



TRANSCRIPT OF A RECORDING OF A MEETING  
AMONG THE PRESIDENT, H.R.HALDEMAN,  
AND JOHN DEAN, ON SEPTEMBER 15, 1972,  
AT 5:27 TO 6:17 P.M.(FIRST INSTALLMENT)

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AT 5:27 TO 6:17 P.M.

DEAN: Yes sir.

PRESIDENT: Well, you had quite a day today, didn't you?  
You got, uh, Watergate, uh, on the way, huh?

DEAN: Quite a three months.

HALDEMAN: How did it all end up?

DEAN: Uh, I think we can say "Well" at this point.  
The, uh, the press is playing it just as we  
expect.

HALDEMAN: Whitewash?

DEAN: No, not yet; the, the story right now --

PRESIDENT: It's a big story.

DEAN: Yeah.

PRESIDENT: (Unintelligible)

HALDEMAN: Five indicted,

DEAN: Plus,

HALDEMAN: Just so they have the fact that one of --

DEAN: plus two White House aides.

HALDEMAN: Plus, plus the White House former guy and  
all that. That's good. That, that takes  
the edge off whitewash really -- which --  
that was the thing Mitchell kept saying  
that...

PRESIDENT: Yeah.

HALDEMAN: that to those in the country, Liddy and,  
and, uh, Hunt are big men.

DEAN: That's right.

PRESIDENT: Yeah. They're White House aides.

DEAN: That's right.

HALDEMAN: And maybe that -- Yeah, maybe that's good.

PRESIDENT: How did MacGregor handle himself?

DEAN: I think very well. He had a good statement. Uh, he said that the, uh, the Grand Jury indictment speaks for itself and that, uh, it's now time to realize that some apologies may be due.

HALDEMAN: Fat chance. (Laughs)

DEAN: Yeah (Unintelligible)

PRESIDENT: We couldn't do that (unintelligible) just remember all the trouble they gave us on this. We'll have a chance to get back at them one day. How are you doing on your other investigations? Your -- How does this (unintelligible)

DEAN: (Unintelligible) end of the, uh --

HALDEMAN: What's happened on the bug?

PRESIDENT: hard to find -- on the what?

HALDEMAN: The bug.

DEAN: The second bug. There was another bug found in the phone of, uh, the first --

PRESIDENT: You don't think it was one left over from the previous job?

DEAN: We're -- Absolutely not.

PRESIDENT: (Unintelligible)

DEAN: The, Bureau, has, uh, checked and re-checked The man who checked the phone first said that his first check was thorough and it was there in the instrument (clear throat) and that indeed it had to be planted after...

PRESIDENT:       What the hell do you think is involved?  
                  What's your guess?

DEAN:             I think the DNC planted it, quite clearly.

PRESIDENT:       You think they did it?

DEAN:             Uh huh.

PRESIDENT:       Deliberately?

DEAN:             (Unintelligible)

PRESIDENT:       Well, what in the name of Christ did they  
                  think that anybody was -- They really want  
                  to believe that we planted that?

HALDEMAN:        Did they get anything on the fingerprints?

DEAN:             No latents at all.

HALDEMAN:        There weren't any?

DEAN:             Neither on the telephone or on the, uh, on  
                  the bug. The, uh, well, the FBI has  
                  unleashed a full blast investigation over at  
                  the DNC starting with O'Brien right down.

HALDEMAN:        (Laughs) Using the same crews now that they  
                  have nothing to do in Washington.

DEAN:             The same Washington Field Office as well as...

PRESIDENT:       What are they doing? Asking them what kind  
                  of questions?

DEAN:             Anything that they can think of because what  
                  happened, O'Brien has charged the Bureau  
                  with failing to, uh, find all the, all the  
                  bugs, whenever (unintelligible).

HALDEMAN:        Good, that'll make them mad.

DEAN: So, so, Gray is pissed now and his people are pissed off. So they're moving in because their reputation's on the line. That's, uh, do you think that's a good development?

PRESIDENT: I think that's a good development because it makes it look so God damned phony, doesn't it? The whole --

DEAN: Absolutely.

PRESIDENT: Or am I wrong?

DEAN: No, no sir. It, it --

PRESIDENT: -- looks silly.

DEAN: If we can, if we can find that the DNC planted that, the whole story is going to -- the whole -- just will reverse.

PRESIDENT: But how will you, how could you possibly find it, though?

DEAN: Well, there's a way. They're, they're trying to ascertain who made the bug.

PRESIDENT: Oh.

DEAN: If they -- It's a custom-made product.

PRESIDENT: Oh.

DEAN: If they can get back to the man who manufactured it, then they can find out who he sold it to, and how it came down through the chain.

PRESIDENT: Boy, you know, you never know. When those guys get after it, they can find it. They -  
-

DEAN: The resources that have been put against this whole investigation to date are really incredible. It's truly a, it's truly a larger investigation than was conducted against, uh, the after inquiry of the JFK assassination.

PRESIDENT: Oh.

DEAN: And good statistics supporting that Kleindienst is going to have a --

HALDEMAN: Isn't that ridiculous though?

DEAN: What is?

HALDEMAN: This silly ass damn thing.

PRESIDENT: Yeah.

HALDEMAN: That kind of resources against --

PRESIDENT: Yeah for Christ's sake (unintelligible)

HALDEMAN: Who the hell cares?

PRESIDENT: Goldwater put it in context, he said "Well, for Christ's sake, everybody bugs everybody else." We know that.

DEAN: That was, that was priceless.

HALDEMAN: Yeah. I bugged --

PRESIDENT: Well, it's true. It happens to be totally true.

DEAN: (Unintelligible)

PRESIDENT: We were bugged in '68 on the plane and bugged in '62, uh, even running for Governor. God damndest thing you ever saw.

DEAN: It was a shame that that evidence of the fact that that happened in '68 was never preserved around. I understand that only the former Director had that information.

HALDEMAN: No, that's not true.

DEAN: There was direct evidence of it?

PRESIDENT: Yeah.

HALDEMAN: There's others who have that information.

PRESIDENT: Others know it.

DEAN: DeLoach?

PRESIDENT: DeLoach, right.

HALDEMAN: I've got some stuff on it, too, in the bombing halt study. 'Cause it's all -- that's why, the, the stuff I've got we don't --

PRESIDENT: The difficulty with using it, of course, is that it reflects on Johnson.

DEAN: Right.

PRESIDENT: He ordered it. If it weren't for that, I'd use it. Is there any way we could use it without reflecting on Johnson? How -- Now, could we say, could we say that the Democratic National Committee did it? No, the FBI did the bugging though.

HALDEMAN: That's the problem.

DEAN: Is it going to reflect on Johnson or Humphrey?

HALDEMAN: Johnson. Humphrey didn't do it.

DEAN: Humphrey didn't do it?

PRESIDENT: Oh, hell no.

HALDEMAN: He was bugging Humphrey, too. (Laughs)

PRESIDENT: Oh, God damn.

HALDEMAN: (Laughs)

PRESIDENT: Well, on the other hand, maybe, uh -- I'll tell you who to call. I want you to ask Connally. Whatever he thinks, maybe we ought to just, just let that one fly. I mean, I don't think he will, I don't think he will (unintelligible) Johnson. (Unintelligible) Also it reflects on the Bureau. (Unintelligible)

DEAN: (Unintelligible)

PRESIDENT: They, they, they hate to admit that --

HALDEMAN: It's a rough one on them with, with all this stuff about they don't do Congressmen, and all that...

PRESIDENT: That's right.

HALDEMAN: sort of stuff (unintelligible)

PRESIDENT: I --

HALDEMAN: do a presidential (unintelligible)

PRESIDENT: It isn't worth it. It isn't worth it. Damn it, it isn't worth -- the hell with it. What is the situation on your, uh, on the, on the little red box? Did they find what the hell that, that is? Have they found the box yet?

DEAN: Gray has never had access to the box. He is now going to pursue the box. I spoke with him just, just about, uh, oh, thirty minutes ago and Pat said, "I don't know about the box. Uh, don't know where it is now. We never had an opportunity before, when it was first, uh, released in the press there was a box, to go in." But he decided we have grounds now to go in and find out what it's all about.



HALDEMAN: The last public story was that she handed over to Edward Bennett Williams.

UNKNOWN: (Clears throat)

DEAN: That's right.

PRESIDENT: Perhaps the Bureau ought to go over -- (NOISE)

HALDEMAN: The Bureau ought to go into Edward Bennett Williams and let's start questioning that son-of-a-bitch. Keep him tied up for a couple of weeks.

PRESIDENT: Yeah, I hope they do. They -- The Bureau better get over pretty quick and get that red box. We want it cleared up. (Unintelligible)

DEAN: That's exactly the way I, I gave it to Gray. I, uh, uh --

PRESIDENT: We want it cleared up. We want to get to the bottom of it. If anybody is guilty over here we want to know.

HALDEMAN: (Unintelligible) in the news. (Laughs) (Noise)

DEAN: Another interesting thing that's developed is, regarding the private litigation we've got is, uh, the Stans' libel action was assigned to Judge Richey.

PRESIDENT: Oh, Christ.

DEAN: Well, now, that's good and bad. Uh, Judge Richey is not known to be one of the intellects on the bench. That's conceded by many that he is uh, uh --

PRESIDENT: (Unintelligible) in his own stupid way he's sort of, uh --

DEAN: Well, he's been thoroughly candid in his dealing with people about the case. He's made several entrees, uh, off the bench, to, to, uh, (1) to Kleindienst; (2) to, uh, his old friend Roemer McPhee, to keep Roemer abreast of what his thinking is. He told Roemer he thought that Maury ought to file a libel action.

PRESIDENT: Did he?

DEAN: (Laughs)

PRESIDENT: Good.

DEAN: Uh --

HALDEMAN: Well, can he deal with that case concurrently with the other case?

DEAN: Yeah. The, the fact that the, the civil case came to a halt, that the depositions were halted and he --

HALDEMAN: -- opened his calendar for a few days.

DEAN: Well, it did that, and more than that. He had been talking to Silbert, and Silbert, uh, the U.S. Attorney down here, the Assistant U.S. Attorney was saying, "We are going to have a hell of a time drawing these indictments up because of the fact that these civil depositions keep coming out and the Grand Jury's got one eye on this civil case because they don't want to get themselves caught, uh, coming out with indictments and the civil case that is looking differently, so --

UNIDENTIFIED: Would you like to take Clark now; sir?

HALDEMAN: MacGregor's call?

PRESIDENT: Yeah. Go ahead.

DEAN: So, based, based on that, uh, uh, when Silbert had told Richey the, uh -- had a casual encounter -- in fact, uh, it was just in the hall -- Richey, the next thing he does is he stops the civil case so Silbert can get the indictment down.

(TELEPHONE RINGS)

PRESIDENT: Hm.

DEAN: So it's, it's, uh -- he's got, he's got the abuse of process suit also.  
(Unintelligible)

PRESIDENT: Hello. Yes. Yeah. Hello. Well you still alive? Yeah, yeah. Just sitting here with John Dean and he tells me that, uh, that you, that you're going to probably be sued or some damn thing.

HALDEMAN: Oh, God. (Unintelligible)

PRESIDENT: Did you put that last bug in? Yeah. Due to the fact that I (unintelligible). Yeah. Yeah. Good. Good. (unintelligible)  
(Pause) Yeah. (Pause) Good. (18 second pause) Sure. (Pause) Well, I'll tell you, uh, just don't let this keep you or your colleagues from concentrating on the big game. Yeah, that's right. I mean this, uh, this, this thing is just, uh, you know, one of those side issues and a month later everybody looks back and wonders what the hell the shouting was about. Yeah. Yeah. Okay, well, anyway get a good night's sleep. And don't, don't bug anybody without asking me. Okay? Yeah. (23 second pause) Thank you. Always. Okay. (1 minute, 32 second pause, noise and unintelligible conversation)

DEAN: Three months ago I would have had trouble predicting where we'd be today. I think that I can say that fifty-four days from now that, uh, not a thing will come crashing down to our, our surprise.

PRESIDENT: Say what?

DEAN: Nothing is going to come crashing down to our surprise, either --

PRESIDENT: Well, the whole thing is a can of worms, as you know. A lot of this stuff went on. And, uh, and, uh, and the people who worked (unintelligible) awfully embarrassing. And, uh, and, the, uh, but the, but the way you, you've handled it, it seems to me, has been very skillful, because you -- putting your fingers in the dikes every time that leaks have sprung here and sprung there. (Unintelligible) having people straighten the (unintelligible). The Grand Jury is dismissed now?

DEAN: That is correct. They'll, they will have completed and they will let them go, so there will be no continued investigation prompted by the Grand Jury's inquiry. The, uh, GAO report that was referred over to Justice is on a shelf right now because they have hundreds of violations. They've got violations of McGovern's; they've got violations of Humphrey's; they've got Jackson violations, and several hundred Congressional violations. They don't want to start prosecuting one any more than they want the other. So that's, uh --

PRESIDENT: They damn well not prosecute us unless they prosecute all the others.

DEAN: That's right. That's right. Well, we are really talking about technical violations that were referred over also.

PRESIDENT: Sure. Sure. What about, uh, uh, watching the McGovern contributors and all that sort of thing?

DEAN: We've got a, we've got a hawk's eye on that.

PRESIDENT: Yeah.

DEAN: And, uh, uh, he is, he is not in full compliance.

PRESIDENT: He isn't?

DEAN: No.

PRESIDENT: Well, now, he has his three hundred committees; have they all reported yet? Have we -- we reported ours.

DEAN: Yes we -- Well, we have a couple of delinquent state committees out, uh --

PRESIDENT: Right, but it's done now.

DEAN: If they --

PRESIDENT: (Unintelligible) Have the paper committees all reported, the three hundred or so committees he's supposed to have.

DEAN: We -- no, they have not.

PRESIDENT: Can we say something about that, or have we?

DEAN: Well, one of the things that he has not done, is he has never disclosed the fact that he's got some three hundred committees. This has been a Wall Street Journal piece that picked it up and carried it and, uh --

PRESIDENT: Oh, he has never admitted that publicly?

DEAN: No, he hasn't. And it's quite -- it's a tax sham that he set it up for. And -- It is hard to comprehend why he set up three hundred committees, frankly. Uh, he doesn't need that many, he doesn't have that sort of large contributors, where they have to disburse small (unintelligible)

HALDEMAN: Unless someone's giving nine hundred thousand dollars.

DEAN: That's right.

PRESIDENT: Which could be very possible.

HALDEMAN: He may be getting nine hundred thousand dollars from somebody.

PRESIDENT: From two or three people. He may have some big angels. I don't think he is getting a hell of a lot of small money. I don't think so. I don't believe this crap. I mean if he -- Have you had your Post Office check yet?

HALDEMAN: That John was going to do. I don't know. (Pause)

PRESIDENT: That's an interesting thing to check.

HALDEMAN: Yeah.

PRESIDENT: You know how little those damn things (unintelligible)

DEAN: (unintelligible) right. As I see it, now, the only problems that, uh, that we have are, are the human problems and we'll keep a close eye on that.

PRESIDENT: Union?

DEAN: Human.

PRESIDENT: Oh.

DEAN: (Unintelligible)

HALDEMAN: People--Human frailties, where people fall apart.

DEAN: Human frailties - people getting annoyed and some finger-pointing and false accusations, and any internal dissension of that nature.

PRESIDENT: You mean on this case?

DEAN: On this case. Uh, there is some bitterness between, for example, the Finance Committee and the Political Committee. They feel that they're taking all the heat, and, and, uh, all the people upstairs are bad people and they're not being recognized.

PRESIDENT: Ridiculous.

DEAN: It is -- I mean --

PRESIDENT: They're all in it together.

DEAN: That's right.

PRESIDENT: They should just, uh, just behave and, and, recognize this, this is, again, this is war. We're getting a few shots and it'll be over, and we'll give them a few shots and it'll be over. Don't worry. I wouldn't want to be on the other side right now. Would you? I wouldn't want to be in Edward Bennet Williams', Williams' position after this election.

DEAN: No. No.

PRESIDENT: None of these bastards --

DEAN: He, uh, he's done some rather unethical things that have come to light already, which in -- again, Richey has brought to our attention.

PRESIDENT: Yeah.

DEAN: He went down --

HALDEMAN: Keep a log on all that.

DEAN: Oh, we are, indeed. Yeah.

PRESIDENT: Yeah.

HALDEMAN: Because afterwards that's the guy,

PRESIDENT: We're going after him.

HALDEMAN: That's the guy we've got to ruin.

DEAN: He had, he had an ex parte --

PRESIDENT: You want to remember, too, he's an attorney for the Washington Post.

DEAN: I'm well aware of that.

PRESIDENT: I think we are going to fix the son-of-a-bitch. Believe me. We are going to. We've got to, because he's a bad man.

DEAN: Absolutely.

PRESIDENT: He misbehaved very badly in the Hoffa matter. Our -- some pretty bad conduct, there, too, but go ahead.

DEAN: Well, that's, uh, along that line, uh, one of the things I've tried to do, is just keep notes on a lot of the people who are emerging as,

PRESIDENT: That's right.

DEAN: as less than our friends.

PRESIDENT: Great.

DEAN: Because this is going to be over some day and they're -- We shouldn't forget the way that some of them (unintelligible) --

PRESIDENT: I want the most, I want the most comprehensive notes on all of those that have tried to do us in. Because they didn't have to do it.



DEAN: That's right.

PRESIDENT: They didn't have to do it. I mean, if the thing had been a clo -- uh, they had a very close election everybody on the other side would understand this game. But now they are doing this quite deliberately and they are asking for it and they are going to get it. And this, this -- We, we have not used the power in this first four years, as you know.

DEAN: That's true.

PRESIDENT: We have never used it. We haven't used the Bureau and we haven't used the Justice Department, but things are going to change now. And they're going to change, and, and they're going to get it right --

DEAN: That's an exciting prospect.

PRESIDENT: It's got to be done. It's the only thing to do.

HALDEMAN: We've got to.

PRESIDENT: Oh, oh, well, we've just been, we've been just God damn fools. For us to come into this election campaign and not do anything with regard to the Democratic Senators who are running, and so forth. They're, they're crooks, they've been stealing, they've been taking (unintelligible). That's ridiculous. Absolutely ridiculous. It's not going, going to be that way any more, and, uh --

HALDEMAN: Really, it's ironic, you know, because we've gone to such extremes to do every -- You know, you, you and your damn regulations with --

PRESIDENT: Right.

HALDEMAN: Everybody worries about,

PRESIDENT: That's right.

HALDEMAN: about...

PRESIDENT: That's right.

HALDEMAN: not picking up a hotel bill or anything.

DEAN: Well, I think, we can, I think, I think we can be proud of the White House staff. It really has...

PRESIDENT: That's right.

DEAN: had no problems of that --

PRESIDENT: Well, that's right.

DEAN: And they're looking, this GAO audit that's going on right now, uh, I think that they have got some suspicion, uh, in even a cursory investigation, which is not going to discover anything, that they're going to find something here. I learned today incidentally, that, that, uh, I haven't confirmed this because it's -- came from the GO, GAO auditor, investigator who's down here, that he is down here at the Speaker of the House's request, which surprised me.

HALDEMAN: Well, God damn the Speaker of the House. Maybe we better put a little heat on him.

PRESIDENT: I think so too.

HALDEMAN: Because he's got a lot worse problems than he's going to find down here.

DEAN: That's right. (Pause)

HALDEMAN: That's the kind of thing --

PRESIDENT: I know, let the police department go.

HALDEMAN: That's the kind of thing that, you know, you -- What we really ought to do is call the Speaker and say, "I regret to see you ordering GAO down here because of what it's going to cause us to require to do to you."

PRESIDENT: Why don't you just have Harlow go see him and tell him that?

HALDEMAN: Because he wouldn't do it.

PRESIDENT: Hm?

HALDEMAN: 'Cause he wouldn't do it.

PRESIDENT: Harlow wouldn't do it, you mean.

HALDEMAN: Harlow would say, "Mr. Speaker --"

PRESIDENT: Yeah.

DEAN: I, I suppose the other area we are going to see some publicity on in the coming weeks because, uh. I think after the, now that the indictments are down, there's going to be a cresting on that. The whitewash charge of course, but, uh, I think we can handle that while the civil case is in abeyance. But Patman's hearings, uh, his Banking and Currency Committee, and we've got to -- whether we will be successful or not in turning that off, I don't know. We've got a plan whereby Rothblatt and Bittman, who are counsel for the five men who were, or actually a total of seven, that were indicted today, are going to go up and visit every member and say, "If you commence hearings you are going to jeopardize the civil rights of these individuals in the worst way, and they'll never get a fair trial," and the like, and try to talk to members on, on that level. Uh --

PRESIDENT: Why not ask that they request to be heard by, by the Committee and explain it publicly?

DEAN: Publicly, they've planned that. What they're going to say is, "If you do commence with these hearings, we plan to publicly come up and say what you're doing to the rights of individuals." Something to that effect.

PRESIDENT: As a matter of fact they could even make a motion in court to get the thing dismissed.

DEAN: That's another thing we're doing is to, is

PRESIDENT: Because these hearings ---

DEAN: bring an injunctive action against, uh, the appearance, say --

HALDEMAN: Well, going the other way, the dismissal of the, of the, of the indictment --

PRESIDENT: How about trying to get the criminal cases, criminal charges dismissed on the grounds that there, well, you know --

HALDEMAN: The civil rights type stuff.

DEAN: Civil rights -- Well that, we're working again, we've got somebody approaching the ACLU for these guys, and have them go up and exert some pressure because we just don't want Stans up there in front of the cameras with Patman and Patman asking all these questions. It's just going to be the whole thing, the press going over and over and over again. Uh, one suggestion was that Connally is, is close to Patman and probably if anybody could talk turkey to Patman, uh, Connally might be able to. Now I don't know if that's, uh, a good idea or not. I don't think he -- don't know if he can. Uh, Jerry Ford is not really taking

DEAN: (cont.) an active interest in this matter that, that is developing, so Stans can go see Jerry Ford and try to brief him and explain to him the problems he's got. And then the other thing we are going to do is we're looking at all the campaign reports of every member of that Committee because we are convinced that none of them have probably totally complied with the law either. And if they want to get into it, if they want to play rough, some day we better say, "Well, gentlemen, we think we ought to call to your attention that you haven't complied A, B, C, D, E, and F, and we're not going to hold that a secret if you start talking campaign violations here."

PRESIDENT: Uh, what about Ford? Do you think so? Do you think he can do anything with Patman? Connally can't be sent up there.

HALDEMAN: No.

PRESIDENT: Connally

DEAN: I don't think anybody can do anything with Patman. But if, if Ford can get the minority members, uh, together on that one, it's going to be a lot --

PRESIDENT: They've got a very weak man in Widnall, unfortunately. Heckler is all right.

HALDEMAN: Heckler was great.

DEAN: She was great, with, uh --

PRESIDENT: That's what I understand, but you see, Windnall -- let's take somebody -- Jerry could talk to him. Put it down, uh, Jerry should talk to Windnall and, uh, just brace him, tell him I thought it was (unintelligible) start behaving. Not let him be the chairman of the Committee in the House. That's what you want?

DEAN: That would be very helpful, to get our minority side at least together on the thing.

PRESIDENT: Jerry's really got to lead on this. He's got to really lead.

HALDEMAN: Jerry should, damn it. This is exactly the thing he was talking about, that the reason they are staying in is so that they can

PRESIDENT: That's right.

HALDEMAN: run investigations.

PRESIDENT: Well, the point is that they ought to raise hell about this, uh, this -- these hearings are jeopardizing the -- I don't know that they're, that the, the, the counsel calling on the members of the Committee will do much good. I was, I -- it may be all right but - - I was thinking that they really ought to blunderbuss it in the public arena. It ought to be publicized.

DEAN: Right.

HALDEM4AN: Good.

DEAN: Right.

PRESIDENT: That's what this is, public relations.

DEAN: That's, that's all it is, particularly if Patman pulls the strings off, uh -- (Pause) That's the last forum that, uh, uh, it looks like it could be a problem where you just have the least control the way it stands right now. Kennedy has also suggested he may call hearings of his Administrative Practices and Procedure Subcommittee. Uh, as, as this case has been all along, you can spin out horrors that, uh, you, you can conceive of, and so we just don't do that. I stopped doing that about, uh, two months ago.

PRESIDENT: Yeah.

DEAN: We just take one at a time and you deal with it based on --

PRESIDENT: And you really can't just sit and worry yourself --

DEAN: No.

PRESIDENT: about it all the time, thinking, "The worst may happen," but it may not. So you just try to button it up as well as you can and hope for the best. And,

DEAN: Well if Bob --

PRESIDENT: and remember that basically the damn thing is just one of those unfortunate things and, we're trying to cut our losses.

DEAN: Well, certainly that's right and certainly it had no effect on you. That's the, the good thing.

HALDEMAN: It really hasn't.

PRESIDENT: It has or hasn't?

HALDEMAN: No, it hasn't. It has been kept away from the White House almost completely and from the President totally. The only tie to the White House has been the Colson effort they keep trying to haul in.

DEAN: And now, of course

HALDEMAN: That's falling apart.

DEAN: The two former White House people, low level, indicted, one consultant and one member of the Domestic Council staff. That's not very much of a tie.

HALDEMAN: No.

PRESIDENT: Well their names have been already mentioned.

DEAN: Oh, they've been...

PRESIDENT: Voluminous accounts.

HALDEMAN: And it's, it's been discounted --

PRESIDENT: You know, they've already been convicted in the press.

DEAN: Absolutely.

HALDEMAN: Yep.

PRESIDENT: God damn it, if they'd been communists you'd have the Washington Post and the New York Times raising hell about their civil rights.

DEAN: That's right.

PRESIDENT: Or Manson.

DEAN: That's right.

PRESIDENT: Jesus Christ. If they'd been killers, wouldn't --

DEAN: That's right.

PRESIDENT: Isn't that true?

DEAN: It's absolutely true.

PRESIDENT: These poor bastards are -- well they've been -- they've got no way they can ever -- In fact, they ought to move the, uh, move the trial away from the --

DEAN: Well, there has been extensive clipping by the counsel in this case, and I've gone through some of these clippings and it's just phenomenal the, uh...



PRESIDENT: Yeah.

DEAN: the amount of coverage this case is getting. They may never get a fair trial, may never get a fair trial. They may never get a jury that can convict them or pull it together. And the Post, as you know, has got a, a, a real large team that they've assigned to do nothing but this...

PRESIDENT: Sure.

DEAN: this case. Couldn't believe they put Maury Stans' story about his libel suit, which was just playing so heavily on the networks last night, and in the evening news, they put it way back on about page eight of the Post...

PRESIDENT: Sure.

DEAN: and didn't even cover it as a -- in total.

PRESIDENT: I expect that. That's all right. We've (unintelligible)

HALDEMAN: The Post is ...

PRESIDENT: The Post has asked -- it's going to have its problems.

HALDEMAN: (Unintelligible)

DEAN: The networks, the networks are good with Maury coming back three days in a row and --

PRESIDENT: That's right. Right. The main thing is the Post is going to have damnable, damnable problems out of this one. They have a television station.

DEAN: That's right, they do.

PRESIDENT: And they're going to have to get it renewed.

HALDEMAN: They've got a radio station, too.

PRESIDENT: Does that come up too? The point is, when does it come up?

DEAN: I don't know. But the practice of non-licensees filing on top of licensees has certainly gotten more,...

PRESIDENT: That's right.

DEAN: more active in the, in the area.

PRESIDENT: And it's going to be God damn active here.

DEAN: (Laughs)

PRESIDENT: Well, the game has to be played awfully rough. I don't know -- Now, you, you'll follow through with -- who will over there? Who -- Timmons, or with Ford, or -- How's it going to operate?

HALDEMAN: I'll talk to Bill. I think -- Yeah.

DEAN: Dick Cook has been working...

HALDEMAN or

PRESIDENT: (Unintelligible)

DEAN: on it.

HALDEMAN: Cook is the guy.

DEAN: Dick has been working on it.

PRESIDENT: Maybe Mitchell should --

HALDEMAN: Well, maybe Mitchell ought to -- would, could Mitchell do it?

PRESIDENT: No.

DEAN: I don't really think that would be good.

PRESIDENT: No.

DEAN: I hate to draw him in.

PRESIDENT: Yeah.

DEAN: I think Maury can talk to Ford if that will do any good, but it won't have the same impact, of course, 'cause he's the one directly involved, but I think Maury ought to brief Ford at some point on, on exactly what his whole side of the story is.

HALDEMAN: I'll talk to Cook.

PRESIDENT: Oh, I -- maybe Ehrlichman should talk to him. Ehrlichman understands the law, and the rest, and should say, "Now God damn it, get the hell over with this."

HALDEMAN: Is that a good idea? Maybe it is.

PRESIDENT: I think maybe that's the thing to do (unintelligible). This is, this is big, big play. I'm getting into this. So that he -- he's got to know that it comes from the top.

HALDEMAN: Yeah.

PRESIDENT: That's what he's got to know,...

DEAN: Right.

PRESIDENT: and if he (unintelligible) and we're not going to -- I can't talk to him myself -- and that he's got to get at this and screw this thing up while he can, right?

DEAN: Well, if we let that slide up there with the Patman Committee, it'd be just, you know, just a tragedy to let Patman have a field day up there.

PRESIDENT: What's the first move? When does he call his wit -- witnesses?

DEAN: Well, he, he has not even gotten the vote of his Committee; he hasn't convened his Committee yet on whether he can call hearings. That's why, come Monday morning, these attorneys are going to arrive, uh, on the doorstep of the Chairman and try to tell him what he's doing if he proceeds. Uh, one of the members, Garry Brown, uh, wrote Kleindienst a letter saying, "If the Chairman holds Committee hearings on this, isn't this going to jeopardize your criminal case?"

PRESIDENT: Brown's a smart fellow. He's from, he's from Michigan...

DEAN: That's right.

PRESIDENT: and some tie into Ford. He's very, he's a very smart fellow. Good.

DEAN: Good lawyer and he's being helpful. He is anxious to help.

PRESIDENT: Right, just tell him that, tell, tell, tell Ehrlichman to get Brown in and Ford in and then they can all work out something, but they ought to get off their asses and push it. No use to let Patman have a free ride here.

DEAN: Well, we can, we can keep them well briefed on moves if they'll, if they'll move when we provide them with the, the strategy. And we will have a raft of depositions going the other way soon. We, will be hauling the, the O'Briens in and the like, and uh, on our abuse of process suit.

PRESIDENT: What are you going to ask him?  
(Unintelligible) questions?

DEAN: No. This fellow, this fellow Rothblatt, who has started deposing, uh, he's quite a character. He's been getting into the sex life of some of the members of the DNC and...

PRESIDENT: Why? How can -- What's his justification?

DEAN: Well, he's working on an entrapment theory that, uh, uh, they were hiding something or they had secret information, affairs to hide and they, they could, some way, conspire to bring this thing about themselves. It's a, it's a way-out theory that, uh, no one had (unintelligible)

HALDEMAN: (Laughs)

DEAN: Uh, and he, he had scheduled Patricia Harris and she didn't show up. She went to the beauty parlor instead so he went down to the Court House and she had, had been directed to show up and then the next day the Judge cut all the depositions off. But he had a host of wild questions, including, you know, where O'Brien got his compensation when he was Chairman. Not that he knows anything about that, but, uh, it was just an interesting question he thought he might want to ask the, the Chairman under oath.

HALDEMAN: That's -- It gives us, the same hunting license that it gave them.

DEAN: Oh, that's right.

HALDEMAN: So we can play the same game they are playing, but we ought to be able to do better at it.

PRESIDENT: Well --

HALDEMAN: Are those depositions sealed?

DEAN: That's right.

HALDEMAN: They are?

DEAN: But that argues that, uh, they won't want them unsealed. They'll want them unsealed less than we will, and we may be arguing at some point to get them unsealed.

PRESIDENT: Yeah.

DEAN: I think what's going to happen on the civil case is the Judge is going to dismiss the pending complaint down there right now. They will then turn around and file a new complaint which will be heard, or come back to Richey again. That, uh, that'll probably happen the twentieth, twenty-first, twenty-second. Then, twenty days will run until any answers will have to be filed and these depositions will be commenced so we're, what, we're eating up an awful lot of time--

HALDEMAN: On their side.

DEAN: for those next fifty-four days.

PRESIDENT: Why will they have to dismiss the present --

DEAN: Uh, probably on, on a dual ground, uh, both on the substantive ground that they haven't stated a good cause of action -- that there is an improper class action filed and that O'Brien indeed doesn't represent any class. Uh, and he'll just dismiss it on the merits. It's not a good complaint. He's already shaved it down to almost nothing on his original order. They will then have to redesign it into a much narrower action, but the Judge himself can't suggest something to counsel. But it's -- you've got a good res judicata argument here. If he dismisses on the merits, uh, that they can't file another suit. They're out of the court totally.

HALDEMAN: But our suits do still hang?

DEAN: Our suits are still -- We have two suits now, we have the abuse of process and...

HALDEMAN: -- the libel --

DEAN: the libel suit.

HALDEMAN: We can take depositions on both of those?

DEAN: Absolutely.

PRESIDENT: Hell yes.

HALDEMAN: (Laughs)

PRESIDENT: (Unintelligible) depositions.

DEAN: It's a, it's a glimmer down the road anyway, but, uh --