

TRANSCRIPT OF A RECORDING OF A MEETING
AMONG THE PRESIDENT, H.R. HALDEMAN,
AND JOHN EHRLICHMAN, ON APRIL 14, 1973,
AT 2:24 TO 3:55 P.M.

Part I

(Unintelligible)

PRESIDENT: All finished?

EHRLICHMAN: Yes sir. All finished. He is an innocent man in his heart, and in his mind, and he does not intend to move off that position. He appreciated the message of, that, uh, good feeling between you and him.

PRESIDENT: He got it, that, huh?

EHRLICHMAN: And he appreciated my --

PRESIDENT: Why don't you give me your, uh -- How did you, uh, get this little chapter and verse --

EHRLICHMAN: Well, I started out by saying that this was a subject that was so difficult for you to talk to him personally about, that you had asked me to do this.

PRESIDENT: And that you had made a study --

EHRLICHMAN: ...that you had had me doing this. That I had presented you with a set of conclusions that were admittedly hearsay, but that pointed in the direction of, uh, the, uh, of his exposure, and Jeb's, and other people, and that you were having me systematically talk to these people because, in the course of this investigation, we had discovered a frame of mind on the part of some people that they should stand mute in order to help the President, and that your sense was that the Presidency was not helped by that, and that it was not my purpose to tell anybody what he should do, but only to tell him that as far as your view of the interests of the Presidency were concerned, that they were not served by a person standing mute, for that only, for that reason alone. Now,

there might be plenty of reasons why a person would want to stand mute and put the government on its proof. And that wasn't the question. And obviously he, and then he said, "Well, what you're saying to me is that the President is reserving to me all my options," and I said, "Of course he is, John. The only thing that he doesn't want you to feel is that you don't have the option of going in and talking, if you want to do so. That you have completely every option to go in or not to go in." And he said, well he appreciated that, but he had not been taking the position he had for the reason that he thought he was necessarily helping or hurting the Presidency, but he said, "You know, these, these characters pulled this thing off without my knowledge." He said, "I never saw Liddy for months at a time." And he said, "I didn't know what they were up to." And he said, "Nobody was more surprised than I was. We had this meeting, and, and," uh, he, he lobbed, uh, mud balls at the White House at every opportunity -- it was very interesting how he dragged it in, uh, yeah...

UNIDENTIFIED

EHRlichman: ...one after the other. But for instance, he said, uh, "There were these meetings, uh, uh, these characters came over to my office and, uh, Liddy put on this million dollar presentation which was perfectly ridiculous. Says it comes --the origin of that, of course, was in the White House where Bob Haldeman and I talked about something called the Operation Sandwedge. That was really the grandfather of this whole thing. And, of course, that was never put together because we couldn't get the right people to do it, and -- They were talking about Joe Hoods and people of that kind," and so he said "It never happened."

PRESIDENT: What is Operation Sandwedge?

HALDEMAN: It's, it was something that Jack Caulfield...

PRESIDENT: (Unintelligible) Oh, yes.

HALDEMAN: ...came up with back in '71, and we needed some intelligence and ought to set up our own Intertel.

EHRlichman: So then he went on to say that, uh, uh, uh, there were only those meetings - he's still hung up on the only three, uh, only three meetings thing. He made it very clear to me that he didn't ever believe there was a fourth meeting. He said that, of course --

HALDEMAN: He wasn't in the fourth meeting, John. There were only three meetings as far as he's concerned.

EHRlichman: No, no, but he didn't refer to three or four, he referred to the, the meetings themselves. He, he argues that there was no meeting after the million dollar meeting, let me put it that way.

HALDEMAN: Oh, really.

EHRlichman: Right. That's the sense of what he was saying. I didn't press him on it and I tried to play him with kid gloves. In fact, I never asked him to tell me anything.

PRESIDENT: Yeah.

EHRlichman: He just came forward with all this stuff.

PRESIDENT: Right.

EHRlichman: Uh, he says that, uh, uh, actually, uh, Magruder is going to have a problem with all this because Dean talked Magruder into saying the wrong thing to the Grand Jury, and, uh, uh, so Magruder's got a problem.

PRESIDENT: My God, Mitchell was there.

EHRlichman: Yep.

PRESIDENT: Isn't that the meeting they're referring to?

EHRlichman: Yes, sir.

HALDEMAN: Sure.

PRESIDENT: Mitchell was there when Dean talked him into saying the wrong things?

HALDEMAN: That's what he says. That's what the, that's what Mitchell says.

PRESIDENT: What does Dean say about it?

EHRlichman: Dean, uh... Dean says it was Mitchell and Magruder who agreed.

HALDEMAN: Well, uh, --

EHRlichman: It must have been the quietest meeting in history because everybody's version is that the other two guys talked.

PRESIDENT: Go ahead. Let's hear the rest of it.

EHRlichman: Well, it goes on like that. Uh, his, his characterization of all this is that he was a very busy man, that he wasn't keeping track of what was going on at the Committee, that this was engendered as a result of Hunt and Liddy coming to Colson's office and getting Colson to make a phone call to, uh, Magruder and that, uh, he, Mitchell, was just not aware that all that happened until, uh, Van Shumway brought Liddy into Mitchell's office sometime in June, and that's the first he had knowledge of it. Much later in the conversation, --

HALDEMAN: Before the discovery?

EHRlichman: Uh, well, I don't know.
(Unintelligible)

EHRlichman: I don't know. He didn't, he didn't
(Unintelligible)

EHRlichman: You can listen to it. I've got it taped.
(Unintelligible)

EHRlichman: But in any event, much later, uh, I said that the Grand Jury felt, or the U.S. Attorney felt, that they had John, uh, wired. And he said, "Well, what possible evidence could they have to, uh, feel that way?" And I...

PRESIDENT: John Dean or John Mitchell?

EHRlichman: John Mitchell. And I said, "Well, I understand that one version of the facts is that Magruder brought you a memo with a number of targets on it, and that you checked off the targets that you wanted." And he said, Why, that, nothing could be

further from truth than that.

PRESIDENT: That was John Dean's version?

HALDEMAN: That's right.

PRESIDENT: That's what he said he said to Mitchell?

EHRlichman: Right. Then --

HALDEMAN: What Mitchell said to me was that he did not - he said, "I checked, I signed off on it."

PRESIDENT: Yeah. Go ahead.

HALDEMAN: I said, "You mean you initialed it," and he said, "No. "

EHRlichman: Then, uh, I said, uh, they had res jectae by Hunt and Liddy having a conversation, and Liddy saying to Hunt, "Yes, I know how you don't like this stuff. We have to do it because Mr. Mitchell insists on it." He said, "I never saw Liddy for five months. From February to June, I never laid eyes on him." He said, "I think Liddy is the source of a lot of my problems here, he's using my name, and so forth. Uh, so it's very much of a hard line thing. He said, uh, uh, "If I'm indicted, it is gonna be very hard, but," he said (Clears Throat) "I have to think of my reputation." Uh, he said, "I can't let people get away with this kind of thing," and he said, "I am just going to have to defend myself every way I can." "Because," he said, "Obviously I can't get a, I can't get a fair trial in the city of Washington by any stretch of the imagination. We'll just have to see how that all comes out." Uh, he said, "I am sorry to hear that so much of this is going to come to the White House." Uh, he said, uh, "Certainly it's not in the President's interest to have all this kind of thing come out." He made a great point of the \$350,000. He says that his recollection -- and he said, "You want to check this because," He said, "I'm not, I'm very vague on the facts of this." But he said, I, uh, uh, I, I told him about Strachan, because Strachan used to work for him. And I told him that Strachan had been, and has to go

back and correct from 350 to 328. Well, he said, "That wasn't the only invasion of that money." And I said, "Oh?" And he said, "No, you would have to check with John Dean on this but," he said, "it's my recollection that Dean had Strachan draw other money out of that fund for payment to these defendants." And I said, "Well, that's the first I heard of that. I understood that Strachan had gone to Bob and said what about this fund, and Bob said send it back to the Committee and, uh, that Strachan had taken it to LaRue as a representative of the Committee." He said, "Yes, I think that's the way it all went, but not until some of it had been tapped for the defendants." And I said, uh, uh, ...

HALDEMAN: (Coughing) I think your defense is, it was not known to anybody over here who was gonna, whoever received it.

EHRlichman: No. I said (tapping) "Was that before the money got to LaRue?" And he said, "Yes, I am sure it was." And I said, "Well, who would know about that cause I've never heard that before?" And he said, 'well, I think Dean." So --

PRESIDENT: The \$328,000 is wrong, too, then?

EHRlichman: Well, if Mitchell is to be believed, that's right, uh, that's the inference. But, uh, you don't know of any other withdrawal do you, Bob?

HALDEMAN: Well, I told you

EHRlichman: Yep.

HALDEMAN: ...the \$328,000 was not returned in one trip.

EHRlichman: But it all went to LaRue?

HALDEMAN: That's what I'm told.

PRESIDENT: ...In one trip? I mean he did it twice?

UNIDENTIFIED: Yep.

HALDEMAN: Here, here's the sequence on that. We wanted to get the money back to the Committee. The Committee wouldn't take it.

Mitchell wouldn't let LaRue take it. I said give it all back. LaRue, Mitchell said no. Then they got desperate for money, and being desperate for money took back -- I think it was \$40,000. And that's all they would take. I still said, "Take it all back, not just, not just, not just a segment of it", and made, uh, the point that I didn't see what the problem was. If they needed money and we wanted to get rid of money, it seemed to me it was of mutual interest in working it out. And that, then, was what happened. The balance -- If, if- \$40,000 were taken in one trip then whatever -- (unintelligible)

PRESIDENT: Tell Strachan in his testimony on Monday that he better be, he better be clear that he didn't give it all in one bunch.

HALDEMAN: Right.

PRESIDENT: Right, 'cause Strachan has testified apparently that he gave the whole bundle at once.

HALDEMAN: No, sir, he has not.

EHRlichman: No, he wasn't asked that.

PRESIDENT: He wasn't asked?

HALDEMAN: His testimony in that area is not wrong.

PRESIDENT: Good.

EHRlichman: Now, John kept referring to, kept using a phrase, "protecting the rights of people." One of the ways that he used that phrase was in response to my question about what he thought I oughta do with the information that I had collected in the last several weeks.

(Unintelligible)

And he said, Uh, Well, you have to first of all consider the rights of the individual." I said, "Yes. At the same time, here is the President sitting here now with a body of hearsay and not absolute knowledge. Uh, my inclination is to give it to Kleindienst." And, uh, he thought about that awhile and he said' "Yes, I guess that's, that's the best

thing he could do." I said, "Now you should know that Kleindienst just said that if you, in any way, get the crack in this case, that he is going to step aside, regardless of this whole case." And I said, "I understand Henry Pre, Petersen also will."

HALDEMAN: Really?

EHRlichman: And, yeah,...

HALDEMAN: I think you've got to be kidding.

EHRlichman: ...and, uh, I said "That the thing Kleindienst is pushing for is a special prosecutor." John said, "That would be a grave mistake because it would be subversive to the orderly process of justice if every time you have an important case you strive to put together an ad hoc process."

PRESIDENT: Well, how ridiculous-the present prosecutor's going like hell any way.

EHRlichman: Uh, so, Uh, I said, uh, "At least, he thought he should step aside." He got a very wry smile on his face, and he said, "Well it's great to have friends isn't it?" He says, "Especially the way that we stuck by them" --meaning the ITT business, I assume.

PRESIDENT: Because of Kleindienst.

EHRlichman: Uh, so, uh, that was a, that was an interesting little aside. He said, "I Would be very grateful if you would all kind of keep me posted."

HALDEMAN: Really?

EHRlichman: And I said, "Fine." He knew that we were talking to Chappie Rose. Uh, I told him no decision had been made about a Special Counsel, but that we were inclined not to appoint a Special Prosecutor; that you were...

PRESIDENT: He doesn't mind a Special Counsel?

EHRlichman: And, he thinks it's a good idea to have a Special Counsel. He suggested that maybe the Special Counsel should be the one to go talk to Kleindienst, rather than, uh,

somebody from the White House staff. And, uh, uh, so that, that was his only reaction to that. Uh, I told him again that I thought he ought to be represented, and that Paul O'Brien was now a target of this Grand Jury and that I thought he really had to think about getting representation. He said he had given it a lot of thought, but that he, uh, didn't think that he would want to make a change yet. He thought he would wait and see how O'Brien got along. Uh...

HALDEMAN: Which confirms he considers O'Brien to be his attorney?

EHRlichman: Right.

HALDEMAN: That's interesting.

EHRlichman: Uh, (tapping), he asked me how he was involved, in, in, what I had heard about the prosecutor's view of Mitchell's involvement in the obstruction of justice suit. I said that I really had not been able to find anybody who was an efficient actor, who really went to a defendant and said, "Don't talk," or so and so. And he said, 'hell, I, I really wonder if you ever will, other than their lawyers, because, uh, my impression of this is that they were the ones who were worried about their fees and who were really coming to us rather than for any of us going to them to bring about a change in testimony. Matter of fact," he said,

HALDEMAN: (Unintelligible) ...all along

EHRlichman: "the thing that, uh, that we were talking to Dean about," he said, "I wasn't really worried about what they testified to. I was worried about what they'd say to the press."

HALDEMAN: Exactly when Hunt made the challenge.

EHRlichman: Yep.

HALDEMAN: That, somehow, Dean doesn't see that, that way.

EHRlichman: Well, we've got to talk to him some more. Uh, he, uh, he, Mitchell; did not mention Martha at all, or and I didn't raise it. That was just not even in the conversation.

UNIDENTIFIED: (Coughing) Yeah.

EHRlichman: Uh, Oh, I told him that, uh, the only way that I knew that he was mentioned, insofar as the aftermath was concerned, was that from time to time he would send Dean over saying, "Hey, we need money for this," and he said, uh, "Who told you that?"

HALDEMAN John Dean.

EHRlichman: And I said, "John that's, that's, that's common knowledge. And, uh, Dean, among others has told me that." Uh, I said, "Dean has not been subpoenaed. He has not testified and, as a matter of fact, the way they are proceeding down there, it looks like they are losing interest in him."

(Unintelligible)

EHRlichman: I, in a sense, well said this to John because I wanted him to be impressed with the fact that, uh, uh, we were not jobbing him.

PRESIDENT: Oh, I get it, the point. Yeah. Yeah.

EHRlichman: We were -- Dean (unintelligible). That's it.

PRESIDENT: Does he know that Magruder's going to confess?

EHRlichman: I said that in the course of calling to invite people to come talk with me today, and I indicated that there were more than two, that the person who called was told that Dean intended to, uh --

PRESIDENT: Magruder.

EHRlichman: Pardon me, er, er, Magruder intended to make a clean breast of it and that, that was first party information and very reliable, and that that would tend to begin to unravel this thing from the center in both directions. And he agreed with that. Now he said, "which version is it that Magruder is going to testify to? Is it the one that he gave Bob and me in Bob's office' or is it some other version?"

HALDEMAN: That's not true

EHRlichman: I said --

PRESIDENT: What was the version he gave Bob? Was it another version?

EHRlichman: Well, he let me tell you what Mitchell said. It was another gigging of the White House. Uh, he said, uh, uh, "You know, uh, in Bob's office, Magruder said that Haldeman had cooked this whole thing up over here in the White House and, uh --"

PRESIDENT: Had he said that?

EHRlichman: Well, I mean, that's, you know, the sort of --

PRESIDENT: All right.

EHRlichman: And that, uh, uh and that sort of --

PRESIDENT: Now wait a minute. Your conversation with Mitchell is the one where, uh...

HALDEMAN: I've got the notes somewhere.

PRESIDENT: ...where Mitchell (unintelligible) is one where -- Mitchell falls down on (unintelligible). Very good. It's good you have it too, but, uh --

EHRlichman: Mitchell's theory --

PRESIDENT: Wait a minute, whatever his theory is, let me say a footnote...

EHRlichman: Yeah.

PRESIDENT: ...one, one footnote is, uh, that, uh, his, uh throwing it off on the White House isn't going to help him one damn bit.

EHRlichman: Uh, uh, unless he can, unless he can peddle the theory that Colson and others were effectively running the Committee through Magruder and freezing him out of the operation, ...

PRESIDENT: Hum.

EHRlichman: ...which is kind of the story line he was giving me.

HALDEMAN: Did he include me in the others?

EHRlichman: Yep.

HALDEMAN: That I was freezing him out of the

operation?

EHRlichman: hat you, in other words, he didn't say this baldly or flatly, but you accumulated a whole, uh, a whole bunch of things, and it's Colson, Dean and Bob

(Unintelligible)

EHRlichman: ..working with Magruder, and uh, that that was sort of the way the line up went.

PRESIDENT: The fault is the White House's rather than his.

HALDEMAN: He's got an impossible problem with that.

PRESIDENT: Well, I

HALDEMAN: The poor guy is putting --

PRESIDENT: It's bad if he gets up there and says that. It's a hell of a problem for us.

HALDEMAN: It's a problem for us. No question. But there's no way he can prove it. He has a very, very bad tremor.

PRESIDENT: He's always had that.

EHRlichman: Well, I've never noticed...

PRESIDENT: Shakes.

EHRlichman: ...it as bad as this.

PRESIDENT: Yeah. Yeah.

HALDEMAN: It's always been bad.

PRESIDENT: You've done your, uh, done your duty today. (unintelligible) .

HALDEMAN: The next question is,

EHRlichman: (Unintelligible)

HALDEMAN: ...the next question is whether you see Magruder or not and you're now set to see him at 4 o'clock, and if we're going to cancel him, we should do it right now.

EHRlichman: I see no purpose in seeing him.

PRESIDENT: Why, because Magruder's, uh, Magruder's aware of the fact now that we --

HALDEMAN: Magruder's already going to do what John's going to tell him to do, so...

PRESIDENT: Yeah.

HALDEMAN: So far, we've got it all --

PRESIDENT: Our purpose of course, uh (unintelligible) do it. Our purpose, as I understood it -- what I mean Bob, was to keep a record for the (unintelligible).

EHRlichman: All right. For that purpose maybe I should. Now, maybe what I should do --

HALDEMAN: Let him tell you what he told me, and then you say, "Good."

EHRlichman: Exactly.

PRESIDENT: I'd like to get, I'd like to get what the hell he's, uh, what he's going to say.

EHRlichman: All right. All right.

PRESIDENT: I would particularly like to get what the hell he's going to say about Strachan.

EHRlichman: All right.

PRESIDENT: I mean, I'd say, apparently, uh, you could say, "Look John, look Jeb, I have to conduct this investigation on the White House. (Unintelligible)." If he says Strachan knew, say how do you know he knows?

EHRlichman: All right.

PRESIDENT: Do you think you should ask him that or do you not want to go digging on that?

HALDEMAN: Why not?

EHRlichman: Okay. (Tapping)

PRESIDENT: All right.

EHRlichman: Yeah. Once he tells me that he, that he intends to go forward to tell the truth, he has nothing to lose by talking to me.

PRESIDENT: Hell. Well, I know. The point is that I want it to seem you want him to be, without guiding him or leading him, you can at least maybe get that out.

EHRlichman: Right.

HALDEMAN: Well, his lawyer will be there.

EHRlichman: Right.

PRESIDENT: The other thing is what about the, what about the, uh, -- of course, you realize that if he says something about Strachan, then, of course, that puts an obligation on us to do something about Strachan doesn't it?

EHRlichman: Well, at least to corroborate it or, or, uh, investigate it, or, or go forward on it.

HALDEMAN: You could do it by questioning Strachan?

EHRlichman: Among other things.

HALDEMAN: Here's where it ends up.

EHRlichman: Well, if it ends up that way, why then you have a sort of a dog fight. Now, let...

PRESIDENT: Excuse me, go ahead, sorry...

HALDEMAN: I didn't think, Jeb is, let me put it, let me say this, I don't think Jeb wants to hang Strachan. I think Jeb is worried about the fact that in going through this, he is going to, to, he thinks, to a degree, implicate Strachan. Now, that's the same kind of thinking as Strachan and Chapin, who were both very concerned about getting me into the Segretti thing. In other words, they see any involvement, any mentioning of the name as being a problem.

PRESIDENT: Yeah.

HALDEMAN: I don't think Jeb sees it or understands the question of whether he really got Strachan in or not, and I'm not sure how far he decided he intends to go with, with Strachan.

EHRlichman: He didn't say, he didn't really make it clear?

HALDEMAN: No. He just said, unfortunately, this whole thing is going to come up and if it comes up...

PRESIDENT: Bob

HALDEMAN: ...but then, what's, what's the problem with Gordon? And he said, "Well, I don't know. That depends on what other people say."

PRESIDENT: Other people, meaning like a secretary, you

mean, or somebody who typed...

HALDEMAN: Could be.

PRESIDENT: ...typed a memorandum.

HALDEMAN: Could be.

PRESIDENT: To a degree, I think I see in Strachan's case the, well, the other possibility, of course, would be, uh, maybe they're very likely, oh, I think it might be this Bob, that, uh, they're gonna ask the question, "who told you to do this Jeb, Mr. Magruder?" (Unintelligible)

HALDEMAN: He's flatly denied that Strachan told him to do it. Now, Larry did, Larry did, he brought back that exact story that he, that he --

PRESIDENT: Colson. What about the Colson (unintelligible).

EHRlichman: Uh, he says that he's going, going to have to hurt Mitchell.

HALDEMAN: He says, "The one I'm going to hurt is Mitchell, and to some degree, John Dean and maybe Gordon."

PRESIDENT: He's obviously talked this through. Isn't it worthwhile for you to find out, uh,

HALDEMAN: I think we have to,

PRESIDENT: ...I think we owe it to ourselves to find out about John Dean, for examples what he, now understand, that he thinks (unintelligible) this is true (unintelligible)...us.

EHRlichman: All right. I think that's right. This is probably a golden opportunity in a way.

PRESIDENT: Right. To find, well, let me put it this way. We've got to find out what the hell he's gonna say...

EHRlichman: Yeah.

PRESIDENT: ...so that we'll know what to expect, you see...

EHRlichman: Yeah.

PRESIDENT: ...rather than have the God damned thing go

on our heads.

EHRlichman: Right.

PRESIDENT: The interesting thing is, uh, did, did, did Bob tell you -- are you, uh, prepared to say that he says that, uh, he, uh, Magruder, said that they'll indict him and not Mitchell. That's a hard damn theory. Isn't that what you told me? Bob, didn't you tell me that?

HALDEMAN: No. No. He said everybody, no, he said "Everybody is going to fall on this." He wasn't meaning indictments. He was meaning gonna talk.

PRESIDENT: Oh.

HALDEMAN: Himself, LaRue and so on.

PRESIDENT: Yeah.

HALDEMAN: He said everybody's, everybody's going to drop except John. And, he's gonna get out of it.

(Unintelligible)

EHRlichman: That's correct. That's correct.

HALDEMAN: He didn't mean that, that Mitchell wouldn't be indicted. He meant that Mitchell, Mitchell was the only one who was going to continue to hardline, that everybody else had given up. And that's why he's given up. His point is, his keeping quiet now or lying now serves no purpose cause all they're gonna do is get him on a perjury count as well as everything else. If he can clean up anything he can live with himself better. He's faced the fact that he's had it.

(Pause)

PRESIDENT: Uh huh, so that means LaRue and O'Brien. Is that right?

HALDEMAN: Depends on how far they go.

EHRlichman: That's right.

PRESIDENT: (Unintelligible)

HALDEMAN: Jeb doesn't know anything much about that.

PRESIDENT: It's under cover. They'll push him.

I think he can put up a pretty good fight on the thing, don't you?

HALDEMAN: I would think so. I, I would be, uh --

PRESIDENT: Even if they indict him' it's going to be a damn hard, hard, intricate case to prove. You've got to prove motive there, don't you, John?

EHRlichman: Yes. Dean, (Clears Throat) Dean argues that in a, in a conspiracy, uh, such as they're trying to build, they may not have to prove the same kind of animus as to some of the participants, but only that they were, that they were in it. Uh, I, I would have to read the cases. I just don't know what the law is.

PRESIDENT: Of course, you've got their, you've got their defendants the same way, I guess, uh, ...

HALDEMAN: That's right.

PRESIDENT: ...I guess, uh, that key witness there is Hunt.

EHRlichman: Well, the defendants, and then it's, uh, the defendant's lawyer, Bittman.

PRESIDENT: Hunt and Bittman. They're both, Hunt will testify tomorrow.

EHRlichman: My, my guess is that a fellow like Bittman has probably negotiated immunity for himself, and has --

HALDEMAN: Dean strongly feels they wouldn't give it to him.

EHRlichman: Yeah, I know.

PRESIDENT: They will?

HALDEMAN: Will not.

EHRlichman: But that, uh, he's gonna, he's gonna tell about a lot of conversations he had with a lot of people.

PRESIDENT: Bittman is?

EHRlichman: Yeah.

PRESIDENT: Do we know that?

EHRlichman: Well, I don't know that, but I know, for instance, that Bittman had a conversation with Colson that was a Watergate conversation. And, uh, uh, I know, I know what Colson says about it -- that he was brilliant and adroit, avoided any...

HalDEMAN: And he says Bittman's recollection of it would be exactly the same as Colson's -- his recollection of the, of the specific conversation -- but he says Bittman may draw conclusions from it.

PResIDENT: This is the clemency conversation?

HalDEMAN: Yep.
(Pause)

PResIDENT: And his conclusion would be that he felt the President offered clemency?

HalDEMAN: No. His conclusion is that, that, he, he, uh, Colson will have Hunt out by Christmas, because you know what kind, what kind of pull I have here in the White House. I'll be able to work it out. That's what he would, would imply by saying --

PResIDENT: What, how does Colson handle that?

EHRlichman: He says he's got a tape or a wire, uh, uh, a memo or something that says exactly what he said

HalDEMAN: It's just a memo. He wrote a, he wrote a memorandum of the conversation immediately after the conversation. Which will, that's all it is, is his side of the story.

PResIDENT: You don't think this, this would lead to an indictment of Colson do you?

EHRlichman: (Sighs) I haven't any idea. Dean seems to think everybody in the place is going to get indicted. (Laughs) No, this afternoon -- Well, I...

HalDEMAN: They're all doing the same thing. What Dean said is just looking at the worst possible side of the coin that you could make a list of everybody who in some way is technically indictable in the cover-up operation. And that list includes, in addition to Mitchell,

Haldeman, Ehrlichman, Colson, Dean, --

PRESIDENT: Because they all discussed it?

HALDEMAN: Strachan, Kalmbach, Kalmbach's go-between, Kalmbach's source, LaRue, Mardian, O'Brien, Parkinson, ...

EHRlichman: Bittman

HALDEMAN: Bittman, Hunt, uh, and, and, you know, so, and just to keep wandering through the impossibles, he said maybe the route is for, for everybody on that list to take a guilty plea and, and get immediate, uh, uh, what do you call it, pardon, or, uh, ...

EHRlichman: Clemency.

HALDEMAN: ...clemency.

PRESIDENT: From the President.

HALDEMAN: Hmm. That shows you the somewhat unclear state (Laughs) of John Dean's analytical thinking.

EHRlichman: No way.

PRESIDENT: It's a shame. There could be clemency in this case and at the proper time, having in mind the extraordinary sentences of Magruder, and so forth and so on, but you know damn well...

HALDEMAN: It's gotta be down the road

PRESIDENT: It's ridiculous. They all know that. Colson knew that. I mean when you talked to Colson and he talked to me.

EHRlichman: The, uh, Magruder thing is 4 o'clock and it's still on.

HALDEMAN: Yeah. I think I have to go confirm it.

EHRlichman: All right.

HALDEMAN: Should I?

EHRlichman: I think so. It's an opportunity -- Now the question is whether I ought to get a hold of Kleindienst for, say 5 o'clock and get this thing all wrapped up.

PRESIDENT: Have you determined it should be Kleindienst rather than Silbert?

EHRlichman: Yeah. Dean's right about that. I'm sure.

PRESIDENT: I didn't know you'd talked to Dean.

EHRlichman: Well, I did, I asked Dean's advice on this. He said Silbert would ask you to wait a minute, he'd step out of the room, he'd come back to get you and he'd walk you right into the Grand Jury.

PRESIDENT: Oh.

EHRlichman: And, uh, he, he doesn't dare handle a communication like that personally, from the standpoint of the later criticism. He says the better route would be to go to Kleindienst, who will probably step aside and refer you to the Dean. The Dean, in turn, would say to Henry Petersen, "They'd done this little investigation over at the White House, they've collected a bunch of hearsay, there doesn't seem to be much new, but they've got it there for anybody who wants it." Petersen, in turn, would inform Silbert, who would, "thank God, I got more than I can handle here now, we'll wait and interview that guy later."

PRESIDENT: The purpose in doing this is what? (Sighs)

EHRlichman: The purpose of doing it is to ---

PRESIDENT: The White House conducted its investigation and turned it over to the Grand Jury.

EHRlichman: Turned it over to the, to the Justice Department.

PRESIDENT: Before the indictment?

EHRlichman: Right.

PRESIDENT: How much are you going to tell them?

EHRlichman: I, I think I'd let 'em drag it out of me in a way. I don't know, I just really haven't thought that part through.

PRESIDENT: Because they would say, "Why did the White House wait for the Justice Department to do all this?"

EHRlichman: "Did the White House know?" is probably the way this would come. Yes

PRESIDENT: Yes. And you'd say, yes, as a matter of

fact...

EHRlichman: We had, we had been at work on this for some time. The President, the President...

PRESIDENT: ...President ordered an independent investigation.

EHRlichman: ...needed it known.

PRESIDENT: I had ordered an independent investigation at the time McCord had something to say. Right.

EHRlichman: All right.

PRESIDENT: At that time, you conducted an investigation.

EHRlichman: And that a, at the time, I was ready to report to you my tentative conclusions, and they were no more than that, you felt that they were sufficiently serious that, uh, well that, you felt that one overriding aspect of the report was that some people evidently were hanging back feeling that they were somehow doing the President a favor. That the President had me personally transmit to them his view that this ought to be a complete open thing, that may or may not have played some part in Jeb Magruder's subsequent disclosures to the Grand Jury. In any event, uh, uh, rather than for us simply to hold the information that we did have in the White House, we turned it over to the Justice Department for whatever disposition they wanted to make of it.

(Pause)

PRESIDENT: If Mitchell is indicted here, you think he's going to be convicted?

EHRlichman: Yeah, I think so. I can't guarantee it, but I would be amazed once, once Magruder goes in there.

PRESIDENT: But, that's only one man.

EHRlichman: Ah, that's plenty.

PRESIDENT: Is it?

EHRlichman: Oh, yes sir, and uh, well...

PRESIDENT: (Unintelligible) know criminal law?

EHRlichman: With all the other stuff they've got, uh, ...
PRESIDENT: All the other stuff they've got?
EHRlichman: ...they have a way of corroborating, uh --

Part II

HALDEMAN: They delivered part of it at the time they asked for it, and the balance at the time they asked for it. My interest was delivering all of it as quickly as possible. I don't know what their function was.

PRESIDENT: Could I just make the suggestion of Magruder, first, get everything you can from him, Uh.

HALDEMAN: He's bringing two lawyers with him.

EHRlichman: Naturally. What'll we'll, what we'll do.

PRESIDENT: (Unintelligible)

HALDEMAN: Probably one Jewish and one Gentile.
(Laughs)

PRESIDENT: Well, you know Jeb, I mean, I don't know what, what about (unintelligible) they Strachan, but they want Dean.

HALDEMAN: Right.

PRESIDENT: Just trying to get the facts and that's all there is to it.

EHRlichman: I'll get back to you...

PRESIDENT: Be sure you convey my warm sentiments.

EHRlichman: Right.

(21 second pause) (Sound of door closing)

HALDEMAN: I think I ought to get Strachan squared away.

PRESIDENT: Sure.

HALDEMAN: He covers.

PRESIDENT: Well, we'll see what they finally come down to here (unintelligible). I, I frankly think- frankly, frankly I should say I don't know, but based on what Ehrlichman tells me

about the law it's a matter of withholding evidence, as far as that was concerned. That was Mitchell's point and the matter of motive doesn't seem to be important.

moment it's, uh, it's the important...

HALDEMAN: Well the only sticky wicket on that is Dean. I can't understand because, 'cause -- in his interest too, as well as everyone else's, to see the motive for what it was.

(27 second pause)

PRESIDENT: I guess we're not surprised at Mitchell, are we?

HALDEMAN: No. It's partly true.

PRESIDENT: (Unintelligible)

HALDEMAN: What he's saying is partly true. I don't think he did put it together.

PRESIDENT: Hmh. He shouldn't - he shouldn't throw the burden over here, Bob, on you. Now, frankly, Colson I understand, but, cause Colson certainly put the heat on over there. I don't think John would seriously have believed that you put him up to this thing.

HALDEMAN: I told you I didn't. He knows I didn't. (Unintelligible). No question of that.

PRESIDENT: I should think he knows it. He let it all happen himself. (20 second pause) (banging on desk to beat of music) So he saw more, huh?

HALDEMAN: That's what he says.

PRESIDENT: You know he'll never - he'll never go to prison. (20 second pause) What do you think about that as a possible thing - does a trial of the former Attorney General of the United States bug you? This God damn case.

HALDEMAN: It really is.

(18 second pause)

PRESIDENT: He'll have to take the stand at some time. What the hell is this anyhow?