

TRANSCRIPT OF A RECORDING, BETWEEN THE
PRESIDENT AND CHARLES COLSON IN THE OVAL
OFFICE ON FEBRUARY 14, FROM 10:13 TO 10:49
A.M.

TRANSCRIPT OF A RECORDING BETWEEN THE
PRESIDENT AND CHARLES COLSON, IN THE OVAL
OFFICE ON FEBRUARY 14, 1973, FROM 10:13 TO
10:49 P.M.

PRESIDENT: (Noise) Going on your way? (Noise)

COLSON: Yes, sir. I think I've just been-- packing
and, uh, getting briefed...

PRESIDENT: Yeah. Yeah.

COLSON: ...by the State Department.

PRESIDENT: Yeah.

COLSON: I've finished up my office work.'

PRESIDENT: Well, I think when you're there -- now, the
thing to do is to try to put out of your
mind all of the problems in which I--You got
to fish these things out--We always do. We
(unintelligible)-- Watergate and all that
sort of thing--is going to be, be there.
It's gonna be (unintelligible) for what it
is. And I think that you gotta take, take
periods like this, (unintelligible)--three
weeks

COLSON: I-I'll be off and it'll be about three
weeks.

PRESIDENT: Good. Just get out there and don't read any
papers, and---

COLSON: Well, (unintelligible)

PRESIDENT: I think, (unintelligible)

COLSON: It's, uh--

PRESIDENT: The only paper I--left is basically the
Washington Post, as far as I can see. Damn,
it's worse than the Washington Post.
I--characterize the Post, the Times--The New
York Times.

COLSON: Yeah, they take the worse of each. it's uh--

PRESIDENT: Awful.

COLSON: Terrible.

PRESIDENT: In legal terms it's (unintelligible) the wall. Alright.

COLSON: Well, I, I very much appreciate your--

PRESIDENT: Yeah. What are your (Clears throat) last minute assessment of the Watergate thing and so forth? What's going to happen on, ah?

COLSON: Well, I had a long talk--

PRESIDENT: They sentenced this (unintelligible).

COLSON: I had a long talk with Bob about it yesterday, Mr. President---

PRESIDENT: (unintelligible)

COLSON: Af-after we talked--and now I met last evening for a couple of hours with David Shapiro. He's a--apart from being a splendid (unintelligible) and, uh, smart--and he, he gave me a ra-- rationale which he's writing up for John Dean--for invoking Executive Privilege for all but certain defined areas where individual wrongdoing might be involved. He believes we're on very, very solid ground if that's the course we want to take.

PRESIDENT: Um hmm.

COLSON: His analysis of it is that if you can't have a confidential--the President cannot have immediate advisors and a confidential relationship unless he is assured that that confidentiality can be preserved, like a law clerk, with a, with a judge or Congressional aide, and, uh--

PRESIDENT: Mmm hrm.

COLSON: It makes a very, very good case, uh, and, and expresses it very articulately. I talked to Fielding, who is Dean's assistant, this morning and told him that Shapiro would come in and work with him next week if he is --this week if you want to. I think it's the only course to take I mean it, you, you uh--

PRESIDENT: Start breaking over and (unintelligible). The problem is that, I guess (Noise) (unintelligible) the precedents are so so important is the break over on Flanigan and justified that.

COLSON: Well, Plana--no--Flanigan we did just that. We said that, that it was a privileged relationship, uh, separation of powers, we argued. However, uh, we would voluntarily make it available for a restricted area negotiated in advance. And, uh--

PRESIDENT: Well, I expect some additional area--

COLSON: That's what we do this thing with. And, uh--

PRESIDENT: Oh yeah.

COLSON: And, uh

PRESIDENT: We shouldn't have Haldeman testify?

COLSON: Well, I, I told Bob yesterday, I thought perhaps Bob should not at all, uh--

PRESIDENT: Yeah.

COLSON: Ehrlichman, MacGregor and myself, Timmons-- only as the clearly defined areas in which-- where we waive, waiver (noise)--we waive the privilege basically.

PRESIDENT: Yeah.

COLSON: On any matters that have already--we've already been questioned by the FBI.

PRESIDENT: The part that I think is this--the part I'm concerned about is--you got to figure which is worse--to, uh, waive the privilege in this (unintelligible), or just, uh, and people say, "Well, they stonewall it." I knew this--that the charge of cover up and innuendo of charges that we've done- it all of--are worse then what comes out. Ya know, I think you've got to realize that--I got--I always go back at first to my--my--own experience in the Hiss case. The Hiss case of course, the the ad-administration was doubly guilty at -first, uh, he was guilty. But second, what really creamed him was that, the charge the administration was trying to cover it up. (Unintelligible) Justice Department did, uh, drop the case after they--after we got the facts from them. He was a red herring Was not knowing all these facts of course-- and we killed it--it was the cover-up that hurt, not the fact that Hiss was guilty. (Unintelligible).

COLSON: It's--of course this instance is distinguishable in that you have had a very exhaustive investigation. No one can really uncover, uh--

PRESIDENT: True. But

COLSON: What, what

PRESIDENT: When they say the investigation--you see that, Chuck, when I asked for the investigation was not being involved and it was covered up. No, no, I don't think we have a choice, uh, decision. But that's my point. I, uh, that's why I don't want to give any indication that we're afraid of, uh, anything that's the point. I, I think it should be extremely limited though. I don't want to see you down there (unintelligible) you know what I mean. They get you into other offenses...

COLSON: Nothing to do with this. That's the point Shapiro made that I thought was most perceptive. He said, "Where you have already testified to a Grand Jury or to the FBI..."

PRESIDENT: Yeah.

COLSON: "...in that area you have already exercised a waiver, beyond that, no." Now, if you do that that's fine, of course (unintelligible). If I had Dean on the witness stand and I, uh, wanted to create a headline a day, I could, I could ask about when one of the milk producers first came into--(Noise)

PRESIDENT: Yeah, I know--

COLSON: (Unintelligible)

PRESIDENT: ...or...

COLSON: Nothing to do with Watergate, nothing to do with, uh, Segretti. I never heard of him, uh, but you could go on a fishing expedition.

PRESIDENT: The thing is th (unintelligible)

COLSON: Yeah.

PRESIDENT: They just--that's something we just can't get into.

COLSON: Well, you're--

PRESIDENT: Today as for example, too, like, like a story Colson this morning commented that Liddy had the--, the FBI Internal Security taps. But I can't believe that's true. I mean, I, uh, I don't know what they're talking about.

COLSON: I, uh, that could have been true. They, they had that security unit set up in the basement of the EOB which Bud Krogh ran.

PRESIDENT: Oh, I see, they were, at that time, in the country--

COLSON: Oh sure. And they were, that was perfectly legitimate. I mean that's, that's the kind of thing they were hired to do...

PRESIDENT: Mmm hmm.

COLSON: Uh, investigating the authenticity of...

PRESIDENT: (Unintelligible)

COLSON: ...of the Dita Beard letter was was a perfectly legitimate thing. And, uh, I told the FBI about that--there wasn't anything to hide. Uh, the thing you can't do is you can't get part way pregnant. You can't start talking about one aspect of a relationship...

PRESIDENT: Yeah.

COLSON: ...with, with a White House employee and not another...

PRESIDENT: What is--what does Shapiro think? I mean he--

COLSON: Shapiro believes that if Mitchell was indeed responsible that he should step forward now and take the heat, and uh

PRESIDENT: Not go to jail? He can't do that?

COLSON: Well, his point is he's going to anyway. Uh, Shapiro's point is if, if he was guilty and if it's going to come out in the hearings, uh, then don't let it come out in the hearings, take our own losses ourselves.

PRESIDENT: Well, that's, that's very nice (unintelligible)

COLSON: It depends on what, what, uh, what- John knew. I don't know what he knew, uh...

PRESIDENT: Well-

COLSON: ...first hand--

PRESIDENT: Right. Did he, did he, uh (unintelligible) he knew he was-aware of Hunt and all that sort of thing, is that correct? Is that what's gonna come out? That hasn't yet.

COLSON: That hasn't yet. That's right. But ya see, John doesn't have any privilege. John doesn't have any, uh...

PRESIDENT: Yeah.

COLSON: ...an immediate relationship to you. Uh, uh, he was a...

PRESIDENT: off--

COLSON: ...Cabinet officer and he had--did have...

PRESIDENT: I was talking about the campaign.

COLSON: So, he doesn't...(Noise)

PRESIDENT: Nothing about his campaign (unintelligible)

COLSON: Shapiro's only analysis, just as a cold blooded analytical lawyer--if you're gonna, if you're gonna have a big explosion on national television and let goddamn Magruder--

PRESIDENT: Magruder. Those are the two, I guess, that are really a problem.

COLSON: You'd have the same problem, of course if, if he knew about it.

PRESIDENT: Oh, he did--

COLSON: I'm sure he did.

PRESIDENT: He had to know about it.

COLSON: I know he did.

PRESIDENT: How about Mitchell? Do you think he is?

COLSON: John is--John has the most marvelous--

PRESIDENT: Great stone face.

COLSON: Yeah. And convenient memory. I mean, he can--

PRESIDENT: Yeah, yeah. But the point is (unintelligible) or not, you, you, mean that this, this concern about Hunt cracking which you expressed, uh, incorrect? I suppose as the uh, the judge calls him in--do you think that Hunt might just say, "Well, I'll tell my whole story." My view is that he won't tell the whole story. My view is that he'd say, "Alright I will tell what it is." But, the, uh,--that what he would dc frankly is would be to tell that Mitchell, Mitchell--Do you think that's what he would tell them?

COLSON: Yes, sir.

PRESIDENT: Or Magruder.

COLSON: Well, I don't...

PRESIDENT: My view is that he would limit the losses. He wouldn't go all the way.

COLSON: No. He would limit the losses.

PRESIDENT: I don't think he would come in and say, "Well I worked here for Colson on the Dita Beard thing and I worked on this, that and the other thing." Or would he?

COLSON: No. Be-because there isn't anything that, that

PRESIDENT: (Unintelligible) the judge doesn't need to get into that.

COLSON: There's noth-nothing to do with Watergate.

PRESIDENT: (Unintelligible) held say (unintelligible) about Watergate (unintelligible).

COLSON: He might do that, uh, I don't think so. But uh, normally I wouldn't question Howard Hunt. Normally--

PRESIDENT: No. I don't think he'll (unintelligible) problem.

COLSON: But he's just too--

PRESIDENT: Just too much.

COLSON: Yeah. It's a tough one, it's a really tough one.

PRESIDENT: Mmmm.

COLSON: Uh, I don't think he'll crack. But, but I, but who knows. I mean, how do you know what goes through the minds of anybody in a situation like this.

PRESIDENT: Right.

COLSON: God only knows.

PRESIDENT: (Unintelligible) It's very tough. Ya see these blacks for example (unintelligible) None of these guys had weapons did they?

COLSON: No.

PRESIDENT: Gee

COLSON: Ya know that's the--of course that's the--

PRESIDENT: Burglars without weapons.

COLSON: That's the travesty of the whole damn thing, I suppose. No one was hurt. It was a stupid thing--dumb. But, my God, it isn't, it isn't like the Hiss trial. It isn't like the (unintelligible). There's no...

PRESIDENT: (Unintelligible). I know that.

COLSON: In terms of the...

PRESIDENT: (unintelligible)

COLSON: ...consequences publicly it's just preposterous--

PRESIDENT: (Unintelligible) because that, uh, Hiss was a traitor -- it was a cover-up.

COLSON: Yeah.

PRESIDENT: A cover-up is, is the main ingredient.

COLSON: That's the problem--

PRESIDENT: That's where we gotta cut our losses. My losses are to be cut. The President's losses got to be cut on the cover-up deal.

COLSON: Right.

PRESIDENT: Not the merits of the thing, Christ: I I
pled the merits all the way up. I said,
"Well, they did it and it was wrong."
Period.

COLSON: Mmm.

PRESIDENT: But, uh, as far as this (unintelligible)
we're not covering up a damn thing.

COLSON: Hell! We're not covering up any

PRESIDENT: The problem with Magruder is, is that
basically he's so close to Bob. Do you
think that's what it is? I suppose they
figured if Magruder would mention Haldeman
(unintelligible). Correct? Is that where
you think (unintelligible) trail leads?

COLSON: That's what they would assume, but--I mean,
that's what some people would assume, but I
don't, I think he was divorced publicly well
enough in advance of all of this stuff that,
uh

PRESIDENT: Well, he's not--Bob had no contact with, uh,
with Hunt. Did he--

COLSON: No.

PRESIDENT: ...or McCord?

COLSON: No.

PRESIDENT: ...or Liddy?

COLSON: No. I don't believe so. Oh, hell no. I don't think that's--

PRESIDENT: His contact was with Magruder, correct?

COLSON: Yeah. Or through Gordon Strachan, which was the other link that

PRESIDENT: Well--

COLSON: That they would draw. But, Bob was in a different position. Bob is--is so much an extension of you. I mean, his every day, his, his day's work

PRESIDENT: I'm talking a-, I'm talking about his privilege. I'm talking about, uh, talking about what could come out on him and, uh

COLSON: The only thing that could come out is probably that, they ya know, they those people over there were crazy with memoranda. They wrote everything down. Uh--er...

PRESIDENT: Everytime Bob called (unintelligible).

COLSON: Sure. (Noise) Sure. Or people would use his name. I mean, that happens to me, that happens to Ehrlichman--

PRESIDENT: Yeah.

COLSON: And that's another problem, you, y-y-you can't control who says, "Well..."

PRESIDENT: "Colson wants this done."

COLSON: "...Colson wants this done." And, uh, either that, I just--somebody just...

PRESIDENT: Well, they (unintelligible). They even use the, uh, they say "The President wants this or that done." Of course they, they have - -the boss wants this or that done and so forth. And of course (unintelligible) most people (unintelligible)

COLSON: Ya. I never did that deliberately. Eh, but that's-- but a lot of people do do that, of course.

PRESIDENT: Well, fortunately, I didn't see any of them, ya know as far as my, my situation here is extremely good. I never talked to--I, I divorced myself from the tactics of the campaign.

COLSON: Yeah. Very good.

PRESIDENT: Except my own schedule.

COLSON: Very wise.

PRESIDENT: I wouldn't let people come in and talk politics. Mitchell didn't. That was all Magruder (unintelligible) B-But never saw Magruder until after the November

COLSON: Huh.

PRESIDENT: Never saw him. No, they never told me they'd been o-over there and met all those guys at the (unintelligible) and MacGregor. (unintelligible) that's good too.

COLSON: Oh, no. I think I, I think the only, the only pitfall, Mr. President and this is the one that I've--I think I've got every body-- I think everybody's thinking on the right line. The only pitfall is the moment you open up the Pandora's box in the White House you can lead into nineteen other totally irrelevant (unintelligible with noise) are the ones that would cause daily embarrassment. My feeling is hard line it, in terms of what you are willing...

PRESIDENT: Right.

COLSON: ...to talk about.

PRESIDENT: You know the thing about it of course is that you have this enormous differ-difficult double, double standard in the press, for instance. You can take this story about today about the--that they had access to the confidential memoranda. Now, who the hell is that coming from, I ask ya? See they got this and they're dripping it up little by little. Who--where are they getting these stories, Chuck?

COLSON: Bureau.

PRESIDENT: The FBI?

COLSON: (Unintelligible)

PRESIDENT: Did they question the FBI (unintelligible) how did the FBI know?

COLSON: Well, the FBI would have been in a-would have been sending that information over to Liddy and Hunt.

PRESIDENT: Mmm hmm.

COLSON: And, uh, every leak we've had, Mr. President, has been out of the Bureau, uh, that's one of the reasons that when you asked me my opinion yesterday, I, I don't know whether--

PRESIDENT: About Gray.

COLSON: I don't know whether Gray's the best man or not, but I--

PRESIDENT: (Unintelligible)

COLSON: Yes, certainly. Let him go in and fire some of the bastards that he thinks have, have uh, (unintelligible)--

PRESIDENT: Yeah.

COLSON: The whole damn--

PRESIDENT: (Unintelligible) on the other hand they go out (unintelligible). What then?

COLSON: Well, the hell, they're talking now. If-- there isn't anything that I ever told the Bureau that I haven't seen come out in print. And, uh, it does, it really does raise questions about the integrity of the Bureau's process. You have to be a little careful what you--

PRESIDENT: (Unintelligible). Well, when Hoover was there it didn't leak.

COLSON: It didn't happen?

PRESIDENT: Did not happen.

COLSON: Oh, hell no. They were scared stiff.

PRESIDENT: I, I could talk to Hoover about all sorts of things and I talked to him very freely over the years and there it never, never came out.

COLSON: Well, because they knew that if any body talked--

PRESIDENT: To the press.

COLSON: to them. And, uh--

PRESIDENT: You take, you take the (unintelligible) make a smart thing, big thing out of some contribution we received that would sort of (unintelligible) more than a five thousand dollar contribution. You know that wasn't really a blunder. Was it? Good God! When our people spent thirty-four million dollars where the hell (unintelligible).

COLSON: Not only that they, he, he wrote off all the, all the loans which which was a--a direct avoidance of the statute and, uh we-

PRESIDENT: Not an evasion.

COLSON: Sir?

PRESIDENT: Not an evasion.

COLSON: Not an evasion.

PRESIDENT: Not a--not a-not a violation, therefore.

COLSON: No, but my God, I mean if you're gonna, if you're gonna write it on something uh--so the Seafarers gave us--Paul Hall gave us a hundred thousand dollars. Well, that's-They've, they've written about that now four days in a row. But, uh, Kimmelman writer, off a half a million and uh, which was an avoidance, uh

PRESIDENT: You mean he loaned that much for a-- oh, for Christ's sake that's a--our people are gonna make anything out of it?

COLSON: Oh, we explained about it. We explained about it during the campaign. But, uh--

PRESIDENT: So it's a contribution?

COLSON: Sir? They carried it as a loan all through the campaign because they didn't want to show this big sum of money coming from these people.

PRESIDENT: Oh.

COLSON: After the election they'd write off the loan. So it becomes a contribution absolute.

PRESIDENT: Wouldn't our counsel get into that hearing?

COLSON: Oh, absolutely, absolutely.

PRESIDENT: (Unintelligible) on that.

COLSON: That's the kind of thing that, uh, where ya know--if, if our fund raising and money is being held up to inspection, uh, his should be--same way.

PRESIDENT: (unintelligible) did you do this, did you?

COLSON: Oh, I'd call on every one of those guys. Uh, can have a parade if, if that's the way they want to play the game, then they've got to know--the people on the Hill have got to know that's the way our guys are gonna play the game--uh, which I think they would. (Pause) But, but, the bottom line, Mr. President, of all of this, really, is that I just don't think the public gives a damn. Now they--everybody enjoys a sideshow and this town gets all excited over the--that kind of circus.

PRESIDENT: I agree--true.

COLSON: But I think you just have to go up there and, and, and say the matter of principle that, uh, and, and be very hard about it, and then say, "What the hell, if the country..."

PRESIDENT: Right.

COLSON: You're gonna, you're gonna get the, the Left all exercised. Because it's something they can (unintelligible)

PRESIDENT: (Unintelligible)

COLSON: I just don't think the man in the street cares.

PRESIDENT: Right, right, right.

COLSON: The people that I have talked to the last forty-eight hours have--just have one overwhelming sentiment and that is "My God, how proud they are to be Americans, how proud they are of you." Uh, everybody--it's, it's been an interesting phenomena. Everyone I've talked to has said, "Congratulate the President on the prisoners." And that just--the impact of that is, is, uh, the equivalent of a thousand Watergates. He just--

PRESIDENT: You know, even though it's a symbolic thing (unintelligible) flag (unintelligible)

COLSON: Beautiful statement.

PRESIDENT: (Unintelligible)

COLSON: The Washington Post buried it (unintelligible)

PRESIDENT: They did it because they just, they know it was a very (unintelligible). The average person (unintelligible)

COLSON: Oh, absolutely, absolutely. No. I, Uh--

PRESIDENT: Yes. (Unintelligible)

COLSON: Yeah, but your statement was marvelous. It's the time to fly the, to fly the flag high.

(PRIVILEGED MATERIAL DELETED)

PRESIDENT: Oh, I see. Don't read the papers. Forget the whole damn thing. Let her go.

COLSON: Well, we'll, uh, we'll tough it (unintelligible) through and, uh, come out on top as we always have.

PRESIDENT: I mean, this is a tough one, because there's so many players, and so God-damn sad I think of those seven guy...

COLSON: So do I.

PRESIDENT: ...who are involved, you know, Jesus Christ, they did it with good intentions (unintelligible). Of course, I guess they, they must have known that they had to take this kind of risk (unintelligible)

COLSON: I think that they've taken that all their lives. I don't think that's --

PRESIDENT: Yeah. They've been talking, they've been doing this sort of thing--

COLSON: Yeah, I think, they got--well--

PRESIDENT: (Unintelligible)

COLSON: **RESTRICTED-"B"**

PRESIDENT: (Unintelligible)

COLSON: Mr. President I thank you for your (unintelligible)

PRESIDENT: (Unintelligible) this trip (unintelligible) fine, fine. You just go ahead--

COLSON Without---

PRESIDENT: Have a good time.

COLSON: I'll be winding up when I get back. I don't want to be maudlin but it was kind of ironic with Christmas coming up.

PRESIDENT: Well, said that to Ziegler, forgive me for Helms being sent to Ghana.

COLSON: (Unintelligible). Proudest thing I've ever done in my life, sir,

PRESIDENT: Well, that's uh--you're not leaving, you're just going across the street.

COLSON: (Unintelligible)...block away- I, uh--

PRESIDENT: Right. A block away, huh?

COLSON: Half a block away. I--at your service for anything, anytime

PRESIDENT: Right.

COLSON: ...anyway.

PRESIDENT: Well, I appreciate it. Beyond the call of duty's. Fine (unintelligible) a little rest. You go on.

COLSON: This'll, this'll...

PRESIDENT: Take some time.

COLSON: ...this'll be helpful. I'll try not to let (unintelligible)
(Unintelligible, with noise)

COLSON: Mr. President, thank you, sir.

PRESIDENT: Have a good time.

COLSON: Thank you.