

TRANSCRIPT OF A RECORDING OF A MEETING BETWEEN THE
PRESIDENT AND JOHN DEAN ON FEBRUARY 28, 1973 FROM 9:12 TO
10:23 A.M.

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DEAN: Good morning, sir.

PRESIDENT: Oh, hi.

DEAN: How are you?

PRESIDENT: Oh, I wanted to, uh, to speak with you
about, uh, what, uh, kind of a line to test.
Now, I want Kleindienst--this is not a
question of trust. You have

DEAN: (Clears throat)

PRESIDENT: ...you have it clearly understood that you
will call him and give him directions and
that he will call you, and so forth, and so
on. I just don't want Dick to go...

DEAN: No. I think-

PRESIDENT: ...go off--you see, for example, on
executive privilege--I don't want him to go
off and get the damn thing, uh, uh--get us--

DEAN: Make any deals on this thing--

PRESIDENT: Well, to make a deal--that's the point.

DEAN: Yeah.

PRESIDENT: That Baker, uh, as I said, was, uh, he was
(unintelligible) you know, this and that and
the other thing, and, and you've got to be
very firm with these guys or you may not end
up with anything. Now, as I said, the only
back-up position I can possibly see is one
of a, uh, is Kleindienst wants to back or
(unintelligible) didn't want to but
suggested we ought to back them heavily,
send them up there in, in executive session.
Well, now you haul them up there in
executive session we still got the problem
of a, uh, of, uh, well, I feel that the
tape-I, I'm thinking of that because it'll
go to him without any question...

DEAN: Sure.

PRESIDENT: ...at that point, and that's going to be far more significant. This crap bothers us at the moment, but that's far more significant. And they'll haul him up there and bully-rag him around the damn place and it'll raise holy hell within our or his relations with Rogers and all the other people.

(Secretary enters)

PRESIDENT: Yeah. Oh, uh, oh, I've sent some notes out, uh I guess there's, uh, a couple of yellow pages something that I was, uh, from that, file on the teachers' thing that I'm not doing today.

SECRETARY: Yes, sir.

PRESIDENT: Get the yellow pages (unintelligible). Might save money for the government.

SECRETARY: All right, sir.

PRESIDENT: Just send it back to me please.

(Secretary leaves)

PRESIDENT: So you see, uh, I think you better have a good, hard face-to-face talk with him and say, "Look, we've thought this thing over," and, and., uh, you raise the point with him: it cannot be executive session because, you know, he's likely to float it out there and they'll grab him.

DEAN: That's right, and As I mentioned yesterday, he is meeting with Sam Ervin and Baker in this, joint session and that probably is one of the first things that, uh...

PRESIDENT: Yeah.

DEAN: ...that Ervin-

PRESIDENT: That's the only thing they'll be there to discuss.

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DEAN: It'll be--

PRESIDENT: The main thing

DEAN: That's right.

PRESIDENT: ...they'll be there to discuss--not only--the only--but the main thing Ervin is going to be. "Now what about executive privilege?" Now, he hasn't had that meeting set yet, though, has he?

DEAN: No, it's not. So there's ample time to have Dick go up, uh

PRESIDENT: Well, you, uh, you, have a talk with him and say we talked about this and this is where we stand and this is where he is. Now your position, I mean, uh, of course, I know our Position is written interrogatories, which they will never, they'd probably accept, but it may give us a position, I mean it'd be reasonable in the public mind.

DEAN: Correct.

PRESIDENT: That's what you have in mind.

DEAN: Correct.

PRESIDENT: Now, the other possibility is, uh, is the one that, uh, Ehr--, Ehrlichman, I think suggested it. You could have, uh, uh, agree that uh, the ranking, uh, the Chairman and the ranking member could, uh, question under basically the same--under very restricted--uh, a little bit early (unintelligible) for that.

DEAN: You mean, coming down here, say?

PRESIDENT: Ba-, basically

DEAN: That's a--

PRESIDENT: ...that is the thinking.

DEAN: I think I think that's a, uh, a sort of "if" we couldn't get inter--, written interrogatories. That's still a, a, a, serious precedent to deal with, though, if they come down here and, uh, uh

PRESIDENT: Yeah.

DEAN: ...start questioning people. I think the issues would have to be so narrowed for even that situation.

PRESIDENT: Yeah.

DEAN: And that's what'll evolve with the

PRESIDENT: Right.

DEAN: ...narrowing of the issues to where what information, say, a, a Haldeman might have or an Ehrlichman might have...

PRESIDENT: Yeah.

DEAN: ...that the Committee needs to be complete in its report or its investigation.

PRESIDENT: Yeah. We will say that you will then, you will (unintelligible) to written interrogatories under oath, that an-, answer questions.

DEAN: That's--publicly, you, you're not withholding any information and you're not using the shield of the Presidency.

PRESIDENT: So, as I say, (clears throat) when you talk to Kleindienst--because I have raised this in previous things with him on the Hiss case--he got, he'd forgotten, and I said, "Well go back and read the first chapter of Six Crises. Tells all about it." But I know very--as I said, I mean, that was espionage against the nation, not against the party. FBI, Hoover, himself, who was a friend of mine...

DEAN: Uh huh.

PRESIDENT: ...even then, said "I'm sorry. 'I have been ordered not to cooperate." And they didn't give us one God damned thing. I conducted that investigation with two stupid little committee investigators--they weren't that stupid--they were tenacious. One had been fired by the FBI; he was a good, decent fellow, but he was a drunk.

DEAN: Uh huh.

PRESIDENT: And, uh, we got it done. But we broke that thing

DEAN: Against a wall--

PRESIDENT: ...without any help. The FBI then got the evidence which eventually--See, we got Piper, who--We got the, the, the, oh, the Pumpkin Papers, for instance. We, we got all of that ourselves.

DEAN: Well, you know, I--

PRESIDENT: The FBI did not cooperate. The Justice Department did not cooperate. The Administration would not answer questions except, of course, for Cabinet officers, I mean, like, uh, Burling came down and some Of the others (unintelligible)

DEAN: Funny, when the shoe is on the other foot, how they look at things, isn't it?

PRESIDENT: They did--Well, and, as I said, the New York Times, the Washington Post and all the rest, said the Administration has an absolute right--They then...

DEAN: (Clear's throat)

PRESIDENT: ... Put it, they put it in terms of executive privilege. They were just against the investigation. So the real question there is

PRESIDENT: that now, now you could say that I,
(CONTINUED) having been through that--we have talked it over, and that I feel that, uh, I think that was--I have always felt very miffed about that, felt that was wrong, it was espionage against the nation. Now this is another matter. But I think that we ought to cooperate, and I'm trying to find an area of cooperation. Here it is: written interrogatories.. All right. You see, the er--, the, the Baker theory is that he wants to have a big slambang thing for a week and then he thinks interest in the whole thing'll fall off. And he's right about that. And he even--But his point of having the big slambang thing for a week is to bring all the big shots up right away. But the big shots you could bring up--you, you could bring up Stans. They've got to put him on, and they've got to put Mitchell on. But held like to get, of course, Haldeman, Ehrlichman, and Colson.

DEAN: I understand that, uh, Bob and you have talked about running Stans out as sort of a stalking horse on an--, on another post.

PRESIDENT: Well, it's not my idea. It's, uh, I guess Moore or somebody mentioned it.

DEAN: I, I think it was my idea

PRESIDENT: (Unintelligible)

DEAN: ...as a matter of fact, and I think it could defuse, could be one defusing factor in the hearings. Uh, Stans would like to get his side of the story out. He is not in any serious problem ultimately. It could be rough and tumble, but Maury is ready to take it and, uh, it would be a mini-hearing, no doubt about it. But this further detracts from, uh, the other Committee.

PRESIDENT: It would be a mini-hearing, it's true. Except knowing the press--I'm trying to think out loud a minute--knowing that they, uh, you

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PRESIDENT: know, they have, like they have taken (clears
(CONTINUED) throat)--they sold several of these stories
on Colson and Haldeman about four times.

DEAN: Oh, I know that.

PRESIDENT: Now, that they can--I just wonder if, if
that doesn't do that? I don't know (clears
throat). Take Stans, they'll get him up by
seat; somebody's after him about the Vesco
contri--(clears throat)--bution. As I read
the, first read the story briefly in the
(Dean clears throat) Post. And, I read,
naturally, the first page and I turned to
the Times, read it. The Times had in the
second paragraph that the money had been
refer--, returned.

DEAN: That is correct.

PRESIDENT: The Post didn't have it until after you
continued to the next, to the next section.

DEAN: That's right.

PRESIDENT: The God damnedest thing I ever saw.

DEAN: Typical.

PRESIDENT: (Coughs) My guess is that as far as that
transaction's concerned., that it was after,
that he got the money after the tenth, but I
don't think they pointed out that Sears got
it before.

DEAN: Well, it was con--it was con...

PRESIDENT: (Coughs)

DEAN: ...well, for all purposes, the, the; uh, the
donor..

PRESIDENT: Because I'm sure...-

DEAN: Vesco--

PRESIDENT: I'm sure that Stans would never do a thing like that.

DEAN: Now, uh--

PRESIDENT: Never. Never. Never.

DEAN: Uh, I think we have a good strong case that the donor had relinquished control over the money, and constructive possession of the money was in the hands of the

PRESIDENT: Harry Sears.

DEAN: ...finance committee, and Sears and, uh, and the like. So that there is no, uh--

PRESIDENT: How did they get my brother in it? Eddie?

DEAN: I'll tell you; you talk of the, that was-that was sheer sandbagging of, of your brother. Here is what they did. They called him down here in Washington.

PRESIDENT: Who did?

DEAN: Uh, it's, uh, let's see

PRESIDENT: Sears?

DEAN: -it was Vesco; it was Vesco and Sears, and said that, "We want to talk to you about the nature of this transaction because we've had some earlier conversations with

PRESIDENT: Yeah.

DEAN: ...uh, Stans. He really wasn't privy to it

PRESIDENT: Yeah.

DEAN: ...and didn't know much about it; said, "Sure, I'll come up." And what the, the long and short of it was, they were asking him to find out from Stans whether they wanted cash or check. Stans just responded

DEAN: to your brother and said, uh, "I don't
(CONTINUED) really care--whatever they want to do," and
that's what he relayed back and it's, uh--He
wasn't, he, he didn't even understand why he
was there.

PRESIDENT: Sure. (Unintelligible)

DEAN: So, uh, and he's clean as a whistle.
There's just no

PRESIDENT: Oh, I know that. I know that.

DEAN: ...just no problem at all.

PRESIDENT: He doesn't know anything about the money
side. So you'd sort of lean to having Stans
go stalking out there.

DEAN: I think it'd have--I think it would take a
lot of the teeth out of the--you know--the
stardom of the people they'll try to build
up to. If Stans had already gone through a
hearing in another committee, obviously
they'll use everything they have at that
time and it won't be a hell of a lot. Uh, it
confuses the Public. The public is bored
with this thing already.

PRESIDENT: Yeah.

DEAN: One of the s--, one of the things I think we
did succeed in before the election--

PRESIDENT: Stans is very clean. What I mean is, let's
face it, on this thing, the way I analyze
it, and I have stayed deliberately away from
It, but I think I can sense what it is. The
way I analyze the thing. Stans would have
been horrified at any such thing. And, uh,
and, uh, what had happened, what happened
was that he, he honestly is outraged. He
thinks that what happened is that these
pipsqueaks down the line took In some of his
hard earned cash and got into silly business
with it.

DEAN: That's right. He...

PRESIDENT: Isn't that what he really thinks?

DEAN: ...he, he does and he is a victim of circumstances, of innuendo, of false charges. Uh, he has a darn good chance of winning that libel suit he's got against Larry O'Brien.

PRESIDENT: Has he?

DEAN: He's--that's right.

PRESIDENT: Good. That's why Larry filed a countersuit.

DEAN: That's right.

PRESIDENT: I see Ziegler was disturbed at the news that they subpoenaed newsmen. Did it disturb you?

DEAN: It didn't disturb me at all. No, sir. I, I talked to Ron at some length about it the other night and I said...

PRESIDENT: Yeah.

DEAN: ..."Ron, if it--first of all you can be rest assured that the White House was not...

PRESIDENT: (Unintelligible)

DEAN: ...involved in that decision." It's not a criminal case, no, it's a civil deposition.

PRESIDENT: It doesn't involve prosecution.

DEAN: No, it's a civil deposition and, uh, uh, it's not if--we haven't reached the newsman's privilege issue yet, and that's way down the road, if for some reason they refuse to testify on some given evidence. What they're trying to establish is the fact that, uh, Ed-Edward Bennett Williams' law firm passed out an amended complaint that libeled

DEAN: Stans before it was into the Court
(CONTINUED) process, so it was not privileged. And the
newsmen are the people who can answer that
question. Also, they're trying to find out
how Larry O'Brien and Edward Bennett
Williams made statements to the effect that
this law suit was not really to--the first
law suit they had brought against the
Committee--was not really to establish any
invasion of privacy, but rather they were
harassing the, uh, uh, the Committee.

PRESIDENT: They've made the (unintelligible)?

DEAN: They made this off the record to several
newsmen and we know they did this. That
this was a drummed up law suit.

PRESIDENT: So therefore that proves, uh, also malice,
doesn't it? .

DEAN: It., it makes the abuse of process s--, uh
case that we have against them on a counter
suit. And the lawyers made a very conscious
and good decision that--to proceed with the
suit, they were going to have to have this
information and it doesn't bother me that,
uh, they subpoenaed nine or ten. . .

PRESIDENT: Well, one hell of a lot of people don't give
one God damn about this issue of suppression
of the press, and so forth. We know that we
aren't trying to do it, when they can all
squeal about it. It's amusing to me when
they say, when somebody says'. "I watched
the networks and they weren't-and I thought
they were restrained." What the Christ do
they want them to do--to go through the '68
syndrome, when they were eight to one
against us? They were only three to one
this, this time on the--according to the
average. You know, it's really, really,
really sickening, you know, to see..

DEAN: Right.

PRESIDENT: ...these guys that always, they always figured, "Well, we have the press on our side." Then when we, uh, we, we receive a modest amount of support--

DEAN: That's right.

PRESIDENT: Colson, sure, making them move it around, saying (unintelligible) we don't like this or that but, uh, it didn't affect them.

DEAN: Well, you know Colson's threat of a law suit that was, was printed in Evans and Novak had a very sobering effect on several of the national magazines. They are now checking before they print a lot of this Watergate junk they print, with the press office trying to get a confirmation, denial, comment or calling the individual that's involved. And they have said as much as they are doing it because they are afraid someone is going to bring a libel suit on them. So it did have a sobering effect. It will keep them, maybe, honest if we can, uh, remind them that they can't print anything, I mean, uh--

PRESIDENT: Well, you of course know, that I said at the time of the Hills case--well, it is God damned near impossible for a public figure to win a libel

DEAN: Yes sir, it is.

PRESIDENT: ...case anymore.

DEAN: To establish (1) malice, or reckless disregard of--no they're both very difficult.

PRESIDENT: (Sneezes) Yeah. Well, malice is impossible, virtually. This guy up there, 'Who, me?' 'Reckless disregard, you can, maybe.

DEAN: Tough. That's a bad decision, Mr. President. It really is. It was a bad decision.

PRESIDENT: (Unintelligible). What the hell happened.

PRESIDENT: What's the name of that--

(CONTINUED)

DEAN: Uh.

PRESIDENT: I don't remember the case, but it was a horrible decision.

DEAN: New York Times versus Sullivan.

PRESIDENT: And that Sullivan case.

DEAN: (Unintelligible) and it came out of, Uh, out of the South on a civil rights--

PRESIDENT: Selma. It was talking about some, some guy that was--yeah, he was a police chief or something. Anyway, I remember reading it at the time when--that's when we were suing Life, you know, for the Hills. When Life was guilty as hell. Did they win it? Supreme Court--four to three. There were a couple of people who couldn't, uh--no, five, five to four--five to three and a half.

DEAN: (Laughs)

PRESIDENT: Basically, the, uh--Well, this goes back to executive privilege clearly understood. Uh, we must, uh, we must, must go forward on that. Just so you understand. I think You'd better go over and get in touch with Dick, and say: you keep it at your level; don't say the President told you to say so. Well, I guess it's going to be me in the end, but I, I'd say, "This is the position, Dick, you should take." Period. Let'; let him get out there and take it. But I don't want them to think they can appeal to me. You can tell him that I took that position with Baker.

DEAN: Baker.

PRESIDENT: Baker's a smoothy--impressive--"Oh, the President didn't say this or that," he said, "we don't think he'll tell them this.'"

DEAN: (Laughs)

PRESIDENT: Then held say, "All right, they have studied it, they have recommended it and the President has approved it." Right?

DEAN: Now how about--

PRESIDENT: Is that what you want to say?

DEAN: Yes sir, I, I, I think that's absolutely on all fours. And, uh, how about our dealings with Baker? Under normal Congressional relations, uh, vis-a-vis Timmons and Baker, should we have Timmons making, uh, dealing with one of the--

PRESIDENT: Well, he, he objected to, uh, I mean, something, now that's a curious thing on that--it's hard to know whether this would be a very big gaff by calling him, urging and trying to influence who would be on his staff. But Jesus Christ, uh, I don't know why he did blow, he did that, if he did. I don't--But if he did, I don't know why Baker would resent it. But, nevertheless, he--

DEAN: (Clears throat)

PRESIDENT: I don't know how to deal with him, frankly, such as my decision. I gathered the impression that Baker didn't want to talk to anybody but Kleindienst.

DEAN: Okay, I think that's one we'll just have to monitor and that's one we'll have

PRESIDENT: Fine.

DEAN: to know an awful lot about if something comes down the road.

PRESIDENT: Well, let's just let Timmons tell Baker that if he wants to talk to, if he wants to get anybody at the White House, that I don't want him to talk to Timmons. Of course Timmons is a party in interest here, too. I don't want him to

DEAN: That's right.

PRESIDENT: ...talk to Haldeman; I-don't want him to talk to Ehrlichman, that you're the man--and that you're available. But leave it that way: that you're available to talk to him but not for everything. But, nobody else. How does that sound to you?

DEAN: I think that sounds good.

PRESIDENT: You tell Timmons that he sees him privately and says that's-it. We are not pressing him. We don't care, we're not--because Baker-(sighs). The woods are full of weak men.

DEAN: I would suspect if we're going to get any insight into what that--that Special Committee is going to do, it's going to be through the Gurneys--I don't know about Weicker, uh, where he's...

PRESIDENT: Weicker's a...

DEAN: ...going to fall out on this thing.

PRESIDENT: ...well, he'll, he'll he'll be--

DEAN: Whatever's up--

PRESIDENT: I think Weicker, t he line to Weicker is Gray. Now, Gray has got to shape up here and, and, uh, handle himself well, top. Do you think he will?

DEAN: I do. I think Pat is, uh, think Pat is tough. He goes up this morning, as you know. Uh, he is, uh, bets ready. He's very comfortable in all of the decisions he has made, and, uh, I think he'll be good.

PRESIDENT: But he's close to Weicker--that's what I meant.

DEAN: Yeah, he is.

PRESIDENT: And, uh, so, uh, Gray, Gray---

DEAN: As a vehicle--yes.

PRESIDENT: One rather amusing thing about the Gray thing is that I, I, I, and I knew this would come--they constantly say that Gray is a political crony of, and a personal crony of the President's. Did you know that I have never seen him socially?

DEAN: Is that correct?. No, I didn't.

PRESIDENT: He's--I think he's been to a couple of White House--but I have never seen Pat Gray separately.

DEAN: Oh, the press has got him meeting you at a social function. And, and, uh, going on from there.

PRESIDENT: When?

DEAN: Back in (sighs) '47, I think, is something I have read.

PRESIDENT: Maybe Radford had a party or something.

DEAN: Something like that.

PRESIDENT: Something like that. But-that's all. Uh, well that's--I don't know. Gray is, uh, is somebody that I, that I know only as a--He was a, he was Radford's Assistant, used. to attend NSC meetings.

DEAN: Uh huh.

PRESIDENT: So I've met him. He's never been social. Edgar Hoover, on the other hand, I have seen socially at least a hundred times. He and I were very close friends.

DEAN: That's curious, the way the press just--

PRESIDENT: But John--and that's the point: Hoover was my crony and friend. He was as close or closer to me than Johnson, actually, although Johnson used him more. But as for Pat Gray, Christ, I never saw him.

DEAN: While it might have been, uh, a lot of blue chips to the late Director, I think we would have been a lot better off during this whole Watergate thing if held been alive, 'cause he knew how to handle that Bureau

PRESIDENT: Oh.

DEAN: ...knew how to keep them in bounds', uhwas a tough cookie.

PRESIDENT: Well, if, if Hoover ever fought--He would have fought, that's the point. Held have fired a few people, or he'd have scared them to death. He's got files on everybody, God damn it.

DEAN: (Laughs) That's right.

PRESIDENT: But now, at the present time, the Bureau is leaking like a sieve, and, uh, Baker, and, and--Gray denies it. Just says it's not Coming from the Bureau. Just who in the hell is it coming from? How in the hell could it be coming from anybody else? It Isn't coming from Henry Petersen, is it?

DEAN: No. I just would not--

PRESIDENT: It isn't coming from the depositions, is it?

DEAN: No. It's that, well, they're getting, they're getting raw data. They're getting the raw, what they call, 302 forms.

PRESIDENT: Yeah.

DEAN: Those are the summaries of the interviews.

PRESIDENT: Yeah. Yeah. Well, (coughs) if you could do-handle it that way, I think that's the best thing to do. Do you ever wonder, really, if Colson, who's got the brass, the balls of a brass monkey, shouldn't bring a suit. Now, then, uh, understand, that I know that Colson, Colson's got a lot of vulnerabilities. Uh, You know, in terms of people that he knew, and so forth and so on. It's certainly an issue. But I mean on a narrow issue--

DEAN: Well, Chuck and I talked about this.

PRESIDENT: He could win it.

DEAN: He, he could possibly win the suit, but, uh, lose the war for this reason

PRESIDENT: (Unintelligible)

DEAN: ...A counter-discovery in a libel action has no bounds.

PRESIDENT: I get it. Okay.

DEAN: The subject is wide open.

PRESIDENT: (Unintelligible)

DEAN: That's the problem there.

PRESIDENT: That's the District Code in the Federal Court?

DEAN: That's right. They could just come in and, and depose him on everything he's done at any point in time, and that does it.

PRESIDENT: Keep him out of it. Keep him out of it.

DEAN: Right.

PRESIDENT: Why doesn't Stans be the suer? He is the suer, anyway.

DEAN: He's got a good one, and, uh, uh, he may well prevail. Way--It may well be the device to force a settlement of all these other suits we've got out there. You know, we've got fourteen million dollars worth of suits against us, and we've got seven or s--, or ten against them.

PRESIDENT: Christ, they all ought to get together and drop them.

DEAN: That's what we're trying to get accomplished.

PRESIDENT: Hell, yes.

DEAN: They're just costing, they're, they're causing everybody problems, and, uh--

PRESIDENT: That's right, that's right--and they've got problems, and we've got them.

DEAN: Uh--

PRESIDENT: So, you see this Vesco thing coming up burns my tail, 'cause I, I raised hell with Haldeman on this and he didn't do anything about it. Well, I guess he couldn't. What in the name of God ever became of our investigation of their financial activities? Jesus Christ, they borrowed--they cancelled debts, they borrowed money. What the hell is that?

DEAN: It's, uh, it's still going on, Mr. President. They're--Look--McGovern's stuff is in such bad shape. That's another unfortunate thing. The GAO comes in to audit us.

PRESIDENT: Yeah.

DEAN: They, they, find all the documents, so they are able to make--

PRESIDENT: That might (unintelligible) GAO say that.

DEAN: They--Well, they have now, but it, you know, gets about that much

PRESIDENT: Yeah.

DEAN: ...coverage in the paper. They can't even figure out what McGovern's done, the books are in such a mess, but you haven't seen them say anything yet. And that's one of those things that, hopefully, we'll, uh ...

PRESIDENT: Bring out in the hearings.

DEAN: ...bring out as to what a mess this was, and, and--

PRESIDENT: How are you going to bring it out? You can't bring it out in these hearings

DEAN: Well I think, I think

PRESIDENT: ...Ervin'll rule it out.

DEAN: ...I think an independent sort of media type will bring it out, uh. Chuck is going to be of aid when he is out there not connected with the White House.

PRESIDENT: Yeah.

DEAN: Little bits of tidbits can be dropped to Chuck, 'cause Chuck'll still have his channels to

PRESIDENT: Sure.

DEAN: ...push things out.

PRESIDENT: Sure.

DEAN: And also--

PRESIDENT: That's what--In my view, I have use--Of course it's hard for him to leave because he loves the action and the rest. But apart from the financial part of it, at his age, and so forth--which everybody has to think of--Colson can be more valuable out than In, because, basically in, he just reached the Point where he was, uh, he was too visible.

DEAN: He's a lightning rod.

PRESIDENT: And, uh, and outside, I mean, he can start this and that and tell them, "I'm a private citizen and I'm saying what I God damn please. " Right?

DEAN: That's right. That's absolutely right. I think Chuck can be of great aid in this thing, and I think he'll, uh, he'll do it.

PRESIDENT: Now, on the other thing, that is, to recap: You will talk to, uh, Timmons about the Baker thing. Get that--get him tied down to the extent he can. I doubt if much could be done there. You must talk to Kleindienst, fast, so that Kleindienst knows that it's been decided, and that's it. And he'll say, "Well, they won't take it.'" (Unintelligible). That's all right. That's what it is, you know. Go on to the written interrogatory thing. We shall see. Your, your view would be not to give any further ground on that?

DEAN: I'd say hold--You know, you, you, you initially hold the line as far as you-go if it becomes apparent that it's necessary for informational purposes.

PRESIDENT: When the main, the main thing is not to--

DEAN: I mean, the President, the President's not going to hide any information. He's---

PRESIDENT: Huh?

DEAN: You're not going to hide any information.

PRESIDENT: Yeah.

DEAN: Then this can be given in a sworn statement, uh, through, uh, an interrogatory--send your questions down, they'll be answered. We won't hide the information. We won't, uh, change the, uh, the nature of the ability of the President to make decisions, to operate internally and the like

PRESIDENT: Yeah.

DEAN: ...because you have a political circus going.

PRESIDENT: Okay. I understand you, you--that Mollenhoff still thinks everybody should go up and testify.

DEAN: That's right.

PRESIDENT: Uh, but at least you had a talk with him. I do want you to look into the case, though.

DEAN: Yes, sir, I am.

PRESIDENT: If the guy's got a bad rap, uh, his, his man, God damn it, we'll get him out.

DEAN: I am doing that. I talked to Clark, uh

PRESIDENT: Yeah.

DEAN: ...yesterday. Uh, I talked to him last night again.

PRESIDENT: Yeah. Okay.

DEAN: And, I--he's on this as hot and heavy as can be and--

PRESIDENT: Well, does he think he's got a bad rap?

DEAN: He does--he thinks he's got a bad rap. And I, you know--

PRESIDENT: Maybe he has.

DEAN: It's very funny--

PRESIDENT: I know Rule doesn't have a bad rap. That much--which, uh, by, when, when Rule, Rule, Rule, uh, because when, when a, when a bureaucrat takes it upon himself to go out and, and go way beyond the pale in terms of attacking an Administration like he did, that can't be tolerated. That--He, he--you've got to--

DEAN: It's a different--

PRESIDENT: Suppose a Congressman or a Senator or one of his Administrative Assistants went out and attacked one of his contributors. What the hell would he do? Fire him. That's right.

DEAN: Right.

PRESIDENT: No--I noticed several of our Congressmen and brave Republican Senators called upon us to reinstate Rule. Congress is, of course, on its, its--It can--I guess they are so enormously frustrated that they're irrelevant. Isn't that the point? That's their problem.

DEAN: I think, I think there's a lot of that.

PRESIDENT: It's too bad we-can't take no comfort-we can take very little comfort from this; we have to work. But they become irrelevant because they're so damned irresponsible. Much as we would like that it would be otherwise. Pretty sad lot, isn't it?

DEAN: It is. Yes, sir. I spent some. years on the Hill myself and one of the things I always noticed was the inability of the, of the Congress to, to deal effectively with the Executive Branch because (1) they don't they've never supplied themselves with adequate staffs, in other words, had adequate information available, uh--

PRESIDENT: Well now they've got huge-staffs, though, compared to what we had, you see.

DEAN: Well they've got huge staffs, uh, true, as opposed to what they had years ago.

PRESIDENT: (Unintelligible)

DEAN: But they are still...

PRESIDENT: Inadequate.

DEAN: ...inadequate to deal effectively--

PRESIDENT: God, don't, don't, don't (coughs), don't get into--Please don't try (unintelligible)

DEAN: No, no, I'm not suggesting that--I keep, uh, I reserve my...

PRESIDENT: Yeah.

DEAN: ...my observations for myself. (Pause)
Well, I think this, these hearings are going to be hot, and I think they are going to be tough. Uh, I think they are going to be gory in some regards, but I'm also convinced that if everyone pulls their own oar in this thing, in all those we've got with various concerns., that we can make it through these, and minimal people will be hurt. And they may even paint themselves as being such partisans and off base, that they're really damaging the institutions of government themselves, and-

PRESIDENT: (Coughs) I frankly would say that I perhaps rather that they be partisan--that they get to be partisan.

DEAN: I, we're going to hope they, uh--

PRESIDENT: I, I'd rather have that rather than for them to have the facade of fairness and all the rest, and then come out--'cause Ervin, in spite of all this business about his being a great Constitutional lawyer--Christ, he's got, he's got Baker totally buffaloed on that. I mean, Ervin is as partisan as most Of our Southern gentlemen are. They, they, they are great politicians. They're just more clever than the minority. Just more clever.

DEAN: Well, I'm, I'm convinced it may be shown that he is merely a puppet for Kennedy in this whole thing.

DEAN: For Kennedy. The fine hand of the Kennedy's is behind this whole hearing that's going on--or that is forthcoming. There is no doubt about it. When, when they considered the resolutions on the floor of the Senate I got the Record out to read it. Who asked special permission to have their staff man on the floor? Kennedy.

PRESIDENT: Right.

DEAN: ...brings this man Flug out on the floor when they're debating a resolution. He is the only one that did this. Uh, it's been Kennedy's push, quietly, his constant investigation, his committee using their subpoenas to get at Kalmbach, uh, and all these people.

PRESIDENT: Uh huh.

DEAN: ...that's kept the quiet and constant pressure on the thing. I think this fellow Sam Dash, who has been selected Counsel, is a Kennedy choice. I think it's also something we'll be able to quietly and slowly document. People will print it in the press, and, uh...

PRESIDENT: Um huh.

DEAN: ...the partisan cast of this will become much more apparent.

PRESIDENT: Yeah, I guess the Kennedy crowd is just laying in the bushes waiting to make their move. Boy, it's a shocking thing. You know, we, we talk about Johnson using the FBI. Did Your friends tell You whether--what Bobby did, or whether he knew what they (unintelligible)

DEAN: in I haven't heard but I wouldn't--

PRESIDENT: Johnson believes that Bobby bugged him.

DEAN: That wouldn't surprise me, uh--

PRESIDENT: Bobby was a ruthless little bastard. But the FBI does--they, they tell you that, uh, Sullivan told you that, the New Jersey thing? We did use a bug up there--just for intelligence work.

DEAN: Intelligence work--just had agents all over (unintelligible)

PRESIDENT: Frankly, the doctors say that the poor old gent had a tumor.

DEAN: That's right.

PRESIDENT: The FBI (unintelligible)

DEAN: Well, uh, he used Abe Fortas and Deke DeLoach backed up by, uh, some other people in the Bureau that were standing ready to go out and try to talk this doctor into examining Walter Jenkins to say the man had a brain tumor. He was very ill, that's why the erratic behavior. And this doctor, uh, wouldn't buy it.

PRESIDENT: The doctor had never examined him before or anything.

DEAN: No.

PRESIDENT: They were trying to set that up though, huh.

DEAN: Oh, yeah, that would've--

PRESIDENT: What other kind of activities?

DEAN: Well, I, you know, as I say, I haven't probed uh, uh

PRESIDENT: Sullivan.

DEAN: ...Sullivan to the depths on this because he's, he's one I want to treat at arm's length, till we make sure...

PRESIDENT: Right.

DEAN: ...he is safe.

PRESIDENT: That's right.

DEAN: But he has a world of information that, uh, may be available.

PRESIDENT: But he says that what happened on the, on the, uh, bugging thing is--who told what to whom again? The bugging thing?

DEAN: Oh. On the '68 thing--I was trying to track down the, the leaks.

PRESIDENT: Yeah.

DEAN: He said that the only place he could figure it coming from--would be one of a couple of sources he was aware of., uh, that had been somewhat discussed publicly. He said that Hoover had told Patrick Coyne about the fact that this was being done. Coyne had told Rockefeller.

PRESIDENT: Yeah (unintelligible)

DEAN: Now Rockefeller had told Kissinger. Now, I have never run it any step beyond what Mr. Sullivan said there. Now the other thing is that when the records were unavailable for Hoover--all this and the logs...

PRESIDENT: Yeah. (Clears throat)

DEAN: ...Hoover tried to re--, reconstruct them by going to the Washington Field Office and he made a pretty good stir about what he was doing when he was trying to get the record and reconstruct it. And, he said that at that time we probably hit the grapevine in the Bureau that this had occurred. But there is no evidence of it. Uh, the records show at the Department of Justice and, and the FBI that there's no such, uh, surveillance was ever conducted. Uh-

PRESIDENT: Shocking (unintelligible)

DEAN: Now, about White House staff and reporters and the like, and, now, the only, the other person that knows--is aware of It--is Mark Felt, and we've talked about Mark Felt, and, uh--I guess, uh--

PRESIDENT: What does it do to him, though? Let's face it. You know, suppose that Felt come out and unwraps the whole thing. What does it do to him?

DEAN: He can't do it. It just--

PRESIDENT: But my point is: Who's going to hire him?

DEAN: That's right.

PRESIDENT: Let's face it.

DEAN: He can't. He's--

PRESIDENT: If he--the guy that does that can go out and, uh, you mean he's a--of course, he couldn't do it unless he had a guarantee from somebody like Time magazine saying "Look we'll give you a job for life.'" Then what do they do? They put him in a job for life, and everybody would treat him like a pariah. He's in a very dangerous situation. These guys you know--the informers, look what it did to Chambers. Chambers informed because he didn't give a God damn.

DEAN: Right.

PRESIDENT: But then, one of the most brilliant writers according to Jim (unintelligible) we've ever seen in this country--and I am not referring to the Communist issue--this, this greatest single guy in the time of twenty-five or, thirty years ago, probably, probably the best writer in, in this century. They finished him.

DEAN: Uh huh. Well, I think, I, there's no--

PRESIDENT: Either way, either way, the, the, the informer is not wanted in our society. Either way, that's the one thing people do sort of line up against. They...

DEAN: That's right.

PRESIDENT: ...they say, well that son-of-a-bitch informed. I don't want him around. We wouldn't want him around, would we?

DEAN: I don't, uh--

PRESIDENT: Hoover to Coyne to N.R. to K. Right?

DEAN: Right.

PRESIDENT: Good God. Why would Coyne tell Nelson Rockefeller? He was--I've known Coyne for years. I've--not well, but I--he was a great friend of, oh, uh, one of my Administrative--Bob, uh, King, who was a Bureau man.

DEAN: Now this is Sullivan's story. I have no--

PRESIDENT: Fine. That's all right.

DEAN: I don't know if it's true, but I don't have any reason to doubt that-

PRESIDENT: Most of this is Gospel. Hoover told me, so uh--and he also told Mitchell, personally, that this had happened. -(Unintelligible)

DEAN: Are you talking--I was talking about the '68 uh, incident that just occurred. Not the-

PRESIDENT: I'm talking about the '68 bugging of the plane.

DEAN: Yeah. Oh, I wasn't referring to that now. When this, when this Coyne, uh--

PRESIDENT: Oh, oh, that's-

DEAN: This, this was the, this was the fact that newsmen had been, uh, I, I--excuse me, I thought he meant the reference to the fact that, uh

PRESIDENT: Oh.

DEAN: ...three years ago the White House had allegedly--the Time story.

PRESIDENT: Oh, this is a--That's, that's not the, uh--

DEAN: No. on the, on the 168 Incident, uh, all I've been able to find out is what you told me that Hoover had told you, what he'd

PRESIDENT: Yeah.

DEAN: ...told Mitchell.

PRESIDENT: Yeah.

DEAN: He, uh--

PRESIDENT: Mitchell corroborates that, doesn't he?

DEAN: That's right. Uh, then--

PRESIDENT: Sullivan doesn't remember that?

DEAN: Kevin Phillips called Pat Buchanan the other day with, with a, with a tidbit that, uh, Dick Whelan on

PRESIDENT: Yeah.

DEAN: ...the NSC staff had seen memorandum between the NSC and the FBI that the FBI had been instructed to put surveillance on Anna Chennault, the South Vietnamese Embassy and...

PRESIDENT: That is a-

DEAN: ...the Agnew plane.

PRESIDENT: Agnew?

DEAN: Agnew plane.

PRESIDENT: They put it on our--well, this isn't mine--maybe I'm wrong.

DEAN: Now, and it said al--, and this note also said that, uh, Deke DeLoach was the operative FBI officer on this.

PRESIDENT: I think DeLoach's memory now is very, very hazy in that connection. He doesn't remember anything.

DEAN: Well, I talked to Mitchell about this and Mitchell says that he's talked to DeLoach. DeLoach has in his possession, and he has let Mitchell review them, some of the files on this. Uh-

PRESIDENT: But not, but not--

DEAN: But they don't go very far; they don't go very far--This, this is DeLoach, uh, protecting his own hide. The, uh-

PRESIDENT: They are never going to--It's Just as well, to be candid with you. Just as well. But, uh-so Hoover told Coyne, and, uh, and--who told Rockefeller...

DEAN: --that this--

PRESIDENT: ...who told Kissinger that newsmen were being bugged ...

DEAN: Yeah.

PRESIDENT: ...by us.

DEAN: That's right.

PRESIDENT: Now why would Hoover do that?

DEAN: I don't have the foggiest. This was Sullivan's story as to where, uh, the leak might have come from about this current Time Magazine story, which we are stone-walling totally, uh--

PRESIDENT: Oh, absolutely.
(Note: At this point , a discussion of one minute and twelve seconds which is not pertinent is not transcribed)

PRESIDENT: Sure. And the, and the, and the, and Henry's staff--He insisted on Lake, you see after working with.McGov--, uh, uh, for Muskie.

DEAN: Um. huh.

PRESIDENT: Incidentally, didn't Muskie do anything bad on there? (Unintelligible) Henry (unintelligible). At least I know not because I know that, I know that he asked that it be done, and I assumed that it was. Lake and Halperin. They're both bad. But the taps were, too. (Unintelligible) They never caught us. Just gobs and gobs of material: gossip and bull-shitting (unintelligible).

DEAN: Um uh.

PRESIDENT: The tapping was a very, very unproductive thing. I've always known that. At least, I've never, it's never been useful in any operation I've ever conducted. (Pause) Well, it is your view that we should try to get out that '68 story then?

DEAN: Well, I think the threat...

PRESIDENT: (Unintelligible)

DEAN: ...the threat of the '68 story when, when Scott and the others were arguing that the Committee up on the Hill broadened its mandate...

PRESIDENT: Yeah.

DEAN: ...to include other elections

PRESIDENT: Yeah.

DEAN: ...they were hinting around that something occurred in '68 and '64 that should be looked at.

PRESIDENT: Right. Goldwater claims he was bugged.

DEAN: That's right. Now I think that, I think that, that threats

PRESIDENT: Did you think Gold--Oh, you, didn't you say that Johnson did bug Goldwater's--?

DEAN: He, he didn't--well, I, we don't know, I don't know if he bugged him, but

PRESIDENT: He did intelligence work?

DEAN: ...he did intelligence work up one side and down the other...

PRESIDENT: From the FBI?

DEAN: ...from the FBI. Uh, just up one side and down the other on Goldwater.

PRESIDENT: Um hm.

DEAN: Now I have not had a chance to talk to the Senator, and I've known the Senator for twenty years. Uh, he is the first man in Public life I ever met. Uh, Barry Jr. and I were roommates in school together, so I, and I can talk to the man.

PRESIDENT: Sure.

DEAN: I am really going to sit down with him one day and say

PRESIDENT: I think you should.

DEAN: ...say, "what..."

PRESIDENT: Say, "What the hell do you..."

DEAN: "...what, what do you..."

PRESIDENT: "...Do you have any hard evidence?"

DEAN: That's right. Then we can go from there and

PRESIDENT: Right.

DEAN: ... possibly reconstruct some things.

PRESIDENT: Get some stuff written, and so forth. I do think you've got to remember that, as you sure do, this is mainly a public relations thing, anyway. What is the situation, incidentally, with regard to the, the sentencing of our, of the people, the seven? When the hell is that going to occur?

DEAN: That's likely to occur, I would say, (sighs) could occur as early as late this week, more likely some time next week.

PRESIDENT: Why has it been delayed so long?

DEAN: Well, they, they've been in, in process of preparing the pre-sentence report. The Judge sends out probation officers to find out everybody who knew

PRESIDENT: Yeah.

DEAN: ...these people, and then he'll--

PRESIDENT: He's trying to work on them to break them Is he? (Unintelligible)

DEAN: Well, there's some of that. They are using the Probation officer for more than a normal probation report. They are trying to, uh

PRESIDENT: Yeah.

DEAN: ...do a mini-investigation by the Judge himself, which is his only investigative tool here, so they, that, they are virtually completed now. They--the U.S. Attorney who handles, the, the Assistant U.S. Attorney.

PRESIDENT: You know when they talk, though, about a thirty-five year sentence, now here's, here's something that does not involve--There were no weapons, right? There were no injuries, right? There was no succe--well, success maybe--I don't know. The point is--the, uh-that, that sort of thing is just ridiculous. One of these, one of these blacks, you know, goes in here and holds up a, a store with a God damned gun, and, uh, they give him two years and then probation after

DEAN: And they...

PRESIDENT: ...six months.

DEAN: and they let him out on, on bond during the time that he is considering his case. These fellows cannot get out--

PRESIDENT: Are they out? Have they been in jail?

DEAN: They're in--well, all but one. Hunt made the, the, bond. Everybody else is in jail. They've got a hundred thousand dollar surety bond which means they have to put up actual collateral, but uh, and none of these people have a hundred thousand dollars. The Court of Appeals has been sitting for two weeks or better now on a review of the bond issue. They're not even letting these people out to prepare their case for appeal.

(Note: At this point, a discussion of about fifteen minutes which is not pertinent is not transcribed)

(Reel One Ends)

(Reel Two Begins)

PRESIDENT: You still think Sullivan is basically reliable?

DEAN: I, I have nothing to Judge

PRESIDENT: No.

DEAN: ...that on other--I watched him for a number of years. I watched him when he was working

DEAN: with Tom Huston on domestic intelligence,
(CONTINUED) and his, in his desire to do the right thing. Uh, I tried to, you know, stay in touch with Bill, and find out what his moods are. Bill was forced on the outside for a long time. He didn't become, he didn't become bitter. He sat back and waited until he could come back in. Uh. he didn't try to force or blackmail his way around, uh, with knowledge he had. So, I, I have no, I have no signs of anything but a reliable man who thinks a great deal of this Administration and of, and of you.

PRESIDENT: You understand the problem we have here is that Gray is going to insist, I am sure, come down hard for Felt as the second man. And that would worry the bell out of me if Felt--I think at the present time it doesn't.

DEAN: It, it worries me, frankly.

PRESIDENT: But for the future isn't it a problem?

DEAN: I think it is for the future, 'cause onl-things can only get more complex over there as we move along. There is no (laughs) doubt about it.

PRESIDENT: Well, as he gets closer to the next election--Oh, uh, (unintelligible). I don't know Felt, never met him. What's he look like? (Note: At this point, there was a discussion of one minute and sixteen seconds deleted which is not pertinent)

DEAN: Well, I've got to say one thing. There has never been a leak out of my (laughs) office. There never will

PRESIDENT: Yeah.

DEAN: ...be a leak out of my office.

PRESIDENT: No.

DEAN: I wouldn't begin to know how to leak, even. I don't want to learn how you leak.

PRESIDENT: Well, it was a shocking thing. I was reading a book last night on--Quite a fascinating little book, not well written, by Malcolm Smith, Jr. on Kennedy's thirteen mistakes (unintelligible) foreign policy practices. They are great mistakes, and one of them had to do with the Bay of Pigs thing. And, what had happened there was, uh, Chester Bowles had learned about it, and he deliberately leaked it. Deliberately, because he wanted the operation to fail.

DEAN: Hm.

PRESIDENT: And admitted it later.

DEAN: Interesting.

PRESIDENT: Admitted it.

DEAN: Interesting.

PRESIDENT: This happens all the time. Well, you can, uh, follow these characters to the, to their Gethsemane. I, I feel for those poor guys in jail, I mean, I don't know--particularly for Hunt. Hunt with his wife, uh, dead. It's a tough thing.

DEAN: Well...

PRESIDENT: We have to do (unintelligible)

DEAN: ...every indication...

PRESIDENT: You will have to do--

DEAN: ...that they're, they're hanging in tough right now.

PRESIDENT: What the hell do they expect, though? Do they expect to get clemency within a reasonable time?

DEAN: I think they do. (Unintelligible)

PRESIDENT: What would you say? What would you advise on that?

DEAN: Uh, I think it's one of those things we'll have to watch very closely. For example--

PRESIDENT: You couldn't do it, you couldn't do it, say, in six months?

DEAN: No.

PRESIDENT: No.

DEAN: No. you couldn't. This thing may become so political as a result of these

PRESIDENT: Yeah.

DEAN: ...hearings that it is, it, it, is more

PRESIDENT: A vendetta?

DEAN: Yeah, it's a vendetta. This judge may, may go off the deep end in sentencing and make it so absurd that, uh, it's clearly an injustice, uh

PRESIDENT: Yeah.

DEAN: ...that they have been heavily

PRESIDENT: Are they going to feel--Uh, is there any kind of appeals left?

DEAN: Right. Liddy, Liddy and McCord, who sat through the trial, will both be on appeal

PRESIDENT: Uh huh.

DEAN: And, uh, there is no telling how long that will last. I think this is one of the, one of these things we'll just have to watch.

PRESIDENT: My view is say nothing about the event on the ground that the matter is still in the courts and on appeal.

DEAN: That's right.

PRESIDENT: That's my position. Second, my view is to say nothing about the hearings at this point, except that "I trust that they will be conducted in the proper way," and, "I will not comment on the hearings while they are in process." Uh, uh, yeah. And then I, of course if they break through--if they get a pot luck--But you see, it's best not to elevate--and I get Ziegler to do the same--it's best not to elevate that thing here to the White House. 'Cause I don't want the White House gabbing around about the God damned thing. Now there., of course, you'd say, "But you leave it all to them.'"

(High frequency tone for four seconds)

PRESIDENT: ...Our policy. But the President should not be commenting on this case. Do you agree to that?

DEAN: I agree totaly, sir. Absolutely. Now,, that doesn't mean that quietly we're not going to be working around the (unintelligible).

PRESIDENT: (Unintelligible)

DEAN: But, uh, you can rest assured that, uh, we're not going to be sitting quietly.

PRESIDENT: I don't know what we can do. The people that are most disturbed about this (unintelligible) now are the God damned Republicans. A lot of these Congressmen, financial contributors, and so forth are highly moral. The Democrats are just sort of saying, "Oh, Christ, fun and games. Fun and games." "

DEAN: Well, hopefully we can--

PRESIDENT: Take that Segretti thing. Ha, Jesus Christ. He was sort of a clownish figure, I don't see how our boys (laughs), could have gone for him. But nevertheless, they did. It was, it was really--shall we say, juvenile, the way that was handled. But nevertheless, what the hell did he do? What in the name of God did he do? Should, shouldn't we get, be trying to get intelligence? Weren't they trying to get intelligence from us?

DEAN: Absolutely.

PRESIDENT: Don't we try to get schedules? Don't you try to disrupt their meetings? Didn't they try to disrupt ours? Christ, they threw rocks, ran demonstrations, and shouted, cut the public address system, they had to tear gas them in Miami. What the hell was that all about?

DEAN: Well--

PRESIDENT: Did we do that?

DEAN: McGovern had Dick Tuck on his payroll, uh, and Dick Tuck was down in Texas when you went down to the Connally ranch, set up to do a prank down there.

PRESIDENT: That's right.

DEAN: But it never came off, uh--

PRESIDENT: What did, what, what did, what, what did Segretti do that came off? Much? I mean--

DEAN: He, he, he did some, some humorous things. He

PRESIDENT: Yeah.

DEAN: For example, there'd be a fund raising dinner, and he had hired Wayne the Wizard to fly in from the Virgin Islands to perform a magic show, and, of course, he hadn't been hired. He sent uh...

PRESIDENT: Yeah.

DEAN: ...he sent invitations to all these black diplomats and...

PRESIDENT: Yeah.

DEAN: ...and sent limousines out to have them picked up, uh, and they all showed up and they hadn't been invited. He, he had four hundred pizzas sent to another, uh--

PRESIDENT: Yeah, sure, sure.

DEAN: I mean this is, this is

PRESIDENT: Well, what the hell.

DEAN: ...pranks.

PRESIDENT: Tuck do all this sort of thing?

DEAN: And so, so--

PRESIDENT: They did it to me in '62 in 1960, and the rest--they want to say, "Well, now, that's terrible. Now isn't that terrible?" What the hell.

DEAN: I think we can keep this, uh, the Segretti stuff in perspective because it's not that bad. Chapin's involvement is not that deep. Uh, he was a catalyst, and that's about the extent of it.

PRESIDENT: Sure, he, he knew him and recommended him.

DEAN: That's right.

PRESIDENT: But he didn't run him. He was too busy with us.

DEAN: The one I think they're going to go after, uh, with a vengeance, and who I plan to spend a great deal of time with next week, a couple of days, as a matter of fact, getting this all in order--is Herb Kalmbach.

PRESIDENT: Yes.

DEAN: Uh, Herb has got--they've subpoenaed his records, and he's got records that run all over hell's acre on things for the last few years, uh. You know Herb has been a man who's been moving things around for Maury and keeping things in

PRESIDENT: Right.

DEAN: ...in tow and taking care of little polling inferences.

PRESIDENT: What'll he do about those records? Is he going to give 'em all to them?

DEAN: Well, he's, he--they brought his--they, they've gotten to the banks that had them, and I think what we'll do is we'll--there'll be a logical, natural explanation for every single transaction.

PRESIDENT: Right.

DEAN: It's just a lot of minutia we've got to go through but we--he's coming in next week and we--I told him we'd sit down and he is preparing everything, getting all of it available, and we're going to sit down with his, with Frank DeMarco, uh, and see if we can't get this whole thing--

PRESIDENT: Now, his records, that is, with regards to the campaign. They can't re--, they can't get his records with regard to his private transactions?

DEAN: No, none of the private transactions. Absolutely. That is privileged material.

PRESIDENT: That's right.

DEAN: Anything to do with San Clemente and, and the like--that is just so far out of bounds that, uh--

PRESIDENT: Yeah. Did they ask for that?

DEAN: No, no, no. No indication of that.

PRESIDENT: Good. Oh. well, even if it is, I mean--

DEAN: Well, it's just none--that's really none of their business.

PRESIDENT: They can't get it. Kalmbach is a decent fellow. He'll make a good witness.

DEAN: I think he will. He's been

PRESIDENT: He's smart.

DEAN: ...he, he's been tough thus far. He hasn't--you know, he has been taking it. His skin is thick now. Uh, sure it bothered him, and all this press he was getting. The L.A. Times has been running stories on him all the time and

PRESIDENT: Yeah.

DEAN: ...and the like. Local stations have been making him more of a personality, and, and, his partners have been nipping at him but Herb's tough now. He is ready and he's going to go through and he's going to--He is hunkered down and he's ready to handle it. So I'm not worried ...

PRESIDENT: Yeah.

DEAN: ...about Herb at all.

PRESIDENT: Oh well, it, it'll be hard for him, he-'cause it'll, it'll get out about Hunt. it, it--I suppose the big thing is the financing transaction they'll go after. How did the money get to the Bank of Mexico and so forth and so on.

DEAN: All that stuff. And then--

PRESIDENT: What'll he say?

DEAN: It can all be explained.

PRESIDENT: It can?

DEAN: Yes, indeed. Yes, sir. They're going to be disappointed With a lot of the answers they get...

PRESIDENT: Yeah.

DEAN: ...when they actually get the facts--because the Times and the Post had such fun with innuendo. When they get the facts, they're going to be disappointed.

PRESIDENT: The one point that you ought to, you better get to Baker. I tried to get it through his thick skull. I guess it's-his skull is not thick--but tell, tell Kleindienst--Kleindienst in talking to Baker and Ervin should emphasize that the way to have a successful hearing and a fair one i to run it like a court: no hearsay, no innuendo. Now you know God damned well they aren't going to...

DEAN: But, that's a hell of a good point.

PRESIDENT: but don't--no hearsay. Tell them that's the way Nixon ran the Hiss case. Now, as a matter of fact some innuendo came out but there was God damned little hearsay We really--we, we just got them on the facts and just tore them-to pieces.

DEAN: Yeah.

PRESIDENT: Say "No hearsay; no innuendo." And that that be , Ervin, should sit like a court there, say, "Now that's hearsay and I don't like it." And tell him that the--and that--and let's have the counsel, the counsel for the, uh, for our people--he gets up there and says, "I object to that, Mr. Chairman, on the basis that it is hearsay.

DEAN: That's an excellent idea, Mr. President, for some of these early articles, as this thing gets steamed up: "Will, will Sam Ervin, Constitutional man, be a judge? Will he admit hearsay?" We can probably get some think pieces out, uh, uh, to get a little pressure on him to perform that way, or to, to make it look very partisan when he doesn't, you know, he lets all this in--

PRESIDENT: I'd like to get some articles out that--no hearsay, no innuendo. There'll be no hearsay, no innuendo. This, this is going to be, shall we say, a model of a Congressional hearing. A model. Now that'll disappoint the God damned press. There's no hearsay, no innuendo, no leaks.

DEAN: Well, uh, there, there are a lot of precedents. I, I've been involved in two Congressional investigations. Uh, one was the Adam Clayton Powell investigation when I was working over there as the Minority Counsel of the House Judiciary. We didn't take hearsay. We made a--we stuck to the facts on that.

PRESIDENT: Uh huh.

DEAN: We did an investigation of the Oklahoma judges. Again, same sort of thing'. We went into executive session when necessary to, uh--I bet--, we look around, we'll find respectable investigations that have been conducted up there that could be held up, and some of this should be, uh, should be coming forth to set the uh...

PRESIDENT: Yeah.

DEAN: ...the...

PRESIDENT: Yeah.

DEAN: ...stage for these hearings. Well, I'm, uh, I, I'm planning a number of brain sessions to with some of these media people to, to-

PRESIDENT: I know. Well, it's, it's very important, and it seems like a terrible waste of, of your time. (Unintelligible). It's, it's important in the sense that, it's--all this business is a battle and they're, they're going to wage the battle. And, uh, a lot of is their enormous frustration about losing the elections, the state of their party, and so forth. And their party has its problems. We think we've got problems. Look at some of theirs. Strauss is there to pull them all together. He's not, he's not doing all that well you know.

DEAN: Well, I was, you know, we've gone a long road on this thing now. I had thought it was an impossible task, uh, to hold together until after the election until things just ...

PRESIDENT: Yeah.

DEAN: ...started squirting out, but we've made it this far, and, uh, I'm convinced we're going to make it the whole road and put this thing in, in, in, uh, the funny pages of the history books rather than anything serious. We've got to. It's got to be that way.

PRESIDENT: Would it--it'll be somewhat serious, but the main thing, of course, is also the, the isolation of the Presidency from this.

DEAN: Absolutely.

PRESIDENT: Because it's, because that, fortunately, is totally true.

DEAN: I know that sir.

PRESIDENT: Good God almighty. I mean, of course, I'm not dumb, and I will never forget when I heard about this God damned thing (unintelligible) Jesus Christ, what in the hell is this? What's the matter with these people? Are they crazy? I thought they were nuts. You know

PRESIDENT: that it was a prank. But it wasn't. It
(CONTINUED) was really something. I think that our
Democratic friends know that's true, too.
They know what the hell

DEAN: I think they do too.

PRESIDENT: ...this was. I mean they know that we then
wouldn't be involved in such--they'd think
others were capable of it, however, I
think--and they are correct: They think
Colson would do anything, (Laughs) Well,
anyway, have a little fun.

DEAN: All right.

PRESIDENT: And now, I will not talk to you again until
you have something to report to me.

DEAN: All right, sir.

PRESIDENT: Uh, but I think it's very important that you
have these talks with, uh, our good friend
Kleindienst.

DEAN: That'll be done.

PRESIDENT: Give him that together thing, work it out.
We have to work together on this thing.
He's the man--I'd build him up--that he's
the man who can make the difference. Also
point out to him that the fish they're
really after--Tell him, look, for Christ
sakes, Colson's got brass balls and so
forth, but

DEAN: All right.

PRESIDENT: ...I'd really, really be slugged here
is--let's forget this, remember, this was
not done by the White House. This was done
by the Committee to Re-Elect, and Mitchell
was the Chairman, correct?

DEAN: That's correct. And that means that--

PRESIDENT: So, and Mitchell--and Kleindienst owes Mitchell everything. Mitchell wanted him for Attorney General, he wanted him for Deputy, and here he is. And, uh, God damn it, Baker's got to realize this, and that if he allows this thing to get out he's going to potentially ruin John Mitchell. He won't. I mean Mitchell won't allow himself to be ruined. He's too clever. He'll put on his big stone face act, but-I hope to Christ he does. The point is that, as you well know, uh, that's the fish they're after.

DEAN: That's right.

PRESIDENT: But, but, the Committee is after somebody in the White House. They, they, they'd like to get Haldeman or Colson, Ehrlichman. They, they've got--

DEAN: Or possibly Dean. You know, who, you know,, who's, huh--anybody they can--I'm a small fish, but--

PRESIDENT: Anybody at the White House they would, but in your case I think they realize you are the lawyer and they know you didn't have a God damned thing to do with, with the campaign.

DEAN: That's right.

PRESIDENT: That's what I think. Well, we'll see.

DEAN: All right sir.

PRESIDENT: Good luck.

DEAN: Thank you.