

TRANSCRIPT OF A RECORDING OF A MEETING AMONG THE
PRESIDENT, WILLIAM ROGERS, H.R. HALDEMAN, AND
JOHN EHRLICHMAN, ON APRIL 17, 1973, FROM 5:20 TO
7:14 P.M.

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PRESIDENT: Come in.

ROGERS: Mr. President.

PRESIDENT: Yeah.

ROGERS: Well, have you made the announcement?

PRESIDENT: Yeah.

ROGERS: Sounds good, (unintelligible). See if I, see I've heard it on--when you did it.

PRESIDENT: (Unintelligible)

ROGERS: Yeah. I think it was the right move.

PRESIDENT: Yeah, right. After our talk yesterday, I referred to--I was aiming at the Ervin Committee at that point (unintelligible) discussed. Figures though--I mean--Len Garment's (unintelligible). Talked to Petersen again today and, uh, he was down here at the White House. And whatever he's charged with, lie's got (unintelligible) Just figures you can't keep them (tape noise)--walked out in the sun (unintelligible) and put them, and put them, ahead of Mitchell. But I just don't think (tape noise). Did you have any different views today?

ROGERS: No, I didn't.

PRESIDENT: Do you think this is the right step (unintelligible)?

ROGERS: I do.
(Tape Noise)

PRESIDENT: ...can occur -- It's going to be--it's going to be bloody...

ROGERS I think that

PRESIDENT: ...believe me.

ROGERS: ...the top people in government deserve the same consideration...

PRESIDENT: as a Communi-...

ROGERS: ...as anybody else.

PRESIDENT: Our damn rights.

ROGERS Not any more, but just as much, and, uh...

PRESIDENT: But the idea that a top person in government is, uh-- uh, it isn't the question beyond reproach, you know. A person could be beyond reproach. Take me--I should have been fired many times-- because I've been so heavily criticized in the press, many (unintelligible) things I didn't do.

ROGERS: Yeah

PRESIDENT: You remember.

ROGERS: Well, as a matter of fact, it's a, a little bit the same attitude that, uh, Lucius Clay had about you and the fund.

PRESIDENT: Right.

ROGERS: In comparison with Eisenhower, you should get off. Well, that was really what he said.

PRESIDENT: I think the people will probably-- they will have a view that -the New York Times will have a cheap editorial tomorrow that the President should fire the whole White House staff

ROGERS: Oh well, that isn't--(unintelligible)

PRESIDENT: Anybody who did it. But I think the people--I don't know, correct me if I am wrong, I think they'd like a man who'd stand up to--not to condemn people before they're proven (unintelligible)

ROGERS: Yeah.

PRESIDENT: (Unintelligible).

ROGERS: Well, I think that...

PRESIDENT: And I don't...

ROGERS: ...that, what did, what did Petersen say on Ehrlichman? Does he have any other evidence except what's in that piece of paper? Because if he doesn't...

PRESIDENT: Nope.

ROGERS: ...there wasn't...

PRESIDENT: Nope.

ROGERS: ...anything in there.

PRESIDENT: Nope. Well, it's, ah, it's hardly anything. Except that Pat Gray; and, now recollects he did get the God damn piece of paper and, he destroyed it, because he was told it was political material, and had nothing to do with Watergate. He says (unintelligible). There's no place in the FBI to (unintelligible) it--it's an unbelievable story.

ROGERS: Well, Ehrlichman didn't tell him to destroy it?

PRESIDENT: Hell no. Gray went back--Dean didn't give it to him. (unintelligible) Ehrlichman's--and, incidentally, I, ah, I put it hard to Petersen. (Unintelligible) Used your name, and uh, (tape noise) I talked to Bill Rogers about it yesterday and I had a very (unintelligible) (tape noise) I said, "He looked over this and he said you don't have much of a case on Ehrlichman." (Unintelligible/**REMOVED**) (Tape Noise)

ROGERS: That piece of paper didn't have anything on Ehrlichman.

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PRESIDENT: Yeah. (Unintelligible). They're trying like hell to just frighten people to death. (Unintelligible) to send `em to jail and so forth. Strachan--they're trying to break him. I don't (unintelligible) telling him he can either be a witness or a defendant. So uh,-- well, uh, the other thing--and I told Haldeman, I said, "Tell him to be a witness."

ROGERS: What's happened to Dean?

PRESIDENT: They may deal with him. And that's, why I put in that statement, I hope--that's the point. I said, "Look, I talked to Rogers." I said, "We think we have a grave problem in giving immunity to the President's Counsel. He said "But, suppose that it's Dean's testimony that we need to get Haldeman and Ehrlichman. Then should we give him imm--, shouldn't we give him immunity?" I said, "No-- not unless you have corroboration."

ROGERS: Well, (unintelligible), what you do, Mr. President on things like that, is you, you say to a fellow, " Well, you've got to--you violated the law. You've got to be indicted. Well consider the help you've given us when it comes to the question of sentence." In other words, you...

PRESIDENT: Yeah.

ROGERS: ...hold out the prospect to him, you see.

PRESIDENT: Um hmm. But how could you give John Dean, the President's Counsel, total immunity--when he's involved? He, he admits involvement throughout.

ROGERS: Of course, if, if you gave him immunity..

PRESIDENT: But I...

ROGERS You--you get...

PRESIDENT: I (unintelligible) said, by no means. I'd take the rap (unintelligible).

ROGERS: They'd think that you worked it out so Dean

PRESIDENT: Well, they're going to s--, Then the other way--
the way that Dean's people, the U.S. Attorney's
people--but, Peterson said he agreed with that.
"He was trying to convince the U.S. Attorneys of
that. But they were hot on trying to give him
immunity (unintelligible). And they want to get
Haldeman and Ehrlichman, frankly. As and, and,
and they said, and then, I, I--and then
(unintelligible) cop out there (unintelligible)
(Tape Noise) Why do you think they should go?
(unintelligible) on what basis? Here's what we
have in mind. I'll tell you what this statement
was on They're gonna have Magruder in open court
eventually. Haven't made the deal with him,
either, but they will. (Unintelligible). The
question's simply this (unintelligible) plead
guilty. They're gonna put out a statement in
which they will name other, (unintelligible)
what they call non-indictable co-conspirators--
the names of people that Dean has charged.

ROGERS: Yes.

PRESIDENT: That's all (unintelligible with Tape Noise). He
said Sirica, otherwise, will ask him questions
and he's gonna testify publicly in open court
about other people. I think that is a hell of a
prejudicial thing to do to the rights of an
individual--but I don't (unintelligible).

ROGERS: (Unintelligible)

PRESIDENT: And I, and I said--and then they said, "Haldeman
and Ehrlichman will not be on that list if you,
uh, if they take a leave--if you fire them." I
said, "Are you telling me if I fire them, you
won't prosecute 'em?" "Oh, no, no, but I mean
they won't be on that list." "Because", he
said, "if they're on that list they'll have to--
" And then they said--Ah, ah, I said, "Well,
what are you saying?" He said, "Well, we just
felt we. giving you an option, that, that you
could ahead of the herd basically, by just
letting them go." But on the other hand, Bill,
I think,

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PRESIDENT: I think that whether they're on the list or-
CONT.: if I let `em go, they're on the list anyway. It
appears that I just--I heard they were going to
be on the list and I fired them and they were on
it. Then, then it looks as if we're not
prosecuting. That's my problem. We're, not
prosecuting my two top people and I let `em go.
I don't think that makes sense at all--or do you
agree? I, am I missing something here?

ROGERS: You don't seem to.

PPRESIDENT: Well tell me that--Well, wouldn't it look bad?

ROGERS Oh, sure.

PRESIDENT: Bad.

ROGERS: From your standpoint. Yeah.

PRESIDENT: If I let Haldeman and Ehrlichman go and they
didn't have them on the list, they will call
them before the Grand Jury and then indict them
if they get information. Jesus Christ-

ROGERS: But if you see, Mr. President, the, the only
reason a judge questions a defendant when
there's a plea of guilty..

PRESIDENT: Yeah.

ROGERS: ...is to make sure that he's pleading
voluntarily...

PRESIDENT: Yeah.

ROGERS ...and that he knows the nature of his plea.

PRESIDENT: Now then-- right, right. But Sirica has
exceeded that hasn't he, Bill? That's the
point.

ROGERS: Well...

PRESIDENT: He's asking now who else was involved. See
that's what he's gonna ask. "Was he involved?"

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ROGERS: It, it seems to me that if he's doing that--I think he'll (unintelligible) McCord.

PRESIDENT: That's that's what they're saying.

ROGERS Well, if, he does that, that's a perversion of the Grand Jury process. The whole idea of the Grand Jury process is to protect people..

PRESIDENT: Yeah.

ROGERS: ..until they're indicted. And once they are indicted, then they are presumed to be innocent and then they go to trial. One of the reasons you have a Grand Jury proceeding is so you don't have innocent names made news (unintelligible) to the public.

PRESIDENT: Well, I'll tell you. Let me put it this way. (Unintelligible/**REMOVED**). Uh, frankly, I think he's going to beat it. I don't think it's going to help him, if, if by letting him go I know that he's, he's gone to the prosecution.

ROGERS: (Unintelligible)

PRESIDENT: I told him--

ROGERS: You shouldn't--you shouldn't be faced with those problems.

PRESIDENT: I know I don't have anybody (unintelligible). Don't you agree with me that, that, that, that was--that you know, I am concerned about my people. I know that Haldeman and Ehrlichman are not guilty of a God-damn thing. You know what I mean. It's only tangential on that, Bill-- tangential. Sure they knew they were raising money for these God-damn defendants, but they, here they were busy in the campaign. They, I mean, I mean with me, with me..

ROGERS: Yeah.

PRESIDENT: Ehrlichman was handling the whole domestic thing and Haldeman was with me all the time. Christ he must have worked (unintelligible). It was all over with Mitchell. Mitchell is the son-of-a-bitch in this whole thing--and frankly, Dean was handling it for White House. (Unintelligible). Our people were aware that he was. We were aware (unintelligible).

ROGERS: How, how did you leave it with Petersen? I don't know whether--I think from now on you better let him run with the ball. I don't know..

PRESIDENT: I have. I left it with Petersen. He's gonna report to me and I said, "If you get any corroborative testimony, I'd like to know." I think that's better.

ROGERS: Sure.

PRESIDENT: And, and if I get some corroborative testimony, I said, "I'd like to be warned and I can call in my people and say, "Look, I found this out and I've got information and you, and you-- Therefore, you ought to consider whether you shouldn't resign." That's all I told him. Well, I'm not going yo talk to him any more about that. After all, I'm the President of the God-damn country--and I'm going to get on with it and meet Italians and Germans and all these other

RESTRICTED-"B"

ROGERS: Oh, you do that. I-think you; I think that, uh...

PRESIDENT: I've been living with this for, since around the 30th of March that's all I've been doing for half the time now, you know. Having all these (unintelligible) that I can trust. What trust. I trust Ehrlichnan. I had him working on it. I must say he completed the job. We got to the bottom of the thing. (Unintelligible) Mitchell and questioned (unintelligible). This is before Magruder (unintelligible). And he said there is a possible, possible, uh, situation of the, of the aftermath, of the--what do you call it? Uh-

ROGERS: (Unintelligible).

PRESIDENT if the individuals knew that the purpose was to keep people from talking in, in court...

ROGERS: In court...

PRESIDENT: Not openly. Apparently, it's, uh--You might wanta keep 'em from talking--but he said, "Anyway", he said, "that's the problem." So what the hell. (Unintelligible/**REMOVED**) Haldeman and his kids, Ehrlichman and Dean and his kids. You know what I mean? You go home at night (unintelligible). I'm thinking of the possibility of their mocking their great career. They've served, this Administration--marvelously for 4 years. Then all of a sudden, shit they're (Unintelligible). I'll tell you, they, if they aren't convicted, Bill, they'll, they'll come out, you know what I mean. (Unintelligible) charge, and everybody's gonna understand. This'll be in better perspective in a year, I think.

ROGERS: I think so. I think once that the--well, the first brush will be--it, uh...

PRESIDENT: ...terrible

ROGERS: ...will be terrible.

PRESIDENT: Yes, sir,

ROGERS: No doubt about that.

PRESIDENT: Oh, Christ yes.

ROGERS: Uh, and it will--it has so many little ramifications

PRESIDENT: Yeah.

ROGERS: ...to the story,

PRESIDENT: Yeah. Right, right.

ROGERS: But when it's all finished..

PRESIDENT: Watergate mess, that's what it is.

ROGERS: ...when it's all finished--I don't know...

PRESIDENT: (Unintelligible). The Jury indicts, moves. We're going to get on with (unintelligible) this country. A lot of people in the country have, uh--we may find they, they do know the President's doing the best he can. God damn thing. If I wanted to cover-up--they probably think the President can't cover-up. If I wanted to, I sure haven't done it very well, have I? You can see it...

ROGERS: Not only that (unintelligible) prosecute (unintelligible) your own people.

PRESIDENT: (Unintelligible) prosecuted Mitchell.

ROGERS: At any of these times, did he give you any indication of what he's going to do with (Unintelligible)?

PRSIDENT: Make a deal, with both--make a deal with Dean. Yeah, make a deal. I would think with Dean they would just say, "Look son, if you're indicted, you're coming along." "Gee, fellows, what the hell is (unintelligible)" and any of (unintelligible). But he's going to try this whole "Administration I would expect. And my view on that is let him try the whole Administration. Ron Ziegler makes an interesting point. He said, "Dean had, in February, had said, I, for nine months conducted this investigation. Now he comes in and charges co inaction." God dammit, why didn't he come in earlier and tell me these things, Bill? Why didn't he do it? If he knew I would think that...

ROGERS: It's one of those things that I just--(Tape Noise) if they have Mitchell.

PRESIDENT: Oh, shit.

ROGERS: Well, these things happened.

PRESIDENT: And once it did happen, not cutting it off right then--stepping forward and saying, "I flubbed this. These kids shouldn't have done this and that's not really best judge." Good God Almighty, uh, (unintelligible). They just thought that might hurt the election, shit.

ROGERS: Same thing is true in Vesco. That case he's involved in--

PRESIDENT: Belongs to the courts I'd rather have it there than in the Committee.

ROGERS: Oh, sure.

PRESIDENT: Wouldn't you? At least the court doesn't try to...

ROGERS: Well, that's the way it's supposed to be. That's the system. The system is...

PRESIDENT: It sure shows the system works, though, doesn't it? I mean, I get Petersen, had him in here all day on Sunday, had him on Monday, I had him here today. I fired out my statement, and I said...

ROGERS: What'd he say about your statement?

PRESIDENT: Petersen? Oh, he thought it was fine. I, I, I got to thank him for it.

ROGERS: Is he willing to (unintelligible) accuse other people in open court?

PRESIDENT: A judge like Sirica. (unintelligible).

ROGERS: Well, I could see it, I could see--Sirica was, he was suspicious there was a cover-up.

PRESIDENT: That's right. Right.

ROGERS: He was trying to, he was trying to put pressure on the ones who knew so he could move to...

PRESIDENT: No only to confess about themselves, but about other ones. On that point, of course, they'd say that Magruder has acknowledged, Magruder has confessed--but what about others? What about (unintelligible)?

ROGERS: What I mean is here you've got a willing witness. Before he was doing it to reluctant defendants. Here you got a willing, as I understand it, a willing witness.

PRESIDENT: Who will testify.

ROGERS: Who will testify, who's been working with the prosecutor and who's going to, going to, will be called before the Grand Jury. Why the hell he's--that (unintelligible) open court. That's the--that's what the Grand Jury's for. Makes a nice little backdrop for your Italian dinner, doesn't it?

PRESIDENT: Oh, it'll be alright. They'll have a fine dinner (intelligible). They just heard the story. (Unintelligible) "Thank God, the President's finally said something about Watergate." That, I think, is going to be the partial reaction.

ROGERS: I do too.

PRESIDENT: I don't know. I m not taking any..

ROGERS: No. (Unintelligible).

PRESIDENT: ...comfort out of it, because for a period of time it's going to be painful. "Mitchell gets (unintelligible). When possibly Haldeman and Ehrlichman gets...

ROGERS: (Unintelligible)

PRESIDENT: They're talking to them now. I've asked them both to come over here for a minute when they get (unintelligible). I feel frankly that we should. And a question that he makes now which is still open, you see, he still left it open. They, they'll leave if evidence that Dean brought to my attention...

ROGERS: Yeah.

PRESIDENT: Of course, if I have other sources. Now, if he doesn't have enough to sink 'em, but he makes these, he's doing enough to sink them, in order to get (unintelligible). Whether or not Haldeman and Ehrlichman ought to wait until their names are publicly brought into this. Magruder shouldn't. He said he'd give us twelve hours notice on that, but I-I think that probably it's going to be tomorrow.

ROGERS: I think John and Bob should have more time to talk to their lawyer first (unintelligible).

PRESIDENT: Your immediate reaction, though, is--

ROGERS: (Unintelligible) my reaction is I don't understand

PRESIDENT: What should I do?

ROGERS: ...what the hell they're going to--what, what Magruder's going to do? I don't, uh, it seems to me if Dean has mentioned them that way that they ought to them, uh, take a leave of absence.

PRESIDENT: Yeah.

ROGERS: I don't see how...

PRESIDENT: But you would wait until their names were mentioned? That's the whole point.

ROGERS: Yeah. I don't see on what basis can you, you can do it. Now in the case of...

PRESIDENT: Well, on this basis now. Let's say that the President had knowledge from the U.S. Attorney that charges had been made against them. But, that me emphasize, I nailed him hard. I said, "Now let's--" I said, "Rogers and I read this whole thing over. But they're uncorroborated." He says, "I agree." But he wants me to sack 'em.

ROGERS: He can't corroborate it?

PRESIDENT: And I have a feeling for a, for a guy that's supposed to uphold the right of innocent before (unintelligible) guilty. Well, let me say this. I've got to live with my self. I don't want to do it in that (unintelligible). That isn't fair. On the other hand, I'm trying to think of their standpoint. If they're going to get--if they could get some advantage, either--any advantage by not thereby being named in. in this statement and then, of course not even being indicted. Maybe that's something.

ROGERS: That's a decision...

PRESIDENT: But they re gonna...

ROGERS: That's a decision they almost have to make.

PRESIDENT: They, they, on the other, hand, they're going to be called. They'll be indicted and called. Although, I guess really appearing as non-indictable co-conspirators--what the hell ever that means (unintelligible).

ROGERS: When you have a, a case that's serious and you have people who are on the periphery, and you want to name them, ah, in order to have them available as a witness, you name them as a co-conspirator without indicting them. Well, well, for the common person...

PRESIDENT: ...these guys are available.

ROGERS: ...for the common person--that s just as bad as being indicted. Expecially, er, (unintelligible)

PRESIDENT: (Unintelligible)

ROGERS: You can't clear you name. Uh, in other words, if you're indicated, uh, then you have the opportunity to clear the record. Go to trial, get an acquittal, that you (unintelligible) just as if it didn't happen. If you're named as a co-conspirator and forced to resign, then you're convicted without a trial.

ROGERS: In case I'm not really--you got to protect
(CONT'D) them because I don't--I think probably in the
final analysis they--I'm afraid, I'm, afraid Bob
is probably in...

PRESIDENT: ...gonna be indicted?

ROGERS: ...in trouble. But, ah...

PRESIDENT: I'm not sure he's indictable.

ROGERS: I'm not sure he'll be indicted but his...

PRESIDENT: Well, staying too close to the money. He never
can explain that. In terms of legal, uh,
involvement though but he could never explain to
the people (unintelligible) by Mitchell, by, by
Dean, (unintelligible) of the defense?

ROGERS: Why don't, why don't we do this?
(Unintelligible)--or, they're just talking to
lawyers. Well you won't have a chance to, to
assimilate it. (Unintelligible).

PPRESIDENT: Well.

ROGERS: And if you're going to have tweleve hours.

PRESIDENT: Yeah twelve. I would like for you to put your
mind to, to the problem, if you would, because I
really think we've got to start helping 'em.
Help advise them. They're, they're in the eye
of the hurricane.

ROGERS: All right. It gives us a little time to see how
your, how your statement plays.

PRESIDENT: Always had a suspicion Mitchell had done it
(unintelligible) every God-damn thing.
(Unintelligible). Always.

ROGERS: Oh.

PRESIDENT: But that he probably didn't know about--know what
I mean? My feeling was that Mitchell

PRESIDENT:

(CONTINUED): basically always thought Magruder
(unintelligible) God-damn thing. Mitchell just
wasn't tending the shop. That's what I
understand.

ROGERS: I'm surprised about Dean. I thought, I thought—
Well from the beginning, I thought Magruder lied
and I thought Mitchell, Mitchell probably—he may
well have given the go ahead and said, "Oh yeah,
to hell with this," and the damn thing was then
approved.

PRESIDENT: Yeah. "Don't tell me about it."

ROGERS "Go ahead. "Don't tell me. Go ahead and do
it." Ah, well I'm surprised about Dean because
I didn't think...

PRESIDENT: Dean claims that he didn't have anything to do
with having them, with having them go ahead.
Understand that—After that Dean came in in terms
of the obstruction of justice. There's where
he's vulnerable. That's all. He's not, he's
not vulnerable on the first part in my opinion.
I think he...

ROGERS: From the same position if he's gotten two people
he's trying to bargain with—Deana dd, and
Magruder—and he—did he say he got the written
statements from both of them?

PRESIDENT: I think what they've done is they've sat down
and debriefed. That's what they call it.
(Unintelligible) with an agreement certainly,
though. Where Dean is concerned, nothing they
can do to shake him. On that one he stands
firm.

ROGERS: (Unintelligible) I would think that the one
fellow that had to know about this and, uh,
should take a leave of absence is Dean.

PRESIDENT: (Unintelligible) what about his
(unintelligible)? It looks like he's the
scapegoat (unintelligible) set him off.

ROGERS: We don't.

PRESIDENT: ...worse than he is.

ROGERS: Well I think your point is true enough. He appears to be an underling, although he...

PRESIDENT: He was the one.

ROGERS: Pretty hard to, pretty hard to say, the lawyers for the...

PRSIDENT: Well he was--he was not. Not in this matter, I can assure you. He handled the whole thing. He was depending upon--directing, in fact, when I started my investigation on the 21st of March. I saw Dean at least three times. At Camp David, he was to write the son-of-a-bitch up so we could put out a statement. He said, "I really can't write a statement that you can put out." That's, so I must say, I've done everything I can to get to the bottom, Bill, as you can see. I said, I said, "John, you got to let it all hang out--now find out--you got to tell me what the hell the score is so we'll know how to deal with this. We're not going to be nibbled to death by a thousand, you know, uh, hurts." That's, that's exactly what we've done. So we've got just as--the time when McCord, which I, I (unintelligible). There are--at least, he's made a lot of allegations hat he--are not true. But there's enough there that would put anybody on notice that without a doubt there's something wrong.

ROGERS: Yeah.

PRESIDENT: That's why I had to move and I have--at least I produced--good-- I thought the statement should reveal that I have been working on the son-of-a-bitch since the twenty-first of March.

ROGERS: What are we doing? "(Unintelligible) why don't we--why don't we not meet any more tonight and then...

ROGERS: (Unintelligible). In the, in the, in the real sense, it's up to the--it's up to John and Bob.

PRESIDENT: Yeah.

ROGERS: It's damn difficult for anybody else who doesn't know what the hell he's talking about. For example, I don't really know. you know, what the facts are.

PRESIDENT: Yeah.

ROGERS: I, I, I...

PRESIDENT: I'm not sure that I know.

ROGERS: You don't either. So it's very difficult for others whose judgement tends to be superficial. Although those are sophisticated fellows--John, after all, is a lawyer, so he claims that he's (unintelligible), a thoughtful kind of a fellow, and he isn't, isn't shaken now, isn't a fellow that's just a rambling idiot.

PRESIDENT: Yeah--he's taking hold. Had everybody over this morning. Going to fight, discredit Dean-- discredit the prosecutor, you know, ah, going to fight. That'll be one hell of a little fight but (unintelligible) the Administration (Unintelligible).

ROGERS (Unintelligible).

PRESIDENT: Dean's pissed off.
(Tape Noise)

ROGERS: (Unintelligible). You don't expect the head of the FBI to pick up and burn the God-damn stuff. You can put it in your safe and say it is unrelated to the investigation. But, burn it, makes you look like a common crook.

PRESIDENT: We're working as hard as we can. The guy we're thinking of, Bill (unintelligible) a Democrat, Irish, Catholic, bachelor, 42 years of age.

PRESIDENT:

(CONTINUED): He's finishing the Ellsberg case and received plaudits for being just as fair as he can. Thank God there's a jurist of that kind. And based on (unintelligible). And I did, I think he'd get a hundred percent because he has, ah, he has investigative experience. A great man for the job.

ROGERS: (Unintelligible)

PRESIDENT: He'll get a hundred votes in the Senate. (Unintelligible). "Why did you burn it?" Wouldn't you say, "There's no place in the FBI. We have nothing to do with politics. This is political material. Turned it over to us, showed it to us because they wanted to be sure they weren't suppressing anything it (unintelligible). (Unintelligible) Thought the best thing to do was the--FBI first."

HALDEMAN: Do you want us or not?

PRESIDENT: Ah--sure, come on in, then.

ROGERS: I was just saying to the President I thought maybe we oughta wait until overnight. (Unintelligible) the two of you (unintelligible) just not feeling (unintelligible).

EHRlichman: We talked to your Mr. Wilson. He's a fine chap. (Unintelligible)

UNIDENTIFIED: Wilson? An old-timer?

HALDEMAN: Nothing like--contrary to your feeling that we wouldn't want to work with him, I, I think we'll find him very good...

ROGERS: and tough.

EHRlichman: He's very knowledgeable.

HALDEMAN: Sharp as hell. Technically, he's, he's old, but, but mentally he's, he's...

EHRlichman: ...very bright.

PRESIDENT: Just let me say, I'm so glad that you have a-- somebody to talk to. I definitely...

ROGERS: My only reservation would be (unintelligible).

HALDEMAN: Well, that's a problem. If we go to trial, he's gonna be able—he's got a heart problem and all that so you can't...

PRESIDENT: You, you don't need a trial lawyer...

HALDEMAN: We need brains right now.

PRESIDENT: What you need is brains, judgement.

EHRLICMMAN: Well, he knows the cast of characters. He knows Petersen. He knows Glanzer. He knows all these people and, uh...

HALDEMAN: ...and he already despises them.

EHRlichMAN: All the people we don't like.
(Laughter)

HALDEMAN: Maybe he started out that way before we said, anything.

ROGERS: Well, I'm glad because I was worried about his (unintelligible). I gave...

PRESIDENT: Bill has a, Bill brought—incidentally, ah, I asked him about it again, how he liked the Garment approach. And he said, "No problem." We should go with him. I told him this is the only question you see, (unintelligible), I don't have anybody to talk to. I'm not gonna talk to Petersen any more. That's done, and I—except, except to suck all, all the information I often got from him. You know what I mean.

EHRlichMAN: Wilson said to us, he said, "Be ware of Petersen. He talks." He said, uh, he cited a case that he had that Petersen was involved in...

HALDEMAN: And he said that one problem in dealing with him was that every point he makes is accompanied by a story, and that (unintelligible).

PRESIDENT: (Unintelligible). Well, then maybe I'll, all I'll do with Petersen--he said that he'd give me 12 hours notice with regard to the Magruder thing and I think I want that.

HALDEMAN: Yeah, okay.

PRESIDENT: Bill doesn't know what the hell that, how that procedure works...

EHRlichman: Let me tell you what that is. Wilson explained that to us, too. He said that where a man goes in on an information, and pleads guilty, in this District, it is customary for the judge to interrogate if he wishes to. And also for there to be filed a, a statement of the case, uh, in the nature of the information. Now the information which they will file, instead of an indictment, names co-conspirators in the conspiracy charge who are not indicted. That does not mean that you won't be indicted later. It means for the purpose of that information which is then filed, your are not indicted. And so this is a list of people who in, in a description of a conspiracy pattern are co-conspirators. His analysis of the pros and cons of this are--that for the prosecutor to come forward and say, "If you'll suspend these birds, I will name them in the list of co-conspirators," gets the prosecutor off a difficult political hook. Because when the judge asks, "Where there any other co-conspirators and, and so on?" He can say, Well, they have already been suspended, ah,...

PRESIDENT: B-but...

EHRlichman: ...and may be indicted." Now, we reserve the right to indict them but we are going to have them before the Grand Jury.

ROGERS: So, are they going to help a bit?

EHRlichman: Well, this is, it doesn't help us.

PRESIDENT: That's -the point...

EHRlichman: It helps the prosecutor with his problem. On the other hand, he says there's a, there is a

EHRlichman:

(CONTINUED): certain negative in it, from a political: standpoint for the Administration in that the question will arise, "Well, why weren't their names on there if they're co-conspirators?"

PRESIDENT: Right.

EHRlichman: Somebody's covering up.

ROGERS: Yes. That's, it.

HALDEMAN: That's, that's worse than puttin' them on the list.

EHRlichman: Yeah, and so, uh, he said...

ROGERS: I don't know, John. And let me go back, for just a moment on this procedure. The information a is filed by the prosecutor himself, without a, without a Grand Jury action?

HALDEMAN: Yeah.

ROGERS: Ah, if, if the, prosecutor names, for all practical purposes, he's convicted 'en.

PRESIDENT: That's right.

ROGERS: ...particularly in the...

PRESIDENT: ...in the public mind.

ROGERS: Particularly that you are going to leave public services...

EHRlichman: That's what Wilson said.

HALDEMAN: That's what Wilson said.

PRESIDENT: If they are indicted.

ROGERS: Well, you've been indicted.

PRESIDENT: That's right.

ROGERS: Of course.

EHRlichman: They could list you as, list you as a co-conspirator, don't call you to the Grand Jury, don't file, ah, don't take an indictment against you...

HALDEMAN: ...force the President to suspend you and...

ROGERS: Yeah.

PRESIDENT: Let's face it.

ROGERS: The indictment, Bob, is a charge--the indictment...

PRESIDENT: It 'doesn't convict anybody.

ROGERS: What the Constitution provides is that before charges (unintelligible) a group of citizens can view the evidence.

EHRlichman: ...in secret.

ROGERS: In secret. To see if there is sufficient evidence to make a public charge against them.

PRESIDENT: Yup.

ROGERS: That's the protection that everybody has. Ah, if there is an exception and I guess there is in this case, the lesser crime would be this case, the lesser crime would be the result. But, I think, in this case the gravity is such that that's all baloney. That's alright for somebody stealing automobile (unintelligible) from the sidewalk or something but, know, people in, in public positions (unintelligible) are entitled to the protection of the Grand Jury. Because if they, they want to make a public charge against an individual-- present it to the Grand Jury. (Unintelligible). That's, the system. But here you have a perversion of the system.

Ehurlichman: Sure.

ROGERS: If you're named in an information...

PRESIDENT: Bill,...

ROGERS: ...definitely keeps the government, hell, as far as you're concerned, you're both concerned you're...

Ehrllichman: Bill,...

ROGERS: ...guilty.

Ehrllichman: Yeah. They have this, they have this capacity by using that process. They could ruin you and never give you a day in court.

ROGERS: Of course

EHRlichman: They could list you as, list you as a co-conspirator, don't call you to the Grand Jury, don't file, ah, don't take an indictment against you...

HALDEMAN: ...force the President to suspend you and...

EHRlichman: ...and you're cooked forever. You're a conspirator in the Watergate case.

ROGERS: Publicly, as far as the public is concerned, you are indicted even if they don't call it that.

EHRlichman: That's right.

ROGERS: The president has been forced to have you leave.

EHRlichman: It's non-actionable. It's privileged. You can't sue for slander.

HALDEMAN: We do have a public record in that regard though, in that we have a public position which commands substantial attention.

ROGERS: (Unintelligible) you see that--see, Bob, see, the protection of the Grand Jury gives the citizen is that first the charge is heard in public.

HALDEMAN: That's right. To turn this around.

ROGERS: And then the charge--then, then everybody shuts up. The evidence is not disclosed. Nobody says a word and the Judge cautions everybody to take the responsibility (unintelligible) you go to trial. And everything is then controlled by the rules of evidence. The, then the, the Jury makes a decision based on the evidence. That's the system. Now if you do it the other way, you don't get the trial. You both would be indicted and convicted in public, by the public, beforehand.

EHRlichman: That's a tough political call--that we framed up there in this conversation, we don't need to decide here beyond mentioning it, but it's something that will have to be decided. Our relationship to Dean probably was client to attorney. Because we were already doing some-- present in all these transactions. What I said to Dean and what Dean said to me in private conversation with no third party present--could be a (Unintelligible) of privilege. The question is, if requested to by the prosecutor, would we waive the privilege? It is that Dean conversation where he says he came and told me that Liddy had confessed.

PRESIDENT: But he did it in California, didn't he?

EHRlichman: Well, the, the only reason to tell me was not for me as me but because I was one of the two conduits that he had to his boss. He didn't have, I mean, the organizational set-up was that way.

HALDEMAN: The President's log is very interesting. I've only gotten through August, but from the time of the Watergate break-in until the end of August when he signed your bills, uh, signed your notes, in the office, you never saw John Dean.

PRESIDENT: So that's, of courser something that (unintelligible).

HALDEMAN: During July and August the President had no communication with Dean at all.

EHRlichman: Now, he gave a lot of legal advice about this case. (Unintelligible) and all that, but there's also, uh, uh--developed a poor relationship and sooner or later the President is going to have to decide whether he wants to assert his privilege--if Dean becomes..

PRESIDENT: My privilege--uh, lawyer-client privilege?

EHRlichman: Yes. In Dean's communications to me and my communications to him. And the same with Bob. I think that's a tough problem. You probably won't want to reserve it.

PRESIDENT: I'll take a look. (Unintelligible). What to you think about that?

ROGERS: (Unintelligible)

EHRlichman: It's probably the first time it's come up (unintelligible) (laughter) in this setting (unintelligible) uh, Mr. Wilson (unintelligible) think about that awhile.

HALDEMAN: Great old guy.

EHRlichman: He was at the White a House once before.

PRESIDENT: (Unintelligible)

EHRlichman: The Dixon-Yates thing.

HALDEMAN: (Unintelligible) budget (unintelligible) He refused (unintelligible)

EHRlichman Canal is open.

HALDEMAN: (Unintelligible) he stayed at the White House for several months.

ROGERS: My only, thought on (unintelligible/**REMOVED**) at all. (Unintelligible/**REMOVED**)

EHRlichman: I, I, I, I think--

ROGERS: (Unintelligible)

PRESIDENT: Yeah.

ROGERS: Well, what it, what it really means is--it is hard to understand, but, uh, he was Counsel to you as well as to the President.

EHRlichman: Yeah, yeah. I, I appreciate what you're saying and that's that is important, and I understand.

ROGERS: (Unintelligible)

HALDEMAN: Dean? He dealt with one of us.

EHRlichman: It's our capacity to make decision.
(Unintelligible/**REMOVED**) an advisor in that
situation. (Unintelligible) an advisor in that
situation. (Unintelligible) and sometimes he
followed and sometimes he didn't.

PRESIDENT: That's common. (Unintelligible) place.

HALDEMAN: Yeah.

ROGERS: Trouble is, (unintelligible). Although
(unintelligible)

EHRlichman: (Unintelligible)

ROGERS: (Unintelligible)

EHRlichman: Sure that's right and I deferred to him.

UNIDENTIFIED: (Unintelligible)

PRESIDENT: Well hell, I deferred to him in this damned
investigation. (Tape Noise) I remember you
said, "I think you ought to talk to John Dean."
Remember. And I hauled him in here. And,
Christ, I (unintelligible) ad infinitum and
carted him off to Camp David.

HALDEMAN: (Unintelligible) I deferred to him on
most occasions.

ROGERS: Well, don't think it over tonight? I, I,...

PRESIDENT: Well, let's, let's part with one thing. I don't
see anything to be gained by the, uh, procedure
of Haldeman and Ehrlichman. You see, here's the
problem (unintelligible). Kleindienst, Bill, on
Sunday--they both came in and said, "Because of
Haldeman and Ehrlichman--just the fact that,
they're (unintelligible) ah, both of these
clowns, uh, you know implicated that they ought
to resign. They haven't served you well, Mr.
President," and (unintelligible).

ROGERS: (Unintelligible)

PRESIDENT: They said, Make them resign, resign, resign," I
said, Well, God damn it, I can't do it on
uncorroborated testimony." The point is--think--
a moment of truth for them when they

PRESIDENT:

(CONTINUED): come "in--and say they've got corroborative testimony. Do I have to examine the God-damned testimony? I say "Look, fellows, I think under these circumstances, you had better voluntarily say that, uh--." See what I mean? That's what I, that's my concern, I don't (Tape Noise) Bill made the point that a-person in public office should have no more and no less rights than a person out of a public office. That's, that's my theory. Right, Bill?

HALDEMAN: Well, there is a good counter argument which is that a person in public office has a higher obligation than a person not in public office. This is (unintelligible).

ROGERS: I think, though, that matter is for the individual to decide (unintelligible). That in effect (unintelligible).

EHRlichman: I think that if we turned up in this crazy information-junk--even though we are not charged with a crime, and in the ultimate sense--I could write you a letter and say that due to these charges, that obviously I don't want to impair your situation and I am going to take a leave.

PRESIDENT: You could say I have asked you to put me on leave until the charges are cleared up.

EHRlichman: Sure, and I think that is the way, direction from which it ought to come.

PRESIDENT: I personally think that, that's really the course of action we should take and let them, let them, let them put it out if they want to be that way. And if they do, because you're angry you immediately say, "I am, ah, I am confident that these charges will not stand up and that I, that I, and so forth." That I--and, "My usefulness, of course, will be seriously impaired and I therefore request a leave until the matter is cleared up." I think that's--I think we can all agree on the respect.

ERlichman: I might put a...

PRESIDENT: It's like an indictment.

EHRlichman: ...put a P.S. on there and say, "I am shocked with the procedure followed and when I am reinstated I am going to see to it that the Justice Department changes its procedure."

ROGERS: If, if the prosecutor came to the President (unintelligible) and advanced sufficient evidence, for you to ask then to resign, and he looks at that evidence and says, "I, I agree" (unintelligible). But in this kind of a case, not that, normally, that kind of a judgement wouldn't, wouldn't mean indictment--that's all we have (unintelligible) in effect, Dean would be doing a greater disservice to you than a bonafide Grand Jury indictment.

PRESIDENT: That's right, he would.

ROGERS: He's working for and was already decided before (unintelligible)

PRESIDENT: think that...

ROGERS: ...could come on the case.

PRESIDENT: ...I think that before you have your day in court. That really means something to me.

ROGERS: Well, if, if you were to resolve, pick the result (unintelligible) Attorney General, that's a different matter, Mr. President. I don't--the thing I think is--based on what Petersen gave to the President, which I looked at, I don't, I don't think there's sufficient there. There may be something I don't know about. (Unintelligible).

EHRlichman: Well, I put those to Wilson and, uh, he said, "Well (unintelligible)." You know, his reaction was...

PRESIDENT: (Unintelligible).

ROGERS: (Unintelligible/**REMOVED**) said that you had meetings (unintelligible).

PRESIDENT: Yeah.

ROGERS: (Unintelligible)

PRESIDENT: That's what Dean's saying.

ROGERS: And then, after that...

PRESIDENT: That cannot be (unintelligible), Bill.

ROGERS: Well even, supposing you had said that. Suppose you said that. Then, then there wasn't--then, it isn't what ya say, it's what, it's what ya did that's...

PRESIDENT: Yeah.

ROGERS: So, what, what did they do? Well, they turned all, everything in the safe over to the FBI. They turned over the materials dealing with the Watergate to the agents that were investigating it, they turned over other material that did not relate to the Watergate and was not under investigation to the dead of the FBI. Now how in hell can you say that's obstruction of justice, to turn over all the evidence to the FBI?

PRESIDENT: Except that when Pat Gray burned it, it makes it look it...

EHRlichman: (Unintelligible) "Deep Six."

PRESIDENT: And (unintelligible)

ROGERS: Well not, Pat Gray, I mean (unintelligible) Pat Gray was told to do that. He said that that's (unintelligible)--

PRESIDENT: He was not told to do that.

(REEL 2 BEGINS)

ROGERS: (Unintelligible)

EHRlichman: On the other business, which is very suspicious and that's the business of "should he leave the country," I've checked with everybody in that meeting and they don't remember anything like that. It turns out Dean called Liddy and told him to have Hunt leave the country. Colson recalls Dean mentioning this to him, no in my office,

EHRlichman: and Colson saying to Dean, "The stupid bastard,
(CONTINUED) what a terrible mistake." And then it was
countermanded, so I...
(END of REEL 1)

HALDEMAN: ...and he didn't leave the country.

EHRlichman: ...and he didn't leave the country. And so I suspect
that Dean may have acted unilaterally on that.

PRESIDENT: Here again...

HALDEMAN: Colson brought him up short.

PRESIDENT: Here he's trying to pass this up to Ehrlichman,
too.

EHRlichman: Well, he's going to have an explanation for why he
did it.

PRESIDENT: But is that going to come out from the others if
they said, "He was told to leave the country?"—Oh,
look, Hunt's already said it.

EHRlichman: Well, yeah. There's no, there's no question that
he got orders from Liddy who said that, "my
principals?" and he said, "John Dean."

PRESIDENT: John Dean said, "Oh no, it's Ehrlichman."

EHRlichman: Yeah. (Tape Noise) get into one of these "he
said", "I said" (unintelligible). It's going to be
miserable. But the probabilities (unintelligible)
surrounding circumstances at least as of now--look
(unintelligible) Now I now I (unintelligible)
illusions about this process, when you get a test
of credibilities. Everybody gets used up. There
is nothing left at the end of that. So you just
have to, you just have to expect that, that, that's
the end of the ball game.

PRESIDENT: Well, it is for this time,
(unintelligible/**REMOVED**). The three, the three-
fifty thing is the toughest thing, Bob,
(unintelligible). Mainly, to me there's no
question about it, whether it's been just
basically, that, that they had knowledge that it
was going to go to the defendants and so forth.
They wanted it for that purpose. And the question
is what you thought it was. And then, then they'll
say that they don't believe you. That's what it--
down to that.

(10 Seconds Unintelligible/**REMOVED**)

PRESIDENT: There again, though, course they have a route through this (unintelligible/**REMOVED**). He broke down and cried, (unintelligible/**REMOVED**)

ROGERS: (Unintelligible)

EHRlichman: That's a-right. Are you going to have spaghetti tonight?

UNIDENTIFIED: Spaghetti and singing Toscanini.

PRESIDENT: Well, Bill. You go ahead I'll, I'll (unintelligible). Let them go home. It's -- possibly we may ask your advice tomorrow with all...

ROGERS: I have reason to feel that you got John Wilson.

HALDEMAN: We sure appreciate your help.

ROGERS: Yeah.

EHRlichman: He was enormously gratified to hear that you had recommended him.

HALDEMAN: We told him that you had suggested him and it was the only name you could suggest and he said, that, "Well, Bill and I have been on the same side and on opposite sides. He wouldn't speak to me on one matter."

EHRlichman: It was on the Swiss deal--

HALDEMAN: That's right it, something he wouldn't speak to me (unintelligible) never (unintelligible) worked over here three days a week and never saw President Eisenhower. Never got an authographed picture and so we said, "We thought maybe in this case that could be arranged.

(Laughter)

PRESIDENT: Provided he had nothing to do with Watergate!
(Laughter)

EHRlichman: Well obviously this guy is very clean.

HALDEMAN: By the looks of it.

PRESIDENT: Yeah. Well, so are you, God damn it.

ROGERS: Okay. Good bye, Mr. President.

EHRlichman: See you a little later. Thank, you, bye.

PRESIDENT: I'm glad he feels good about having the lawyer--

HALDEMAN: Yeah.

PRESIDENT: Very good lawyer.

HALDEMAN: Yeah. I, I don't know about John. I don't know anything about lawyers. I never had one before, so. For exactly the reasons that, Bill thought we wouldn't like him--he's an old man and we won't like working--I do like him.

PRESIDENT: Now old is he? Seventy?

HALDEMAN: Seventy-two.

PRESIDENT: Well, he's well-preserved.

HALDEMAN: He's, he's had some, you know, he has difficulties (unintelligible).

PRESIDENT: Very exceptional mind.

HALDEMAN: But I'll tell you the guy has got--his mind isn't slow at all. He does have the problem of having to go back and tell ya stories.

PRESIDENT: (Unintelligible)

HALDEMAN: (Unintelligible). Yeah. I don't, I don't -- I feel very good about him.

PRESIDENT: Well, it's good to have him. Very good. This is a fight.

HALDEMAN: I need--a--he is so devoted to the other things. He's just devoted to the cause. He said, he said, "It's a great honor to meet, meet you men." (Unintelligible)

PRESIDENT: What is his reaction to the whole God-damn thing? Comedy, tragedy? Tragedy of errors?

HALDEMAN: He didn't, he didn't, he didn't characterize it. (Telephone rings) He didn't, ah--

PRESIDENT: (Pick up phone) Hello. Oh you've been busy? Yeah. How's, how'd it go? The 21st, rather. Yeah. Yeah. Yeah, for later. That's right. Either way. That's right. (Unintelligible) Well, get a question about whether, it matters, whether I talked to Mitchell. Huh? Yeah, that's right, Mitchell. But there was a, there was a time, they'll say, did ya ever, during this period, from the 21st on, did you talk to Mitchell? Very good. (Unintelligible). Very good, good answer-- All right, Ron Good luck. (Hangs up phone). Well (unintelligible). I just feel that, that, I feel that, I mean I just couldn't do that. Now they may (unintelligible).

EHRlichman: I tell ya. I think you've put him in a, you've put him in a box on that. They are going to have to have some damn good reason for that, that Sirica thing.

PRESIDENT: Dean's credibility is totally destroyed, you know.

HALDEMAN: Dean (unintelligible)

PRESIDENT: Sure, Dean (unintelligible) charge of the investigation.

EHRlichman: Did they ask him that?

PRESIDENT: Yes. I put it up to Ron and (unintelligible). I made this point to Ron. I said, "You know Dean (unintelligible) the White House, the Administration, and so forth." (Unintelligible).

EHRlichman: That's a good statement, if I say so.

HALDEMAN: It is good. It puts you, no, it puts you exactly in the position that you should be in now.

PRESIDENT: We'll get the shit kicked out of us by the press on it.

HALDEMAN: ...for giving in on and so forth.

PRESIDENT: Oh, giving in on Ervin, well, oh Ervin...

HALDEMAN: Why do you think they'll kick...

PRESIDENT: Oh Ervin, oh, no, oh Ervin's great-hell, that doesn't that doesn't bother me a bit. I was always ready to give in on Ervin and I said, "This is very satisfactory now. I think we've now accomplished our purpose. This is a good deal." I said, "It not only applies to this case but it can apply to other (unintelligible).

HALDEMAN: Yeah.

PRESIDENT: I ad libbed that when I said it. I worked it in. But, no, I meant to get the shit kicked out of the press. But, uh, "why did the president act so late on this case? Why didn't he act earlier on this matter? He had the charges floating around." The answer is that they are, they were charges that were just floating, I think. I mean, really, that's true, there were newspaper charges and so forth.

EHRlichman: Well, (unintelligible).

PRESIDENT: (Unintelligible) relying on Dean, frankly.

HALDEMAN: Well, then speed was not of the essence in this case. It wasn't a matter of where whereby moving quickly you would stop something. It was done. It was a matter now of doing it properly.

PRESIDENT: Yeah.

HALDEMAN: Not quickly. (Unintelligible)

PRESIDENT: (Unintelligible) do what's right fellas. You know, that's the point, on that, the whole Garment thing. But, ah, there is this tendency John, to talk, and basically I, I thought (unintelligible).

HALDEMAN: Totally non-plussed by that. He said, "Where's the Attorney General?" He's taken himself out of it. (Unintelligible) the Deputy Attorney General? He's not involved in it. Where's the Chief District Attorney? Where's Titus who should be on top of this? Why did Silbert call me instead of Titus? (Unintelligible) There's a (unintelligible) of old boys from the

HALDEMAN: Justice Department. Silbert, he's an old
(CONT.) boy from the Justice Department, and others, and they band together." He said, "Did John Dean ever work for the Justice Department?" He also said, " I bet you those lawyers that Dean has and Magruder has both were old Justice Department types." He says that Glanzer is a very bad operator. He knows him well. He doesn't know Silbert, he knows Glanzer well.

EHRlichman: He knows Glanzer very well.

HALDEMAN: Says he's a Bad guy. (Unintelligible).

PRESIDENT: Well, don't you both agree though, John, Bob?

HALDEMAN: He did it. But I would argue with the, the L.A. Times leak this morning. (Unintelligible)

PRESIDENT: I knew about that leak, ah, it was going to come yesterday.

HALDEMAN: No, I don't think it was intended as that. And I don't--not because it triggered us, but because it set the stage. It, It, let out ahead of time that the White House was going to move on something, And then, by God, you did.

PRESIDENT: Well, did that story say the White House was going to move? Oh, oh, oh. Heads are going to roll. That probably, that probably came directly from Dean. I think Dean did that.

HALDEMAN: "White House likely to admit some Watergate responsibility--will make a dramatic admission on one or more high level officials, bear responsibility." It doesn't say White House officials. Now, uh, uh, uh, your action now, saying something, you know, substantial developments, and then when the Mitchell bomb breaks, that's all going to fit together rather, rather well.

PRESIDENT: Yeah. Yeah (unintelligible/**REMOVED**).

HALDEMAN: Yep.

PRESIDENT: (Unintelligible) make out. Tell us about that transaction and (unintelligible. (Unintelligible). It's about not letting (unintelligible).

HALDEMAN: He said, he said it was the 22,000, was the difference in money material, into the case (unintelligible. Did he keep the money or was there something (unintelligible).

PRESIDENT: Well, he called the same day, too, didn't he?

HALDEMAN: Called the next day. He called within twenty-four hours.

EHRlichMAN: That was the next day. Testified on Thursday and called on Friday. (Tape Noise) They are using every lever they can lay their hands on-- these guys that say that.

HALDEMAN: I saw on ABC News tonight, which also fits into all this, possibly. It says "in he last three weeks in the White House, Haldeman has been coming down very hard telling everybody if you have anything to say, say it now. This was the message that was given to Mitchell Saturday at the White House. Haldeman evinced no protection and no apologies. Anyone and everything will be disclosed." It, it should have been Ehrlichman instead of Haldeman, or get out White House (unintelligible) for cracking down hard on the Watergate.

PRESIDENT: That's not bad.

HALDEMAN: It's a damned good position to be in. And when Ziegler talked to him he says, "I can't give you anything official on that but I can tell you off the record you are not going off base.

PRESIDENT: Bill Gill was on last night?

HALDEMAN: No tonight. Gill called and asked for confirmation. Oh, said he was going with the story and he wanted Ziegler's comment. Ziegler said, "I can't give you any comment."

PRESIDENT: The story probably isn't even on.

EHRlichMAN: (Unintelligible).

HALDEMAN: Well, that's what I said to Ron, "Hold the statement until tomorrow, and looked up my story (unintelligible) was on. No. It will be on. It's on. There's another item.

PRESIDENT: The right day too. We had to get it out. (Unintelligible).

HALDEMAN: That's right. That's right. The Post won't put it in tomorrow. If the Post had something to go with tomorrow, I would say they wouldn't go. They'll hold up now and watch for—they're—playing the long game. (Unintelligible).

PRESIDENT: (Unintelligible) your point, John, about the (unintelligible), I think we, I think we have, we've, we've sped the process up. We're takin' a hell of a deep big cut. But this kind of, this, this kind of stuff here would have had stories for three or four months.

HALDEMAN: That's right.

PRESIDENT: That Ervin. Right.

HALDEMAN: Right.

PRESIDENT: We get into the Grand Jury and then they get an indictment.

EHRlichMAN: Well, there's no question that it's the best way compared to the—better than the Ervin process. It's absolutely essential to go it this way.

PRESIDENT: That's right.

HALDEMAN: (Unintelligible)

PRESIDENT: If it weren't for the fact (unintelligible) possibility of indictments and so forth, it's been my theory (unintelligible) this God-damn thing to the Grand Jury.

EHRlichman: Yep.

HALDEMAN: Right.

PRESIDENT: And ah, you know, I mean, and not, the..

HALDEMAN: We have to face the possibility of indictments and those would, those would have come anyway. They wouldn't have let you get away with (unintelligible)...

PRESIDENT: Well I think what would happen really, (unintelligible) with Ervin's problem, (unintelligible) I, we refer this to the Grand Jury.

EHRlichman: They'd have murdered you.

HALDEMAN: Then they'd be out every night on television..

EHRlichman: They'd have murdered you

HALDEMAN: ..demanding that you fire everybody and demanding that you do that and that.

EHRlichman: Well...

HALDEMAN: (Unintelligible) that anyway.

EHRlichman: ...as a matter of fact, you might have turned the set on some day and watched your White House Counsel crap—for the glorious television -as a complete surprise to you.

HALDEMAN: That's right.

PRESIDENT: Oh, (unintelligible) you got the (unintelligible)?

HALDEMAN: Sure. He pulls it up there.

EHRlichman: (Unintelligible). I would suggest that you immediately approve a new White House counsel. I have a candidate.

PRESIDENT: Good.

EHRlichman: And that's this guy Thompson who tried Kerner, (tape noise) high corruption. He's tough, bright, dedicated to public service, attractive, clean.

HALDEMAN: (Unintelligible).

EHRlichman: He's tried (unintelligible) three cases this year. He tried the Kerner case -that's what's gonna help him politically.

HALDEMAN: (Unintelligible)

PRESIDENT: No. Would he be loyal to the President?

EHRlichman: He's, he's, he's got every reason to be. I-he was here today which is what made me think of him. Big, tall, good-looking guy, very robust. But, he's also just gives Daley fits because of his anti-corruption stand. He's the nation's leading corruption cleaner-outer at the moment. And he would be, he seemed to, to, to personify a new broom sweeping clean.

PRESIDENT: Could he be the director of the FBI?

EHRlichman: Yeah, yeah, he could.

PPRESIDENT: (Unintelligible)

EHRlichman: He's worth waiting for but if you don't want to wait, you sure could go with this guy. He runs a great big office. There's 70 lawyers or something like that.

HALDEMAN: It isn't, the point, though, is I know you don't think it's important, but the White House counsel is important.

PRESIDENT: Sure, oh, oh no, of course I know it's important.

HALDEMAN: He's important at this, this, the uh, when it falls apart like this you see the importance. He handles a hell of a lot of stuff..

PRESIDENT: Yeah.

HALDEMAN: ...on, on our behalf that is important if it goes wrong and it's totally insignificant as long as it goes right.

PRESIDENT: Now, let's face it, up to this thing, Dean handled a lot of stuff well.

HALDEMAN: That's right. Yes.

EHRlichman: I would, I would hate to have you appear in the position of not have--of sort of conditionally holding the job open much beyond the time that Dean is..

PRESIDENT: I'll say, this. I think that one thing for sure, John, is (unintelligible, with tape noise) I would, ah, I think that I've got to play, I want to play--I know the Dean thing very well--we have played it pretty, fairly well. I think what we ought to do--make or deal or not with Dean this week. (Unintelligible) in all certainty (unintelligible). His, I don't see how Dean can possibly miss being in whatever they put out on Magruder.

HALDEMAN: That's right.

PRESIDENT: He can't miss being in it. And the way this guy talks, I think all of you, all of you, everybody (unintelligible).

EHRlichman: He may get it. We'll just have Mr. Wilson go around and talk with the U.S. Attorney types. (Unintelligible), and say, "Okay, you are about to, you're about to ruin these guys. I just want you to know that they are going to have to go out and protect themselves. You'll have, you are going to be, you're going to be, you're going to be in a problem." (Unintelligible) I mean. He has quite a close relationship with Titus. (Unintelligible) get much of a total on this. This statement, and he's going to make it, make it any thing he can--make a (unintelligible) press for--not immunity, but functional immunity, so-called, where he doesn't need to make a side deal with the boys and they can grant immunity. And uh, that, uh, that would be my hunch.

PRESIDENT: All right, we shall go over--come in. In other words he'll try the, say the same old thing from now on.

EHRlichman: I would, I would assume so to justify or force him to go to Sirica to try to and get immunity (unintelligible)...

PRESIDENT: (Unintelligible)

EHRlichman: ...showing to the Judge what kind of a witness this is. So on, and get them off the hook of the Executive Branch by having the Judge grant the immunity. (Unintelligible)

PRESIDENT: (Unintelligible/**REMOVED**). I think, the Judge can attach that statement. Really can.

EHRlichman: See, you're, you're putting yourself with the (unintelligible) on that.

PRESIDENT: I am just saying that immunity is not granted to any major...

EHRlichman: I think that will be read as, as relating to Mitchell and, uh,...

PRESIDENT: That's right.

EHRlichman: ...people of that ilk as well.

PRESIDENT: Oh, sure.

HALDEMAN: They may decide not to read it as.

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

HALDEMAN: That's correct.

EHRlichman: (Unintelligible)

PRESIDENT: Dean'll...

EHRlichman: (Unintelligible)

PRESIDENT: Well...

EHRlichman: (Unintelligible)

HALDEMAN: But, uh...

PRESIDENT: No, I, I-but I, I have told the
(unintelligible), I told the Assistant Attorney
General, specifically, that nobody should be
granted immunity and that includes Dean.
(Unintelligible) Rogers agrees with this and
the, uh,...

HALDEMAN: The other point that our attorney makes, which
is significant--hold on--that's right, the Judge
can grant immunity, but that in the Executive,
only the Attorney General can grant it. That
holds somewhere else too.

PRESIDENT: (Unintelligible) Dean is the only one who can
sink Haldeman or Ehrlichman.
(Unintelligible)

EHRlichman: How am I going to explain it, after making this
statement? What do I do--say "Dean is some
little, little clerk?" He's my Counsellor, for
Christ sake.

PRESIDENT: That's right, he's involved in the Gray thing. They are not going to throw the, throw the whole thing in there. (Unintelligible) no intention to see Dean again unless it's useful--I don't think you can control him, and uh, he's fanatic. I don't think, you, you feel, uh, I mean, it would be useful, let me know.

EHRlichman: I will tell you what is lurking in the back of my mind is that, based on the chain of circumstances, Dean may be provoked to make a public statement which is slanderous and hostile.

PRESIDENT: Another thing. I would like the libel suits. I think both of you, and Bob particularly, you ought to have--get yourself a libel lawyer, Bob, and check the, or have Wilson--I'd use the most vicious libel lawyer there is. I'd sue every son-of-a-bitch (unintelligible). There have been stories over this period of time. That will make---that also helps with the public, public opinion. Sue, sue right down the line. It doesn't make any difference now about the taking depositions and the rest, does it? The important thing is the story's big and I think you ought to go out and, uh, sue people for libel.

HALDEMAN: Do you mean Senator Weicker?

PRESIDENT: He's covered.

EHRlichman: Oh, he's not, (unintelligible) Issues and Answers.

HALDEMAN: (Unintelligible) or using newspaper interviews.

EHRlichman: That's right.

HALDEMAN: It was not on the Floor, he's too fucking stupid. (Laughter)

PRESIDENT: Well, well, well the point is though, did he--the thing with Weicker is, is whether he said (unintelligible). Was it libelous?

HALDEMAN: Cer--, I think so. I better ask a lawyer.
(Unintelligible)

PRESIDENT: Was he that specific..

HALDEMAN: He was damned specific.

PRESIDENT: ..that Haldeman knew?

HALDEMAN: Yes. "That, that Haldeman directed and Haldeman was in personal command of all personnel." I repeat, "all personnel at the Re-election Committee."

PRESIDENT: Good, sue him.

EHRlichman: I think we should.

PRESIDENT: (Unintelligible)

HALDEMAN: He said that I was in personal command of Liddy, I mean Hunt..

PRESIDENT: I would sue Weicker.

HALDEMAN: ...and McCord..

PRESIDENT: I would sue Weicker.

HALDEMAN: I have never met or heard of him.

PRESIDENT: I would sue Weicker and I'd depose him God-damn fast. Ask him about the 65 G's. John, this libel thing. You may as well get at the libel thing and have yourself a little, have yourself a little fun.

EHRlichman: Might make expenses.

EHRlichman: Operating procedure-wise, we've got to main--, or my recommending, recommendation would be that we should maintain the facade of normal

operations as long as you've taken this position. I don't think we want to look like something is radically changed.

PRESIDENT: Nope.

HALDEMAN: Then I think we should come into the office at the normal time in the morning..

PRESIDENT: Right.

HALDEMAN: ...and, uh..

PRESIDENT: Have your staff meetings,...

HALDEMAN: Right.

PPRESIDENT: ...plus you should at the meeting tomorrow with the energy conference and you should be at the ah, the, the, us, Quadriad meeting. You're God-damn right.

HALDEMAN: Come and go and go as we go along.

PRESIDENT: Until, unless and until something happens.

(Unintelligible)

PRESIDENT: Now the only exception here is Dean.

HALDEMAN: Dean Should not. But nobody will know whether he does his normal job or not. But see that..

PRESIDENT: Well..

HALDEMAN: ...nobody gives a damn.

PRESIDENT: The basic..

HALDEMAN: He is not visible, and he's been out of here for a month anyway.

EHRlichman: Any objection to going to Florida this weekend, if you go?

PRESIDENT: Would you like to go...or?

EHRlichman: Yeah.

PRESIDENT: Would you like to go?

HALDEMAN: I don't expect to get much sunshine, but...

PRESIDENT: (Unintelligible)

EHRlichman: It might help.

HALDEMAN: I think we should unless, unless our lawyer keeps us here and he could.

PRESIDENT: Yeah.

HALDEMAN: We normally would and I think we should.

PRESIDENT: Oh, I think you should, Bob. Right. Now understand that, if they, if they crack this openly..

HALDEMAN: Oh well, than that would be a problem.

PRESIDENT: (Unintelligible) I think probably (unintelligible) but, uh...

EHRlichman: One concession that I would ask, and that is that, that people on leave be considered for use of Camp David occasionally.

PRESIDENT: Let me say what I had in mind. (Unintelligible with tape noise) I want you to go forward and if this thing comes out, which I can't believe, I want you to go forward to beat the rap, at all costs, to beat the God damned rap. They'll have one hell of a time proving it. Yours is a little tougher I think, uh, Bob, and uh, it shouldn't be--three damned hundred and. That's why I hope, I hope you could raise with the Judge, and, your, your attorney--that, please give, gave you the law on that point.

HALEDMAN: Yes sir. On that point, yeah. We haven't gotten into (unintelligible).

PRESIDENT: What the hell is the law on obstruction of justice? Yeah.

EHRlichMAN: He's briefing that tonight for us.

HALDEMAN: He says it's, it's damn tough, loose.

EHRlichMAN: He cites Glanzer as the major, leading authority on it. He uses it like a bludgeon.

PRESIDENT: Only it it's a (unintelligible)

EHRlichMAN: Oh, he hasn't given us that yet.

HALDEMAN: He didn't, he didn't give us the opinion. He just said, "I'll, I'll tell you on, on, on the top that it's very tough. It's, it's loose, broad and cases go all the way."

PRESIDENT: I hope he has an opinion sometime on (unintelligible).

HALDEMAN: Why the hell (unintelligible).

PRESIDENT: Remember I was a little suspicious of Chuck. I was not--after all, I said, "Dean it, uh, what's he talking to these people for? And remember the way I put it is, "He was saying, "gee, I've talked to these guys and they're mind -picking." And I said...

HALDEMAN: Well, they're not in error.

PRESIDENT: And I said, "I think they are taken." Remember? I said that.

HALDEMAN: Sure did.

PRESIDENT: Well, I don't--I think he was being taken (unintelligible).

EHRlichman: Well I think he figured rape was inevitable so he was going to enjoy it.

PRESIDENT: Remember, Bob, remember, I said, "I think they are taking Dean."

HALDEMAN: Sure do.

EHRlichman: Well, as I said before, we beat the rap but we're damaged goods.

PRESIDENT: That's right. You can't go back in the government, but I will tell you one thing you can do (unintelligible). (10 second pause) You're not damaged goods as far as I am concerned. And ah, it's one hell of a thing. The point is that--and let's wait and see what happens

HALDEMAN: Sure. Of course.

EHRlichman: See where we are.

PRESIDENT: We ought to expect the worst but I think that, that what I would like both of you to consider, uh, 50% of your time also for editing, etc., and so forth and so on, with the Foundation. The Foundation is going to be a hell of a big thing, it's gotta be. These first four years are terribly important and so forth. And, uh, I mean, uh, after all, you understand, that if--looking down the road, looking down the road, as far as uh,--you say your Dad was good at looking down the road?

HALDEMAN: Yep.

PRESIDENT: If you are indicted and tried and found innocent, it washes away.

HALDEMAN: Well...

PRESIDENT: Agree?

HALDEMAN: I don't...

PRESIDENT: ...for government service, I mean.

EHRlichman: On, or for the practice of law.

PRESIDENT: (Unintelligible) Really.

EHRlichman: (Unintelligible)

HALDEMAN: That isn't true, John.

EHRlichman: It depends on the circumstances.

HALDEMAN: Yeah, it does.
(Unintelligible)

EHRlichman: There is nothing I can be discouraged about at this point. But it's, ah, I think we've just about had it. I think the odds are against it.

HALDEMAN: (Unintelligible)

EHRlichman: Well I'm not (unintelligible) traffic cases.

PRESIDENT: The hell with the traffic cases. Well,...
(Laughter)

HALDEMAN: (Unintelligible) traffic violation.

EHRlichman: Yup.

HALDEMAN: Well, looks nice.

PRESIDENT: What are they doing?

HALDEMAN: Well, there's all kinds of things we could do.

EHRlichman: (Unintelligible)

PRESIDENT: Well, the Foundation. I just think it's very (unintelligible). (Unintelligible) found somebody to do it. It's terribly important. Incidentally, it is terribly important that poor Kalmbach who's getting screwed in this thing.

HALDEMAN: I think he's all right.

PRESIDENT: How could he learn? Did you talk to him there? Did, did Dean call him about the money?

HALDEMAN: Yes, sir.

PRESIDENT: Does he say what Dean said?

EHRlichman: Dean told me that he didn't tell Herb what it was for. I don't believe him but that's...

PRESIDENT: Why does...

EHRlichman: Herb, Herb said that he just followed instructions; that he just went ahead and did it and sent the money back and, uh...

PRESIDENT: They said they needed it for..

EHRlichman: I don't, I don't even know if they told him what for. It was an emergency and they needed this money and ah, I don't know whether he can get away with that or if it's more specific than that.

PRESIDENT: You can corroborate then, Herb, on that one.

EHRlichman: I can if Dean is the accuser. I certainly can.

PRESIDENT: If Dean is the accuser, you can say, you—that he told you on such and such a date that he did not tell Herb Kalmbach what the money was for.

EHRlichman: Or as he has told me—that he has told me, uh...

PRESIDENT: That's right.

HALDEMAN: (Unintelligible).

PRESIDENT: That's right. That's right.

HALDEMAN: Incidentally, at this point, (unintelligible), we're we're going to have (15 second unintelligible). If we have to get out of here, I think the Foundation (unintelligible). I hope to get funding for (unintelligible).

Spend the rest of my life destroying what
(unintelligible/**REMOVED**)

PRESIDENT: Let me ask you this, uh, (pause). Legal fees will be substantial (unintelligible). It is not important, it (unintelligible)—John Dean is a lawyer (unintelligible) (tape noise) But there is a way we can get it to you, and, uh,--two or three hundred thousand dollars. (Unintelligible) Huh? No, no. Now, let me tell you now. I know the problems with families and all the rest. Just let me handle it. Now how could we do it?

EHRlichman: Let's, let's wait and see if its necessary, this—that whole ting, I, I, it may not be nec--. This guy is like he's doing a public service coming over here right now and he'd probably he..

PRESIDENT: Let me say, it would be investigations, legal, that will load,--you will find that you, you have to do it in cash.

EHRlichman: Yeah.

PRESIDENT: That you got a civic, you got, you got a government duty. (Unintelligible) important thing.

HALDEMAN: (Unintelligible)

PRESIDENT: (Unintelligible - stuttering) To strain. Doesn't come outta me. I didn't, I never intended to use the money at all. As a matter of fact, I told B-B-Bebe, uh, basically, he sure that people like, uh,--who, who have contributed money over the contributing years are, uh, favored and so forth in general. And he's used it for the purpose of getting things out, paid for in check and all that sort of thing.

HALDEMAN: Um hum. Um hum.

PRESIDENT: Very substantial. Uh, Bebe could, uh, we could, uh, if this is available and, uh,--I had thought that we'd just throw it in the campaign of '74 with you handling it. Sure. We probably, will make the candidates who are gonna be around in '74.

HALDEMAN: (Laughs)

PRESIDENT: I think so.

HALDEMAN: I'm not so sure.

EHRlichman: I think you can take a very strong position on this thing. Throw a lot of distance between anybody that's named in this thing and you'll be that much stronger.

PRESIDENT: A great case on obstruction of justice. I guess the, the real torpedo turns out to be Dean because, because I have stopped teaching and that's their case.

UNIDENTIFIED: No, no, no, no, no.

HALDEMAN: Yeah, the President, had to (unintelligible)...

PRESIDENT: I understand. I understand.

HALDERMAN: ...(unintelligible) can't do that.

PRESIDENT: I understand. Well, I'll tell you one thing. (Unintelligible) guilty (unintelligible). (Unintelligible) give immunity. You know. It isn't really much (unintelligible) privilege around.

EHRlichman: Colson undoubtedly (unintelligible) John Dean they, they could give him immunity for a (unintelligible) thing.

HALDEMAN: See, that's the point, they could give him all the immunity they wanted on this. We give 'em. We charge (unintelligible) on everything else.

EHRlichman: Chuck's got another thing in his bag of tricks. Apparently Dean's thing--and, ah...

PRESIDENT: Chuck got that--Watergate lawyers?

EHRlichman: Well, Chuck has Watergate (unintelligible).

HALDEMAN: (Unintelligible)

EHRlichman: Yeah, yeah.

PRESIDENT: Yeah.

EHRlichman: I think he wants to lay out there in the weeds but, uh, uh, he, uh, he, he'd be somebody...

HALDEMAN: (Unintelligible)

EHRlichman: He'd be somebody that you could talk to but you can't. I don't, uh I don't--uh, I'll tell you, my feeling on this is that, I may be an optimist, I'm just not willing to believe that the process will result in a indictment and (unintelligible). I just can't, I just can't accept that.

HALDEMAN: You've gotta have faith that the system works.

EHRlichman: Well, I've seen it work for a lot of times, yeah, and, ah,...

PRESIDENT: Except the thing that gets us, concerns Nixon. (Unintelligible) Glanzer is a great obstruction of justice man.

EHRlichman: Oh sure, it's ah, and that's, that's why that--

PRESIDENT: But he still has to prove it.

EHRlichman: He's got to have some facts, and he does work for this fellow Titus and, uh, and he's got to get by him. Glanzer can't do this all by himself. And their checks in this thing are not overwhelming, but they're there and he has just got to find the right buttons to, ah, push to make it come out right. For that reason, while we maintain the façade for participation (unintelligible) realistically (unintelligible).

PRESIDENT: I understand that, I understand that. We'll work, we'll work whole now, we, we talk about our (unintelligible)...

HALDEMAN: Keep some face.

PRESIDENT: Keep some face.

HALEDMAN: (Unintelligible)

PRESIDENT: We'll have a we'll have the God damnest party at Camp David, now here, let me say, you, I think...

EHRlichman: Well I have got to do the leadership thing in the morning, that's...

PRESIDENT: You gonna do the leadership thing?

EHRlichman: ...that's with Dean.

PRESIDENT: Then do the Watergate.

EHRlichman: Then do the Watergate thing.

PRESIDENT: That's right.

EHRlichman: And then I think I'll sort of fade from there. I talked to Shultz and said, you know, I wasn't going to be available (unintelligible). I talked to Ken and said he's gonna have to carry a heavier load.

PRESIDENT: We'll have to get recommendations (unintelligible).

EHRlichman: The one problem is Shultz has got a half-a-dozen trips lined up.

PRESIDENT: For himself?

ERlichman: For himself. One to Latin America, to some Inter-American Bank and, uh...

PRESIDENT: Oh shit.

EHRlichman: A bunch of stuff so he might.

HALDEMAN: Get him to ask Simon to handle the stuff.

EHRlichman: Well, yeah Simon said he (unintelligible). War veterans (unintelligible). Ah, maybe we just might get a, our statements judged. (Unintelligible) well, anyway, that's something we'll work on.

EHRlichman: Henry passed me in the hall today and I could have sworn I had a spot of leprosy. (Unintelligible) - Kissinger had a long look on his face, he greeted me like my wife had just died. Ah I'm (unintelligible). He's taking this very much to heart, he's being very supportive and it's troubling him very much.

PRESIDENT: I am told.

EHRlichman: And uh, he doesn't know what to do. He really doesn't know what to do. I have said, "Henry...

PRESIDENT: I'm sure, I'm sure Garment's (unintelligible).

EHRlichman: Yeah, he did. And I said, "Henry call me at home." I said, "Henry the best thing you can do for the President is just staying clear of the thing, and serving, uh, in, in places—Keep everything else clean.

PRESIDENT: Where do we put Garment at this point? I'm just wondering.

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EHRlichman: I think he's eligible for a trip. I think maybe you ought to send him to Ceylon or some place.

PRESIDENT: No, I'm on, on Garment (unintelligible) usefulness. He, he was in (unintelligible).

UNIDENTIFIED: (Unintelligible)

EHRlichman: Yeah, and, ah, I...

PRESIDENT: He probably (unintelligible).

HALDEMAN: Yes, sir.

EHRlichman: Not, not in the, I'm only speaking of it in the terms of our situation.

PRESIDENT: Yeah.

EHRlichman: I'm thinking of--in terms of his relationship to Dash and the Committee, uh, where really he comes into play. Ah, that's, that's frankly, that's another reason why I like to see you get a tough aggressive guy.

HALDEMAN: I'll have a coke.

SANCHEZ: Want a coke?

EHRlichman: Two please

PRESIDENT: Well I'll have a coke too, Manuelo. Three cokes.

SANCHEZ: Si, Senor, three cokes.

EHRlichman: Ah, that's another reason I'd like to see you get a tough aggressive guy in here, ah, like Serelli or Thompson or somebody like them. Uh, to supercede that problem because if you had somebody like that then you would say, well thanks Len, that was great, uh, this guy's gonna take over. And ah...

HALDEMAN: There's no real rush on that is there?

PRESIDENT: Oh, no.

HALDEMAN: Don't we, yeah really believe...

PRESIDENT: I think they're gonna...

HALDEMAN: ...that's Ervin's down the tubes for six months anyway.

EHRlichman: Yeah, that'd be my opinion.

PRESIDENT: Ervin?

EHRlichman: Maybe.

PRESIDENT: The, the point is that I think before we could get, uh...

EHRlichman: (Unintelligible) Mitchell.

PRESIDENT: ...by Dean and Magruder,
(25 seconds unintelligible, pause, unintelligible).

EHRlichman: Yeah. Attorney general.

PRESIDENT: So we have to think of that job, too.

EHRlichman: Yeah, we probably could (unintelligible).

PRESIDENT: Hmm. Have my lawyers there, my lawyers here. Could John do, do little things (unintelligible) accomplish—say you were looking at a possible Attorney General and, ah, Thompson (unintelligible).

HALDEMAN: (Unintelligible) White House counsel should not give, uh—That's one of our problems with Dean. You've got a guy who, who, ah (unintelligible) over his head, (unintelligible). (Unintelligible) young man is (unintelligible).

PRESIDENT: You have a great responsibility.

HALDEMAN: But they've got to be supervised and he wasn't adequately supervised.

PRESIDENT: That's the same problem, that's the same problem with Magruder and Mitchell. Magruder is a young fellow.

HALDEMAN: Except, no, they disagree. Magruder was adequately supervised, he was a hell of a guy and think that we can handle (unintelligible).
(Unintelligible/**REMOVED**)

PRESIDENT: But ah, you think about the Attorney General, cause I think Kleindienst is (unintelligible/**REMOVED**) I think Kleindienst (unintelligible/**REMOVED**)

EHRlichman: I guess it's just too traumatic.
(Unintelligible).

HALDEMAN: I don't know, I think it might be just in time. Trauma is what you want at that point.

PRESIDENT: (Unintelligible) Thompson over there (unintelligible). How old is he?

EHRlichman: Look like he's about in his late 30's.

HALDEMAN: (Unintelligible) general.

EHRlichman: How about constitutionally (unintelligible)?

PRESIDENT: How about moving Len over there and getting hold of the guy there in New York? (Unintelligible)

EHRlichman: That's, that's the best parlay that's occurred to me, (unintelligible).
(Unintelligible/**REMOVED**)

PRESIDENT: Quite technically we can do it.

EHRlichman: It's reported as saying that I never thought the President was very comfortable with the phrase "guaranteed annual income". (Laugh) And, us, sure wasn't the fact. (Laugh) Said he wondered if I would mind just writing a sort of an epilogue to the whole episode by, uh, telling him how I felt personally about the family assistance plan, in view of my remark. I just got into a five foot file of unanswered personal correspondence.

PRESIDENT: In a way, I suppose that, uh, the President, I think, is handling this without fear of avoritism.

EHRlichman: Sure.

HALDEMAN: Yup.

EHRlichman: (Unintelligible/**REMOVED**) on that I guess (unintelligible). The concern I would have since you are handling it is, is who's helping you and how much you (unintelligible).

PRESIDENT: Yeah, I know.

EHRlichman: And, uh, Petersen is...

PRESIDENT: I, well, I, I know. I know Petersen is not, I've, I've made up my God damned (unintelligible) but...

HALDEMAN: But as compared to who in a way, cause you've got to have somebody, don't you John. Now maybe the thing that you could do, John-is, is find somebody like this Thompson or somebody else.

PRESIDENT:

HALDEMAN: **RESTRICTED-"D"**

PRESIDENT:

EHRlichman: So at least it isn't anybody, he isn't anybody you ought to lean heavily on.

PRESIDENT: I get the point.

EHRlichman: **RESTRICTED-"D"**

PRESIDENT: Yeah.

EHRlichman: **RESTRICTED-"D"**

HALDEMAN:

EHRlichman: **RESTRICTED-"D"**

PRESIDENT: (Unintelligible).

EHRlichman: **RESTRICTED-"D"**

PRESIDENT: I didn't think so.

EHRlichman: He's kind of invisible. But if you were to elevate him...

HALDEMAN: (Unintelligible).

EHRlichman: Yeah, if you were to elevate him, might be trouble.

PRESIDENT: Now I know, so I need somebody around here as counsel.

HALDEMAN: And Attorney General.

PRESIDENT: I need a Director of the FBI.

EHRlichman: Boy, I got a, I got a marvelous letter about my firm from, uh, of all things a Harvard professor but uh, ah, Republican type Harvard professor.

PRESIDENT: Wilson?

EHRlichman: No, it's a different one (Unintelligible) who has known Matt Byrne from the days when they were both on the staff of the commission that he headed that uh, Scranton commission. This guy said that Byrne is the leader and, uh, inspiring and down the middle and judicious, non-partisan leader as he could be. I never saw such an endorsement. He's really, uh, bringing in the...

PRESIDENT: John and Bob, if you have to be replaced who the hell would we put in your spot?

HALDEMAN: I would suggest that you not try to do that. I don't think you handle the segments of it, we just have to...

PRESIDENT: (Unintelligible) uh, Parker (unintelligible).

HALDEMAN: You segmentize the minor areas and then, uh, (unintelligible).

EHRlichman: I think very shortly they'll question who was where.

PRESIDENT: (Unintelligible) I think he'd be under five minutes and then if he does (unintelligible). Yeah, I was just kidding.

REEL 3 BEGINS

EHRlichman: He can't

PRESIDENT: I think we've got it.

HALDEMAN: We just change structure, that's all. (Unintelligible).

PRESIDENT: I think we change the structure. You've got Parker, you've, you've got Bull. As a matter of fact (unintelligible) that way. (Unintelligible) I guess we'll have to (unintelligible).

(Unintelligible with tape noise)

EHRlichman: See some of those object papers, that you have been seeing. (Laughs)

(END OF REEL 2)

PRESIDENT: I don't know.

EHRlichman:

RESTRICTED-"D"

PRESIDENT: Is it too tough?

EHRlichman: I can put him down. Ken can't. He was their, their (unintelligible) his, his peers.

PRESIDENT: (Unintelligible)

EHRlichman: I mean he's, he's moving to, ah, moving to ah, well, first I'll give you a example. Ah, we were announcing in the energy message tomorrow this three-man committee in the White House on energy, Kissinger, Shultz, and me, as a substitute for this thing they want in the Congress now. Ash wouldn't sign off on it because he wanted to be on the committee. And, uh, so, uh, he held 'em up for four days. So finally DiBona and, uh, somebody else came to me and he said, "Jesus, this holdin' up the whole thing." So I said (unintelligible) sign off, we go ahead and do it. Ah, now, Ken can't get away with that. And so you'll find yourself refereeing, I'm afraid, uh, moves like that from time to time.

PRESIDENT: (Unintelligible)

EHRlichman: No sir, but I, uh, I mean, uh that's the kind of thing that, that, uh, I can get away with that, uh, nobody, uh, else around here can.

PRESIDENT: Show Ken how to do it. I want him to referee everyone with the greatest of (unintelligible). (Unintelligible like, like hell (unintelligible)) (Unintelligible)

PRESIDENT: It doesn't make a God damn bit of difference what happens most of the time.

HALDEMAN: Well we're, we're still here for a while.

PRESIDENT: That's right, yeah I can still...

HALDEMAN: We could get him at his (unintelligible) position thought. And if it works out that we can stay that's that's advantageous...

PRESIDENT: Yeah.

HALDEMAN: ...because we could, we could move out of some staff it would be more useful. And if it works out that we can't stay, we'll work (unintelligible)

PRESIDENT: I want you to uh, I hope you'll let me know about the money. Understand, you, there's no, uh, better use for it. Okay?

HALDEMAN: No, I appreciate it very much.

PRESIDENT: Now for a libel lawyer, for example...

PRESIDENT: ...and so forth.

EHRlichMAN: Those bandits usually work (unintelligible) a foe as long as it's any kind of a case.

HALDEMAN: You think there'll be any?

PRESIDENT: Promise to get one okay, the best reason (unintelligible) perhaps, and so forth, let me say that, uh...

EHRlichMAN: But, if we get into a trial phase...

PRESIDENT: ...trial phase...

EHRlichMAN: ...I would go out of town and hire the best God-damn trial lawyer in the world.

PRESIDENT: Yeah.

EHRlichman: ...and...

PRESIDENT: Yeah.

EHRlichman: ...bring him in here and load him up and really put on a show.

PRESIDENT: That's right.

EHRlichman: So, ah that'll cost, that'll cost plenty. Ya know.

PRESIDENT: Yeah.

HALDEMAN: (Unintelligible).

EHRlichman: Somebody like--I mentioned Bill Frates down in, ah, Miami or somebody of that kind.

PRESIDENT: Yeah. Right.

EHRlichman: He's very skillful and very tough.
(Unintelligible) club house (unintelligible) very much.

EHRlichman: (Unintelligible) yeah (unintelligible)

UNIDENTIFIED: Good night. (Unintelligible)

UNIDENTIFIED: Good night, Dick

UNIDENTIFIED: Good night.

EHRlichman: Yeah.

PRESIDENT: Unintelligible.