

Conversation: 881-003

Date: March 16, 1973

Time: 10:34 - 11:10 am

Location: Oval Office

Participants: Richard M. Nixon, John W. Dean, III, Ronald L. Ziegler

[Editor's note: the blue text below denotes overlap with Stanley Kutler's *Abuse of Power: The New Nixon Tapes* (New York: The Free Press, 1997). Kutler took the blue text below and combined it with the blue material noted in [the transcript for conversation 037-134](#), creating a fictitious conversation that appears in his book on pages 230-232.]

[Begin audio]

**Dean:** Good morning, sir.

**Nixon:** Come in. How was your [unclear] this morning?

**Dean:** I wanted to clear up this matter on what we will do in the future regarding turning over FBI files, the matter that came up in the press conference yesterday.

**Nixon:** Yeah. Raw files?

**Dean:** Raw files.

**Nixon:** Raw files.

**Dean:** Now, Kleindienst did not meet with Ervin and Baker yesterday. He was on the stand yesterday. He is meeting at 11:30 or so this morning. What he would like to do is tell Ervin that "yes, we're going to cooperate. But we are not going to give you raw files. We're going to give you an evaluated report that won't be harmful to people." Now if that report is anyway contested as to, based on what we have in the raw files, we will make available, either to the Senators—

**Nixon:** Chairmen?

**Dean:** Chairmen—come down and check it.

**Nixon:** Not to a committee, but to the Goddamn chairman and the ranking member.

**Dean:** How about counsel?

**Nixon:** [unclear] chairman, ranking member, and counsel. Do you agree?

**Dean:** I agree. I think that's what—

**Nixon:** Tell him that's been, tell him that was the understanding we always had with Hoover. [That would be] [unclear] [now.] That's the only way to protect innocent people. We're not going to make it available to the full committee.

**Dean:** Yes.

**Nixon:** Raw files. Don't you agree?

**Dean:** I agree. Now, the other thing is that the present status of the files is that Gray has said that they are available for anybody on the Judiciary Committee. What he has done is that he's got two agents that have custody of the complete investigative file. The agents—

**Nixon:** Right, but, Kennedy?

**Dean:** That's right. Do we want to pull those back, right now?

**Nixon:** [unclear]

**Dean:** Nobody has looked at them other than Hruska, who spent six hours reading them.

**Nixon:** [Not good.] I wonder if that [wouldn't put us in a position with,] well, what the hell, [we're already in a position of a cover-up, what the hell]. I would simply say that the

standard would, the standard would be, the, I think the chairman and the ranking member [unclear].

**Dean:** Alright, then the only other person who can look at them would be Eastland. Hruska is the ranking minority member has looked at—

**Nixon:** [unclear] and the counsel [unclear]. We have to protect the raw files.

**Dean:** No, I think this is important for something that we really haven't thought about very much. And that is that it is not going to be harmful to Gray, if the way Gray conducts this investigation, because Gray, as the director, cannot control an investigation of the Bureau.

**Nixon:** No.

**Dean:** It's an institution that's now on trial as to how they conducted an investigation, because all the wires that Gray sent out to those field offices look and indicate that they were to go hell bent for leather on this investigation. So they began immediately to impinge upon the very credibility of the Bureau itself when they start second guessing why they did or did not pursue a lead, why they didn't or did find an individual at a given point of time.

**Nixon:** Oh, incidentally, you raised the question yesterday, that [unclear] and Moore [unclear] to do. You said, "suppose they follow it up and say 'would you give us a copy of the Dean report?'" There was no—

**Dean:** There was no report. They're all—

**Nixon:** I would say "it was purely an oral thing. There is no written report. He'll be glad to give you a summary of his findings." See my point?

**Dean:** Um-hmm.

**Nixon:** That's what they're going to say. Ok, so that question is ready. Be sure that Ziegler has that. That, "of course, that's what you've said. You would be glad to answer questions, interrogatories, about this that had to do with it." Is that correct?

**Dean:** Um-hmm.

**Nixon:** You got Ziegler programmed? So that he can stick it. It is very important that Ziegler and all the hands, [unclear] does not seem to go through on the story, [unclear] that we are offering [unclear].

**Dean:** That's correct.

**Nixon:** That doesn't seem to break through, does it? I've said it about eight times.

**Dean:** Well, the *Star* is covering it that way, however, I will say that. They are saying, you know, my response to the committee, but by golly, they are not hiding anything. They're coming forward.

**Nixon:** That's referring to my comments with [Reston], where I said over and over again. [unclear] more forthcoming than anybody else, we've got to continue to say, this is not a question of withholding information, it's a question of how the information is presented. Right?

**Dean:** Good.

**Nixon:** Now, with regard to the, do you have any other advice as to the files whether we [unclear], do you want to, I just don't think we can open the files to Kennedy's counsel and all the rest. That's the point. He's on the Judiciary Committee. I'd just say the chairman and ranking member.

**Dean:** I think that's good.

**Nixon:** Now that will be the situation in the future. The chairman, the ranking member, and the counsel.

**Dean:** All right. Now how about this for an idea, or is it too political? To have Gray now, given the posture of the files and what you've said yesterday, have Gray turn the files over to the Attorney General, that they can't be released, excepting per his instruction. And his instruction is an understanding [unclear] ranking minority member and the chairman.

**Nixon:** No, not at all political. The Attorney General shouldn't be, and the FBI Director, should not be horsing around turning stuff over like that. The Attorney General should be—

**Dean:** Gray did testify, in even his volunteering all this information, that he would be subject to the Attorney General's approval. So that's quite natural now, that he, given the statements yesterday, that he turns them over to the Attorney General's custody and control.

**Nixon:** Right. "The Attorney General will be very forthcoming."

**Dean:** Right. "As he will be this morning when he goes up to visit with Ervin and Baker."

**Nixon:** Right. Right.

**Dean:** Now, I'm going to also do some checking. I'm going to have Kleindienst pull Baker aside and find out what in the world he's talking about when he goes on television last night and says, "I was quite surprised when the President said he wasn't going to send anybody up [to testify]." No one knew better than Baker, from his conversation with you—

**Nixon:** He lied!

**Dean:** Sure.

**Nixon:** I told him. I told him. Now, I told [unclear].

**Dean:** I know.

**Nixon:** Now, I told Baker, I said, we would have no—I said I would not allow people to come up in formal hearings. I said we would have written interrogatories. I said we would discuss the possibility of having the chairman and ranking member talk. You know what I mean? I went through that.

**Dean:** I know.

**Nixon:** I opened that up. But we said [unclear]. We made no decision on [unclear]. [unclear] I said that's the way it looks. So we have—but I said we would not agree to any appearances before the committee. No. He's trying to be a hero, and, you know, play to the people here. But [unclear] what in the hell is the matter with Mitchell? I mean, he's supposed to be close to—

**Dean:** Close to Baker?

**Nixon:** Yeah. My point is that somebody's got to get Baker—

**Dean:** Pulled around.

**Nixon:** Well—

**Dean:** He's off the reservation, I would say.

**Nixon:** I think he must be off the reservation, and I'm kind of surprised that he saw me and then went off. I don't—I want him to know that I won't forget that that conversation ever took place. You remind him about it and so forth. Because I remember it took place, and I know and he knows Goddamn well he lied about it. And, although he didn't—of

course, he didn't say the conversation took place. He recognizes he can't do that. But he knew before that that we weren't going to do that.

**Dean:** Well, Kleindienst would theoretically know that that conversation took place.

**Nixon:** Because Kleindienst told him something else?

**Dean:** No. No. But what I'm saying is that he asked you, or told you that he wanted Kleindienst to be the man who was in contact with him.

**Nixon:** That's right.

**Dean:** So Kleindienst can pull him up short and say, "now what in the world are you talking about?"

**Nixon:** As Kleindienst well should know in advance, that all we discussed, I said written interrogatories. Baker said that wouldn't do. He didn't think so. [unclear] all right.

[unclear] the other thing that we might consider, would be to have the chairman and the ranking member [unclear]. But down here, not up there.

**Dean:** Right.

**Nixon:** So he said, executive session and so forth, and I said no.

**Dean:** All right.

**Nixon:** But I think what it gets down to is what you have here is that Baker and [Senator Lowell] Weicker [D-CT] have predictably—I mean, they read the Washington papers and the rest, run around in the social set, and want to be hotshots. They'll take a potshot even if it is to the embarrassment of the administration. We have that over and over again. It's one of those things.

**Dean:** I think hearing these—

**Nixon:** Baker—I just wonder if he'll survive the election. Baker may not realize it, but by getting on the wrong side of this it will destroy, and that's what [these] [unclear], his chances to ever move into a leadership position. It will destroy it. He can't be told that, but, you know what I mean.

**Dean:** He's got to—the message has to slip through somewhere some time.

**Nixon:** He's just going overboard and his counsel [Thompson], I noticed, is working hand in glove with [Sam] Dash. Well, Dash is too smart for that kid.

**Dean:** Sure. Runs circles around him.

**Nixon:** [unclear] Goddamn counsel. And they are still talking only about what—I heard, I talked to John, and he said you were getting some information as to, somebody was—

**Dean:** We have a link. I—

**Nixon:** Anything on our [unclear]?

**Dean:** We have two links actually. None of them have borne any fruit yet, because apparently they haven't done much. And they haven't decided the time to really get tied in is right now. I think the time is growing, so we know what they're doing. We've got to find out soon what they're doing. They're not being very helpful. They don't want us to know what they're doing.

**Nixon:** No, what I'm talking about is the [questions I have raised] with regard to getting out a story, and also getting the committee to agree to investigate charges against the Democratic Campaign for improprieties. Now, as I understood, we had a plan for that. Somebody's going to make a speech.

**Dean:** That's right. We have, the speech will be completed by close of business today. And then make arrangements to have Goldwater as the opening shot on it. And then in

turn, after the speech, make a rather major speech. The time is right, right now. Write Ervin a letter, and say the Senator—

**Nixon:** Who's to write it? Goldwater?

**Dean:** Goldwater.

**Nixon:** Right.

**Dean:** To write a letter.

**Nixon:** And ask.

**Dean:** And ask to please be included in part of the hearing, and "I want to be the first to testify on this to set the stage."

**Nixon:** Right. No kidding? Goldwater's agreed?

**Dean:** Yes, I'm sure he will. No problem there at all.

**Nixon:** [unclear] seems like we've got some [unclear].

**Dean:** That's right.

**Nixon:** Ok. That's good.

**Dean:** And the other thing, my—this fellow Sullivan called yesterday. He said, "I'm still preparing material. I think you'll be interested to see what I've been able to gather and assemble. I've gone through my memory. I've got some notes. I've got a few files around. I'm putting it all together." I said, "Well, make sure it is all good, and in order."

**Nixon:** Probably has to be [unclear]. I don't know. I can't tell about the [unclear] [whether it's] [unclear] [not] Johnson. The FBI is not going to [unclear].

**Dean:** We have to get off the defensive. We have to broaden.

**Nixon:** That's what I think. That's been my feeling for some time. But I think we've got pretty thin stuff unless we get somebody—there's never been thinking in those terms.

**Dean:** Well, people have not been, for some reason, volunteering to us what has been volunteered to the other side.

**Nixon:** Yep. That's right.

**Dean:** They seem to be holding together.

**Nixon:** They have a tighter shop.

**Dean:** They've got a much tighter shop.

**Nixon:** Well, we have too big a shop. They hired too many people [unclear] sort of a sloppy organization. We all know that. But as far as [the events] [unclear], I know, for example, that an even a friendly paper like this *Detroit News* says that we ought to make some statement. I still think that that is something we ought to consider. I mean, just so we have done it. Do you get my point?

**Dean:** Yeah. One point. I have drafted such a document.

**Nixon:** Yeah.

**Dean:** Back in December I did it.

**Nixon:** Right. Don't you think it opens up new problems?

**Dean:** I think it's something we ought to continually review.

**Nixon:** But you see my point. But let me say we've got to forget some of the problems it may raise for other people. But you've got always to think in terms of the presidency and the President should not appear to be hiding and not be forthcoming. Do you know what I mean?

**Dean:** Right.

**Nixon:** That's why I want to emphasize the fact that, in our refusal to let you and others testify, I am not refusing to furnish information. That should be the line. You see, that

should be the line, we really furnish information. Right? On the proper term. Do you agree?

**Dean:** Hmm.

**Nixon:** *The problem is the cover-up, not the facts. The facts are not that bad.*

**Dean:** It ought to be limited to Watergate, and Segretti, which are the two things in their mandate.

**Nixon:** That's right.

**Dean:** Well, their mandate's broadened. It can get into anything.

**Nixon:** Right.

**Dean:** Well, maybe it's time to recirculate that and look at it again. It's one of those things that should be reviewed and re-reviewed.

**Nixon:** How would you have it put out [there]?

**Dean:** Well, the way I originally structured it was that Ziegler could give a statement, summary statement, that was based on my investigation. And my investigation contained written affidavits of the all the parties of interest, sworn affidavits. You know, sort of a, it would just reflect a series of Qs and As.

**Nixon:** [unclear] so that you refer, [unclear] provide that to the Ervin committee, to begin its [hearings], for example? Or maybe in response to their inquiry? Do you see what I mean? Maybe—do you see what I mean?

**Dean:** Well, the thought was, when it was originally being kicked around, you know, post-election, let's lay it out.

**Nixon:** Yeah, [I know]. [unclear] [very different]. As I understood it, it was rejected because you thought it was going to open up too many problems.

**Dean:** There are some questions you can't answer.

**Nixon:** Yes.

**Dean:** Or, if you do—

**Nixon:** You get people in trouble.

**Dean:** You get people in trouble.

**Nixon:** What you ignore then becomes the story rather than what you reveal. It both becomes the story. I still think though, that I still think there's much to be said for a presidential, a White House statement, not presidential, which I think now should go to the Ervin committee. You see what I mean?

**Dean:** Um-hmm.

**Nixon:** Where [unclear], that we have said. Then people say "well, have we said something?" Well, we have. You get my point? I don't—the heart of our friends' criticism on this John is not the facts. The heart is the cover-up. You understand? They think we're covering high-up people.

**Dean:** What would happen if very early, before they really get their investigation too far along, if we let a fellow like Sam Dash come down here and interview a Haldeman, an Ehrlichman, a Dean, and the like. One shot. Maybe that's something to think about. And say that's it. You ask the questions. We'll give you the answers. This is why no one's going to appear [to testify].

**Nixon:** Oh, we can offer that. They did not rule that out.

**Dean:** No.

**Nixon:** Written interrogatories. They can come down. The counsel can come down. And that's one thing. I'm still thinking along the way. But rather than having the information

[sucked up] that way as to whether—do you think there's too many questions, basically, you can't answer in a statement?

**Dean:** That's right. You create a series of problems that run into a whole flock of new problems that haven't even emerged yet.

**Nixon:** Now, in terms of the court thing, and so forth. It looks like Baker has said, "all right, [unclear] I think they're going to think a little about that before they go up." Would you agree?

**Dean:** I would gather they are backing off at the Judiciary Committee level, as far as—

**Nixon:** [unclear]

**Dean:** Yeah, I think they are.

**Nixon:** Baker's screaming too loud. [unclear].

**Dean:** No. No. It's unfortunate—

**Nixon:** [unclear] that would be the wrong ground. But Ervin and Baker—Baker's whole argument is and will be that he's trying to establish credibility and impartiality in the hearings. But he's also establishing himself as saying, "well, the Republicans were concerned about this as well." [unclear]

**Dean:** What we're doing now, Dick Moore and I were just talking about this this morning, is we're so busy putting out daily fires that we have not really gotten, although we've had some sessions on this, a good master plan to deal with this. And hopefully Dick and I can just get off somewhere—

**Nixon:** Get away.

**Dean:** —and kick it [a report] around four ways to Sunday.

**Nixon:** Why don't you go up to Camp David and do it?

**Dean:** Well, that might be a good idea.

**Nixon:** You're welcome to go any time.

**Dean:** Thank you. And just really kick it around.

**Nixon:** Do you need anybody else besides Dick? Would a Mitchell be helpful in that sort of thing?

**Dean:** Yeah, he might. He might.

**Nixon:** His judgment is pretty good.

**Dean:** Yes, it is.

**Nixon:** [unclear] anybody else, [unclear] his judgment [unclear], Ehrlichman and the rest [in terms of] [unclear] even Mitchell might [unclear]. [unclear] say, "well, now look, we've got this other [unclear]."

**Dean:** Oh, he's a—

**Nixon:** His judgment has been very bad, [unclear] as far as, well, Kleindienst and Gray. But nevertheless, [unclear] but this thing, he's a party of interest, and he better damn know better [unclear]. The main point in your statement that you cannot have—the White House, the president's in a position of covering up.

**Dean:** No.

**Nixon:** That's the point we've got to keep front and center. They're saying the guilt thing, hard as it may be, that has to come. I got up there—you know what I mean? That's going to have to come. People are guilty. They're going to have to take the rap. But you cannot have the president take the rap on a cover up.

**Dean:** No.

**Nixon:** You see, there's the real point. People thought about that point up front and center. That's why I was a little concerned about what Ziegler told me about his [dance] around Chapin. He said, "look [unclear], that he had probably not been accurate." He said Chapin was on Segretti's [unclear] so forth and so on, you know what I mean? I think he should have said at that point that [unclear] then he wouldn't have it now. The point is, that Chapin [unclear] Segretti. The committee was looking for somebody, and he recommended him. Right?

**Dean:** Um-hmm.

**Nixon:** Might have been better. They were more concerned with that [unclear] [jack off Liddy.] Well, you see, you cannot get into the position where the White House lies.

**Dean:** No. Can't be in that position.

**Nixon:** —[unclear] the White House lies.

**Dean:** Well, they're not saying that he lied. They're saying it was misleading. It was an artfully phrased denial.

**Nixon:** Right.

**Dean:** Which it was at the time. No doubt about it.

**Nixon:** Right. [unclear]—

**Dean:** Pardon? That note you sent me from the news summary about the agent who said that, "I appreciate the fact that the president might be annoyed by Mr. Gray. Mr. Kalmbach's been shown to be guilty of nothing, and here he is being bannered across the headlines as the result of turning over a raw file.

**Nixon:** Now, it's Ziegler's position where—[you saw] Chapin's [file]?

**Dean:** Yeah, I just came from his house. I'm going to go right back, so he can understand what I am telling Kleindienst on this [unclear].

**Nixon:** Well, let's get him in, so [unclear]. Then, [unclear] has to go out there [unclear]. I think, however, we positioned it yesterday as well as we can [from here].

**Dean:** I thought it was playing well today.

**Nixon:** [unclear] They were playing except perhaps [unclear] might not be forthcoming [unclear]. But we're not going to turn it over [unclear].

**Dean:** All the television clips last night had the forthcoming part and noted—

**Nixon:** Carrying me?

**Dean:** Carrying you, and noting that the president had said three or four times in his press conference on these questions that they would be forthcoming. NBC noted it; Chancellor said it.

**Nixon:** That helps.

**Dean:** Yeah it does. So, and it is, all throughout the responses.

**Nixon:** That's why doing it on television is important. That cut through. I think people see and believe me, too.

**Dean:** Oh, yes. And when you say it, it means something. They can't write the story like they did in the *Post* after my response where the last two lines said "oh, yes", and "he also said he would volunteer any answers they asked." A story that no one would read that far to find out what was said.

**Nixon:** I still think we did [unclear] last night. Fighting, [unclear].

**Dean:** Absolutely, I raised that to be a devil's advocate. I thought it was something we ought to consider.

**Nixon:** [unclear]



**Dean:** But it was right. And anytime you can't walk out there and answer those questions, something's got to be done so you can.

**Nixon:** Sure. Sure.

**Dean:** Well, I guess our most serious problem with the Ervin committee is not knowing what they're doing. And that's why I'm trying to solve immediately.

**Nixon:** Trying to get a leak in there, huh?

**Dean:** Trying to get in there so we can find out what they're up to, what they're thinking is, what Dash is up to. That's the only way we can handle them is to know what they're doing. To know if indeed Gurney is on our team or not, or Baker is way off the reservation.

[Ron Ziegler enters]

**Nixon:** Hi Ron. You've got all the [questions] [unclear]?

**Ziegler:** Well, we have one question which—

**Dean:** Yeah, on the FBI files. What we're going to do is, Kleindienst is going to tell Ervin and Baker that he will make an evaluated report of the FBI investigation available.

**Nixon:** You want Ziegler to say that?

**Dean:** No. I guess he wouldn't say that.

**Nixon:** No, no.

**Dean:** But he has a pending question that as to the interpretation of whether we're going to turn over raw files or not. And the answer to that is we are not going to turn over raw files over.

**Nixon:** No. Well, now, the answer is, and I was very specific on that. I said Hoover always said he would never turn raw files over to a full committee. He would, on a very special basis, allow committee chairmen and ranking members to see a file, when it was a matter pertinent to an investigation, provided he was convinced there would be no leak. And there has never been a leak.

**Ziegler:** The answer to the question then, having restated [unclear] policy, is that the president was very clear in his remarks that [unclear].

**Nixon:** That's right. Raw files should not be turned over to the whole committee.

**Ziegler:** The president was very clear—

**Nixon:** Because leaks from those files harms innocent people.

Ziegler: So all I have to say if I'm asked is, "gentlemen, I have nothing to add to what the president said. He was very clear in his remarks." "Well how should I interpret it?" "Literally."

Nixon: That's right. [For God's sake.]

Ziegler: Period.

**Dean:** Should that mean that Ervin will be able to look at them?

**Nixon:** Well—

**Dean:** The remark is very clear that the chairman and the ranking minority member—

**Ziegler:** [unclear]

**Nixon:** [unclear]. Yeah.

**Ziegler:** That's spelled out how—

**Nixon:** That's spelled out. I think it's spelled out—I'd say it's spelled out in the answer. You don't—we don't have to [unclear]. Just read the answer. It's very clear. The president [unclear]—

**Ziegler:** Particularly, I mean, now that we know that that's precisely the way we're going to do—

**Nixon:** That will be it.

**Dean:** That's going to be the way we proceed.

**Ziegler:** Fine. Then I won't have to say anything. Kleindienst is going to tell Ervin and Baker [unclear]—

**Dean:** That's right.

**Nixon:** That's right.

**Dean:** Now, you have another question. "Has there been any order to Gray regarding this matter?" The answer at this point is, "no, I know of no order to Mr. Gray, but we are going to instruct Gray this morning that he should"—

**Nixon:** I would simply [bring up], I think the—

**Dean:** [unclear]

**Nixon:** [unclear] that [unclear] issue. But, I mean, obviously the—all the people from the government involved, the direction was laid down from the president's press conference.

**Dean:** No, I was saying that, informed not for press coverage, Gray will be told that these are under the supervision of the Attorney General.

**Nixon:** Sure. Of course, Mr. Gray was—the president said this was a one-time exception because he was up for confirmation, and that then we will revert to the previous policy, under which there were no leaks. Point out that there have been very unfair, damaging leaks to the press. I'd attack the Judiciary Committee as a result of these leaks. Correct?

**Dean:** Right. Other than submit a thing to the open record.

**Nixon:** Yeah.

**Dean:** I don't think there have been any leaks out of the files.

**Nixon:** Then I would say that [unclear]—

**Dean:** It's what he submitted to the record, that Mr. Kalmbach said.

**Ziegler:** That there's no question that we are preceding along this line. There's no—

**Nixon:** Right. Right. The other thing is this. If somebody said, "well, what would the president say, will you submit the—since he raised the question of getting a report that he knew that [we have knowledge] that was available on, had been prepared on their investigation [unclear] Hoover, what about Mr. Gray's report?" [unclear] "Mr. Gray will furnish any information [unclear], written information as requested." That's exactly what [the president, the Congressmen], the chairman of the subcommittee was asking for [unclear]. And they said, "well is there a report?" And you can say, "he will furnish information. All the information."

**Dean:** [unclear] report.

**Nixon:** He didn't make a report. [unclear] report. You want to say that? I wouldn't say that—

**Dean:** I think you've already said the report was oral. Ehrlichman said that.

**Nixon:** That's right. "His report was oral, but he will furnish all information, and answer written interrogatories that are pertinent to the investigation." Fair enough?

**Ziegler:** Now—

**Dean:** The other catch in there is consistent with the policy statement—

**Ziegler:** Let me just—

**Nixon:** Policy statement?

**Dean:** Of March 12 on—

**Ziegler:** My best way to say nothing is to say “the president was clear,” [and this is bridge line now], “Kleindienst is going to meet with Ervin and Baker today”—

**Dean:** Eleven o’clock.

**Ziegler:** Ok, when he meets with Ervin and Baker, Ervin—if his pattern holds true to form, will be out talking about that.

**Dean:** That’s right.

**Ziegler:** So I can say, “gentlemen, the president was quite clear in his press conference yesterday. You should [unclear] said that. Interpret it literally. Period.” And then if they go beyond that I’ll just say “the Attorney General, consistent with that policy will be meeting with the committee chairman and [I have nothing more to say].”

**Nixon:** What time does Kleindienst [get] [unclear]?

**Dean:** I think right about now. He’s probably waiting for a call from me.

**Nixon:** Well, you get the call in right away. Be sure you tell him that he should know in no uncertain terms—tell him the president has a record, made a full record of his talk with Baker, that he told Baker that under no circumstances will there be any appearances before the committee. Baker knew that beforehand, and that we [unclear] [written interrogatories], that he raised, that we discussed the possibility that chairman, or counsel, the questioning and so forth, but he did not raise this issue. That completely rules out the appearance before the committee, and he knew it. I think he should know it—

**Dean:** Um-hmm.

**Nixon:** So that he can put it right to Baker in case Baker tries to say, “well, why is it [unclear].” I don’t want him to get away with it. Baker wasn’t supposed to say a Goddamn thing, [unclear] not supposed to.

**Dean:** But Kleindienst knows that. And Baker would, because Baker told you—well, they may not be true.

**Nixon:** Well, what I am concerned about is that Baker may have told Ervin that he met with me and he might try to tell that to Kleindienst that I told him something.

**Dean:** All right. Just want to make sure.

**Nixon:** I just wanted to Goddman clear, as we know, that we’ve got Baker [before the] [unclear] [here]. I said there is not, there are going to be no appearances before a public session. None. See his theory was to have the big shots come down and question right away, [unclear] all the [unclear], and I said no. [unclear] and Stans, and Mitchell, [unclear] the White House people [unclear]. Fair enough?

**Dean:** Good.

**Nixon:** You’d better go make your call. [unclear] You too. All right. Bye.

[End audio]