, I'll take care of my problems. Let me tell you--tell Petersen he shouldn't, uh, he shouldn't, uh, I mean, uh, uh, I've got my own. I can handle my own way you know, uh, uh, after all it's a little bit different version from what Petersen told me. Petersen told me that Ehrlichman had ordered uh--that Gray is gonna say that Ehrlichman ordered to destroy the documents. Now that's proved not to be true. Yeah. I want the damn truth. I don't care whether--I don't--I know Petersen hates Ehrlichman, and that's all right, too, but I, I, I don't want, I don't want, I don't want Petersen to go easy on him. Yeah. Right. Yeah. (Pause) Yeah, obstruction's about, in what way? But not to cover up anything. Oh, I see. I get it. Well, I think that--I don't think that. I like Petersen, I mean myself, you know what I mean. Uh, you trust him, now, don't you? Yeah. All right. Uh, gonna clean

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PRESIDENT:
continued

up, but I mean I can't, I, I, I'm talking to him, I'm talking to him, as if he, he's my counsel now, and I've, uh, I've (unintelligible). Yeah (unintelligible) but my point is, yeah, my point is to come back to the judgment whether Petersen, whether Petersen, whether he should do it on the basis of, uh, his total legal (unintelligible). This is, this is another, uh, view of the--He thinks his ability to deal with the charge, but this, he, he, should say exactly what happened here, uh, that he would have delivered these files, uh, but, uh, we were told they were not, not in any way related to the Watergate. They were totally political documents. (Pause) That he didn't open it. That's right. Well, it, it, it, that's why the destruction line won't work, you see? Yeah. Why didn't he look into it to see what they were? Oh, boy. No, no he musn't.

[Reel 6 begins]

PRESIDENT:
(Cont.)

Let me say--look, Pat must not ever say that publicly. If--let me think--if he says that, that's a conclusion (unintelligible) public--my point is if he says that the White House counsel, of course, Dean, ordered him to destroy, uh, if he, that he, that he drew that conclusion uh, but you understand, that makes him look like a God damn--it looks like--it looks like there--it not only looks like a fool, it looks like the two of them together were conspiring to destroy evidence.

[Reel 5 ends]

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PRESIDENT:

They, they can't do it, he's got to put it, Pat's got to put it, he's got to be, he's got to put it in terms--(24 second pause) That are, okay. (11 second pause) Now he should not have to do that to, Dean or anybody else (unintelligible). Well he can't get hurt, Ehrlichman didn't say, Ehrlichman was there. Yeah. (pause) Wonderful, loyal fellow and sometimes just rigidly (unintelligible) but, but, but let me say one thing, he's interested in the President's (unintelligible). But I must say that the solution would be to testify, that I was ordered to destroy these documents or, and even that I gathered the impression that Mr. Dean wanted me to destroy them, that's practically the same thing, huh? Ah, well do your best on it, but you see my point? I mean, ah, you, you tell him, you tell him, "Pat, that just doesn't, that just doesn't add up." (unintelligible). Well, I cannot, that's, that's what he, that's what he would say tomorrow (unintelligible). Yeah. Well, what would he do tomorrow, resign (unintelligible) because of his charge? (pause) Well, under the circumstances (unintelligible), ah, that he, ah, let's just put it this way, let's just put it this way, ah, the matter is very grave ah--would appear before the Grand Jury. The Grand Jury would indict him. You don't think so? Why not? Yeah, well that's the point. (39 second pause) You mean that ah, as far as, what about the conspiracy to cover up (unintelligible) was just bad judgment. I frankly think myself I'm not, I'm not of the view, just based on the newspaper stories, I'll reconsider. I not only feel that as far as (unintelligible) has begun, ah, I think frankly we ought to treat him like we're treating the others, now God dammit, the Grand Jury, let's see what the Grand Jury does. But in the end, we're gonna pass and it'd be out anyway, I'm sure. You know what I mean?

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PRESIDENT
(CONTINUED):

And ah, ah (I've got to--I, I may move, I may move on this thing so (unintelligible). Fair enough? All right. But ah, tell me about ah (unintelligible). Tell him (unintelligible) tomorrow. That's right. Don't do a damn thing which would result in a newspaper story. (Unintelligible). Petersen, I've got a lot of things to do and ah tell, tell Petersen when you're talking to him that I appreciate his hard work on this thing. (Unintelligible) counsel because I'm just (unintelligible) now. And, uh, after all Dean (unintelligible) that's right, Dean, ah the New York Times (unintelligible) reporters. (32 second pause). In other words, then he's gonna look like the bastard. That's what, that's the way this thing better just better come out. Because it's the truth, it's the truth. But what about--he has everything to do on it. Yeah, yeah. Right. Yeah, yeah. Right. Now, now he's trying to pin everybody else with it, he says that ah, he says that the, yeah. Thank God (unintelligible) has just not been available. You do know, I never saw him personally though, they're resigned about this and then that'll look better because, because of the Gray confirmation on February the 22nd. Never. Never. That's right. Or February, now wait a minute, now let me just check the book here. 27th, 27th, 27th of February. That's right. And then-- Never, except, except one time to sign my will. That's right. I, look that's the way we work here, you know, I mean, I told the man in charge that's uh--oh, we have been with them, (unintelligible). Last summer? I never, well you just listen, let's get one thing straight. I, the President, never saw John Dean once except to sign a new will. And that was on August the 14th, that was the first, in signing the, that was the only time I ever saw him. But simply, everything that has been put out by Ziegler, and Dean ought to know, was based on what people told him. There was no Dean written report, but, but my God, Dean orally said that, why do you, why do you think Dean (unintelligible) a will which he can deliberately get out and say (unintelligible)? Cause Dean told him, that. Why would Ziegler

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PRESIDENT

(CONTINUED):

have said that? Did he, did--Right, did he give you the impression that he did see me? I'll be damned. All right, well anyway, uh, I do think that, ah, ah--Well, I think he's gonna stay there until uh, uh they pick, uh, until I, uh, I'll try to pick his successor within a reasonable time. But you know what I mean and you, you do know that. But he shouldn't just resign for this. I, I've really discovered (unintelligible) but I don't think he should put out a story about his version of it. Yeah. He said, now let me see. No, he says no. He said, I'm uh, he said this is a newspaper (unintelligible) on which I'm not gonna comment on a newspaper story (unintelligible). I've asked, I've asked to testify before the Grand Jury and that's what he should do. Bye (phone slams). It isn't much better. Let's get the God damn facts to the Grand Jury.

HALDEMAN:

I think you'd better tell Ervin. Henry Kissenger's waiting to see you. Will you see him later? (unintelligible) you can't see him tonight (unintelligible).

PRESIDENT:

All right, I'll see him but it has to be in the morning ah, see what time.

BULL:

I'll schedule him 8:30 in the morning sir. Remember you have to meet with (unintelligible) at nine.

PRESIDENT:

Yeah, 8:30, if, if it isn't urgent.

HALDEMAN:

That's what he said, he said, uh, (unintelligible) Dean's (unintelligible) so...

PRESIDENT:

8:30 in the morning's fine, tell him I'll see him at 8:30 in the morning before I go to Florida. Well you tell Ehrlichman it's gotta be, gotta be (unintelligible). Uh, nothing's gonna change, nothing about Gray's gonna change. I just don't think we can have Gray resign. I don't want Gray's statement of resignation to come out tomorrow in direct conflict with Ehrlichman. That's what I'm concerned about, that's just, that's just if Gray's successor (unintelligible) 'cause, uh, we can't wait for (unintelligible).

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HALDEMAN: What is Gray gonna say?

PRESIDENT: As of now Bob? He just says, "I'm gonna get out of here before the Grand Jury."

UNIDENTIFIED: (Unintelligible)

PRESIDENT: (Unintelligible) what? What he's gonna say to the Grand Jury now is that, uh first that, uh, he, uh, came over to Ehrlichman's office and ah, John Dean handed him a pack of quote (unintelligible) "highly sensitive national security papers."

HALDEMAN: National security?

PRESIDENT: National security, highly sensitive. That had absolutely nothing to do with the Watergate and they should not see the light of day, they shouldn't be in, uh...

HALDEMAN: (Unintelligible)

PRESIDENT: ...the, uh, FBI files. He took them, he then would say that, that ah he gathered that, that, uh (unintelligible) they should be uh, they should be, uh, destroyed. I think that was an interpretation (unintelligible).

HALDEMAN: Plus that's innocent.

PRESIDENT: That he made the mistake but he says the idea they shouldn't see the light of day, the national security then it should be very well interpreted. Also, he says they don't feel that he's guilty of a crime. (17 second pause). Plus Ervin's, uh, what he said earlier about these, he was there, he heard (unintelligible) obstruction of justice. Then he'll say these papers were delivered early and stated there was never any intention of destroying them and he discussed this, uh, with (unintelligible), uh, he was amazed when he heard they had (pause).

HALDEMAN: That's true.

(Pause)

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UNIDENTIFIED: (Unintelligible) (pause)

PRESIDENT: What do his lawyers say about that?

HALDEMAN: (Unintelligible)

UNIDENTIFIED: I suppose they had to say that, that's as far as (unintelligible).

PRESIDENT: Well...

HALDEMAN: Be sure to get him thinking on that because what we have to do now is call Petersen in. He's the one guy whose (unintelligible) advised there were no papers relating to the Watergate and (unintelligible) can't make a case and say there's been any obstruction (unintelligible)...

PRESIDENT: At that point...

HALDEMAN: ...concerning the case of Gray's defense.

PRESIDENT: If it was apparent. He told me he left wires and other kind of crap, he should have investigated it (unintelligible).

HALDEMAN: I think if they're subpoenaed, should he go down (unintelligible) and that I told him to do this.

PRESIDENT: (Pause) Well uh, we should, uh, and then we should know 'cause I, I, I know that, I know that, I don't mean now. But, I mean, let me give you the, the argument for resignation (unintelligible) leave for now (unintelligible) Ehrlichman's gonna be on (unintelligible) and, uh, Baker asked (unintelligible). It doesn't make any difference right now. The President feels (unintelligible) without (unintelligible) that's why the President rather than the Grand Jury signs that. In other words (unintelligible), Grand Jury because the arguments against (unintelligible), orderly way to do it (unintelligible). In my view, whether it should involve the, the leave of absence, it seems to me it can carry from the standpoint of frankly (unintelligible) that way we could uh, I think prepare you for (unintelligible) with John.