

Conversation: 044-080

Date: March 29, 1973

Time: Unknown time between 5:35 pm and 6:24 pm

Location: White House Telephone

Participants: John D. Ehrlichman, John W. Dean, III

[Begin audio]

Ehrlichman: John?

Dean: Yes.

Ehrlichman: Returning your call.

Dean: You're in with the Boss right now?

Ehrlichman: Well, I just stepped out right now.

Dean: Oh, ok. What I wanted to bring you up to date on is, first of all, how would you handle the question, if called: "Were you aware, either before or after the fact [unclear] meetings in the Attorney-General's office?"

Ehrlichman: Well, you'd have to answer that, well, flat-out, I would think.

Dean: I mean, how would you answer it?

Ehrlichman: Oh, you mean on the basis of hearsay?

Dean: Yeah.

Ehrlichman: Oh, I'd have to say I was aware that there had been some. I had been told of one.

Dean: Ok. Bob's in the same situation, right?

Ehrlichman: Yeah, you, you told me about one.

Dean: [Unclear] these arguments that I should [unclear] you know, I'm getting a lot of pressure to go down and do something I'm not capable of doing. And [unclear] as to why it's infeasible to even consider it.

Ehrlichman: Oh, well I, I would never suggest to you that if you went, you would anything but say what's true.

Dean: I understand, I understand. But—

[Unclear exchange]

Ehrlichman: Well, that was what I was trying to explore with you on the phone earlier.

Dean: Well, what I was—I was talking to O'Brien about it a little bit further.

Ehrlichman: Um-hmm?

Dean: And what it'll do is open a open war pissing-match between Magruder, Mitchell [unclear] Dean, and the White House.

Ehrlichman: [Laughs]

Dean: The ultimate solution to this thing is—I mean, to, to deal with the problems from [ex] post [facto], as well as—

Ehrlichman: Um-hmm?

Dean: —anything pre-[ceding] is the argument [unclear] Mitchell's unwilling to face, if he has this lingering hope that he can pull this out.

Ehrlichman: Um-hmm?

Dean: And it occurred to me—I don't know. Has, has the President ever talked this over with John?

Ehrlichman: Not that I know of.

Dean: Well, it's a thought. I, I've mentioned this to Bob, too. That that might be the ultimate solution.

Ehrlichman: Well, my, my thought here is, is this: That regardless of what, you know, his— Mitchell's [unclear; feral?] mind is, that, sooner or later, you're going to be subpoenaed to that grand jury. Maybe you don't agree with that?

Dean: Well, that's what O'Brien is saying. That, maybe, it won't happen. He's following pretty closely the tidbits that are coming out in the press on McCord.

Ehrlichman: Yeah?

Dean: McCord, apparently, and upon close reading, has said that he understood that Liddy was going to a meeting [unclear; in the Oval Office?]. He would not just say that he was at a meeting.

Ehrlichman: Um-hmm.

Dean: I think we're reading too much into that press report. We haven't seen any—

Ehrlichman: Um-hmm?

Dean: —any transcripts of that nature.

Ehrlichman: Um-hmm.

Dean: The other thing I want to know: Did you—Were you aware of Weicker's press conference?

Ehrlichman: No.

Dean: Ha! He's supposed to go out and criticize the press for their leaks and [unclear]—

Ehrlichman: Yeah. Yeah.

Dean: On the contrary, he went out and praised them for the beautiful, diligent job they're doing on this whole thing. And that the, the fact of the matter was that the man that, ultimately, is responsible for this is sitting in the White House today.

Ehrlichman: My word! Meaning whom?

Dean: I don't know. [Unclear]—

Ehrlichman: Oh, they, they didn't ask him?

Dean: They didn't; he wouldn't reveal anything, but he's done this independent investigation—it's a kind of a McCarthy-type style of thing—

Ehrlichman: Well, yeah, because, you know, we had Kleindienst and then Gray get a hold of him and say, "What evidence do you have?" And he says, "Oh, I was just talking about the Segretti business."

Dean: Well, that's his latest.

Ehrlichman: Hmm.

Dean: It's, and it's—Apparently, it was not—you know, it did not infer Dean. It was more of a—

Ehrlichman: Hmm?

Dean: Fielding, who, who picked this up from [unclear] men, said it was more like Haldeman.

Ehrlichman: Um-hmm. Hmm. Well, I, I think that, really, the basic question here is, is a—one of prophecy, as to whether or not you're going to be called or not. But if you are, then, obviously, the best, the best position to be in is that you volunteered. If you aren't, then O'Brien's—

Dean: That's the thing: If you volunteer, it's sort of like you've—Well, I, I can appreciate the fact you want to go down and cleanse your name [unclear] willing to do that anytime. But, however, the grand jury has charged me with nothing right now [unclear]—

Ehrlichman: I understand. Well, obviously, the angle would be: One can't expect probity, fairness, and guarantees of, of rights before a committee of the, of the Senate that does the kinds of things this committee's done in the last couple of days. My safe refuge is with the grand jury.

Dean: Well, and the thing is, I really wonder if now is the time to volunteer that.

Ehrlichman: Well, of course, that's the question. That's the basic question. And, I, I gather you and O'Brien feel that it is not.

Dean: I think we ought to wait and see how—There's always the chance I won't be called.

Ehrlichman: Yeah, I see.

Dean: 'Cause they're working on about third-hand hearsay.

Ehrlichman: But if you are, then, it'll be too late.

Dean: Uh [coughs]—

Ehrlichman: They just won't care.

Dean: [Pause] That's right, but they—

Ehrlichman: The question is whether it's worth the trade.

Dean: That's right.

Ehrlichman: Yeah.

Dean: The—And [unclear] how we go.

Ehrlichman: Well, obviously, we're not in the position [laughs] to say you volunteered, unless you are. So, why don't we sleep on it, see where we are in the morning.

Dean: Ok.

Ehrlichman: Ok, good.

Dean: Bye-bye.

[End audio]