

TRANSCRIPT PREPARED BY THE IMPEACHMENT INQUIRY STAFF FOR
THE HOUSE JUDICIARY COMMITTEE
OF A RECORDING OF A MEETING AMONG THE PRESIDENT, JOHN DEAN
AND H.R. HALDEMAN ON MARCH 21, 1973 FROM 10:12 TO 11:55
A.M.

July 8, 1974

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PRESIDENT: John, sit down, sit down.

DEAN: Good morning.

PRESIDENT: Well, what is the Dean summary of the day about?

DEAN: John caught me on the way out and asked me about why Gray was holding back on information, if that was under instructions from us. And it, uh, it was and it wasn't. Uh, it was instructions proposed by the Attorney General, consistent with your press conference statement that no further raw data was to be turned over to the

PRESIDENT: Full committee

DEAN: full committee.

PRESIDENT: Right.

DEAN: And that was the extent of it. And Gray, himself, is the one who reached the conclusion that no more information be turned over; he'd turned over enough. Uh, so this is again Pat Gray making decisions on his own as to how to handle his hearings. He has been totally unwilling all

*The quotation marks used in this transcript are for convenience and do not indicate verbatim quotation by the speaker.

along to take any guidance, any instruction. We don't know what he is going to do. He is not going to talk about it. He won't review it, uh, and I don't think

PRESIDENT: Right.

DEAN: he does it to harm you in any way, sir.

PRESIDENT: He's just quite stubborn and, he's quite stubborn; also he isn't very smart. You know he and I

DEAN: He is bullheaded.

PRESIDENT: He is smart in his own way, but,

DEAN: Yeah.

PRESIDENT: but he's got that typical, "Well, by God this is right and they're not going to do it."

DEAN: That's why he thinks he'll be confirmed, because he thinks he's being, he's being his own man. He's being forthright, honest. He's feels he has turned over too much and so it's a conscious decision that he is harming the Bureau by doing this and so he is not going to

PRESIDENT: [Sighs]I hope to God that we get off [unintelligible] though today that, this is because the White House told him to do this or that or the other thing. And also, I told Ehrlichman, I don't see why our little boys can't make something out of the fact that God darn it this is the, this is the, the only

responsible decision you could possibly make. The FBI cannot turn over raw files. Has anybody made that point? I have tried.

DEAN: Sam Ervin has made that point himself.

PRESIDENT: Did he?

DEAN: Uh, in fact, in reading the transcript of Gray's hearings, Ervin tried to hold Gray back from doing what he was doing at the time he did it. Uh, I thought it was very unwise. I don't think that anyone is criticizing

PRESIDENT: Well, let's say,

DEAN: your position on it.

PRESIDENT: let's make the point, let's make the point that the raw files cannot be turned over. I think that point should be made.

DEAN: That, that --

PRESIDENT: We are standing for the rights of innocent individuals. The American Civil Liberty Union is against it. We're against it. [Unintelligible] the tradition, and it will continue to be the tradition that all files are -- I'd like to turn them all over to somebody. I'd like to get a chance for Spiro to put it out. [Unintelligible] and let them see what is in one.

DEAN: How damaging -

PRESIDENT: Any further word on, on Sullivan? Is he still --

DEAN: Yeah, he's, he's going to be over to see me today, this morning, hopefully, sometime. Uh --

PRESIDENT: As soon as you get that, I'll be available to talk to you this afternoon.

DEAN: All right, sir.

PRESIDENT: I will be busy until about one o'clock; after that we can contact. Anytime you are through I would like to see whatever [unintelligible] he has. We've got something but I'd like to just see what it is.

DEAN: Uh, the reason I thought we ought to talk this morning is because in, in our conversations, uh, uh, I have, I have the impression that you don't know everything I know,

PRESIDENT: That's right.

DEAN: and it makes it very difficult for you to make judgments that, uh, that only you can make

PRESIDENT: That's right.

DEAN: on some of these things and I thought that

PRESIDENT: You've got, in other words, I've got to know why you feel that, uh, that something

DEAN: Well, let me,

PRESIDENT: that, that we shouldn't unravel something.

DEAN: let me give you my overall first.

PRESIDENT: In other words, your, your judgment as to where it stands, and where we go now.

DEAN: I think, I think that, uh, there's no doubt about the seriousness of the problem we're, we've got. We have a cancer -- within -- close to the Presidency, that's growing. It's growing daily. It's compounding, it grows geometrically now, because it compounds itself. Uh, that'll be clear as I explain, you know, some of the details, uh, of why it is, and it basically is because (1) we're being blackmailed; (2) uh, people are going to start perjuring themselves very quickly that have not had to perjure themselves to protect other people and the like. And that is just -- And there is no assurance --

PRESIDENT: That it won't bust.

DEAN: That that won't bust.

PRESIDENT: True.

DEAN: So let me give you the sort of basic facts, talking first

about the Watergate; and then about Segretti; and then about some of the peripheral items that, uh, have come up. First of all, on, on the Watergate: how did it all start, where did it start? It started with an instruction to me from Bob Haldeman to see if we couldn't set up a perfectly legitimate campaign intelligence operation over at the Reelection Committee.

PRESIDENT: Hm.

DEAN: Not being in this business, I turned to somebody who had been in this business, Jack Caulfield, who is, I don't know if you remember Jack or not. He was your original bodyguard before

PRESIDENT: Yeah.

DEAN: they had

PRESIDENT: Yeah.

DEAN: candidate, candidate

PRESIDENT: Yeah.

DEAN: protection, an old New York City policeman.

PRESIDENT: Right. I know, I know him.

DEAN: Uh, Jack had worked for John and then was transferred to my office. I said, "Jack come up with a plan that, you know, is a normal infiltration, I mean, you know, buying

information from secretaries and all that sort of thing." He did, he put together a plan. It was kicked around, and, uh, I went to Ehrlichman with it. I went to Mitchell with it, and the consensus was that Caulfield wasn't the man to do this. Uh, in retrospect, that might have been a bad call, 'cause he is an incredibly cautious person and, and wouldn't have put the situation where it is today.

PRESIDENT: Yeah.

DEAN: All right, after rejecting that, they said, "We still need something," so I was told to look around for somebody that could go over to 1701 and do this. That's when I came up with Gordon Liddy, who -- They needed a lawyer. Gordon had an intelligence background from his FBI service. I was aware of the fact that he had done some extremely sensitive things for the White House while he'd been at the White House, and he had apparently done them well. Uh, going out into Ellsberg's doctor's office

PRESIDENT: Oh, yeah.

DEAN: and things like this. He'd worked with leaks. He'd, you know, tracked these things down. Uh, and [coughs] so the report that I got from Krogh was that he was a hell of a good man and, and not only that, a good lawyer, uh, and could set up a proper operation. So we talked to Liddy.

Liddy was interested in doing it. Took, uh, Liddy over to meet Mitchell. Mitchell thought highly of him because, apparently, Mitchell was partially involved in his ev-, coming to the White House to work for, for Krogh. Uh, Liddy had been at Treasury before that. Then Liddy was told to put together his plan, you know, how he would run an intelligence operation. And this was after he was hired over "here at the, uh, the Committee. Magruder called me in January and said, "I'd like to have you come over and see Liddy's plan."

PRESIDENT: January of '72?

DEAN: January of '72. Like, "You come over to Mitchell's office and sit in on a meeting where Liddy is going to lay his plan out." I said, "Well, I don't really know as I am the man, but if you want me there I will be happy to." [Clears throat] So I came over and Liddy laid out a million dollar plan that was the most incredible thing I have ever laid my eyes on: all in codes, and involved black bag operations, kidnapping, providing prostitutes, uh, to weaken the opposition, bugging, uh, mugging teams. It was just an incredible thing. [Clears throat]

PRESIDENT: But, uh,

DEAN: And --

PRESIDENT: that was, that was not, uh,

DEAN: No.

PRESIDENT: discussed at the

DEAN: No.

PRESIDENT: [Unintelligible]

DEAN: No, not at all. And,

PRESIDENT: [Unintelligible]

DEAN: uh, Mitchell, Mitchell just virtually sat there puffing and laughing. I could tell 'cause after he --- after Liddy left the office I said, "That's the most incredible thing I have ever seen." He said, "I agree." And so then he was told to go back to the drawing boards and come up with something realistic. So there was a second meeting. Uh, they asked me to come over to that. I came into the tail end of the meeting. I wasn't there for the first part. I don't know how long the meeting lasted. Uh, at this point, they were discussing again bugging, kidnapping and the like. And at this point I said, right in front of everybody, very clearly, I said, "These are not the sort of things (1) that are ever to be discussed in the office of the Attorney General of the United States" -- where he still was -- "and I am personally incensed." I was trying to get Mitchell off the hook, uh, cause --

PRESIDENT: I know.

DEAN: He's a, he's a nice person, doesn't like to say no under-- when people he's going to have to work with.

PRESIDENT: That's right.

DEAN: So, I let, I let it be known. I said "You all pack that stuff up and get it the hell out of here I cause we just, you just can't talk this way in this office and you shouldn't, you should re-examine your whole thinking." Came back --

PRESIDENT: Who else was present? Besides you --

DEAN: It was Magruder, Magruder,

PRESIDENT: Magruder.

DEAN: uh, Mitchell, Liddy and myself. I came back right after the meeting and told Bob, I said, "Bob, we've got a growing disaster on our hands if they're thinking this way," and I said, "The White House has got to stay out of this and I, frankly, am not going to be involved in it." He said, "I agree John." And, I thought, at that point, the thing was turned off. That's the last I heard of it, when I thought it was turned off, because it was an absurd proposal.

PRESIDENT: Yeah.

DEAN: Liddy -- I did have dealings with him afterwards. We never talked about it. Now that would be hard to believe for some people, but, uh, we never did. Just the fact of the matter.

PRESIDENT: Well, you were talking about other things.

DEAN: Other things. We had so many other things.

PRESIDENT: He had some legal problems at one time.

DEAN: Now [coughs] --

PRESIDENT: But you were his advisor, and I, I understand how you could have some, uh, what cam--what are they campaign laws -- I knew that was you, you have -- Haldeman told me you, that you were heading all of that up for us. Go ahead.

DEAN: Now. [Clears throat] So, Liddy went back after that and was over, over at, uh, 1701, the Committee, and I, this is where I come into having put the pieces together after the fact as to what I can put together what happened. Liddy sat over there and tried to come up with another plan, that he could sell. (1) They were talking, saying to him he was asking -for too much money, and I don't think they were discounting the illegal points at this, after -- you know, Jeb is not a lawyer. He didn't know whether this was the way the game was played or not, and what it was all about. They came up with, apparently, another plan, uh, but they couldn't get it approved by anybody over there. So Liddy and Hunt apparently came to see Chuck Colson, and Chuck Colson picked up the telephone and called Magruder and said, "You all either fish or cut bait. Uh, this is

absurd to have these guys over there and not using them, and if you're not going to use them, I may use them." Things of this nature.

PRESIDENT: When was this?

DEAN: This was apparently in February of '72.

PRESIDENT: That could be -- Colson know what they were talking about?

DEAN: I can only assume, because of his close relationship with

PRESIDENT: Hunt.

DEAN: Hunt, he had a damn good idea of what they were talking about, a damn good idea. He would probably deny it, deny it today and probably get away with denying it. But I, uh, I still --

PRESIDENT: Unless Hunt --

DEAN: Unless Hunt, uh, blows on him --

PRESIDENT: But then Hunt isn't enough. It takes two doesn't it?

DEAN: Probably. Probably. But Liddy was there also and if, if Liddy were to blow --

PRESIDENT: Then you've got a problem -- I was saying as to the criminal liability in the

DEAN: Yeah.

PRESIDENT: White House. Okay.

DEAN: I will go back over that, and tell

PRESIDENT: Was that Colson?

DEAN: you where I think the, the soft spots are.

PRESIDENT: Colson -- that, that, that Colson, uh, you think was tha, -ah, was the person who

DEAN: I think lie,

PRESIDENT: pushed?

DEAN: I think he helped to get the push, get the thing off dime. Now something else occurred, though ---

PRESIDENT: Did Colson -- had he talked to anybody here?

DEAN: No. I think this was an independent

PRESIDENT: Did he talk to Haldeman?

DEAN: No, I don't think so. Now, but here's the other the where the next thing comes in the chain. I think that Bob was assuming that they had something that was proper over there, some intelligence gathering operation that Liddy was operating. And through Strachan, uh, who was his tickler, uh, he started pushing them

PRESIDENT: [Sighs] Yeah.

DEAN: to get something, to get some

information and they took that as a signal -- Magruder took that as a signal -- to probably go to Mitchell and say, "They are pushing us like crazy for this from the White House." And so Mitchell probably puffed on his pipe and said, "Go ahead," and never really re-- reflected on what it was all about. So, they had some plan that obviously had, I gather, different targets they were going to go after. They were going to infiltrate, and bug, and do all this sort of thing to a lot of these targets. This is knowledge I have after the fact. [Coughs] And, apparently, they, uh, they, they had, they had after, they had initially broken in and bugged the Democratic National Committee, they were getting information. The information was coming over here to Strachan. Some of it was given to Haldeman, uh, there is no doubt about it. Uh -

PRESIDENT: Did he know what it was coming from?

DEAN: I don't 'really know if he would.

PRESIDENT: Not necessarily.

DEAN: Not necessarily. That's not necessarily. Uh--

PRESIDENT: Strachan knew w liat it was from.

DEAN: Strachan knew what it was from. No doubt about it, and

whether Strachan -- I have never come to press these people on these points because it,

PRESIDENT: Yeah.

DEAN: it hurts them to, to give up that next inch, so I had to piece things together. All right, so Strachan was aware of receiving information, reporting to Bob. At one point Bob even gave instructions to change their capabilities from Muskie to McGovern, and had passed this back through Strachan to Magruder and, and apparently to Liddy. And Liddy was starting to make arrangements to go in and bug the, uh, uh, McGovern operation. They had done prelim--

PRESIDENT: They had never bugged Muskie, though, did they?

DEAN: No, they hadn't, but they had a, they had, uh, they'd

PRESIDENT: [Unintelligible]

DEAN: infiltrated it by a, a, they had

PRESIDENT: A secretary.

DEAN: a secretary and a chauffeur. Nothing illegal about that.

PRESIDENT: [Unintelligible]

DEAN: Now, so the information was coming over here and then, uh, I finally, after the next point in time where I became aware of anything was on June 17th, when I got the word that there had been this break-in at the Democratic National Committee and somebody from the Committee had been

caught, uh, from our Committee had been caught in the DNC. And I said, "Oh, my God, that, I can only." You know, if, instantly putting the pieces together -[Coughs]

PRESIDENT: You knew what it was.

DEAN: I knew what it was. So I called Liddy, uh, on that Monday morning, and I said, "Gordon," T said, "first, T want to know if anybody in the White House was involved in this." And he said, "No, they weren't." I said, "Well, I want to know how in God's name this happened." And he said, "Well, I was pushed without mercy by Magruder to get in there, get more information, that the information, it was not satisfactory. Magruder said, 'The White House is not happy with what we're getting.'"

PRESIDENT: The White House?

DEAN: The 'White House. Yeah. Uh --

PRESIDENT: Who do you think was pushing him?

DEAN: Well, I think it was probably Strachan thinking that Bob wanted things, and, because, because I have seen that happen on other occasions where things have been said to be of

very prime importance when they really weren't.

PRESIDENT: Why [unintelligible] I wonder? I am just trying to think as to why then. We'd just finished the Moscow trip. I mean, we were --

DEAN: That's right.

PRESIDENT: The Democrats had just nominated McG-- McGovern. I mean, for Christ's sakes, I mean, what the hell were we -- I mean I can see doing it earlier but I mean, now let me say, I can see the pressure, but I don't see why all the pressure would have been around tlien.

DEAN: I don't know, other than the fact that, uh, they might have been looking for information about

PRESIDENT: The convention.

DEAN: the conventions.

PRESIDENT: Well, that's right.

DEAN: Because, I understand, also, after the fact, that there was a plan to bug Larry O'Brien's suite down in Florida.

PRESIDENT: Yeah.

DEAN: Uh, so, uh, Liddy told me that, uh, you know, this is what had happened and, and this is why it had happened.

PRESIDENT: Liddy told you he was planning -- where'd he learn there was such a plan -- from whom?

DEAN: Beg your pardon?

PRESIDENT: Where did he learn of the plans to bug Larry O'Brien's suite?

DEAN: From Magruder, after the, long after the fact.

PRESIDENT: Oh, Magruder, he knows.

DEAN: Yeah. Magruder is totally knowledgeable on the whole thing.

PRESIDENT: Yeah.

DEAN: All right, now, we've gone through the trial. We've I don't know if Mitchell has perjured himself in the Grand Jury or not. I've never --

PRESIDENT: Who?

DEAN: Mitchell. I don't know how much knowledge he actually had. I know that Magruder has perjured himself in the Grand Jury. I know that Porter has perjured himself, uh, in the Grand Jury.

PRESIDENT: Porter [unintelligible]

DEAN: He is one of Magruder's deputies.

PRESIDENT: Yeah.

DEAN: Uh, they set up this scenerio which they ran by me. They said, "How about this?" I said, "I don't know. I, you.know, if, if this is what you are going to.hang on, fine." Uh, that they--

PRESIDENT: What did they say before the Grand Jury?

DEAN: They said, they said, as they said before the trial and the Grand Jury, that, that, uh, Liddy had come over as, as a counsel

PRESIDENT: Yeah.

DEAN: and we knew he -had these capacities to,

PRESIDENT: Yeah.

DEAN: You know,

PRESIDENT: Yeah.

DEAN: to do legitimate intelligence. We had no idea what he was doing.

PRESIDENT: Yeah.

DEAN: He was given an authorization of \$250,000

PRESIDENT: Right.

DEAN: to collect information, because our surrogates were out on the on the road. They had no protection. We had information that there were going to be demonstrations against them, that, uh, uh, we had to have a plan to get information as to what liabilities they were going to be confronted with.

PRESIDENT: Right.

DEAN: and Liddy was charged with doing this. We had no knowledge that he was going to bug the DNC. Uh

PRESIDENT: Well, the point is, that's not true.

DEAN: That's right.

PRESIDENT: Magruder did know that-

DEAN: Magruder specifically instructed him to go back in the DNC.

PRESIDENT: He did?

DEAN: Yes.

PRESIDENT: You know that? Yeah. I see. Okay.

DEAN: Uh, I honestly believe that no one over here knew that. I know, uh, as God is my maker, I had no knowledge that they were going to do this.

PRESIDENT: Bob didn't either [unintelligible]

DEAN: Uh, but

PRESIDENT: They know you're not the issue. Bob, Bob, now—he wouldn't know.

DEAN: Bob, I don't believe specifically knew they were going in there.

PRESIDENT: I don't think so.

DEAN: I don't think he did. I think he knew there was a capacity do this but he wouldn't, wasn't giving it specific direction.

PRESIDENT: Strachan, did he, know?

DEAN: I think Strachan did know.

PRESIDENT: They were going back into the DNC? Hunt never [unintelligible]

DEAN: All right, so - uh, those people are in trouble as a result of the Grand Jury and the trial. Mitchell, of course, was never called during the trial. Now

PRESIDENT: Mitchell has given a sworn statement?

DEAN: Yes, sir.

PRESIDENT: To the Bureau?

DEAN: To the Grand Jury--

PRESIDENT: Did he go before the Grand Jury?

DEAN: He had, we had a, an arrangement whereby he went down to, with several of the, because it was, you know, the heat of

this thing and the implications.on the election, we made an arrangement where they could quietly go into,the Department of Justice and have one of the assistant U.S. Attorneys come over and take their testimony and then read it before the Grand Jury. Uh,

PRESIDENT: That was [unintelligible]

DEAN: although I--That's right, Mitchell was actually called before the Grand Jury. The Grand Jury would not settle for less. The jurors wanted him.

PRESIDENT: And he went.

DEAN: And he went.

PRESIDENT: Good.

DEAN: Uh, I don't know what he said. Uh, I have never seen a transcript of the Grand Jury. Now, [sighs] what, what has happened post-June 17? Well, it was, I was under pretty clear instructions [laughs] not to really to investigate this, that this was something that just could have been disastrous on the election if it had--all hell had broken loose, and I worked on a theory of containment

PRESIDENT: Sure.

DEAN: to try to hold it right where it was.

PRESIDENT: Right.

DEAN: There is no doubt I, I, uh, that, uh, I was totally aware what the Bureau was doing at all times. I was totally aware of what the Grand Jury was doing.

PRESIDENT: You I mean

DEAN: I knew-what witnesses were going to be called. I knew what they were going to be asked, and I had to. There just --

PRESIDENT: Why did Petersen play the, play the game so straight with us?

DEAN: Because Petersen is a soldier. He played He kept me informed. He told me when we had problems, where we had problems and the like. Uh, he believes in, in, in you. He believes in this Administration. This Administration has made him. Uh, I don't think he's done anything improper, but he did make sure the investigation was narrowed down to the very, very

PRESIDENT: Right.

DEAN: fine

PRESIDENT: Right.

DEAN: criminal things, which was a break for us. There is no doubt about it.

PRESIDENT: He honestly feels that he did an adequate job?

DEAN: He, uh, they ran-that investigation out to the fullest extent they could follow a lead [coughs]and, that was it.

PRESIDENT: But the point is, where I suppose he could be criticized for not doing an adequate job. Why didn't he call Haldeman? Why didn't he get a statement from Colson? Oh, they did get Colson.

DEAN: That's right. But see, the thing is, is based on their FBI interviews, there was no reason to follow up. There were no leads there. Colson said, "I have no knowledge of this" to the FBI. Uh, Strachan said, "I have no knowledge of you know, they didn't ask Strachan any Watergate questions. They asked him about Segretti. Uh, they said, "What's your connection with Liddy?" and he just said, "Well, I, you know, I just, met him over there," and they never really pressed him. They didn't, you know, they Look- Strachan appeared, uh, as a result of some coaching, he could be the dumbest paper pusher in the bowels of the, the White House.

PRESIDENT: Right.

DEAN: All right. Now post-June 17th: These guys immediately it -is very, very [laughs] interesting. Liddy, for example, the Friday before--uh, on I guess it was the uh, uh, 15th, uh, 16th of, uh, June--had been in Henry Petersen's office with another member of my staff on campaign compliance [laughs] problems, uh, joking. After the incident, he went, he ran, uh, Kleindienst down at Burning Tree Country Club and told [laughs] him that "you've got to get my men out of jail," which was kind of a--Kleindienst said, "Now, you get the hell out of here, kid, uh. Whatever you've got to say, just say to somebody else. Don't bother me," and--But this has never come up.

PRESIDENT: Yeah.

DEAN: Uh, Liddy said, said that, you know, if they all got counsel instantly and said that, you know, "We'll, we'll ride this thing out." All right, then they started making demands. "We've got to have attorneys' fees. Uh, we don't have any money ourselves, and if--you are asking us to take this through the election." All right, so arrangements were made through Mitchell, uh, initiating it, in discussions--that I was present--that these, guys had to be taken

care of. Their attorneys' fees had to be done. Kalmbach was brought in. Uh, Kalmbach raised some cash. Uh, they we're obv-, uh, you know.

PRESIDENT: They put that under the cover of a Cuban Committee or [unintelligible]

DEAN: Yeah, they, they had a Cuban Committee and they had--some of it was given to Hunt's lawyer, who in turn passed it out. This you know, when Hunt's wife was flying to Chicago with ten thousand, she was actually, I understand after the fact now, was going-to pass that money to, uh, one of the Cubans-- to meet him in Chicago and pass it to somebody there.

PRESIDENT: [Unintelligible] Maybe - Well, whether it's maybe too late to do anything about it, but I would certainly keep that, [laughs] that cover for whatever it's worth.,

DEAN: I'll

PRESIDENT: Keep the Committee.

DEAN: Af--, after, well, that, that, that's

PRESIDENT: [Unintelligible]

DEAN: the most troublesome post-thing, uh, because (1) Bob is involved in that; John is involved in that; I am involved in that; Mitchell is involved in that. And that's an obstruction of justice.

PRESIDENT: In other words the fact that, uh, that you're, you're, you're taking of witnesses.

DEAN: That's right. Uh,

PRESIDENT: How was Bob involved?

DEAN: well, th- they ran out of money over there. Bob had three hundred and fifty thousand dollars in a safe over here that was really set aside for polling purposes. Uh, and there was no other source of money, so they came over here and said, "You all have got to give us some money."

PRESIDENT: Right.

DEAN: I had to go to Bob and say, "Bob, you know, you've got to have some -- they need some money over there." He said "What for?" And so I had to tell him what it was for 'cause he wasn't about to just send money over there willy-nilly. And, uh, John was involved in those discussions, and we decided, you know, that, you know, that there was no price too high to pay to let this thing blow up in front of the election.

PRESIDENT: I think you should handle that one pretty fast.

DEAN: Oh, I think

PRESIDENT: That issue, I mean.

DEAN: I think we can.

PRESIDENT: So that the three-fifty' went back to him. All it did was--

DEAN: That's right. I think we can too.

PRESIDENT: Who else [unintelligible]?

DEAN: But, now, here, here's what's-happening right now.

PRESIDENT: Yeah.

DEAN: What sort of brings matters to the--This is the one that's going to be a continual blackmail operation, by Hunt and Liddy and the

PRESIDENT: Yeah.

DEAN: Cubans. No doubt about it. And McCord,

PRESIDENT: Yeah.

DEAN: who is, who is another one involved. McCord has asked for nothing. Uh, McCord did ask to meet with somebody, and it was Jack Caulfield, who is his old friend who'd gotten him hired over there. And, when, when, when Caulfield had him hired, he was a perfectly legitimate security man. And he wanted to know, well, you know, [coughs] he wanted to talk about commutation, and things like that. And as you know Colson

has talked to, indirectly to Hunt about commutation. [Clears throat] All these things are bad, in, in, in that they are problems, they are promises, they are commitments. They are the very sort of thing that the Senate is going to be looking for. I don't think they can find them, frankly.

PRESIDENT: Pretty hard.

DEAN: Pretty hard. Damn hard. It's all cash. Uh--

PRESIDENT: Well, I mean, pretty hard as far as the witnesses are concerned.

DEAN: That's right. Now. The blackmail is continuing. Hunt called one of the lawyers from the Re-election Committee last Friday to meet with him on -- over the weekend. The guy came in to me, to see me to get a message directly from Hunt to me, for the first time.

PRESIDENT: Is Hunt out on bail?

DEAN: Pardon?

PRESIDENT: Is Hunt on bail?

DEAN: Hunt is on bail. Correct. Uh, Hunt now is demanding another seventy-two thousand dollars for his own personal expenses;

another fifty thousand dollars to pay his attorneys' fees; a, hundred, and twenty, some thousand dollars. Wants it, wanted it by the close of business yesterday. 'Cause he says, "I am going to be sentenced on Friday, and I've got to be able to get my financial affairs in order." I told this fellow O'Brien, "You came -- all right, you'' came to the wrong man, fellow. I'm not involved in the money. Uh, I don't know a thing about it, can't help you." Said, "You better scramble around elsewhere." Now; O'Brien is, O'Brien is, is a ball player. He's been, he's carried tremendous water for us. Uh

PRESIDENT: He isn't Hunt's lawyer, is he?

DEAN: No he is, he is our lawyer at the Re-election Committee.

PRESIDENT: I see. Good.

DEAN: So he's safe. There's no problem there. But it raises the whole question of Hunt now has made a direct threat against Ehrlichman, as a result of this. This is his blackmail. He says, "I will bring John Ehrlichman down to his knees and put him in jail. Uh, I have done enough seamy things for he and Krogh, uh, that they'll never survive it."

PRESIDENT: What's that, on Ellsberg?

DEAN: Ellsberg, and apparently, some other things. I don't know the full extent of it. Uh-

PRESIDENT: I don't know about anything else.

DEAN: I don't know either, and I (laughs] almost hate to learn some of these

PRESIDENT: Yeah.

DEAN: things. So that's, that's that situation. Now, where are the soft points? How many people know about this? Well, uh, well, let me go one step further in this, this whole thing. The Cubans that were used in the Watergate were also the same Cubans that Hunt and Liddy used for this California Ellsberg thing, for the break-in out there.

PRESIDENT: Yeah.

DEAN: So they are, they are aware of that. How high their knowledge is, is something else. Hunt and Liddy, of course, are totally aware of, of, of it, and the fact that, uh, it was right out of the White House.

PRESIDENT: I don't know what the hell we did that for.

DEAN: I don't either.

PRESIDENT: What in the name of God, did that--

DEAN: Mr. President, there have been a couple of things around here that I have gotten wind of. Uh, there was at one time a desire to do a second-story job on the Brookings Institute where they had the Pentagon Papers. Now I flew to California because I was told that John had instructed it and he said, "I really hadn't. It is a misimpression, that for Christ's sake, turn it off." And I did. I came back and turned it off. Because, you know the, when you, you know, if the risk is minimal and the, and the gain is fantastic, it's something else. But with a low risk and, uh, no gain, uh, gee, it's just, uh, it's not worth it. But who knows about this all now? All right, you've got [clears throat] the Cubans' lawyer, a man by the name of Rothblatt, who is a no good, publicity seeking, son-of-a-bitch, to be very frank about it. He has had to be turned down and tuned off. He was canned by his own people 'cause they didn't trust him. They were trying to run a different route than he wanted to run. He didn't want them to plead guilty. He wants to represent them before the Senate. So F. Lee Bailey, who was the partner of one of the, one of the men representing McCord, uh, got in and, and cooled Rothblatt down. So F. Lee, Lee Bailey's got knowledge. Uh,

Hunt's lawyer, a man by the name of Bittman, who's an excellent criminal lawyer from the Democratic era of Bobby Kennedy, he's got knowledge. Uh--

PRESIDENT: Do you think, do you think, that he's got some? How much?

DEAN: Well, everybody not only, all the, all the direct knowledge that Hunt and Liddy have, as well as all the hearsay "A. they have.

PRESIDENT: I [unintelligible]

DEAN: Uh, you've got the two lawyers over at the Re-election Committee who did an investigation to find out the facts. Slowly, they got the whole picture. They are, I, they're solid, but they're --

PRESIDENT: But they know.

DEAN: But they know. Uh, you've got, then, an awful lot of -- all the principals involved know. Uh, Hunt--Some' people's wives know.

PRESIDENT: Sure.

DEAN: Uh, there's no doubt about that. Mrs. Hunt was the savviest woman in the world. She had the whole picture together.

PRESIDENT: Did she?

DEAN: Yeah, it, uh, --Apparently, she was the pillar of strength in that family before the death, and, uh--

PRESIDENT: Great sadness. The basis, as a matter of fact [clears throat] there was some discussion over there with somebody about, uh, Hunt's problems after his wife died and I said, of course, commutation could be considered on the basis of his wife, and that is the only discussion I ever had in that light.

DEAN: Right. Uh, so that, that's it. That's the, the extent of the knowledge. Now, where, where are the soft spots on this? Well, first of all, there's the, there's the problem of the continued blackmail.

PRESIDENT: Right.

DEAN: which will not only go on now, it'll go on when these people are in prison, and it will compound the obstruction of justice situation. It'll cost money. It's dangerous. Nobody, nothing -- people around here are not pros at this sort of thing. This is the sort of thing Mafia people can do: washing money, getting clean money, and things like

that, uh—we're—We just don't know about those things, because we're not used to, you know—we are not criminals and not used to dealing in that business. It's, uh, it's, uh--

PRESIDENT: That's right.

DEAN: It's a tough thing to know how to do.

PRESIDENT: Maybe we can't even do that.

DEAN: That's right. It's a real problem as to whether we could even do it. Plus there's a real problem in raising money. Uh, Mitchell has been working on raising some money. Uh, feeling he's got, you know, he's got one, he's one of the ones with the most to lose. Uh, but there's no denying the fact that the White.House, and, uh, Ehrlichman, Haldeman, Dean are involved in some of the early money decisions.

PRESIDENT: How much money do you need?

DEAN: I would say these people are going to cost, uh, a million dollars over the next, uh, two years.

PRESIDENT: We could get that.

DEAN: Uh huh.

PRESIDENT: You, on the money, if you need the, money, I mean, uh, you could get the money. Let's say--

DEAN: Well, I think that we're going

PRESIDENT: What I meant is, you could, you could get a million dollars. And you could get it in cash. I, I know where it could be gotten.

DEAN: Uh huh.

PRESIDENT: I mean it's not easy, but it, could be done. But, uh, the question is who the hell would handle it?

DEAN: That's right. Uh--

PRESIDENT: Any ideas on that?

DEAN: Well, I would think that would be something I that Mitchell ought to be charged with.

PRESIDENT: I would think so too.

DEAN: And get some, get some pros to help him.

PRESIDENT: Let me say, there shouldn't be a lot of people running around getting money. We should set up a little--

DEAN: Well, he's got one person doing it who I 'am not sure is--

PRESIDENT: Who is that?

DEAN: He's got Fred LaRue, uh, doing it. Now Fred started out going out trying to

PRESIDENT: No.

DEAN: solicit money from all kinds of people. Now, I learned about that, and I said,

PRESIDENT: No.

DEAN: "My God,"

PRESIDENT: No.

DEAN: "It's just awful. Don't do it."

PRESIDENT: Yeah.

DEAN: Uh, people are going to ask what the money is for. He's working He's apparently talked to Tom Pappas.

PRESIDENT: I know.

DEAN: And Pappas has, uh, agreed to come up with a sizeable amount, I gather, from, from

PRESIDENT: Yeah.

DEAN: Mitchell.

PRESIDENT: Yeah. Well, what do you need, then? You need, uh, you don't need a million right away, but you need a million. Is that right?

DEAN: That's right.

PRESIDENT: You need a million in cash, don't you? If you want to put that through, would you put that through, uh -- this is thinking out loud here for a moment would you put that through the Cuban Committee?

DEAN: Um, no.

PRESIDENT: Or would you just do this through a [Unintelligible] that it's going to be, uh, well, it's cash money, and so forth. How, if that ever comes out, are you going to handle it? Is the Cuban Committee an obstruction of justice, if, they want to help?

DEAN: Well, they've got a pr--, they've got priests, and they

PRESIDENT: Would you like to put, I mean, would that, would that give a little bit of a cover, for example?

DEAN: That would give some for the Cubans and possibly Hunt.

PRESIDENT: Yeah.

DEAN: Uh, then you've got Liddy, and McCord is not, not accepting any money. So, he's, he is not a bought man right now.

PRESIDENT: Okay.

DEAN: All right. Let, let me, uh,

PRESIDENT: Go ahead.

DEAN: continue a little bit here now. The, uh, I, when I say this is a, a growing cancer, uh, I say it for reasons like this. Bud Krogh, in his testimony before the Grand Jury, was forced to perjure himself. Uh, he is haunted by it. Uh, Bud said, "I haven't had a pleasant day on the job."

PRESIDENT: Huh? Said what?

DEAN: He said, "I have not had a pleasant day on my job." Uh, he talked, apparently, he said to me, "I told my wife all about this," he said. "The, uh, the curtain may ring down one of these days, and, uh, I may have to face the music, which I'm perfectly willing to do." Uh--

PRESIDENT: What did he perjure himself on, John?

DEAN: His, did, uh, did he know the Cubans? He did. Uh

PRESIDENT: He said he didn't?

DEAN: That's right. They didn't press him hard,-or that he--

PRESIDENT: He might be able to--I am just trying to think. Perjury is an awful hard rap to prove. He could say that I--Well, go ahead.

DEAN: [Coughs) Well, so that's, that's the first, that's one perjury. Now, Mitchell and, and, uh, Magruder are potential perjurers. There is always the possibility of any one of these individuals blowing. Hunt. Liddy. Liddy is in jail right now; he's serving his--trying to get good time right now. I think Liddy is probably, in his, his own bizarre way, the strongest of all of them. Uh, so there's, there is that possibility.

PRESIDENT: Well, your, your major, your major guy to keep under control is Hunt.

DEAN: That's right.

PRESIDENT: I think. Because he knows

DEAN: He knows so much.

PRESIDENT: about a lot of other things.

DEAN: He knows so much. Right. Uh, he could sink Chuck Colson. Apparently, apparently he is quite distressed with Colson.

He thinks Colson has abandoned him. Uh, Colson was to meet with him when he was out there, after, now he had left the White House. He met with him through his lawyer. Hunt raised the question; he wanted money. Colson's lawyer told him that Colson wasn't doing anything with money, and Hunt took offense with that immediately, that, uh, uh, that Colson had abandoned him. Uh--

PRESIDENT: Don't you, just looking at the immediate problem, don't you have to have -- handle Hunt's financial situation

DEAN: I, I think that's,

PRESIDENT: damn soon?

DEAN: that is, uh, I talked to Mitchell about that last night,

PRESIDENT: Mitchell.

DEAN: and, and, uh, I told--

PRESIDENT: Might as well. May have the rule you've got to keep the cap on the bottle that much,

DEAN: That's right; that's right.

PRESIDENT: in order to have any options.

DEAN: That's right.

PRESIDENT: Either that or let it all blow right now.

DEAN: Well that, you know, that's the, that's the question. Uh--

PRESIDENT: Now, go ahead. The others. You've got Hunt;

DEAN: All right, now we've got

PRESIDENT: you've got Krogh, and you've got--

DEAN: Now we've got Kalmbach. [Coughs]

PRESIDENT: Yeah, that's a tough one.

DEAN: Kalmbach received

PRESIDENT: [Unintelligible]

DEAN: at the close, of the, of the, uh, '68 campaign, in January of '69, he got a million seven dollars, uh, a million seven hundred thousand dollars to be custodian for. That came down from New York. It was placed in safe deposit boxes here.. Uh, some other people were on the boxes, and ultimately, the money was taken out to California. All right, there is knowledge of the fact that he did start with a million seven. Several people know this. Now since '69, he's spent a good deal of this money and, and, uh, accounting for it is going to be very difficult for Herb. For example, he's spent -- oh - close to five hundred thousand dollars on private polling. Now that just opens up a whole new

thing. It's not illegal, but, uh, it's more of the same sort of, thing.

PRESIDENT: I don't think that poses a hell of a problem, does it?

DEAN: No, I don't think so. Uh--

PRESIDENT: Practically everybody does polling.

DEAN: That's right, uh, it's not, there's nothing criminal about it. It was private polled. It was,

PRESIDENT: Nothing

DEAN: uh, proper, money.

PRESIDENT: The law didn't, the law didn't [unintelligible] [coughs] polled all through the years.

DEAN: That's right. Uh, he sent four hundred thousand dollars, as he's described it to me, somewhere in the South for another candidate. I assume this was four hundred, uh, that went

PRESIDENT: Wallace.

DEAN: to Wallace. Right. Uh, he has maintained, uh, a, a man I only know by the name of "Tony", who is the fellow who did the, the Chappaquidick study and

PRESIDENT: I heard about that.

DEAN: other, other odd jobs like that. Nothing illegal,

PRESIDENT: Yeah.

DEAN: uh, but closer. Uh, I don't know of anything that Herb has done that is illegal, other than the fact that he doesn't want to blow the whistle on a lot of people, and may find himself in a perjury situation.

PRESIDENT: Well, if he, uh, he--could because he will be asked about that money?

DEAN: He will. What'll happen is, when they call up there and he of course has no immunity, uh, they'll say, "How did you happen--how did you pay Mr. Segretti?" "Well, I had cash on hand." "Well, how much cash did you have on hand?"

PRESIDENT: Right.

DEAN: Uh where does he go from there? "Where did you get the cash?"

PRESIDENT: Uh huh.

DEAN: A full series of questions. His bank records indicate he had cash on hand because some of these were set up in trustee accounts.

PRESIDENT: How would you handle him, then, John. For example, would

you just have him put the whole thing out?

DEAN: [Draws breath]

PRESIDENT: I don't think so. I mean I don't mind the five hundred thousand dollars and I don't mind the four hundred thousand dollars

DEAN: No, that,

PRESIDENT: for activities [unintelligible]

DEAN: that, that, uh, that doesn't bother me either. There's -- as I say, Herb's problems are

PRESIDENT: There's a surplus--

DEAN: politically embarrassing, but not as--not criminal.

PRESIDENT: Well, they're embarrassing, sure -- he, he just handled matters that were between the campaigns before anything was done. There were surveys, et cetera, et cetera, et cetera, et cetera. There is no need to account for that. No law requires him to account for that.

DEAN: Right. Uh, now

PRESIDENT: The source of the money, there's no illegality In having a surplus, is there, in cash after--

DEAN: No, the money --It has always been argued by Stans

--came from pre-convention

PRESIDENT: Pre-convention.

DEAN: for the -- and pre-primary for the, for the,
uh,

PRESIDENT: That's right.

DEAN: '68 race.

PRESIDENT: That's right.

DEAN: It was just set aside.

PRESIDENT: That's right.

DEAN: Uh, that, that all can be explained. I
think that the--

PRESIDENT: All right. How do your other
vulnerabilities go together?

DEAN: The other vulnerabilities: We've got a, uh,
runaway Grand Jury up in the Southern
District.

PRESIDENT: Yeah. I heard.

DEAN: They're after Mitchell and Stans on some
sort of bribe or influence peddling

PRESIDENT: On Vesco.

DEAN: with Vesco.

PRESIDENT: Yeah.

DEAN: Uh, they're also going to try to drag Ehrlichman into that. Apparently, Ehrlichman had some meetings with Vesco, also. Uh, Don Nixon, Jr., came in to see John a couple of times, uh, about the problem.

PRESIDENT: Not about the complaint.

DEAN: That, there's, uh--the fact of the matter is--

PRESIDENT: [Unintelligible] about a job.

DEAN: That's right. And, and, and, uh, I--

PRESIDENT: We're is it--Ehrlichman's totally to blame on that.

DEAN: Yeah, well, I think the White House

PRESIDENT: [Unintelligible]

DEAN: No one has done anything for--

PRESIDENT: --Vesco. Matter of--not for the prosecutor.

DEAN: No. [Coughs] The, uh--

PRESIDENT: Would Ehrlichman, incidentally, have to appear there?

DEAN: Before that Grand Jury? Yes. He could very well.

PRESIDENT: Uh, we couldn't presume immunity there?

DEAN: Not really. Uh, criminal charge

PRESIDENT: Criminal charge--Yeah, well [unintelligible] charge -[unintelligible] . Go ahead.

DEAN: Right. That's a little different. [Clears throat] I think that would be dynamite to defend, uh

PRESIDENT: Yeah.

DEAN: against that.

PRESIDENT: Also, he, he distinguishes it. He says, "It's a criminal charge; I'll be glad to go up." Use the Flanigan

DEAN: Right.

PRESIDENT: analogy.

DEAN: Right, uh, [clears throat] well that's, that's pretty much the overall picture, and probably the most troublesome thing -- well the Segretti thing. 'Let's get down to that. I think, Bob has indicated to me he told you a lot of, of it, that he, indeed, did authorize it. He didn't authorize anything like ultimately involved.

PRESIDENT: Yeah.

DEAN: He was aware of it. He was aware that Chapin and Strachan were looking for somebody.

PRESIDENT: Yeah.

DEAN: Again, this is one that, uh, it is potential that, Dwight Cha--, Chapin could have a felony charge against him in this', because he's--

PRESIDENT: Felony?

DEAN: Felony, because he has to, he has to disprove a negative. The negative is that he didn't control and direct Segretti.

PRESIDENT: Would the felony be in perjury again? Or--

DEAN: Uh, no, the felony this in this instance being a potential use of the, one of the civil rights statutes, for anybody who interferes with a candidate for, uh, national office--no, in--, interferes with their campaign in any way.

PRESIDENT: Why isn't that a civil rights statute used to pick up any of these clowns that were demonstrating against us, then?

DEAN: Well, I have, I've, I've argued that they use that for that very purpose. Uh--

PRESIDENT: Really?'

DEAN: Yes, I have. And, uh--

PRESIDENT: We were, those were, uh, that was interfering with the campaign.

DEAN: That's exactly right. Exactly right, But they--

PRESIDENT: Segretti -- But I think, uh, I'm not as concerned about that because it's so bad the way it's been put out on the PR side, then I think it will eventually end up on the PR side very confused. And it'll look bad when that's attributed, but I don't, I can't see the criminal thing, but I may be wrong.

DEAN: Well here, what really, what really bothers me is that this, this growing situation. As I say, it is growing because of the, the continued need to provide support for the

PRESIDENT: Right.

DEAN: Watergate people who are going to

PRESIDENT: Yeah.

DEAN: hold us up for everything they've got,

PRESIDENT: That's right.

DEAN: and the need for some people to perjure themselves as they go down the road here. Uh, if this thing ever blows, and we're in a cover-up situation, I think it'd be extremely damaging to you, uh, and, uh, the, uh--

PRESIDENT: Sure.

DEAN: Uh

PRESIDENT: The whole concept of Administration justice

DEAN: That's right, uh

PRESIDENT: We cannot have

DEAN: That's what really troubles me. For example, what happens if it starts breaking, and they do find a criminal case against a Haldeman, a Dean, a Mitchell, an Ehrlichman? Uh, that is--

PRESIDENT: Well if it really comes down to that, we cannot, maybe We'd have to shed it in order to contain it again.

DEAN: [Clears throat] That's right. I'm coming down to the, what I really think is that, that, Bob and John and John Mitchell and I should sit down and spend a day, or however long, to figure out (1) how this can be carved away from you, so it does not damage you or the Presidency. 'Cause it just can't. And

it's not something, it, you're not involved in it and it's something you shouldn't--

PRESIDENT: That is true.

DEAN: I know, sir, it is. Well I can just tell from our conversations that, you know, these are things that you have no knowledge of.

PRESIDENT: The absurdity of the whole damned thing.

DEAN: But it--

PRESIDENT: bugging and so on. Well, let me say I am keenly aware of the fact that, uh, Colson, et al., and so forth, were doing their best to get information and so forth and so on. But they all knew very well they were supposed to comply with the law.

DEAN: That's right.

PRESIDENT: No question.

DEAN: Uh

PRESIDENT: [Unintelligible] you think--you feel that really the man, the trigger man was Colson on this then?

DEAN: Well,.no, he was one of a--he was just in the chain. He

was, he helped push the thing.

PRESIDENT: Called [unintelligible] and said, "We've got a, we've got a good plan." I don't know what the Christ he would be doing. Oh, I'll bet you. I know why. That was at the time of ITT. He was trying to get something going there, because ITT, they were bugging us. I mean they were

DEAN: Right.

PRESIDENT: giving us hell.

DEAN: Well, I know, I know he used, uh,

PRESIDENT: Hunt to go out there?

DEAN: Hunt.

PRESIDENT: I knew about that.

DEAN: Yeah.

PRESIDENT: I did know about it. Uh, I knew that there was, there was something going on there,

DEAN: Right.

PRESIDENT: but I didn't know it was Hunt.

DEAN: Right. Uh, that's what re--what really troubles me is, you know, (1) will this thing not break some day and

PRESIDENT: Yeah.

DEAN: the whole thing--

PRESIDENT: Yeah.

DEAN: you know, they just, I think if it starts crumbling, fingers will be pointing. And,

PRESIDENT: That's right.

DEAN: uh,

PRESIDENT: That's right.

DEAN: Bob will be accused of things he has never heard of

PRESIDENT: Yeah.

DEAN: and then he'll have to disprove it, and it'll just get nasty and it'll be a

PRESIDENT: Yeah.

DEAN: real, uh,

PRESIDENT: Yeah.

DEAN: real bad situation. And the person who will be hurt by it most will be you and

PRESIDENT: Of course.

DEAN: the Presidency, and I just don't think--

PRESIDENT: First, because I am expected to know this, and I am supposed to check these things. And so forth

DEAN: That's right.

PRESIDENT: and so on. But let's, let's, let's come back. Go further. Sure. Yes indeed. But what are your feelings, yourself, John? You know pretty well what they all say. What are your feelings about the options?

DEAN: I am not confident that, uh, we can ride through this. I think there are t--, I think there are soft spots.

PRESIDENT: You used to feel comfortable.

DEAN: Well, I feel, I felt, I felt comfortable for this reason. I've noticed of recent -- since the publicity has increased on, on this thing again, with the Gray hearings, that everybody is now starting to watch out for their own behind.

PRESIDENT: That's right.

DEAN: Everyone's pulling in. They're getting their own counsel. More counsel are getting

PRESIDENT: Right.

DEAN: involved.

PRESIDENT: Right.

DEAN: Uh, you know, "How do I protect my ass?"

PRESIDENT: Well, they're scared.

DEAN: They're scared and that's just, You know, that's bad. We were able to hold it for a long time.

PRESIDENT: Yeah, I know.

DEAN: Uh, another thing is, you know, my facility now to deal with the multitude of people I have been dealing with has been hampered because of Gray's blowing me up into the front page.

PRESIDENT: Your cover is broken.

DEAN: That's right and it's with, it was--

PRESIDENT: [unintelligible] cover. All right. Now. So on. So, so what you really come down to is, what in the hell, in the hell will you do? Let's, let us suppose that you and Haldeman and Ehrlichman and Mitchell say, uh, "We can't hold this." What, what then are you going to say? Are you going to put out a complete disclosure? Isn't that the best plan?

DEAN: Well, one way to do it is to--

PRESIDENT: That'd be my view on it.

DEAN: One way to do it is for you to in- tell the Attorney General that you finally, you know, really, this is the first time you are getting all the pieces together. Uh--

PRESIDENT: Ask for another grand jury?

DEAN: Ask for another grand jury. The way it should be done though, is a way that--for example, I think that we could avoid, uh, criminal liability for countless people and the ones that did get it, it could be minimal.

PRESIDENT: How?

DEAN: Well, I think by just thinking it all through first as to how, you know, some people could be granted immunity, uh--

PRESIDENT: Like Magruder?

DEAN: Yeah. To come forward. Uh, but some people are going to have to go to jail. That's the long and short of it, also.

PRESIDENT: Who? Let's talk about that.

DEAN: All right. Uh, I think I could, for one.

PRESIDENT: You go to jail?

DEAN: That's right.

PRESIDENT: Oh, hell no. I can't see how you can. But I--no,

DEAN: Well, because--

PRESIDENT: I can't see how, that Let me say I can't see how a legal case could be made against you, J--,uh, John.

DEAN: It'd be, it'd be tough but, you know, uh,

PRESIDENT: Well.

DEAN: I can see people pointing fingers, you know, to get it out of their own, put me in the impossible position, disproving too many negatives.

PRESIDENT: Oh, no. Uh, let me say I--not because you're here--But just looking at it from a cold legal standpoint: you are a lawyer, you were a counsel--you were doing what you were doing as a counsel, and you were not, uh,

DEAN: [Clears throat]

PRESIDENT: doing anything like that. You mean--What would you go to jail on, [unintelligible]?

DEAN: The obstruct--, the obstruction of justice.

PRESIDENT: The obstruction of justice?

DEAN: That's the only thing that bothers me.

PRESIDENT: Well, I don't know. I think that one. I think that, I feel, could be cut off at the pass. Maybe the obstruction of justice--

DEAN: It could be a--you know how--one of the that's, that s why-[sighs]

PRESIDENT: Sometimes it's well to give them

DEAN: [Sighs]

PRESIDENT: something, and then they don't want the bigger fish then.

DEAN: That's right. I think that, uh, I think that with proper coordination with the Department of Justice, Henry Petersen is the only man I know bright enough and knowledgeable enough in the criminal laws and the process that could really tell us how this could be put together so it did the maximum to carve it away with a minimum damage to individuals involved.

PRESIDENT: Petersen doesn't know

DEAN: That s what I think.

PRESIDENT: the whole story?

DEAN: No, I know he doesn't now. I know he doesn't now. I am talking about somebody who I have over the years grown to

have enough faith in. [Clears throat] It's possible that he'd have to, he'd have to, uh--put him in a very difficult situation as the Head of the Criminal Division of the United States Department of Justice, and the oath of office--

PRESIDENT: Tell me--Talking about your obstruction of justice role, I don't see it. I can't see it. You're--

DEAN: Well, I've been a con--, I have been a conduit for information on, on taking care of people out there who are guilty of crimes.

PRESIDENT: Oh, you mean like the uh, oh-- the blackmail.

DEAN: The blackmail. Right.

PRESIDENT: Well, I wonder if that part of it can't be I wonder if that doesn't--let me put it frankly: I wonder if that doesn't have to be continued?

DEAN: [Clears throat]

PRESIDENT: Let me put it this way: let us suppose that you get, you, you get the million bucks, and you get the proper way to handle it, and you could hold that side.

DEAN: Uh huh.

PRESIDENT: It would seem to me that would be worthwhile.

DEAN: [clears throat]

PRESIDENT: Now we have

DEAN: Well, that's, yeah that's

PRESIDENT: one problem; you've got a problem here. You have the problem of Hunt and, uh, his, uh, his clemency.

DEAN: That's right. And you're going to have the clemency problem for the others. They all would expect to be out and that may put you in a position that's just

PRESIDENT: Right.

DEAN: untenable at some point. You know, the Watergate Hearings just over, Hunt now demanding clemency or is he going to blow. And politically, it'd be impossible for, you know, you to do it. You know, after everybody--

PRESIDENT: That's right.

DEAN: I am not sure that you will ever be able to deliver on the clemency. It may be just too hot.

PRESIDENT: You can't do it, till after the '74 elections, that's for sure. But even then

DEAN: [Clears throat]

PRESIDENT: your point is that even then you couldn't do it.

DEAN: That's right. It may further involve you in a way you shouldn't be involved in this.

PRESIDENT: No it's wrong; that's for sure.

DEAN: Well, whatever--you know I--there've been some bad judgments made. There've been some necessary judgments made. Uh

PRESIDENT: Before the election.

DEAN: Before the election and, in a way, the necessary ones, you know, before the election. There--you know, we've, this was

PRESIDENT: Yeah.

DEAN: --to me there was no way

PRESIDENT: Yeah.

DEAN: that, uh--

PRESIDENT: Yeah.

DEAN: But to burden this second Administration

PRESIDENT: We're all in on it.

DEAN: was something that--It's something that is not going to go away.

PRESIDENT: No it isn't.

DEAN: It is not going to go away, sir.

PRESIDENT: Not going to go away, it is--the idea that, uh, that, uh, well, that, uh, that people are going to get tired of it and all that sort of thing--

DEAN: Anything will spark it back into life. It's got to be, uh, it's got to be--

PRESIDENT: Well, it's too much to the partisan interest of others to spark it back into life.

DEAN: And it seems to me the only way that--

PRESIDENT: Who else, though? Let's, let's leave you and--I don't, I don't, I don't think on the, on, uh, on the obstruction of justice thing-- I think that one we can handle. I, I don't know why I feel that way, but I--

DEAN: Well, it is possible that I--

PRESIDENT: I, I think you may be overplaying, but who else, uh, who else, who else do you think has, uh

DEAN: Potential criminal liability?

PRESIDENT: Yeah.

DEAN: I think Ehrlichman does. I think that, uh, I think

PRESIDENT: Why Ehrlichman? What'd he do?

DEAN: Because this conspiracy to burglarize the, uh, uh, Ellsberg office.

PRESIDENT: You mean that, that is, provided Hunt breaks,

DEAN: Well, uh, the, the funny--let me say something interesting about that. Within the files--

PRESIDENT: Oh, I saw that. The picture.

DEAN: Yeah, the picture. That, see, that's not all that buried. And, while we can, we've got I think we've got it buried, there is no telling when it's going to pop up. Uh, the Cubans, uh, could start this whole thing. Uh, when the Ervin Committee starts running down why this mysterious telephone was here at the White House, uh, listed in the name of a secretary--one of these, some of these secretaries have a little idea about this, and they can be broken down just

PRESIDENT: Sure.

DEAN: so fast. That s another thing I missed, missed in the cycle--in the circle. Uh, Liddy's secretary, for example, is knowledgeable. Magruder's secretary is knowledgeable.

PRESIDENT: Sure.

DEAN: Uh

PRESIDENT: So Ehrlichman on the, uh--

DEAN: But what I am coming to you today with is: I don't have a plan of how to solve it right now, but I think it's at the juncture that we should begin to think in terms of, of how to cut the losses; how to minimize the further growth of this thing, rather than further compound it by, you know, ultimately paying these guys forever.

PRESIDENT: Yeah.

DEAN: I think we've got to look

PRESIDENT: But at the moment, don't you agree that you'd better get the Hunt thing? I mean, that's worth it, at the moment.

DEAN: That, that's worth buying time on, right.

PRESIDENT: And that's buying time on, I agree.

DEAN: the, the Grand Jury is going to reconvene next week after Sirica sentences. Uh, but that's why I think that, you know, that-- John and Bob have met with me. They've never met with Mitchell on this. We've never had a real down and out with everybody that, uh, has the most to lose. And the most--and it is the most danger for you to have them have criminal liability. I think Bob has a potential criminal liability, frankly. I think--in other words, a lot of these people could be indicted. They might never,

PRESIDENT: Yeah.

DEAN: might never, uh, be convicted; but just the thought of

PRESIDENT: Suppose--

DEAN: indictments--

PRESIDENT: Suppose that they are indicted in this. Suppose--

DEAN: I think that would be devastating.

PRESIDENT: Suppose the worst--that Bob is indicted and Ehrlichman is indicted. And, I must say, maybe we just better then try to tough it through. You get my point.

DEAN: That's right. That

PRESIDENT: if, if, if, for example, our, uh, our--say, well, let's cut our losses and you say we're going to go down the road, see if we can cut our losses, and no more blackmail and all the rest, and the thing blows and they indict Bob and the rest. Jesus, you'd never recover from that, John.

DEAN: That's right.

PRESIDENT: It's better to fight it out instead. You see, that's the other thing, the other thing. It's better just to fight it out, and not let people testify, so forth and so on. Now, on the other hand, we realize that we have these weaknesses--that, uh, we, we've got this weakness in terms of--blackmail.

DEAN: It's--what--if we you know, there, there are two routes, you know: One is to figure out how to cut the losses and, and, and minimize the, the human impact and get you up and out

and away from it, in any way, uh, in, in a way that would never come back to haunt you. Uh, that is one, one general alternative. The other is to go down the road, just hunker down, fight it at every corner, every turn, uh, don't let people testify, cover it up is what we're really talking about. Just keep it buried, and just hope that we can do it, hope that we make good decisions at the right time, and keep our heads cool, uh, we make the right moves, uh--

PRESIDENT And just take the heat.

DEAN: And just take the heat.

PRESIDENT: Now, with the second line of attack. You discussed this though I do want you to still consider my scheme of having--, you brief the Cabinet, just in very general terms, and the leaders--very general terms--and maybe some, some very general statement with regards to my investigation. Answer questions, and to, and to basically on the question of what they told you, not what you know.

DEAN: Right.

PRESIDENT: Haldeman is not involved. Ehrlichman--

DEAN: Oh, I can--you know--if, if we go that route, sir, I can, I can give a show that, you know, there's uh, we can sell, you know, just about like we were selling Wheaties on our position. There's no--

PRESIDENT: The problem that you have are these, uh, mine fields down the road. I think the most difficult problem is the, are the, are the, are the guys that are going to jail. I think you're right about that. I agree. Now. And also the fact that we're not going to be able to give them clemency.

DEAN: That's right. How long will they take-- How long will they sit there? I don't know. We don't know what they will be sentenced to. There's always a chance

PRESIDENT: Thirty years, isn't it? Maximum?

DEAN: It could be. You know, they haven't announced yet, but it, uh--

PRESIDENT: Isn't that what the potential is?

DEAN: Uh, it's even higher than that. It's about fifty years, with all the

PRESIDENT: So ridiculous.

DEAN: Oh. Well, you know, what's so incredible is, the, these fellows who, who sh--

PRESIDENT: People break and enter, and so forth, and get two years.

DEAN: Well, the other thing--

PRESIDENT: No, no weapons. No results. What the hell are they talking about?

DEAN: The, the individuals who are charged with shooting John Stennis are on the street. They were given, you know, uh, one was put out on his personal recognizance rather than bond. They've got these fellows all stuck with hundred thousand dollar bonds. The same judge--Sirica--let one guy, who, who's [laughs] charged with shooting a United States Senator, out on the street.

PRESIDENT: Sirica did?

DEAN: Yeah. It's just, it's phenomenal.

PRESIDENT: What is the matter with him? I thought he was a hard liner judge.

DEAN: He's a, he is just a, a peculiar animal, and, uh, he set, set the bond for one of the others--I don't have all

the facts, but he set the bond for one of the others--around fifty or sixty thousand dollars. But still, that guy is in, but didn't make bond--but, you know, sixty thousand dollars as opposed to a hundred thousand dollars for these guys is phenomenal.

PRESIDENT: When could you have this meeting with these fellows, as I think, that time is of the essence, in my opinion.

DEAN: [Clears throat]

PRESIDENT: Could you do it this afternoon?

DEAN: Well, Mitchell isn't here, and--

PRESIDENT: Tomorrow?

DEAN: It might be, might be worth it to have him come down. And, now, I think that Bob and John did not want to talk to, to, John, about this, John Mitchell. And I don't believe they've had any conversations with him about it.

PRESIDENT: Well, let me get Haldeman in here now.

DEAN: Bob and I have talked about just what we're talking about this morning. I told him I thought that you should have the facts, and he agrees. 'Cause we've got some tough calls down the road if we--

PRESIDENT: Let me say, though that Hunt
[unintelligible] hard line, and that a
convicted felon is going to go out and
squeal about this [unintelligible] decision
[unintelligible] turns on that.

DEAN: Well, we can always, you know, on the other
side, we can always charge them with
blackmailing us, and it's, you know, this is
absurd stuff they're saying, and--

PRESIDENT: That's right. You see, even the way you put
it out here, of course if it all came out,
it may never, it may not never, never get
there.

[Haldeman enters the room.]

PRESIDENT: I was talking to John about this, uh, this
whole situation, and I think we, uh, so that
we can get away from the bits and pieces
that have broken out. He is right in
having--in, in, uh, recommending that, that,
uh, that there-be a meeting at the very
first possible time. Ehrlichman, and now
Ehrlichman's gone on to California but, uh,
is, today, uh--is tomorrow Thursday?

HALDEMAN: Uh, he John doesn't go until Friday.

DEAN: Friday--

PRESIDENT: Well, in any event, could we do it Thursday?
This meeting? This meeting--you can't do it
today, can you?

DEAN: I don't think so. I was suggesting a meeting with Mitchell--

PRESIDENT: Mitchell, Ehrlichman, yourself and Bob, that's all. Now, Mitchell has to be there because, uh, uh, he is seriously involved and, uh, we're trying to keep, uh.' we've got to see how we, uh, how we handle it from here on. We are in the process of having to determine which way to go and, uh, John has thought it through as well as he can. I do, I don't want Moore there on this occasion.

DEAN: No.

PRESIDENT: You haven't told Moore all of this, have you?

DEAN: Moore's got, uh, by being with me, has more bits and pieces. I've had to give him

PRESIDENT: Right.

DEAN: because he is making

PRESIDENT: Right.

DEAN: judgments that, uh--

PRESIDENT: Well, the-point is, once you get down to the PR, once you decide what you're going to do, then we can let him

know, and so forth and so on. But it is the kind of thing--I think what really has to happen is for you to sit down with those three and for you to tell them exactly what you told me.

DEAN: Uh huh.

PRESIDENT: It may take him about thirty-five or forty-five minutes. In other words he knows, John, uh, uh, knows about everything and also what all the, uh, what all the potential criminal liabilities are, you know, whether it's uh--what's it like that thing--what about, uh, obstruction--

DEAN: Obstruction of justice. Right.

PRESIDENT: So forth and so on. And, uh, the, uh--I think, I think that's--Then we've got to, uh, see what the line is. Whether the line is one of, uh, continuing to, uh, run a, try to run a total stonewall, and take the heat from that, uh, having in mind the fact that, uh, there are vulnerable points there; the vulnerable points being, that, well, the first vulnerable points would be obvious: In other words it would be if, uh, uh, one of the, uh, defendants, particularly Hunt, of course, who is the most vulnerable in my opinion, might, uh, blow the whistle, and he, he--and his price is pretty high, but at least, uh, we should, we should

buy the time on that, uh, as I pointed out to John. Apparently--Who, who is dealing with Hunt at the moment now that Colson's [unintelligible]

DEAN: Well, uh, Mitchell's lawyer-and, uh,
PRESIDENT: Colson's lawyer [unintelligible]
DEAN: Colson's lawyer, both.
PRESIDENT: familiar with him. Hunt has at least got to know before he is sentenced, that he's--
HALDEMAN: Who's Colson's lawyer? [Characterization deleted] in his law firm?
DEAN: Shapiro. Right. Who lied to the, you know, who just--The other day he came up and--
HALDEMAN: Colson's,told him everything, hasn't he?
DEAN: Yup, I gather he has. Uh, the other thing that bothered me about that is that he's, uh, a chatter. He came up to Fred Fielding, of my office, at Colson's going away party. I didn't go over there. It was over at the Blair House the other night. And he said to, uh, Fred, he said, "Well, Chuck has had some mighty serious words with, uh, his, his friend Howard and had some mighty serious messages back." Now, you know, what's a lawyer--how does he know what Fielding knows? 'Cause Fielding knows virtually nothing. [Laughs]
PRESIDENT: Well, anyway.
HALDEMAN: That's, that's where your dangers lie, is in all these stupid

human errors developing.

PRESIDENT: That's very--

DEAN: That's--that--

PRESIDENT: Well, the point is Bob, let's face it, the secretaries know; the assistants know. There's a lot of the, many of the damn principals may be hard as a rock, but you never know when they're going to crack. But, so, we'll see, we'll see. First you've got the Hunt problem. That ought to be handled.

DEAN: Yeah.

PRESIDENT: Uh, incidentally, I do not think Colson should sit in this meeting. Do you agree?

DEAN: No. I would agree.

PRESIDENT: Okay. Uh, how then--Who does sit and talk to Colson? Because somebody has to, shouldn't we talk to--?

DEAN: Chuck, uh

PRESIDENT: talks too much.

DEAN: [Sighs] I, I, you know, I like Chuck, [laughs] but, uh, I don't want Chuck to know anything that I'm doing, frankly. [Laughs]

PRESIDENT: All right.

HALDEMAN: I think that's right. I, I think you want to be careful

not to give Chuck any more knowledge than he's already got.

DEAN: That's right.

PRESIDENT: Sure. Well --

DEAN: I wouldn't want Chuck to even know of the meeting, frankly.

PRESIDENT: Fortunately, fortunately, with Chuck it is very--I, I talk to him about many, many political things, but I never talk about this sort of thing 'cause he's, uh, he's very harmful. I mean I don't think--he must be damn sure I don't know anything. And I don't. In fact, I'm rather surprised at what you told me today. From what you said, I gathered the impression, and of course your, your, your analysis does not for sure, uh, indicate that Chuck knew that it was a bugging operation for certain.

DEAN: That's correct. I don't have--

PRESIDENT: "On the other hand, on the other hand that,

DEAN: Chuck, Chuck denies that

PRESIDENT: On the other hand, the other side of that is that Hunt had conversations with Chuck, and it may be that Hunt told Chuck that it was bugging, and so forth and so on.

DEAN: Uh huh.

PRESIDENT: Is that correct?

DEAN: Uh huh. They were very close. They, they talked too much, uh, about too many things.

PRESIDENT: Yeah.

DEAN: They were intimate on this sort of--[coughs]

HALDEMAN: Well then Chuck--

PRESIDENT: There's another thing you can't--

HALDEMAN: Chuck has a problem. Chuck loves,

PRESIDENT: Yeah

HALDEMAN: he loves what he does.

PRESIDENT: Yeah.

HALDEMAN: He likes to talk about it.

PRESIDENT: He also is a name dropper. Chuck might have gone around and talked to Hunt and said, "Well, I was talking to the President, and the President feels we ought to get information about this, or that or the other thing," and so forth, and so on.

DEAN: Well, Liddy is the same way, and--

PRESIDENT: I have talked to, I have talked to--this and that and the other thing. I, I have never talked to anybody, but I have talked to Chuck and John and the rest and I am sure that Chuck may have, Chuck might have even talked to Hunt along those lines.

HALDEMAN: I would--Well, anything could happen. I would doubt that.

DEAN: I would doubt that too.

HALDEMAN: I don't think he would. Uh, Chuck is a name dropper in one sense, but not in that sense.

PRESIDENT: Well, then do you think--

HALDEMAN: I think he very carefully keeps the President out of things

PRESIDENT: Right.

HALDEMAN: except when he's doing it, when he's very intentionally bringing the President in for, for the President's purposes.

PRESIDENT: He had the impression though, apparently, that he, he was the, as it turns out, really is the trigger man. Uh, may of damn well have been the trigger man where he just called up and said, "Now look here Jeb, go ahead and get that information." And [unintelligible] got to be a decision on it at that time. This is February.

DEAN: Yes, sir, I figure it was somewhere--

PRESIDENT: It must be the--I--it must have been after--

DEAN: This was the call to Magruder from Colson saying, "Fish or cut bait." Hunt and Liddy were in his office.

HALDEMAN: In Colson's office?

DEAN: In Colson's office. And he called Magruder and said, "Let's

fish or cut bait on this operation. Let's get it going."

HALDEMAN: Oh, really?

DEAN: Yeah. This is--Magruder tells me this.

HALDEMAN: Of course. That

PRESIDENT: Well on the other hand

HALDEMAN: Now wait, Magruder testified
[unintelligible]

[Several voices]: [Unintelligible]

DEAN: Chuck, Chuck also told me that, uh, Hunt and Liddy were in his office and he made a call.

HALDEMAN: Oh, okay.

DEAN: So it did, it was corroborated [laughs] by the, the principal.

HALDEMAN: Hunt and Liddy haven't told you that, though?

DEAN: No.

HALDEMAN: You haven't talked to Hunt and Liddy?

DEAN: I talked to Liddy once, right after the incident.

PRESIDENT: That's right, but not--all right. The point is, the point is this, that, uh, it's now time, though, to, uh, that Mitchell has got to sit down, and know where the hell all this

thing stands, too. You see, John is concerned, as you know, Bob, about, uh, Ehrlichman, which, uh, worries me a great deal because it's a, uh, it--and it, and this is why the Hunt problem is so serious, uh, because, uh, it had nothing to do with the campaign.

DEAN: Right, it, uh --

PRESIDENT: Properly, it has to do with the Ellsberg thing. I don't know what the hell, uh --

HALDEMAN: But why--

PRESIDENT: Yeah. Why--I don't know.

HALDEMAN: What I was going to say is--

PRESIDENT: What is the answer on that? How do you keep that out? I don't know. Well, we can't keep it out if Hunt--if--You see the point is, it is irrelevant. Once it has gotten to this point--

DEAN: You might, you might put it on a national security ground, basis, which it really, it was.

HALDEMAN: It absolutely was.

DEAN: And just say that, uh,

PRESIDENT: Yeah.

DEAN: that this is not, you know, this was--

PRESIDENT: Not paid with CIA funds.

DEAN: Uh--

PRESIDENT: No, seriously. National security. We had to get information for national security grounds.

DEAN: Well, then the question is, why didn't the CIA do it or why didn't the FBI do it?

PRESIDENT: Because they were--We had to do it, we had to do it on a confidential basis.

HALDEMAN: Because we were checking them.

PRESIDENT: Neither could be trusted.

HALDEMAN: Well, I think

PRESIDENT: That's the way I view it.

HALDEMAN: that has never been proven. There was reason to question their

PRESIDENT: Yeah.

HALDEMAN: position.

PRESIDENT: You see really, with the Bundy thing and everything coming out, the whole thing was national security.

DEAN: I think we can probably get, get by on that.

PRESIDENT: I think on that one, I think you'd simply say this was a national security investigation that was conducted. And the same with the drug field, with Krogh. Krogh could say I--if Krogh were to--if [unintelligible] feels that he [unintelligible], it was a national security matter. That's why--

DEAN: That's the way Bud rests easy, because he's, he's, he's convinced that he was doing it-- he said there was treason about the country,

PRESIDENT: Uh huh.

DEAN: and it could have threatened the way the war was handled.

PRESIDENT: Yeah.

DEAN: Uh, and by God--

HALDEMAN: Bud, Bud said this?

DEAN: Yes.

PRESIDENT: Well, Bud could say that and say this, it does involve--It was a national security-- and I was not in a position to divulge it. Well, anyway, let's don't go beyond that. We're--

forget--but I do think now we, uh, I mean, there is, there is a time, now, when you don't want to talk to Mitchell. He doesn't want to talk, and the rest. But John is right. There must be a, must be a four way talk here of the particular ones that we can trust here. Uh, we've got to get a decision on it. It's not something that--you see you got two ways, basically. There are really only two ways you could go. You either decide the whole God damned thing is so full of problems with potential criminal liability which is what concerns me. I don't give a damn about the publicity. We could, we could rock that through, if we had to let the whole thing hang out. It would be a lousy story for a month. But I can take it. But the point is, I don't want any criminal liability. That's the thing that I am concerned about for members of the White House staff, and I would trust for members of the Committee. And that means Magruder.

DEAN: That's right.

PRESIDENT: Let's face it: he's the one that's, uh--I think Magruder is the major guy over there.

DEAN: I think he's got the most serious problem.

PRESIDENT: Yeah.

HALDEMAN: Well, then we talked about yesterday, you've got a, you got a question where your cut off point is. There is a possibility of cutting it at Liddy, where you are now.

PRESIDENT: Yeah.

HALDEMAN: But to accomplish that requires--

PRESIDENT: Requires what?

HALDEMAN: Requires continued perjury by Magruder.

PRESIDENT: Yeah. And it requires total

DEAN: --commitment--

PRESIDENT: control, got total, got total control over all of the defendants, which--in other words [unintelligible]

DEAN: The basic position

HALDEMAN: They don't know anything beyond Liddy.

DEAN: Uh, no. Other than the fact, other than the fact that Liddy, they have hearsay, uh--

HALDEMAN: But we don't know about Hunt. Maybe Hunt has it tied in to Colson. We don't know that, though, really.

DEAN: No.

PRESIDENT: I think Hunt knows a hell of a lot more.

DEAN: Yeah, I do too. And, now what McCord--

HALDEMAN: You think he does? I am afraid you're right, but, uh, we don't know that.

PRESIDENT: I don't think [laughs] I think we better assume it. I think Colson--

DEAN: And he's playing hard ball, and he wouldn't play hard--

HALDEMAN: Is he?

DEAN: Yeah. He wouldn't play hard ball unless he were pretty confident that he could cause an awful lot of grief.

HALDEMAN: Really?

DEAN: Yeah.

PRESIDENT: He is playing hard boiled ball with regard to Ehrlichman, for example, and that sort of thing. He knows what he's got.

HALDEMAN: What's he planning on, money?

DEAN: Yeah, money and--

HALDEMAN: Really?

DEAN: Oh, yeah. He's uh

PRESIDENT: It's a hundred and twenty thousand dollars. It's about what, about how much, which is easy. I mean, it's not easy to deliver, but it is easy to get. Uh, now, uh [nine seconds of silence]. If that, if what, if that, if that is the case, if it's just that way, then the thing to do is, if, if, the thing all, uh, cracks out--if, if for, if, for example, you say look we're not, we're not going to continue to try to--let's state it frankly, cut our losses--that's just one way you could go--on the assumption that we're, we, by continuing to cut our losses, we're not going to win. That in the end, we are going to be bled to death, and it's all going to come out anyway, and then you get the worst of both worlds. We are going to lose, and people are going to--

HALDEMAN: And look [unintelligible]

PRESIDENT: And we're going to look like we covered up. So that we can't do. Now. The other, the other, uh, the other line, however, uh, if you, if you take that line, that we're not going to continue to cut our losses, that means then we have

to look square in the eye as to what the hell those losses are, and see which people can--so we can avoid criminal liability. Right?

DEAN: That's right.

PRESIDENT: And that means, we got to, we've got to keep it off of you, uh, which I, which I [unintelligible] obstruction of justice thing. We've got to keep it off Ehrlichman. We've got to keep it, naturally, off of Bob, off Chapin, if possible, and Strachan. Right?

DEAN: Uh huh.

PRESIDENT: And Mitchell. Right?

DEAN: Uh huh.

PRESIDENT: Now.

HALDEMAN: And Magruder, if you can. But that's the one you pretty much have to give up.

PRESIDENT: But, but Magruder, Magruder, uh, uh, John's. Dean's point is that if Magruder goes down, he'll pull everybody with him.

HALDEMAN: That's my view.

PRESIDENT: is it?

HALDEMAN: Yup. I think Jeb, I don't think he wants to. And I think

he even would try not to, but I don't think he is able not to.

DEAN: I don't think he is strong enough, when it really

HALDEMAN: Well, not that, not that

PRESIDENT: Well, another way, another way to do it then, Bob, is to and John realizes this--is to, uh, continue to try to cut our losses. Now we have to look at that course of action. First, it is going to require approximately a million dollars to take care of the jackasses that are in jail. That could be, that could be arranged.

HALDEMAN or

DEAN: Yeah.

PRESIDENT: That could be arranged. But you realize that after we are gone, I mean, assuming these [unintelligible] are gone, they're going to crack, you know what I mean? And that'll be a unseemly story. Eventually, all the people aren't going to care that much.

DEAN: That's right. It's--

PRESIDENT: People aren't going to care.

DEAN: So much history will pass between then and now.

PRESIDENT: In other words, what we're talking about is no question. But the second thing is, we're not going to be able to deliver on, on any kind of a, of a clemency thing. You know Colson has gone around on this clemency thing with Hunt and the rest.

DEAN: Hunt, Hunt is now talking in terms of being out by Christmas.

HALDEMAN: This year?

DEAN: This year. Uh, he was told by O'Brien, who is my conveyor of doom back and forth,

HALDEMAN: Yeah.

DEAN: uh, that, uh, hell, he'd be lucky if he were out a year from now, after the Ervin hearings were, uh, you know, over. He said, "How in the Lord's name could you be commuted that quickly?" He said, "Well, that's my commitment from Colson."

HALDEMAN: By Christmas of this year?

DEAN: Yeah.

HALDEMAN: See that, that really, that's very believable 'cause Colson,

PRESIDENT: Do you think Colson could have told him --

HALDEMAN: Colson is an, is an--that's, that's your fatal flaw, really, in Chuck, is he is an operator in expediency, and he will pay at the time and where he is

PRESIDENT: Yeah.

HALD9MAN: whatever he has toto accomplish what he's there to do.

DEAN: Right.

HALDEMAN: And that's -- I, I would believe that he has made that commitment if Hunt says he has. I would believe he is capable of saying that.

PRESIDENT: The only thing you could do with him would be to parole him for a period of time because of his family situation. But you couldn't provide clemency.

DEAN: No, I--Uh, Kleindienst has now got control of the parole board, and he said that now we can, we can pull paroles off now where we couldn't before. So--

PRESIDENT: Well, parole--

HALDEMAN: Yeah, but Kleindienst always tells you that, and then never delivers.

PRESIDENT: Parole, parole.

DEAN: Well, I mean --

PRESIDENT: Let's, let's talk candidly about that. Parole [unintelligible] in human terms, and so forth, is something that I think in Hunt's case, you could do Hunt, but you couldn't do the others. You understand?

DEAN: Well, so much depends upon how Sirica sentences. He can sor--, sentence, sentence in a way that, uh, makes parole even impossible.

PRESIDENT: Oh, he can?

DEAN: Sure. He can do all kinds of permanent sentences.

PRESIDENT: On this kind of thing?

DEAN: Yeah. He can be a, just a son-of-a-bitch, uh, as far as the whole thing.

HALDEMAN: Of course, can't you appeal on a, on an unjust sentence as well as on an unjust conviction?

DEAN: You've got sixty days to ask the judge to review it. There is no appellate review of sentences.

HALDEMAN: There isn't?

DEAN: Not that I--

PRESIDENT: The judge can review it, yeah.

HALDEMAN: Only the sentencing judge can review

PRESIDENT: Yeah.

HALDEMAN: his own sentence?

PRESIDENT: Coming back, though, to this. So you got that--the, uh, hanging over. Now. If, uh--you, you see, if you let it hang there, the point is you could let all or only part--The point is, your feeling is that we just can't continue to,

to pay the blackmail of these guys?

DEAN: I think that's our greatest jeopardy.

HALDEMAN: Yeah.

PRESIDENT: Now, let me tell you, it's

DEAN: 'Cause that is --

PRESIDENT: no problem, we could, we could get the money. There is no problem in that. We can't provide the clemency. The money can be provided. Mitchell could provide the way to deliver it. That could be done. See what I mean?

HALDEMAN: But, Mitchell says he can't, doesn't he?

DEAN: Mitchell says that, uh--Well, Mitch--, that's, it's, you know, there has been an interesting thing, uh, phenomena all the way along on this, is that there have been a lot of people having to pull oars and not everybody pulls them all the same time, the same way, because there develop self-interests.

HALDEMAN: What John is saying is that everybody smiles at Dean and says, "Well you better get something done about it."

DEAN: That's right.

PRESIDENT: [Unintelligible]

HALDEMAN: And Mitch--Mitchell is leaving Dean hanging out on a--None

of us, well, maybe we're doing the same thing to you.

DEAN: That's right.

HALDEMAN: But I--let me say that, that I don't see how there's any way that you can have the White House, or anybody presently in the White House, involved in trying to gin out this money.

DEAN: We are already deeply enough in that. That's the problem, Bob.

PRESIDENT: I thought you said you could handle the money?

DEAN: Well, in fact, that, uh, when--

PRESIDENT: Kalmbach?

DEAN: Well, Kalmbach, uh, was a

HALDEMAN: He's not the one.

DEAN: No, but when they ran out of that money, as you know, they came after the three-fifty that was over here.

PRESIDENT: And they used that, right?

DEAN: And I had to explain what it was [laughs] for, uh, before I could get the money.

PRESIDENT: Well, you said--

DEAN: Now, they--now, that--they--

HALDEMAN: That was put, that was, that was--in the first place, that was put back to LaRue

DEAN: That's right.

HALDEMAN: where it belonged. It wasn't all returned in a lump sum. It was put back in pieces.

DEAN: That's right.

PRESIDENT: And then LaRue used it for this other purpose?

DEAN: That's right.

PRESIDENT: Well, I think they can get that.

HALDEMAN: And the balance was all returned to LaRue.

DEAN: That's right.

HALDEMAN: The problem is we don't have any receipt for that, do we. We have no way of proving that.

PRESIDENT: I [unintelligible]

DEAN: And I think, I think that was because, you know, of self interest over there. Mitchell would--

HALDEMAN: Mitchell told LaRue not to take it at all.

DEAN: That's right.

HALDEMAN: This is what you told me.

DEAN: That's right. And then you don't give them a receipt.

PRESIDENT: Well, then, but what happened? LaRue took it, and then what?

DEAN: Well, it was sent back to him because we just couldn't continue piecemeal giving, you know, I ask it--Everytime I asked for it I had to tell Bob I needed some, or something like that,

PRESIDENT: Yeah.

DEAN: and he had to get Gordon Strachan to go up to his safe and take it out and take it over to LaRue.

PRESIDENT: Yeah.

DEAN: This was just a forever operation.

PRESIDENT: Then what--Why didn't they take it all to him?

DEAN: I think it's sent over with him.

HALDEMAN: Well, we had been trying to get a way to get that money back out of here anyway.

PRESIDENT: Sure.

HALDEMAN: And what this was supposed to be was loans. This was

PRESIDENT: Yeah.

HALDEMAN: immediate cash needs that was going to be re--, replenished. And Mitchell was arguing "You can't take the three-fifty back till it's all replenished." Isn't that right?

DEAN: That's right. Well, uh, you know, we--

HALDEMAN: And then they never replenished it, so we just gave it all back anyway.

PRESIDENT: I have a feeling we could handle this one. Well--

DEAN: Well, first of all, they'd have a hell of a time proving it. Uh, that's one thing. Uh-

PRESIDENT: Yeah, yeah--I just have a feeling on it. But let's now come back to the money, a million dollars, and so forth and so on. Let me say that I think you could get that in cash, and I know money is hard, but, there are ways. That could be [unintelligible]. But the point is, uh, what would you do on that--Let's, let's look at the hard facts.

DEAN: I mean, that's been very interesting. That has been, thus far, the most difficult problem.

PRESIDENT: Why?

DEAN: They have been--That's why these fellows have been on or

off the reservation all the way along.

PRESIDENT: So the hard place is this. Your, your feeling at the present time is the hell with the million dollars. In other words, you say to these fellows, "I am sorry, it is all off," and let them talk. Right?

DEAN: Well--

PRESIDENT: That, that's the way to do it, isn't it?

DEAN: That--

PRESIDENT: If you want to do it clean, [unintelligible]

DEAN: Then what--

PRESIDENT: come out.

HALDEMAN: See, then when you do it, it's a way you can live with. Because the problem with the blackmail, and that's the thing we kept raising with you when you said there's a money problem, when we need twenty thousand or a hundred thousand or something, was yeah, that's what you need today. But what do you need tomorrow and next year and five years from now?

PRESIDENT: How long?

DEAN: Well, that was just to get us through November seventh, though.

HALDEMAN: I recognize that's what we had to give
DEAN: Right.
HALDEMAN: to November seventh. There's no question.
DEAN: Except they could have sold--these fellows
could have sold out to the Democrats for a
fantastic amount.
PRESIDENT: Yeah, these fellows--But of course you know,
these fellows though, as far as that plan
was concerned.
HALDEMAN: But what is there?
PRESIDENT: As far as what happened up to this time, our
cover there is just going to be the Cuban
Committee did this for them up through the
election.
DEAN: Well, yeah. We can put that together. That
isn't, of course, quite the way it happened,
but, uh--
PRESIDENT: I know, but it's the way it's going to have
to happen.
DEAN: It's going to have to happen. [Laughs]
PRESIDENT: That's right. Finally, though, so you let
it go. So what happens is then they go out
and, uh, and they'll start blowing the
whistle on everybody else. Isn't that what
it really gets down to?
DEAN: Uh huh.

PRESIDENT: So that, that would be the, the clean way.
Right?

DEAN: Uh -

PRESIDENT: Is that really you're-- you, you really go
so far as to recommend that?

DEAN: That--No, I wouldn't. I don't think, I
don't think necessarily that's the cleanest
way. One of the--I think that is what we
all need to discuss: is there some way that
we can get our story before a grand jury,
and, so that they can have, have really
investigated the White House on this. I
mean, and I must, I must be perfectly
honest, I haven't really thought through
that alternative. We've been, you know,
been so busy

PRESIDENT: John,

DEAN: on the other containment situation.

PRESIDENT: John Ehrlichman, of course, has raised the
point of another grand jury. I just don't
know how you're going to do it. On what
basis. I, I could call for it, but I--

DEAN: That would be, I would think, uh

PRESIDENT: The President takes the leadership, and says
"Now, in view of all this, uh, stripped land
and so forth, I understand this,

but I, I think I want another grand jury proceeding and, and we'll have the White House appear before them." Is that right John?

DEAN: Uh huh.

PRESIDENT: That's the point, you see. That would make the difference. I want everybody in the White House called. And that, that gives you the, a reason not to have to go up before the [unintelligible] Committee. It puts it in a, in an executive session, in a sense.

HALDEMAN: Right.

PRESIDENT: Right.

DEAN: Uh, well--

HALDEMAN: And there'd be some rules of evidence, aren't there?

DEAN: There are rules of evidence.

PRESIDENT: Both evidence and you have lawyers.

HALDEMAN: So you are in a hell of a lot better position than you are up there.

DEAN: No, you can't have a lawyer before a grand jury.

PRESIDENT: Oh, no. That's right.

DEAN: You can't have a lawyer before a grand jury.

HALDEMAN: O.K., but you, but you, you do have rules of evidence. You can refuse to, to talk.

DEAN: You can take the Fifth Amendment.

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

HALDEMAN: You can say you forgot, too, can't you?

DEAN: Sure.

PRESIDENT: That's right.

DEAN: But you can't--you're--very high risk in perjury situation.

PRESIDENT: That's right. Just be damned sure you say I don't

HALDEMAN: Yeah--

PRESIDENT: remember; I can't recall, I can't give any honest, an answer to that that I can recall. But that's it.

HALDEMAN: You have the same perjury thing on the Hill, don't you?

DEAN: That's right.

PRESIDENT: Oh hell, yes.

HALDEMAN: And, and they'll be doing things on [unintelligible]

PRESIDENT: My point is, though--

HALDEMAN: which is a hell of a lot worse to deal with.

DEAN: That's right.

PRESIDENT: The grand jury thing has it's, uh, uh, uh--
view of this they might, uh. Suppose we
have a grand jury proceeding. Would that,
would that, what would that do to the Ervin
thing? Would it go right ahead anyway?

DEAN: Probably.

HALDEMAN: If you do it in executive--

PRESIDENT: But then on that score, though, we have--let
me just, uh, run by that, that--You do that
on a grand jury, we could then have a much
better cause in terms of saying, "Look, this
is a grand jury, in which, uh, the
prosecutor--" How about a special
prosecutor? We could use Petersen, or use
another one. You see he is probably
suspect. Would you call

DEAN: No

PRESIDENT: in another prosecutor?

DEAN: I'd like to have Petersen on our side,
advising us [laughs] frankly.

PRESIDENT: Frankly. Well, Petersen is honest. Is anybody about to be question him, are they?

DEAN: No, no, but he'll get a barrage when, uh, these Watergate hearings start.

PRESIDENT: Yes, but he can go up and say that he's, he's been told to go further in the Grand Jury and go in to this and that and the other thing. Call everybody in the White House. I want them to come, I want the, uh, uh, to go to the Grand Jury.

DEAN: This may result--This may happen even without our calling for it when, uh, when these, uh--

PRESIDENT: Vesco?

DEAN: No. Well, that's one possibility. But also when these people go back before the Grand Jury here, they are going to pull all these criminal defendants back in before the Grand Jury and immunize them.

PRESIDENT: And immunize them: Why? Who? Are you going to--On what?

DEAN: Uh, the U.S. Attorney's Office will.

PRESIDENT: To do what?

DEAN: To talk about anything further they want to talk about.

PRESIDENT: Yeah. What do they gain out of it?

DEAN: Nothing.

PRESIDENT: To hell with them.

DEAN: They, they're going to stonewall it, uh, as it now stands. Except for Hunt. That's why, that's the leverage in his threat.

HALDEMAN: This is Hunt's opportunity.

DEAN: This is Hunt's opportunity.

PRESIDENT: That's why, that's why,

HALDEMAN: God, if he can lay this

PRESIDENT: that's why your, for your immediate thing you've got no choice with Hunt but the hundred and twenty or whatever it is. Right?

DEAN: That's right.

PRESIDENT: Would you agree that that's a buy time thing, you better damn well get that done, but fast?

DEAN: I think he ought to be given some signal, anyway, to, to--

PRESIDENT: Yes.

DEAN: Yeah--You know.

PRESIDENT: Well for Christ's sakes get it in a, in a way that, uh--Who's going to talk to him? Colson?

He's the one who's supposed to know him.

DEAN: Well, Colson doesn't have any money though. That's the thing. That's been our, one of the real problems. They have, uh, been unable to raise any money. A million dollars in cash, or, or the like, has been just a very difficult problem as we've discussed before. Apparently, Mitchell has talked to Pappas, and I called him last John asked me to call him last night after our discussion and after you'd met with John to see where that was. And I, I said, "Have you talked to, to Pappas?" He was at home, and Martha picked up the phone so it was all in code. "Did you talk to the Greek?" And he said, uh, "Yes, I have." And I said, "Is the Greek bearing gifts?" He said, "Well, I want to call you tomorrow on that."

PRESIDENT: Well, look, uh, what is it that you need on that, uh, when, uh, uh? Now, look [unintelligible] I am, uh, unfamiliar with the money situation.

DEAN: Well that, you know, it, it sounds easy to do, apparently, until, uh, everyone is out there doing it and that's where our breakdown has, has come every time.

PRESIDENT: Well, if you had it, where would you, how would you get it to somebody?

DEAN: Well, I, uh, I gather LaRue just leaves it in mail boxes and things like that, and tells Hunt to go pick it up. Someone phones Hunt and tells him to pick it up. As I say, we're a bunch of amateurs in that business.

HALDEMAN: That was the thing that we thought Mitchell ought to be able to know how to find somebody who could do all that sort of thing, because none of us know how to.

DEAN: That's right. You got to wash money and all that sort, you know, if you get a hundred thousand out of a bank, and it all comes in serialized bills, and--

PRESIDENT: Oh I understand.

DEAN: And that means you have to go to Vegas with it or a book maker in New York City, and I've learned all these things after the fact, it's--[laughs] Great shape for the next time around. [Laughter]

HALDEMAN: Jesus.

PRESIDENT: Well, the main point, now, is the people who will need the money [unintelligible]. Well of course, you've got the surplus from the campaign. That we have to account for. But if there's any other money hanging around--

HALDEMAN: Well, but what about all the, what about the money we moved back out of the--here?

DEAN: Apparently, there's some there. That might be what they can use. Uh, I don't know how much is left.

PRESIDENT: Kalmbach must have some, doesn't he?

DEAN: Kalmbach doesn't have a cent.

PRESIDENT: He doesn't?

DEAN: See the new law--

HALDEMAN: No, see that three-fifty that we moved out was all we saved. Because they were afraid to, because of this that's what I mean; that's the trouble: We are so God damned square that [laughs] we'd get caught. I mean--

PRESIDENT: Well, could I suggest that this though: uh, now, let me, let me, let me go back around-- [unintelligible]. They will then, uh--

HALDEMAN: Be careful

PRESIDENT: The, uh, the Grand Jury thing has a feel. Question is uh,--It, it at least says that we are cooperating

DEAN: Well--

PRESIDENT: with the Grand Jury.

DEAN: Once we, once we start down any route that involves the criminal justice system,

PRESIDENT: Yeah.

DEAN: you, you've got to have full appreciation of there is really no control over that.

PRESIDENT: No, sir.

DEAN: Uh, while we did, uh--we had a, an amazing job of

PRESIDENT: Yeah, I know.

DEAN: keeping the thing on the track before

PRESIDENT: Straight.

DEAN: while the FBI was out there, all that--and that was uh, only because

PRESIDENT: Right.

DEAN: I had a [unintelligible] of where they were going.

PRESIDENT: [Unintelligible]. Right. Right. But you haven't got that now because everybody else is going to have a lawyer. Let's take the new Grand

Jury. Uh, the new Grand Jury would call Magruder again, wouldn't it?

DEAN: But, based on what information it would? For example, what happens if Dean goes in and gives a story, you know, that here is the way it all came about. It was supposed to be a legitimate operation and it obviously got off the track. I heard of these horrors, told Haldeman that we shouldn't be involved in it.

PRESIDENT: Yeah. Right.

DEAN: Then Magruder's going to have to be called in and questioned about all those meetings again, and the like. And it begins to-- again he'll begin to change his story as to what he told the Grand Jury the last time.

PRESIDENT: Well--

DEAN: That way, he's in a perjury situation.

HALDEMAN: Except, that's the best leverage you've got on Jeb--is that he's got to keep his story straight or he's in real trouble.

DEAN: That's right.

HALDEMAN: Unless they get smart and give him immunity. If they

immunize Jeb, then you have an interesting problem.

PRESIDENT: He wouldn't want--

DEAN: Well, I think we have,

HALDEMAN: [Unintelligible] immunity.

DEAN: we have control, we have control over who gets immunized.

HALDEMAN: Do we?

DEAN: Yeah, I think they wouldn't do that without our--

PRESIDENT: But you see, the Grand Jury proceeding [unintelligible] sort of thing, you can go down that road and then--if--if they had--I'm just thinking of now how the President looks. We would be cooperating. We would be cooperating through a Grand Jury. Everybody would be behind us. That's the proper way to do this. It should be done through a grand jury, not up there in the kleig lights of the Committee, or--

DEAN: That's right.

PRESIDENT: Nobody's questioning if it's a grand jury, and so forth. So, and then we would insist on executive privilege before the Committee, flat out say, "No we won't do that. We're not going to do it. Matter before a grand jury," and

that's that. You see--

HALDEMAN: All right, then you go to the next step. Would we then--the Grand Ju--, the Grand Jury meet in executive session?

DEAN: Yes, sir, they're

PRESIDENT: Always--

DEAN: secret sessions, they're secret.

HALDEMAN: Secret session--

PRESIDENT: Secret--

HALDEMAN: All right, then would we agree to release our statement, our Grand Jury transcripts?

DEAN: That's not, that's not for our--We don't have the authority to do that. That's up to the Court and the Court, thus far, has not released the ones from the last Grand Jury.

PRESIDENT: They usually are not.

DEAN: It would be highly unusual for a grand jury to come out. What would happen is--

HALDEMAN: But a lot of the stuff from the Grand Jury came out.

PRESIDENT: Leaks. Well--

DEAN: It came out of the U.S. Attorney's Office,

PRESIDENT: Yeah.

DEAN: more than the, the Grand Jury. We don't know. Some of the Grand Jurors may have leaked

PRESIDENT: Right, right.

DEAN: it, but they were--

PRESIDENT: Bob, it's not so bad. It's, that's just not the bad--or the worst place. But--

HALDEMAN: Well, what I was, I was going the other way there. I was going to it might be to our interest to get it out.

PRESIDENT: Well, we, we could easily do that. Leak out certain stuff. We could pretty much control that. We've got much more control there. Now, the other possibility is not to go to the Grand Jury. Then you've got three things. (1) You just say, "The hell with it, we can't raise the money, sorry Hunt, you can say what you want." And so Hunt blows the whistle. Right?

DEAN: Right.

PRESIDENT: All right, if that happens, then that raises some possibilities of other criminal-- because he is likely to say a hell of a lot of things and he's certain to get Magruder on it.

DEAN: It'll get Magruder. It'll start the whole FBI investigation going again.

PRESIDENT: Yeah. So, uh, what else--it'll get Magruder; it could possibly get Colson. He's in that danger.

DEAN: That's right. Could get, uh--

PRESIDENT: Could get Mitchell. Maybe. No.

HALDEMAN: Hunt can't get Mitchell.

DEAN: I don't think Hunt can get Mitchell. Hunt's got a lot of hearsay.

PRESIDENT: Ehrlichman? He could on the other thing except Ehrlichman [unintelligible]

DEAN: Krogh, Krogh could go down in smoke. Uh--

PRESIDENT: Because Krogh, uh--Where could anybody But on the other hand, Krogh just says he, uh, uh, Krogh says this is a national security matter. Is that what he says? Yeah, he said that.

DEAN: Yeah, but that won't sell, ultimately, in a criminal situation. It may be mitigating on sentences but it won't, uh, in the main matter--

HALDEMAN: Well, then that--

PRESIDENT: That's right. Try to look around the track. We have no choice on Hunt but to try to keep him--

DEAN: Right now, we have no choice.

PRESIDENT: But, but my point is, do you ever have any choice on Hunt? That's the point.

DEAN: [Sighs]

PRESIDENT: No matter what we do here now, John,

DEAN: Well, if we--

PRESIDENT: Hunt eventually, if he isn't going to get commuted and so forth, he's going to blow the whistle.

DEAN: What I have been trying to conceive of is how we could lay out everything we know [sighs] in a way that, you know, we've told the Grand Jury or somebody else, so that if a Hunt blows,

PRESIDENT: Yeah.

DEAN: so what's new? You know, it's already been told to a grand jury, and they found no criminal liability, and they investigated it in full. We're sorry fellow--

PRESIDENT: That's right.

DEAN: Uh, We don't, it doesn't--

PRESIDENT: Including Ehrlichman's use of Hunt on the other deal?

DEAN: That's right.

PRESIDENT: You'd throw that out?

DEAN: Uh, well, Hunt will go to jail for that too he's got to understand that.

PRESIDENT: That's the point too. I don't think that--I wouldn't throw that out. I think I would limit it to--I don't think you need to go into every God damned thing Hunt has done.

DEAN: No.

PRESIDENT: He's done some things in the national security area. Yes. True.

HALDEMAN: We've already said that. Anyway, I mean, we've laid the groundwork for that.

DEAN: Uh huh.

PRESIDENT: But here is the point, John: So you go that-- Let's go to the other extreme, the other, the other angle is to decide, oh, well, if you open up the Grand Jury, first, it

won't do any good; it won't be believed. And then you'll have two things going: The Grand Jury and you have the other thing. At least the Grand Jury appeals to me from the standpoint, it's the President makes the move. "Since all these charges have been bandied about, and so forth, the best thing to do is to--I have ordered, or I have asked the Grand Jury to look into any further charges. All charges have been raised." That's the place to do it, and not before a Committee of the Congress. Right?

DEAN: Uh huh.

PRESIDENT: Then, however, we may say, Mitchell, et al., God, we can't risk that, I mean, uh, all sorts of shit'll break loose there. Then that leaves you to your third thing. The third thing is just to continue to--

DEAN: Hunker down and fight it.

PRESIDENT: All right. If you hunker down and fight it, fight it and what happens?

DEAN: Your--

PRESIDENT: Your view is that that is, is not really a viable option.

DEAN: it's a very--it's a high risk. A very high risk.

PRESIDENT: A high risk, because your view is that what will happen out of that is that it's going to come out. Somebody's Hunt--something's going to break loose--

DEAN: Something is going to break and--

PRESIDENT: When it breaks it'll look like the President

DEAN: --is covering up--

PRESIDENT: is, has covered up a huge uh, uh, this--
Right?

DEAN: That's correct.

HALDEMAN: But you can't contain the charge.

PRESIDENT: That's not--

DEAN: I just don't--

PRESIDENT: You're, you're,

DEAN: I don't think it's--

PRESIDENT: you now have, uh, moved away from the hunker
down.

DEAN: Well, I've moved to the point that we've
certainly got to make a, a harder look at
the other alternative, which we haven't
before.

PRESIDENT: The other alternatives.

DEAN: The other alternatives. Right.

PRESIDENT: Three other choices, wouldn't you say? As a
matter of fact, your m--, middle ground of
Grand Jury. And then there's finally the
other ground of--No, I suppose there's a
middle ground,

DEAN: And I would--

PRESIDENT: or the middle ground of a s--, of a public statement, but without a grand jury.

DEAN: What we need also, sir--

PRESIDENT: And also--

HALDEMAN: But John's view is if we make the public statement

PRESIDENT: Yeah.

HALDEMAN: that we talked--I raised that this morning, the, the thing we talked about last night

PRESIDENT: Yeah.

HALDEMAN: If each of us

PRESIDENT: Yeah.

HALDEMAN: make moves,

PRESIDENT: Yeah.

HALDEMAN: he says that will immediately lead to a grand jury.

PRESIDENT: Fine--all right, fine.

HALDEMAN: As soon as we make that statement, they'll have to call a grand jury.

PRESIDENT: Then maybe we make the public statement before the Grand Jury, in order to--

HALDEMAN: So it looks like we are trying to do it over.

DEAN: All right, say, all right, say here are public statements, and we want, we want, uh,

PRESIDENT: Yeah.

DEAN: full Grand Jury investigation

PRESIDENT: Yeah.

DEAN: by the U.S. Attorney's Office.

PRESIDENT: Curious to see whether this statement's, then, that's right. That I, but--And that we've said that the reason that we had delayed this is until after the sentencing. You see, the point is, the reason that time is of the essence, we can't play around with this, is that they're going to sentence on Friday. We're going to have to move the God damned thing pretty fast. See what I mean?

DEAN: That's right.

PRESIDENT: So we've got to act, we really haven't time to [unintelligible]

DEAN: The other, the other thing is that the Attorney General could call Sirica, and say that, "The government has some major developments that it's considering. Would you hold sentencing for two weeks?" If we set ourself on a course of action.

PRESIDENT: Yep, yep.

DEAN: Say, that "The sentencing may be in the wrong perspective right now. I don't know for certain, but I just think there are some things that, uh, I am not at liberty to discuss with you, that I want to ask that the, the Court withhold two weeks sentencing."

HALDEMAN: So then the story is out: "Sirica Delays Sentencing Watergate--For--"

DEAN: I think, I think that could be handled in a way between Sirica and Kleindienst that it would not get out.

PRESIDENT: No.

DEAN: Sirica tells me, I mean Kleindienst apparently does have good rapport with Sirica. He's never talked to him since this case has developed,

HALDEMAN OR

PRESIDENT: Why not?

DEAN: but,uh--

PRESIDENT: That's helpful. Kleindienst could say that he's, uh, he's working on something and would like, like, like to have a week. I wouldn't take two weeks. I would take a week.

DEAN: I'll tell you the person that I would, you know, I feel that, uh, we, we could use his counsel on this, because he understands the criminal process better than anybody over here does,

PRESIDENT: Petersen?

DEAN: is Petersen. It, it's awkward for Petersen. He's the head of

the Criminal Division. But to discuss some of these things with him, we may well want to remove him from the head of the Criminal Division and say, that, uh, "Rela-- , related to this case, you will have no relation." Uh, and give him on some special assignment over here where he can sit down and say, "Yes, this is an, this is an obstruction, but it couldn't be proved," or so on and so forth. We almost need him out of there to take his counsel. That would, uh, I, I don't think he'd want that, but, uh, he is the most knowledgeable--

PRESIDENT: How could you get him out?

DEAN: I think an appeal directly to Henry, uh, that, uh--

PRESIDENT: Why doesn't the President--could, could the President call him in as Special Counsel to the White--to the, to the White House for the purpose of conducting an investigation, represent--uh, you see, in other words rather than having Dean in on it,

DEAN: I have thought of that. I have thought of that.

PRESIDENT: have him as Special Counsel to represent to the Grand Jury and the rest.

DEAN: That is one possibility.

PRESIDENT: Yeah.

HALDEMAN: On the basis that Dean has now become a principal, rather

PRESIDENT: That's right.

HALDEMAN: than a Special Counsel.

DEAN: Uh huh.

PRESIDENT: That's right.

DEAN: Uh huh.

PRESIDENT: And that he's a--

DEAN: And I, and I could recommend that to you.

PRESIDENT: He could recommend it, you could recommend it, and Petersen would come over and be the, uh And I'd say, "Now--"

HALDEMAN: Petersen's planning to leave, anyway.

PRESIDENT: And I'd say, "Now,"

DEAN: Is he?

PRESIDENT: "I want you to get--we want you to (1) We'd say to Petersen, "We want you to get to the bottom of the God damned thing. Call another Grand Jury or anything else." Correct? Well, now you've got to follow up to see

whether Kleindienst can get Sirica to put off--Right? If that is, if we--Second, you've got to get Mitchell down here. And you and Ehrlichman and Mitchell and let's -- and--by tomorrow.

HALDEMAN: Why don't we do that tonight?

PRESIDENT: I don't think you can get him that soon, can you?

HALDEMAN: John?

PRESIDENT: It would be helpful if you could.

DEAN: I think it would be.

PRESIDENT: You need--

DEAN: Get him to come down this afternoon.

PRESIDENT: It would be very helpful to, to get it going. And, uh, uh, you know, and uh, and, uh, and then, uh--Actually, uh, I'm perfectly willing to meet with the group, or I don't know whether--

HALDEMAN: Do you think you want to?

PRESIDENT: Maybe have Dean report to me at the end, as to what are, as to what conclusions, et cetera, what you want to do. I think I should stay away from the Mitchell side of it at this point.

DEAN: Uh huh.

PRESIDENT: Do you agree?

DEAN: Uh huh.

PRESIDENT: And, uh--

DEAN: And I think, unless we see, you know, some sort of a reluctant dragon there--

HALDEMAN: You might try to meet with the rest of us, I, I'm, I'm not sure you'd want to meet with John in a group of us. Okay, let me see if I can get it done.

PRESIDENT: All right. Fine. And, uh, my point is that, uh, we can, uh,--you may well come--I think it is good, frankly, to consider these various options. And then, once you, once you decide on the plan--John--and you had the right plan, let me say, I have no doubts about the right plan before the election. And you handled it just right. You contained it. Now after the election we've got to have another plan, because we can't have, for four years, we can't have this thing--you're going to be eaten away. We can't do it.

DEAN: Well, there's been a change in the mood--

HALDEMAN: John's point is exactly right, that the erosion here now is going to you, and that is the thing that we've got to turn off, at whatever the cost. We've got to figure out where to turn it off at the lowest cost we can, but at whatever cost it takes.

DEAN: That's what, that's what we have to do.

PRESIDENT: Well, the erosion is inevitably going to come here, apart from anything, you know, people saying that, uh, well, the Watergate isn't a major concern. It isn't. But it would, but it will be. It's bound to be.

DEAN: We cannot let you be tarnished by that situation.

PRESIDENT: Well, I [unintelligible] also because I-- Although Ron Ziegler has to go out--They blame the [unintelligible] the White House [unintelligible]

DEAN: That's right.

PRESIDENT: We don't, uh, uh, I say that the White House can't do it. Right?

HALDEMAN: Yeah.

DEAN: Yes, sir.