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**Timothy Naftali**

Hi, I'm Tim Naftali. I'm director of the Richard Nixon Presidential Library Museum. I'm here today, July 30, 2007, with John Dean. Mr. Dean has kindly agreed to participate in the Richard Nixon Oral History Program. Mr. Dean, thank you for joining us today.

**John Dean**

Pleasure, Tim.

**Timothy Naftali**

I'd like to ask you how you came to join the Nixon administration. How did it happen?

**John Dean**

The administration or the White House?

**Timothy Naftali**

The administration.

**John Dean**

The administration. I had a call on New Year's Eve Day from the deputy attorney general-select, Richard Kleindienst, who said that he would like me to come up to New York in the next 48 hours if I could make it, to meet with the attorney general-designate, John Mitchell. I didn't know why this call came. It was only years later I learned why I got the call. Anyway, I went up with -- up to New York, and they offered me what in essence was about the 13th, 14th level slot at 28 years of age in the Department of Justice as the associate deputy attorney general, and it was too good to refuse. So I joined by going into the Department of Justice. I later learned that what had happened is that they had interviewed a fellow, a professor from Notre Dame by the name of Bob Blakey, Robert Blakey, who had been on the Hill. He is somebody I had worked with when I had been on the Hill. And Blakey was offered the post of the assistant attorney general in charge of the Criminal Division. And in talking to Mitchell, he said, "Mr. Mitchell," he said "I'm sure I could do a very good job for you, but I'm not sure you would want me in that job." And Mitchell said, "Oh, why is that?" He said, "Well, I'm not terribly fond of Richard Nixon, and I am really a Bobby Kennedy-type prosecutor that you might not find totally to your suiting." So he said, in essence, that he didn't think he should take the job. So Mitchell asked him at one point, "Well, is there anybody that you think -- we're sort of looking around at people who we should hire for the top of the department," and Blakey said, "The only person I could recommend would be a fellow by the name of John Dean." And so that's how it happened.

**Timothy Naftali**

Well, you had worked for was it Roman Hruska? Who did --

**John Dean**

No, I had been -- I had gone -- after law school, I looked for a job on the Hill and couldn't find it, went to a law firm, was very unhappy at the law firm, was constantly looking for a job on the Hill, not in a legislative office. I wanted to work as a committee counsel because legislative office lawyers are just other congressional aides, whereas a committee counsel, you're actually practicing law. And didn't find anything, but then finally did, and found a slot with the House Judiciary Committee. Through the way the seniority system worked with the staff at that time, my predecessor left and I was soon the chief minority counsel of the House Judiciary Committee at a very tender age, and the people in power seemed to like the way I performed on the job, so I was well regarded in those circles, and had worked somewhat behind the scenes in helping to prepare material for Nixon for the '68 campaign. I had meanwhile gone off to a law reform commission where I happened to write the legislation to create a commission that would study the federal criminal code and rewrite it. It was in bad shape. It is still in bad shape. Somebody, you know, a process to clean it up. Lyndon Johnson was president. He selected the former governor of California, Edmund Pat Brown to be the chairman. Then members of the House and the Senate were selected to the committee, and the first day the -- excuse me -- the commission met, I was asked to come up and brief the commission. It had three members of Congress, the three members appointed by the president, and then three members of both House and Senate, and three federal judges. So a very prestigious group, and I had to go up and brief them the first morning on what they were supposed to do now that they had been selected. And I didn't make it out of that meeting without the Republican members of the Senate and the Republican members of the House leaning on me to go downtown to be the associate director of this commission to sort of protect their interest, because I had not planned to stay on Capitol Hill for a long time. I had made a promise to a dear friend of mine, who was in the Senate, that if I did go into government, I wouldn't stay in government. I would only -- I promised him I would do five years and get out. So I was sort of moving along, and this was at that time. Anyway, I went to the commission. I was at the commission when the '68 campaign was going on. I had no affiliation or relationship with it. I had worked with Blakey when I had been minority counsel of the House Judiciary Committee. He had been over at the Senate, and then I had worked with him when I was at the Law Reform Commission. So I think that's why --

**Timothy Naftali**

That's the connection.

**John Dean**

He's a phenomenal scholar. His expertise for this very mild mannered able academic is the mafia, and he wrote a -- he wrote the -- a lot of the major legislation that's on the books today on the RICO Act and other major tools used by legislative -- you know, by the prosecutors. It's some of the best legislation that's ever been written. And he's still -- he's still actively teaching at Notre Dame.

**Timothy Naftali**

Please tell us a little bit, before we shift to the White House, a bit about John Mitchell's management of the Justice Department.

**John Dean**

Quick question. Are we -- mechanical question. Are you going to edit this, so I can stop and have a drink of water?

**Timothy Naftali**

We won't edit it so much as -- you can stop any time you want.

**John Dean**

Just to have a sip of water.

**Timothy Naftali**

Yeah, any time you want.

**John Dean**

See, my head doesn't disappear, you can chop those. I won't -- I'll keep the continuity of the Q and A going --

**Timothy Naftali**

That's all right.

**John Dean**

All right. Your question was, how did Mitchell run the Department of Justice.

**Timothy Naftali**

Right.

**John Dean**

I -- I liked Mitchell. I realized immediately when I took the job of associate deputy attorney general that most of the senior staff at -- the politically appointed staff at the Justice Department really knew very little about Washington. They were all outsiders from Mitchell, to Kleindienst, to Bill Rehnquist in the Office of Legal Counsel, Jerris Leonard in the -- the assistant attorney general for the Civil Rights Division. There were -- Will Wilson was running the Criminal Division. They just didn't know Washington. And so it was a little rough at start to sort of get them educated, get them -- I'm the one who helped arrange their meetings, who would go up and testify. I'd work with the deputy attorney general and what have you. So I wasn't over-impressed with Mitchell's knowledge of Washington, the way the Department of Justice worked. I didn't feel that they were trying to politicize the department. In fact, I thought they were trying to make it as efficient as possible. And one of the -- one of the early experiments, Mitchell coming and Kleindienst, coming from the private sector, that they tried to employ, which was an utter failure but a great idea, was to have the Department of Justice lawyers fill out timesheets. So you recorded every minute of your day, like you do as a private attorney, as to what

you were doing for the government. Well, this -- this lasted maybe a couple months at most, and was an utter failure as a management tool, but it was a good idea. Mitchell was easy to work with. He was -- he was a relatively fast study on subjects. He was not a particularly good witness when you took him to the Hill. Kleindienst was much better. Rehnquist was a very good witness when you had constitutional issues to deal with. The -- I thought our congressional relations was handled well. Kleindienst particularly, he worked on all the judgeships, had developed a quick and very good rapport with the chairman of the judiciary committee who was, at that point, was John Eastland from -- was it John -- yeah, Eastland from the South, and it was -- there were conservative binds there between Kleindienst and Eastland that worked very well. Nixon's appointees -- judicial appointees were not particularly political, as a matter of fact. They were rather -- they were -- Nixon didn't care if they were Republicans or Democrats, so they really cut a broad spectrum. All he wanted were good judges who were what he called strict constructionists. And he appointed a lot of them. And that went pretty smoothly, because other than Haynesworth and Carswell, which were pure political moves, and debacles, his run of the mill circuit court and federal district court judges, where at that point the Senate still had a huge input into who was selected, went very well. The department's Civil Rights Division, I was always a little suspicious if Jerris Leonard was really ever doing anything other than talking the game rather than playing the game. The Office of Legal Counsel under Rehnquist took a definite shift to the right. He started hiring more and more bright, young and able lawyers. The solicitor general's office was very interesting in that Nixon, through Mitchell and Kleindienst asked Dean Griswold, who was the former dean of Harvard Law, who had been appointed by Lyndon Johnson to stay on. The solicitor general is an enormously important post in the department, probably the best post for any lawyer. It's a pure lawyer's lawyer's slot, because the SG selects cases to take to the Supreme Court. He is sometimes said to be the 10th member of the Court because of his influence on the Court. And Griswold was, obviously, a very able solicitor. And, again, rather non-political, because on some issues, Griswold was pretty far left if not progressive on some issues. When he ran into problems with some things that he had grievous doubts about, like the Pentagon Papers case when the department -- when the department was charged with the responsibility of trying to enjoin "The New York Times" from printing the Pentagon Papers, Griswold later thought that he had been had by some of the people in the department. Bob Mardian, who had come over by then and running the internal security division, didn't play it straight with Griswold, and Griswold let history know that.

Timothy Naftali

How do you move from the department to the White House?

John Dean

The reason I think I went over -- ended up going over to the White House is that John Ehrlichman, who had been the initial White House counsel, with whom I had only incidental dealings in the Justice Department. I did with his staff, people like Bud Krogh, I would have dealings with. But I would find myself from time to time, when Mitchell did not like to brief the press, did not like to go over to the White House to do background briefings. And on a number of occasions, he -- because it -- particularly when it related to the legislative program, he said, "John, will you go over and do the off the record briefing for the department?" And I started having some interaction with the White House at that time, and I worked with Krogh a good bit, fairly early in the administration. He was in charge of -- he was a deputy -- he was one of the -- excuse me, one of Ehrlichman's deputies, and he had a lot of rapport with the Department of Justice. At some point after Ehrlichman vacated the post of counsel to the president, it was really empty for quite a while. I certainly wasn't looking for a job. And as I

understand what happened is they really were considering Nixon's former law partner, Len Garment. And for some reason, that didn't work out. And Krogh came over and asked me one day, he said, "You know, we have been asked to suggest young people in the administration to bring them up to the White House to give them bigger jobs and better resumes for the future." He didn't say it might include making license plates and would I be interested. I said, "Well, that really would depend upon Mitchell, and I have no idea what his reaction would be." So when I actually asked Mitchell if he thought it would be -- because Krogh said, "We're very interested, but they don't want to offer you a job you're not going to take, or if Mitchell is going to block it." So I went to see Mitchell about it. And he said, "Don't take the job." I got the same thing from Kleindienst. Kleindienst was a little more brutal. He said, "I wouldn't work at that zoo up the street if they paid me three times what they're paying me." I didn't quite understand, you know, why they felt that way, but Mitchell, for example, was very kind. He was very gracious. He said, "John, you've got a nice job now. You will move up in the department quickly. There will be turnover, and I think you'll find you'll get great experience here that will do you well." But, he said, "I also understand how at your age, it's pretty tempting to take a post like the counsel to the president." So he said, "I certainly won't block it, if you want to go over there."

**Timothy Naftali**

What time -- when was this?

**John Dean**

This is in the -- I go over in July of '70, so this is probably June of '70.

**Timothy Naftali**

When does the --

**John Dean**

You can [unintelligible]. I'm passing out after those answers.

**Timothy Naftali**

Listen, I'm waiting for you. The question is who passes out first. I've read about, you know, depositions. This is not supposed to be one. When do you hear about -- when does the Huston Plan cross your desk?

**John Dean**

Let me back up and give you an answer to one that you didn't quite ask there.

**Timothy Naftali**

All right.

**John Dean**

My first meeting with Nixon.

Timothy Naftali

Oh, okay, go ahead.

John Dean

After I go over -- after I say "Yes, I will," I hear nothing for quite -- you know, for -- several weeks actually pass, and then I get a call from Larry Higby at the White House who is in San Clemente, asking that I fly out immediately to meet with Haldeman and the president about becoming counsel to the president. And that's when they -- they really, they really lay it on for people when they're trying to bring you into the job. And, you know, they made -- they may have even bumped people off the airline to get me on, a nice cross country flight, and that's where I met at LAX by a helicopter to take me down to -- it wasn't actually San Clemente. They didn't land the helicopter except when the president was landing, but at El Toro, and then just took me over in a car, very impressive ride. Immediately into a meeting with Haldeman, and Haldeman saying, you know, going over -- he had my FBI background. He's -- he knows a lot more about me than I know about him at that point. And he said, "We'd like you to come over as counsel, and the president is in there, if you're ready to take the job, he'll talk to you about it." And this was at his San Clemente office. And I said, "Well, I'd be happy to. It would be an exciting post." So I went into my -- then, a knee-knocking meeting with Nixon, who is standing and looking out at the Pacific through the windows of the office he has, and just sort of standing there as I walk in, and stands there for quite a while as I -- as Haldeman tells me to sit down, and then he turns and says, "Well, John, we'd like -- I'd like to have you as my counsel," and begins to tell me a little bit about how he envisions the job, which is pretty vague stuff. The most memorable thing he said is, "I think, you know, that, you know, given your age, what you should do is reach out to young people without -- throughout the government and see if you can't bring them into the White House and make them interested in what we're doing, the young lawyers in particular." He said, "I, myself, when I was working for the government," which was, I think, the Office of Price Administration, as I recall --

Timothy Naftali

World War II.

John Dean

And he said, "Nobody in the world knew that they had young, bright, young lawyers in the government. And I've always thought about that, that we should do something about it," which I did. I tried to do something about that, as I went on and took the job. But he was -- he was very gracious, very easy, and I could tell that he put you at ease very quickly, and that was consistent throughout my dealings with him, very easy to work with.

Timothy Naftali

Did Haldeman -- go ahead. In this early period, what kind of access to the president did you have? Did you have to work through Haldeman?

John Dean

I knew enough about the way the White House worked from my dealings with the staff at the Justice Department. The president called you; you didn't call the president. When he wanted you to do something, typically he was a president who liked particularly to work in -- with paper, and a memorable first assignment, that I didn't even know was from the president, initially, it was a memo that was waiting for me when I arrived from the staff secretary, John Brown. And it said -- kind of cryptically, it was an action memo, which archival people and people from the Nixon papers are very familiar with. And it said, "It has been noted that a magazine called "Scanlon's Monthly" has made an outrageous charge about Spiro Agnew, the vice president, that Agnew is planning to cancel the 1972 election and repeal the Bill of Rights. And I thought, my -- I said, well, I knew Spiro was a man of some rhetoric, but I don't know quite how he'd do this. Anyway, went on to say -- the action was -- recommended that some action be taken against this magazine. Well, I wasn't quite sure what kind of action you'd take against this. I thought it was pretty ludicrous. The magazine was a brand new magazine. I checked it. This was maybe the second or third issue called "Scanlon's Monthly." And, you know, just a total shoestring operation. When I called some people to ask them what is this magazine, people who I happened to know in publishing, so I figured this is my first -- well, first of all, I didn't know why John Brown was asking me this. And so -- the staff secretary -- so I called Brown, who was younger than I was at that point, and still is. But I called Brown, said, "You know, what is this all about, John?" He said, "Well, let me explain to you. Where you're posted, you should know what this all means." He said, "I collect the president's news summary every morning. The president writes things in the margin of the news summary where he gives action he wants staff to take. He has this one for you. So he's obviously been thinking about your arrival here. And I in essence translate that, and we keep the president's papers separate, and I translate and then send out." And my immediate mind was, well, yes, you give the president deniability for these kinds of requests, and he didn't really want to get into that, but that's obviously why it was set up that way. So I figure good counsel tells a client when not to do anything, and this struck me as a perfect time to do nothing. I mean here this magazine had no circulation. The claim was absurd on its face. And, you know, I thought just ignore it and let it go away. And so I wrote in essence saying that to the -- my first memo to the president. About a week passed and I got another memo back from the staff secretary saying, "Your memo doesn't quite deal with the problem." It then said, "It's been recommended that an IRS tax audit be started against this magazine." I thought, well, I said, this is certainly escalating it. And I wouldn't have a clue how anybody starts a tax audit. I'm sort of fretting about this, and this is within -- literally, this is my first assignment. We're within days of arriving at the White House, or weeks at this point, early weeks. And I was working late, getting caught up on the paperwork of the White House, and -- because we processed a lot of documents. And I went over to the mess and had dinner, and a man who I had not met, but I -- introduced himself, by the name of Murray Chotiner, sat down beside me at the big round staff table. And I -- you know, we chatted a little while. Murray told me he was an attorney; he was going to be leaving the White House soon. I learned because he was not somebody they wanted on the staff. He was a little bit -- had an unsavory reputation. I didn't know that at the time. But I knew he had been around Nixon a long time, and he did know how the White House worked. So I began -- I started telling him about this problem, this memo to start a tax audit against "Scanlon's Monthly." He said, "John," he said, "I don't need to know this." He said, "You got to understand the way this place works. It's on a need-to-know basis. And you should take information you're given from the president and just keep it right in the confines of your own office, as few people as involved in it as possible. "But," he said, "Since you've raised it, let me say, I -- first of all, the problems you're raising about the president doing anything, this is being improper. The president's the chief executive. He has the power over all the executive branch, and if he wants to start a tax audit of any taxpayer, that's totally within his powers to do so." I said, "Well, Murray," I said, "There is a statute that I don't see an exception in it for

the president as to the confidentiality of tax returns." And he said, "Well," he said, "Let me tell you this, John. You can write a memo back like that, and I guarantee you that they will find somebody who will do this for the president, if you don't want to do it, and you'll be cut out quickly." So I walked back to my office thinking about how I liked my new title as counsel to the president, and really, not quite sure what to do with the problem. A man who was being assigned to my staff from Ehrlichman's staff, when Ehrlichman had been counsel, came to introduce himself, a man by the name of Jack Caulfield. Caulfield told me he was on his way to the Treasury Department to work in law enforcement. He had a lot of friends in Treasury, and knew how things worked over there. I said, "Well, just look at this and tell me what you think of this situation the president has raised. I've got some troubles with it, Jack." And he said, "Well, let me take that, and I'll get back to you." Came back about two days later and said, "John, you can write a memo to the president, the tax audit's in the works." And I thought, well, I said, "I'm pretty uncomfortable with that, but, you know, I've -- in essence had crossed a line the first time. And I had rationalized my way right across it." I said, "You didn't get your hands dirty in this." If Caulfield wanted -- to this day, I don't have any idea how to start a tax audit. But this was my first sign very early that they played hardball. And my reaction was, I said, "Well, you're young. Maybe you just don't understand how it's played in the big leagues. And you're playing in the big leagues, and this is the way they play." But I still wasn't comfortable with it. I did a little digging in some other files around the White House that were still in the central files. I'm the kind of person who would go around and introduce myself to people in the file rooms and the other parts of the building to get to know them, just because I think that's a good way to operate, rather than send your secretary to get that kind of information. And somebody down in the file room came up, said, "Yeah, we have some situation on this," where a guy by the name of Clark Mollenhoff, who was a very eminent reporter, was constantly going over to IRS and beating the bush to get tax audits started. I thought well, that's surprising, because here is a Pulitzer Prize-winning, no- nonsense, Mr. Ethics journalist. It wasn't until years later that I found out from Clark that they leaned on him so hard that he felt he had to do that. And that's one of the reasons he left pretty early. So my antenna wasn't fully activated, but I was watching it very early from this first assignment.

Timothy Naftali

Could you give us a word picture please of Murray Chotiner? What did he look like?

John Dean

Yeah -- -- Chotiner was a -- he had dark hair, a little swarthy looking. He had very sort of prominent figures, large nose, heavy eyebrows, black hair, very bright. I'm told that Murray quit school at 15 -- no, at -- yes, at 15, but yet six years later had a law degree. So he's clearly a very bright man. He had run into Nixon in local California politics, and had, was of the school of politics of playing pretty hardball. In other words, it was take no prisoners, negative campaigning, and helped Nixon get elected to Congress the first time, and then worked on his Senate race again. So his -- he's -- he was a man not of -- he wasn't a tall man. He was fairly short, stocky, never saw him overweight in the years I knew him. He -- if I had to put him in the neighborhood, and I don't know if this is correct. But I would put him somewhere in Brooklyn. He may well be from Brooklyn. I don't know.

Timothy Naftali

Would you like to take a



and get out of --

John Dean

I'm fine, if I can keep sipping.

Timothy Naftali

Keep sipping. I just want to be sure you're comfortable.

Timothy Naftali

Good, thank you. What other assignments did you have early on that were noteworthy?

John Dean

Noteworthy? Well, one of the more interesting assignments was that when I got over there, there was no real manual for the staff, which surprised me, because I had been around government enough to know from Capitol Hill to all -- you know, the Department of Justice, there were pretty standard operating manuals. And there was just nothing but more than, say, a memo from Haldeman with some phone numbers and some very broad formats as to how letters and memos would be written, and things of that nature, but not really a staff manual. One of the problems that is very alive today in the Bush administration is who can contact the regulatory agencies, who can contact the Department of Justice, particularly when you have criminal or administrative proceedings going, because as any Washington lawyer will tell you, ex parte contact is something you don't do. We have -- there were other sort of mechanical things about the way the White House operated, conflict of interest. What happened to presidential papers? Who did they belong to, and what kind of records should be kept? What should be sent to central files and what should be kept in your office and what have you? So Haldeman just in the course of a conversation said I'd like to have you prepare some kind of general staff manual, which I did. And I think it was the first one. Another -- in a similar area, was clearing people for conflict of interest. There was no standard set of questions. So I developed, and then when I later got a deputy in, we even refined it further, Fred Fielding, who would go on to become both Ronald Reagan and George Bush II's White House counsel. And I'm told that Fred is still using the same questionnaire we developed back during the Nixon years, refined it some, but, you know, how do you flush out the nominee or the appointee's darkest secrets that could be an embarrassment to himself, and the presidency and the administration. And there were some pretty probing questions. And they are still applicable. So those were the sort of mechanical things.

Timothy Naftali

How did John Connally handle your conflict of interest questionnaire?

John Dean

Very nicely, he actually -- we dealt with his attorney. He had -- he knew of those problems before he had gotten there. He'd put most everything in a blind trust before he arrived, and really had his stuff, you know, was in order. The one who was the disaster was Bill Casey, who Nixon appointed to the SEC. Reagan would later make him head of the CIA. Casey was a, was very entrepreneurial. He would

invest in small businesses, just across the board. He had some dubious business practices. And getting his affairs in order was a true mess. In fact, I -- talk about a memorable moment. Casey had an interesting habit, too, that only a few people ever noticed when he was in a meeting. He chewed on his necktie. He would take his necktie out and he would literally sit there and chew on it. At the end, this thing would be just all juicy and I thought this was somewhat amazing, that he would, you know, eat a tie a day or whatever it was. But anyway, one of the most memorable things that happened is Casey was in my office on a Saturday morning. And I had moved into the EOB, and those are very high-ceilinged offices, not dissimilar from the room we're in right now, very high ceiling. And I placed -- and years later, because that was a great old government building that had had the State Department, the War Department, and what have you in it, they placed fluorescent lights across the top. They were so high, they were inconspicuous, and an entire row, I'm saying probably 15 feet of fluorescent lighting came crashing down the minute Casey walked out my door. I mean he was from that close to maybe ending his life right there. It was amazing. In fact, Fielding took pictures. He happened to have a camera that day. You ought to get those some day for your archives.

**Timothy Naftali**

When -- when did --

**John Dean**

As you know from my files, we do a broad spectrum of business. It is across the board. And one of the things that I told -- particularly when I was able to hire a deputy and really get going, it was our job to sort of be an activist law firm that went out, and a lot of people who followed the history of the counsel's office say I'm the one who really sort of first organized it as sort of an independent in-house legal operation that just wasn't an appendage of the presidency, but -- just another staff member, but literally, an operation where you could come in, get legal advice, get opinions cranked out. We farmed an awful lot of it to the Justice Department or the other department and agencies. They have more manpower than we did. But I've looked back on the opinions we cranked out, and I can't say I'm ashamed of any of them. They hold up well, and I think we gave -- and particularly got in very difficult areas like My Lai, and how to deal with those problems. I think we gave very good and lasting advice at that time.

**Timothy Naftali**

To what extent is the counsel to the president, the president's private lawyer?

**John Dean**

During the Nixon administration the president's counsel became his liaison to his private lawyer. In other words, he would come through our office theoretically protecting the attorney client privilege for things like estate planning that really were not, you know, government business at all, and sorting out particularly with Nixon, where you had two firms vying to do the estate plan. He had one in California, the -- a firm that he dealt with out here, Herb Kalmbach's firm. Then he had another one from his old firm in New York, his old partners who wanted to do their thing. And so I had to sort out through those two competing entities, and it ended up we used the New York firm, basically because it was a little bit more sophisticated and a little bit better planned out and I think more consistent, particularly with Mrs. Nixon's wishes, so that was the sort of personal thing. I also was a conduit on a lot of the

things to get Herb Kalmbach to take care of legal problems with regard to San Clemente and that property out there. Some liaison with -- when Bebe was getting in a lot of press attention, and the president was worried about whether they were going to plow into something that was going to be a problem or an embarrassment for Bebe and himself. That was really quite personal. I just flashed on something. When Alex Butterfield left the White House, the Secret Service came under my office. It had been under his, you know, the liaison with the Secret Service. And one time, you know, they would come in constantly. One day they came in because Bebe had the habit of driving the president, and the Secret Service just really disliked this, when they would be out here in California, particularly, Bebe would be -- get the president, they would jump in the car and go to some restaurant for dinner, and Bebe would be, you know, going 70, 80 miles an hour down the freeway, and they didn't want an agent even in the car. So we had to resolve that. First I had to get Bebe to stop driving and say this is an agent's job, and even though the president tells you, you got to say I can't do it, and so on and so forth. But in the course of the conversation, I said, you know, what in the world -- I would read that they -- the president and Bebe had been out on the president's -- on Bebe's houseboat in Biscayne Bay. I said what are they doing out there? They were out there for hours. Do they fish? Do they watch ballgames? What do they do? And this actually happened to be the guy who was the head of the presidential detail. He said, you know, I was curious about the same thing. He said, "We used to be posted right up on the roof of the -- you know, sort of a houseboat thing." He said, "I would take a chair up there, just so I could have a -- you know, a 360 and see what was going on, if anybody was approaching, what have you. And I would, you know, hear Bebe and the president talking, and then it would stop. And it would sometimes stop for a long time." So one time, he said, "I took my shoes off and went down the ladder and peeked in the window to see what they were doing." And he said, "They were just sitting there not talking." And he said, "I realized that one of the reasons -- I noticed this from talking to other agents that, Bebe and the president seemed to get along so well is he didn't feel he had to talk to Bebe, that they would walk down the beach for long walks, and the president would never say a word." So this was part of his relationship with Bebe, was somebody -- he could have another body there if he wanted to talk to somebody. But Bebe was perfectly happy if they didn't have any exchange at all.

Timothy Naftali

Were you involved at all in the purchase of San Clemente or --

John Dean

No, other than -- other than to see some of the papers and painfully aware of having seen -- but not being involved in that backdating of the deed and all that business.

Timothy Naftali

Tell us about -- you weren't there, but tell us what you know about that story, please.

John Dean

Well --

[off stage voices]

Timothy Naftali

We're about 45, okay, great.

John Dean

We'll just wrap up on this one and then break. It was clear from the estate planning that the president had gotten into the San Clemente property with the hope that he would bank a nice return for him, and that Bebe was instrumental in facilitating the purchase and arranging the financing. The president had very little into it. The Secret Service, I felt there was some illegitimate claims later when they accused him of using government moneys to put fences in and things like that, and clear areas. This is really just essential for presidential protection, and I thought that was misplaced criticism. The -- you know, Nixon was not a wealthy man. He envisioned using his post presidential writings. He was very averse to sitting on boards. He made that very clear, that he didn't wanted to be one of those presidents who sat on boards and collected board fees, and he thought that was demeaning to the president. So he hoped that between his property values increasing and his writings, that he could, indeed, do quite well. One of the more intricate things I got involved in, in this area, was that as a result of Nixon's vice-presidential papers, which I was somewhat involved with, and had gone down to see them in the Archives, in the downtown archives when they were there. I think they were just being stored at the courtesy of the government for him, which he was still claiming them as his own papers. He was going to use those, but because -- to have a very long term tax advantage with his other papers. And he had me working on helping the Congress change the law, because of what he had done as vice president and Humphrey and Johnson had done, were donating their papers for enormous tax breaks to get -- that law had been repealed. And to this day, it has never been reinstated, where a donor of papers can get a tax deduction other than for the value of the papers. If the paper is a one sheet, cost one penny to get it copied, that's the only tax break you can get. You can't get anything for the inherent historical value of it. And this obviously was something that Nixon was very interested in doing, as he was in where he would locate the Nixon Library. He had picked out a site he and Bebe had found down the coast below San Clemente, a phenomenal site, up in, off of the Marine base down there. And he wanted the government to give him that property for the library. We were working on that just as Watergate was starting to disintegrate, and that, of course, went by the way with everything else. But that's where the facility would have been had he had his druthers and not had the disaster that occurred. That didn't fully answer your question.

Timothy Naftali

No, I want to get back to the backdating of the deed for the --

John Dean

You know, I read about that with the amazement that everybody else did. I knew Ed Morgan, who did the backdating of the deed. I had met with this guy, the appraiser from Chicago, who I was very suspicious of all along, because he was appraising Nixon's ongoing presidential papers, too, with these astronomical numbers, which, of course, in this tax scheme, would have worked. And he would be doing nothing other than what Johnson and Humphrey had done with their papers. So it was a total shock to me that Ed Morgan did that, and, you know, I knew Frank DeMarco and Herb Kalmbach

who were also involved in it. DeMarco was never charged, but he certainly had a lot of investigation. And it just seems that, you know, I don't know whether they made a mistake and they were just recovering from their mistake, whether they went back and realized that they had somehow, you know, picked the wrong date and not gotten it in timely, and they were correcting it, you know, they were saying well this is really what the president's intention was. I have never talked to Ed about it before he passed away, and, you know, just can't believe he did that. I'm quite surprised.

Timothy Naftali

Well --

John Dean

I actually, when I worked for MSNBC during the Clinton impeachment had to sit on the set, which were very warm for hours, like six, seven hours a day. A couple of us were anchor buddies. Brokaw would come in, then you'd have Seigenthaler, then you'd have Brian Williams. It was actually kind of a lot of fun. And then when they didn't have anybody in the field, they turned to the anchor buddy, and you had a conversation with the anchor to keep things going. I did that for -- I spent actually more time back in Washington during that impeachment, than I have in the last 30 years.

Timothy Naftali

Oh, well, how long --

John Dean

It went on for quite a while. I was there during both the House trial and then the Senate trial, which ran about total, I guess about -- I was there solid almost about three months.

Timothy Naftali

And how did you feel about the comparison between the two impeachments?

John Dean

Well, that's why they wanted me, you see. I was actually familiar with the Andrew Johnson impeachment. I had read that -- one summer, years after I left the White House, I went over to UCLA and pulled out the congressional record and read the entire debate, just to get a feel for what an impeachment was like. And, you know, by the Andrew Johnson standard, it was, it was equally, if not more partisan on Clinton. And, of course, Nixon's never went anywhere. He never got into -- you never got out of the committee.

Timothy Naftali

It's 1970. I want to ask you about when the Huston Plan crosses your desk. Tell me about that, please.

John Dean

I didn't see the Huston Plan until Tom Huston was getting ready to leave the White House. They temporarily put him on my staff because he was a lawyer, and he would have been just sort of floating over in the executive office building doing ad hoc assignments for the president on intelligence gathering, basically. So I was unfamiliar with his work, and remember when they brought down the plan to put it in -- first of all, I had to put a safe in my office, and then you had to have a special clearance to have the document. So some agents from CIA and the National Security Agency came over to give my secretary and I clearance. I thought this was going to be some sort of great ritual initiation into some higher level of knowledge, and it was basically don't travel to foreign countries and talk into lamps, is what they told me. And it was nothing much at all, other than the fact this has to stay locked up in your safe at night. When I read the document -- excuse me, let me just do this, which it won't be good on camera, but -- we'll pick it up back so you'll be able to cut right to it. Basically when I saw the document for the first time, I was stunned. I really went through it and it was kind of a drop-jaw read, with, you know, these -- you know, removing all restraints on intelligence gathering, on electronic, on mail openings, mail covers, things I didn't even know anything about, I couldn't even imagine our government was doing, were in this plan. And then you'd see these little footnotes down at the bottom from the FBI saying that they disagreed with it. And it was quite an incredible document. I -- what happened is Haldeman came to me one morning, he said, "Come over to the office. I want to talk to you about this." He said that he thought that the reason the president wanted this, but that Tom Huston was such an offensive personality to people like J. Edgar Hoover, if not John Mitchell, that it had gone nowhere. And you're not of that ilk, and I don't know -- I said, "I can see problems with the plan, I can also see that there is a real problem here. And it seems to me, Bob, when I read through all this in the backup memos, it's the problem that the agencies aren't talking. The CIA doesn't talk to the FBI, and they don't each know what they have, and if you could just get that." He said, "Well, why don't you go talk to Mitchell about all that." And Mitchell was very familiar with the plan. He said, "I think it's uncalled for," and he agreed with me that if you could have some sort of interagency committee where they could share information and then develop some kind of digest backing up saying the premise of the plan was that the president was convinced that Communists were influencing the antiwar movement. He had been told this by Lyndon Johnson during the transition. I think he left office convinced of the same. We never found a scintilla of evidence that this was the case, from either the FBI, the CIA, or anybody else, that it was run by Hanoi or Moscow or anyplace else. It was sort of sui generis, and it was just people exercising their strong feelings about the Vietnam War. So I went to Mitchell. Mitchell said, "Don't do anything with it," and he said, "Draft a memo that I'll agree to," and - which I did, and which later went in the record, to create an interagency evaluation committee. And that's all that was ever created, and to me, I have no knowledge of the Huston Plan ever becoming operational, where the restraints were lifted, I read later that in some of the family jewels, the CIA, there is evidence, indeed, that they were doing mail covers. They were doing things, but they weren't sharing that with the White House. So the White House certainly wasn't aware of it. And the interagency evaluation committee was not particularly insightful in the information they developed. It was just another bureaucratic gathering to try to sort through what they were willing to share amongst themselves, and then share with the White House. But my office collected -- you know, got the raw data from all the intelligence agencies relating to the anti-war movement. Because Nixon was very concerned about this, and not -- from multiple points, from a political point it was a negative when he was going to run again. It was also something he was concerned about, just the ability to govern. If you have people rioting in the streets, it's going to make it very difficult to keep the country settled and focused and doing what needs to be done. So I never questioned that there was a need for the intelligence. I did question that there was a need to, you know, block all of the rights and liberties of people in how you get that. I never saw -- I never got into sources and methods when I was there as to how they were getting what they were getting, because the stuff was so lousy, wherever they were

going, it wasn't particularly fruitful. When I've looked at my papers at some of those interagency evaluation committees, they look as weak today as they did at the time I saw them.

Timothy Naftali

Well, how did pressure on you -- how did it reach you? Was it through Haldeman?

John Dean

Yeah, just Haldeman, and it wasn't pressure at all. He just said -- he told me what had happened with Huston, and he had said, you know, he'd said that Huston was able to not get this off the ground after the president had really pushed him to do so. Why don't you see what you can do with it? And what we came out with was this interagency evaluation committee. One of the reasons that I took the plan with me when I left is when -- at that time, I was convinced that nobody would ever believe the kind of atmosphere that had developed within the White House, and this was the best paper record of it that I knew of, and while I knew it was a security breach to do so, I solved that very quickly by putting it -- having my lawyer make arrangements to have Judge Sirica take it, who -- we gave him a key to a lock box so he didn't even look at it. So, you know, there was no security breach with it, not that there was any problem, because Sam Ervin virtually put the entire thing into the Senate Watergate hearing records. They did redact a few parts but they're not particularly sensitive. But what's interesting on that document also is it was so highly classified, that even the classification was classified.

Timothy Naftali

Wow, were you at all involved in the warrantless wiretapping? Did that come through your office?

John Dean

No, our office -- the counsel of the president during my tenure and all through the Nixon administration really until, as I say, until Nixon left I think this is probably true, although Buzhardt, because of the problems that they had when he took over the office during the final groans of their Watergate problems, was closer, but still, Nixon did not -- you know, he didn't -- he was closest to Mitchell. Mitchell -- I was told that -- I knew that from the Department of Justice, that Mitchell was very close and they had a personal relationship, one of the few personal relationships Nixon had with anybody in his Cabinet, and he respected Mitchell. He had him on the National Security Council. He had him on the Committee of 40. He had him as the man who would develop judges and recommend Supreme Court nominees, and he wanted to keep that in the Department of Justice. So the Justice Department, given Mitchell's relationship, was very strong. When Kleindienst became attorney general, it considerably -- and I was still there then -- began to deflate, because Nixon didn't have any relationship with Kleindienst at all; in fact, would let him go at one point very quickly. So the counsel's office, itself, really always sort of deferred to Justice, and we tried to use the Justice Department as the basis for legal opinions and what have you. On the issues like warrantless wiretapping, we were out of that loop totally. Questions like going up and trying to enjoin "The New York Times" during the Pentagon papers, we were tangentially involved. I say that tangentially, when the U.S. attorney and the Southern District is pulling his hair, not that Whiton or Seymour [phonetic sp] had a lot of it. Because of their having to deal with Bob Mardian at the Justice Department, who is like a bull in a china shop, they called my office and said can't you do something about this guy up here? And yes, I was able -- like calling the attorney general and dealing with that sort of thing. But we're not -- we're just aware

because of -- for time reasons, I often had to follow major Supreme Court decisions to see, you know, when I knew they were going to come down and get the slip opinion, because Nixon would need, particularly as a lawyer, he would want to be able to respond even before the Department of Justice could crank the papers around and get a summary of it out. We would have to have it, boom. We would get the slip opinion from the court, within hours be able to give Nixon something you could say about the opinion. So we followed cases before the court. But as far as getting into the areas like the Plumbers, we were excluded totally from that operation, and for good reason. And I'll explain that. After the Pentagon Papers leaked, as you know, from the record, there was a major thrust by Nixon to deal with Ellsberg and to make it a political as well as a legal case against him. One afternoon, Jack Caulfield, who I mentioned earlier, the New York City detective who was not troubled by much of anything -- a New York City detective has seen just about everything and anything you could see in life and human nature -- came into my office wide-eyed, literally. I had not seen Jack that way. He said, "John, I just came from Chuck Colson's office, and Colson wants me to break into the Brookings Institute and firebomb the Brookings Institute." I said, "What?" He said, "Yes." He said, "The president is convinced that there are a copy of the Pentagon Papers in the Brookings Institute, and that if -- what we should do is send a team in there and then explode the place, and when the fire company comes, we could send somebody in to crack the safe and get these papers out." I said, "This is insane, Jack." He said, "I'm troubled by it, too. That's why I'm here talking to you." I said, "Don't do anything." The president, John Ehrlichman, Bob Haldeman, are all in San Clemente. I called John, I said, "John, I've got something we should talk about eye-to-eye, person to person." And so I jumped on the next courier flight and flew to California. Met with him the next morning, and he said, "Counselor, what's troubling you?" And I told him what Caulfield had done. By then, I'd pulled the D.C. code and learned that it's a capital offense in the District of Columbia if anybody dies as a result of arson. And I said, "John," I said, "I can't believe the White House would risk getting involved in a capital offense, would get involved in this kind of insanity," and just went on -- ticked off all the reasons this was just absurd. Colson was still back in Washington, and Ehrlichman picked up the phone. As you know, you would get the White House operator immediately when the -- you picked up the phone, and he told her to get Chuck Colson on the line, and he came right on, and Ehrlichman said to Colson, he said, "Young Counsel Dean's out here, Chuck, and he doesn't think the Brookings plan is a very good one. Turn it off." And put down the phone. And Ehrlichman turned to me, peeping over his glasses, as he would do, and said, "Anything else I can do for you today, counselor?" And I said, "No," I said, "That will take care of it, thank you."

Timothy Naftali

Why did you go to Ehrlichman and not Haldeman about this?

John Dean

Because Ehrlichman was a lawyer. He would understand when I laid out a legal argument that this was absurd. And he also -- you know, I just -- he was sort of my immediate on legal issues. Haldeman -- I could have gone to Haldeman just as easy. That was my first -- I had a good rapport with both of them, but that was my instinct, that he would do the right thing in that instance, and he did. What happened after that, I was telling you why I didn't get involved in the Plumbers. Bud Krogh, who had been traveling abroad, stopped in San Clemente on his way home, and got the assignment to start the Plumbers' Unit, the special investigation unit. And when he came back to Washington, he said, "John," He said, "I'm doing something I'm not allowed to tell you about." And he said, "Normally, I suspect your office would be doing it, but there is some people out in California that



think you've got a lot of little old lady in you." And I knew exactly what he was talking about, and was not troubled by it in the slightest. And I didn't know what he was doing with the special investigations unit. I wouldn't learn about that until after the Watergate break-in.

**Timothy Naftali**

Now, this little old lady comment was after or before the Brookings?

**John Dean**

It's after I shut off the Brookings --

**Timothy Naftali**

After shutting off the Brookings?

**John Dean**

And I've got to say, the Brookings Institute has never, all these years, so much as sent me a note thanking me for not having them fire- bombed in 1972, '71.

**Timothy Naftali**

Have some water. One of the things Bud Krogh told us was that he was told that there were suspicions that Ellsberg was sharing his material with the Russian Embassy.

**John Dean**

Right.

**Timothy Naftali**

Did that material come through your interagency group?

**John Dean**

No, no, in fact, I didn't hear that until I talked to Bud long after the fact. I said to Bud -- Bud and I have talked about this. We stayed in rapport over the years, and I've said, you know, "Bud, national security areas were such gray areas as to what was national security." And he agreed. And I said, "You know, I think if we would have ever talked that out at the time, if I had been in the loop, I think, you know, I think you needed some support for your own doubts." But he took it at face value, being, you know, if the president said this is a national security matter, this is a national security matter. And theoretically that's true. A president can say this is national security. When I was later breaking rank with Nixon, one of the things he enjoined me, that he said, "John, you cannot talk about any of those activities. They're national security." You know, later he would lift that, and that restriction would go away just by the absurdity of the claim, because they were certainly -- it was dubious. It was gray. Ehrlichman pleaded that defense, tried to sell that defense to a court, and when he was prosecuted for his involvement in the

break-in in Daniel Ellsberg's psychiatrist office, and it didn't work. It was clearly beyond the limits of national security.

**Timothy Naftali**

Let me ask you about the break-in into Dr. Fielding's office. In *Blind Ambition*, you recount a conversation with Bud Krogh where he tells you how that was authorized.

**John Dean**

Yeah, the -- after, after the fact, after the infamous break-in, in Dr. Fielding's office, and as I say, I didn't learn about that until after I learned from Liddy the same men had been involved in the Watergate break-in had been used in the Ellsberg psychiatrist break-in, and that, of course, was traceable directly back to the White House. Krogh had told me that, you know, that indeed, Ehrlichman had signed off on that, but Ehrlichman -- but he also, at the time, and this is when I'm telling Bud that I've had it. Somebody has got to stand up and stop this activity. Somebody has got to go in, and this is just before I went in to tell him, the president, how serious this matter was. All of these matters were collectively. And Bud said, "I agree totally," and he -- and I said, "I don't want to cause a lot of grief for everybody, but we are just -- the president is not being well advised, and these activities" -- And Bud said, "You know, John," he said, "I believed that my instruction came directly out of the Oval Office." So Bud later did not support that memory that I so vividly remember when he gave it at the moment. Now, whether he was doing that to bolster my drive to get in there and get the president to get his feet on the ground or whether he was -- in actual fact, I don't know. Maybe he doesn't, to this day, remember. And I -- you know, as you piece together after the fact, the trials that occurred when Ehrlichman was convicted for that, Ehrlichman would later claim that he had a conversation, ironically, on the beach, outside of any of the taping devices in San Clemente with the president about a lot of activities that were of that nature. So who knows? I don't know we'll ever construct that. I have found, in my own historical inquiry from time to time into issues when I've used the tapes, that Nixon had a very steady practice of very seldom mentioning once on a single incident anything about anything. He repeats himself constantly. So something that comes up once, particularly anything that troubles him, he will re-raise and re-raise, so if it's not there, but nobody -- we don't have enough of the transcripts of all the conversations at this point to ever sort of electronically check that, if you will, because it would be a massive amount of reading.

**Timothy Naftali**

How do you find yourself in the midst of discussions about campaign political espionage? This is going to happen early in 1972.

[off stage voices]

**Timothy Naftali**

Sure -- Okay, it's early 1972. Why were you included in meetings about campaign political espionage?

John Dean

Are you talking about the meetings with Mitchell?

Timothy Naftali

Yes.

John Dean

Good question. What happened is when Jeb Magruder first went over to run the reelection committee before Mitchell had gone over there on a day to day basis, my -- he has no general counsel. They -- one of the things that I felt we were responsible for was that Nixon, one, got filed properly everywhere in every state and every jurisdiction he needed to be. My office gathered all the state election laws so we, you know, knew what they were, because no one was covering this. And if anyone was going to make the mistake, it was going to be our office. I -- at one point in his management style, Haldeman would constantly send out memos, what are you doing, what is your office working on, so on and so forth. I was repeatedly saying how much time we were spending on the legal work of the -- of the reelection committee. When Magruder first went over there, he was a little intimidated by John Mitchell. He knew I was pretty close to Mitchell, not really, you know, not on a friendship basis, just on a working relationship. I could pick up the phone, talk to him anyway, any time I needed to, was comfortable in dealing with him. And Jeb was -- this was early when this question of campaign intelligence and all came up. And for reasons unbeknownst to me, when Jeb is going over, he said, "I think you should come over and hear what Gordon Liddy," who I was responsible, thanks to Bud Krogh, sending over to be general counsel of the re-election committee. What had happened is Ehrlichman -- excuse me. Haldeman had told me, your office has got to pull back from all that legal work you're doing for the re-election committee. You know, you're taking away from work. You're just putting too much on yourselves. We were; we were stretched thin all the time, busy office. And so he said, "Find somebody you can work with over there. Find somebody who can be a good general counsel." I had just been out traveling around the country vetting potential Supreme Court nominees, and because Ehrlichman wanted somebody from his staff there, he had David Young join me. I had never known David Young, had a nice rapport with him, found him an able lawyer. He was very politically sensitive. I thought he would be a good person to be general counsel of the re-election committee. I went and said to Krogh, who was his partner in running the special investigations unit, I said, "Bud, how about sending David Young over?" He said, "No, no, the president still needs him here. I got the perfect guy for you, a guy by the name of Gordon Liddy." I didn't know Gordon Liddy from Adam. I now know, and Bud has told me years later, he said we were trying to get Liddy out of the White House. This is after he has done this bungled burglary at Ellsberg's psychiatrist's office. We were trying to figure out how we can get him out and put him someplace where he'd be safe. I never dreamed he would get over there and do the things he did. But clearly, one of the jobs of the general counsel was to keep an eye on anti-war intelligence and where it could effect and disrupt the campaign. They wanted our office to supply that information. I said, "I can't do that. That's classified information. It really can't go out of the government. You're going have to have develop your own capacity," with a little knowledge that Liddy would develop and think he was James Bond and create a whole new intelligence army within his operation. Anyway, so this is why Jeb, I suspect, said, "Why don't you come over to hear what Liddy is going to present to Mitchell about intelligence gathering?" And I went to that first meeting where Liddy makes his pitch, where it's an incredible session. Liddy's got it set up. He's got charts, and he's got everything in code names, and he starts talking about things like chase planes to intercept ground

air communications with an opposing candidate. And I -- you know, I can't believe Mitchell is taking this seriously, and I don't believe Mitchell is taking it seriously.

Timothy Naftali

What about the houseboat, the houseboat --

John Dean

I was going to get to the houseboat. How could you forget the houseboat? This is the one time I inject myself in -- I'm just sitting there listening to this amazing pitch, and Liddy says, "General" -- he called Mitchell "General," -- he said, "We've got a really very innovative intelligence gathering operation to sort of crack the inner circles of the Democratic Party. What we've done is we have leased a houseboat on one of the canals down in Miami near the convention center, and we have a squad of prostitutes who will lure officials into this houseboat that has a two-way mirror operation, and can take pictures and get these guys confessing intimate secrets of the Democratic Party." And I, at that point, said, "Gordon, you've got to be kidding. This isn't even James Bond stuff." I made some crack that really offended Liddy greatly at the time. He snapped it away from me and looked at Mitchell and said, "General, I can assure you, this is a good operation. These are the finest girls from Baltimore." So it was just -- it was that kind of conversation. I never believed Mitchell would approve that. And so I was surprised when a second meeting -- I didn't inject myself any further than that. Mitchell had said, "Gordon," when he put a million dollar price tag on this, he said, "That's a little bit high. Come back and we're really interested in the anti-war movement." In fact, his plan for the anti-war demonstration was quite incredible also. He said, "We're going to kidnap the leaders of the anti-war demonstration. We will take them below the Mexican border and keep them out of commission during the campaign." I later talked to a lawyer for the antiwar movement, and he said, "What Liddy didn't realize at that phase of his plan, a number of those guys would have loved to have been drugged and taken below the border." But anyway, that was the ilk of this plan he envisioned that included everything, as I say, from, you know, using prostitutes to gather information to wiretapping. It was just a whole illegal plan. As I say, I didn't think Mitchell would give it a second look. Liddy did revise it down to about I think a half million or a quarter million dollar plan. It was a half million the next time, went back, and I wasn't planning to attend any more meetings. I have now realized, I went to Haldeman -- I was able to document from Haldeman's calendars, years after the fact, long after any of this was available contemporaneously to talk about, I went to Haldeman twice on this. I went to him once after the first meeting and said it was absurd, and went to him the second meeting and said, "This thing has got to be cut off." But I only testified to going to him the second time, because that was the only one that was really clear in my mind. But I realized from Haldeman, all this time, knew I had been in there twice to talk about this, this plan. But anyway, after this -- I was invited back by Magruder the second time, went up the elevator -- having been in the department, I knew how to get up the back elevator right into Mitchell's office, went in. The meeting was in progress. And I heard them talking about wiretapping and targets and all that. And I said -- I threw what I thought was pretty cold water on the whole thing. I said, "I don't think these things ought to be discussed in the office of the attorney general of the United States," which Mitchell later testified indeed that's exactly what he said, and that ended the meeting. I was dumbfounded to later find that a month or so later, Magruder and Mitchell meet in Florida and approve a Liddy plan. So it didn't take me very long, when I heard what had happened, to put the pieces together, that they had gone forward with this. So as I say, I had gone to Haldeman after both meetings. After the second one, which I did testify about, I remember Haldeman very vividly saying to me, "You should not be involved in this at all."

Timothy Naftali

Haldeman had a representative at these meetings, didn't he?

John Dean

Well, Magruder.

Timothy Naftali

Well, also Strachan?

John Dean

Well, not in the meetings with Mitchell, although Strachan was the liaison with the re-election committee and talked to Magruder many times a day. He -- he is aware, something I'm not aware of in looking at some of Strachan's notes that did surface later from his memo, his political action memos, that he was aware that Liddy did get, you know, hired, did get an intelligence plan up and going, and I've never -- you know, Strachan has testified under oath a number of times, recently in a civil lawsuit I brought, where he really is just not clear. He doesn't have any distinct memory of it ever being approved, you know, to have the illegal activities in what he's told me. He just doesn't -- he said, "I just didn't focus on it." He said we ran-- the whole -- and we should probably spend more time on this, talking about this, the way the whole Haldeman staff operated, it was very efficient, but it also was not very thorough. It made sure every -- it made sure the trains were running on time, but not always very careful about which direction they were going. So -- but that's a whole other explanation of why, you know, you could have the impression that Strachan might have known more than I think he did know. I think he knew that Liddy was there. He was doing intelligence gathering. He knew he was a wacko, and -- but he'd also -- probably knew I had been read out of it and told not to be involved in it.

Timothy Naftali

But just to jump ahead a bit, after the break-in, the second one, Strachan comes to you.

John Dean

Yes.

Timothy Naftali

This is like the 20th of June. What does he say to you?

John Dean

He tells me he has cleaned his files, and he said at Haldeman's request. And obviously, this is, you know -- what this means, you know, you can read it as well as I can. I don't -- I try not to get too much into supposition because I just don't know what was in there. Here's where I back up -- here's where I come from on this. It's difficult for me to believe that Haldeman and Nixon didn't know that there was

somebody over there with that capacity. I've never found any evidence they knew someone was going to break into the Watergate. I don't have any evidence that they knew they got in there the first time and screwed it up, and were going back in a second time. The fact that somebody was over there doing that couldn't have surprised anybody when it surfaced.

**Timothy Naftali**

Tell us your reaction when you hear about the break-in.

**John Dean**

When I heard about the break-in, I had been in Manila giving a speech for the -- for the Bureau of Narcotics at that point, or it's actually the Drug Enforcement Agency, it becomes later. And it was a graduation speech for a bunch of agents who had been trained by DEA, and I got back -- I -- crossing the dateline is always a body twister, and I had really flown out and was flying back, and I arrived in San Francisco and I'm feeling really just jet lagged badly, so I called Fred Fielding, my deputy, and I said Fred, "I'm going to stay in San Francisco and just rest today and come back tomorrow." This is on a Sunday night. And he said, "Well, I think you better come back. He said, "There's been some activities here that you should know about." And Fred wouldn't say that if it wasn't serious, so I flew back, met with Fred, who lived right down the street from me in Old Town. Fred tells me about this arrest at the DNC, and my immediate reaction is Colson. I'm thinking back of Brookings, I'm thinking all that. I'm thinking this sounds like Colson's gone crazy again. The next morning, it doesn't take me very long when Jeb Magruder calls me and said, "It's Liddy; it's a disaster. He's -- his men -- Liddy says there are other footprints around, are in trouble." He says, "I can't talk to Liddy. You've got to talk to him." So I learn from Liddy, who tells me that the same men that he used when he's working at the White House, doing the Ellsberg break-in, are the people who are sitting in the DC jail. In fact, to this day, Tim, I don't think that the cover-up would have ever gone where it went, had it not been Liddy's bungling tracked it right back to the White House. If it had just been something that they had cooked up over at the re-election committee and no traces back to the White House, they would have let -- they would have cut him off and let Mitchell sink or swim on his own. But what happened is because Ehrlichman is involved in the -- in the Ellsberg break-in, he blames Mitchell for not keeping Liddy under reigns, and Mitchell turns around and blames Ehrlichman for sending a guy like Liddy over to his operation. I become the middleman between them, because I'm the only one that can talk to them at this point. Mitchell is denying the fact that -- well, I shouldn't say "deny." When Ehrlichman -- excuse me, when Haldeman asked him the Monday morning after the break-in, "John, did you approve this?" Haldeman would later say Mitchell just stonefaced him, just like the question hadn't even been asked. And it isn't until literally a year plus later that it comes out that Mitchell, indeed, has approved the Liddy plan, just as Magruder would testify.

**Timothy Naftali**

You're trying to make sense of it. What are your first -- what's your job? What are you supposed to be doing when you get back from Manila?

**John Dean**

I never -- well, I learn about -- I learn quickly about the Plumbers' operation, what they've done. And I realize that this could, one, cost the president the election. Two, we've got White House aides who all I

don't even know. I know Krogh, Young, Ehrlichman, just knowing the way the White House operates, Haldeman, if not the president. I don't know who all is involved. No one is sharing it with me. They bring me in slowly into the thing. Haldeman and Ehrlichman take charge immediately. They call Kleindienst over, who is then attorney general. I'm invited to the meeting. I'm in the second part of the meeting, and I can tell, nobody is really sharing anything. Kleindienst, who is my former boss from the Justice Department, asked me to come back to the Justice Department with him and talk to him because Liddy has gone out over the weekend when Kleindienst is playing golf at Burning Tree and told him, he just blurted the whole thing out. These are my men; they were arrested in the Watergate. We got serious problems. So he's told the chief law enforcement officer who has already been compromised, and Kleindienst is terribly troubled by this. So he asked me if I will meet with Petersen. I talked to Petersen, who I also -- who was then head of the Criminal Division, who I know well. And I've had lots of sort of heart to hearts with Petersen earlier when, for example, the White House is leaning on people not to be prosecuted in the labor movement. Petersen and I talk about it, and he says, "John," he said, "These people don't understand the way the Department of Justice works. They don't understand once an FBI investigation has started, and this evidence comes up through the U.S. attorney's office, and up into my office, and up into the attorney general's, the track record, you just don't turn off a prosecution at that point. You can't put a fix in. It just won't happen." He said, "You got to go back and tell these people to back off," which I did. So I'd had these kinds of hearts to hearts, where people have gone, done things they shouldn't be doing, but Petersen didn't accuse them of obstructing justice, just being stupid. I tell Petersen, because I know about the Ellsberg break-in, and I know other wiretaps at this point that I've learned about from Caulfield and, you know, Caulfield running a wiretap through the Secret Service on Nixon's brother, where they -- also Ehrlichman ordering a wiretap where he tries to wiretap Joe Kraft, the columnist's telephone --

Timothy Naftali

You know this before the break-in?

John Dean

[Unintelligible] before the break-in. I just know that we've got a disaster on our hands. So I talk to Henry Petersen, and I say, "Henry, I can" -- the FBI has, by this time, made it a federal case. They've come into the -- after the arrest. Initially it's a local burglary, because there is electronic equipment found very quickly that makes it a federal case. The feds and the U.S. attorney's office in the District of Columbia, which reports right back to Petersen, is in the case. I tell Henry, I say, "Henry, listen. I don't know, you know, all the details of this. And -- and I obviously wouldn't be in a position to tell you if I did, but I do know one thing, that I don't believe the White House could take a wide open investigation by the FBI. If the FBI agents just start coming in there and following this lead after this lead after this lead," and I'm thinking about what I don't know is national security or not national security, this break-in in Ellsberg's psychiatrist's office, which Krogh is calling national security. And I tell Henry, I say, "This has some national security implications, what these guys were doing when they worked at the White House, and it's real trouble." Henry says, "John, I will tell you this. The FBI and the Department of Justice is going to do a very narrow investigation. We will only investigate what happened at the Democratic headquarters of the Watergate. And that's pretty much what they did.

Timothy Naftali

Sorry for the naiveté, but are you winking back and forth at each other?

John Dean

No.

Timothy Naftali

Does he know what the implications are of taking a narrow --

John Dean

There are no implications. I don't believe that -- well, to my knowledge, Henry Petersen never obstructed justice. In fact, he would go over and report to the president, later, after I had broken rank and is taking back stuff I'm giving the prosecutors. Could well be deemed an obstruction of justice, too. You got to draw the line somewhere, because I'm dealing with the authorities. It's not much different than a lawyer going in to tell, you know, informally, we've talked with prosecutors. Here's my client's situation, here's your decision. He could have said -- he said -- well, I don't believe any Department of Justice, probably in any era, would feel they had the wherewithal and the power to investigate a White House. I mean it's just -- that's who they worked for. They worked for the president. They served -- Henry Petersen served at his pleasure. He just happened to be a career guy. So I'm not trying, at this point, to obstruct justice. In fact, this is something that's not even in my radar for a long time. I've often thought, had I been trained in the criminal law, which I was not, never occurred to me you needed to be -- have experience as a former prosecutor or defense attorney to go to work as White House counsel. Now, today, after I realized it was essential, it was very essential in the Nixon administration you have that skill. Post Watergate, every White House counsel has had an experienced criminal defense or prosecute -- somebody with prosecutorial background on the staff. It's kind of a sad commentary, but it's a reality because of the criminalization of a lot of politics. But it never occurred to me that we were obstructing justice. I just knew -- you know, I knew you couldn't lie and couldn't do things like that, and I was very distressed by the hush money, and tried to tell my colleagues this isn't a good idea, but higher powers than me were making these calls. So, you know, Henry is playing it perfectly straight, and I think he, you know, just did intend, and in fact that's all they did do, is make a very narrow investigation. What happens, even in a narrow investigation, they just start picking up all kinds of other stuff, immediately the fact that these burglars have cash in their bank accounts in Florida where they have been laundering money for Liddy, for him to get back into the campaign. It just opened up a can of worms, and that's how it became impossible. It just kept unraveling each day a little bit further. And I always hoped that Nixon would get out in front of it.

Timothy Naftali

When did E. Howard Hunt's name appear on your radar?

John Dean

I had met Hunt once in Chuck Colson's office. He introduced himself. Hunt recounts two times. He said Colson introduced him to me in the hall once. I didn't remember that. I remembered meeting him in sort of the waiting room area of Colson's office. I never had any dealings with him. In fact, I had very few dealings with Liddy after he went over there. I told Liddy that he could have access to my



files, where I had all the state election laws, but I found that Gordon wasn't much of a lawyer, and those were details he was -- fortunately he got somebody else in who was competent to handle.

**Timothy Naftali**

When did you first become involved in the hush money?

**John Dean**

The hush money, you know -- what Liddy claims he told me when we met on Monday morning, that he needed funds for -- a commitment or I had made a commitment or somebody had made a commitment to him to take care of his people. That's just incredible to me. How did anybody know he was going to go over there and screw everything up and have all these contingency plans and was going to toss it back to everybody else to take care of him. This is just, you know, Liddy inventing things after the fact. He also did the same thing with Bob Mardian, who had moved over as Mitchell's assistant, that said that a commitment had been made to these people to take care of them if anything happened. And they were in deep trouble. They needed money to live on, they needed money for lawyers, and as that progressed, it wasn't initially hush money, but soon became evident that if they didn't have some way to sustain themselves, they were going to have to talk. So that's how the hush money evolved.

**Timothy Naftali**

When do you first meet the -- when do you first talk to the president after the break-in?

**John Dean**

I think that the first time that we really just -- other than I'm in there for some, you know, things like will signings or other unrelated matters, is in September, the day after the indictments come down against Hunt, Liddy, and the four Cuban Americans and McCord, who have been arrested inside the Watergate. And Nixon's obviously pleased that the case has been held right at that level, that neither Mitchell nor Magruder, who he, at this point, knows are up to their eyeballs in this thing, and they approved it, but the cover story that the money that was being given to Liddy was to protect surrogates and do intelligence gathering of just a general nature, has held, and Liddy and his men aren't talking. So, you know what's interesting, is in some of the cases that -- actually some of the burglars had their cases reversed by the Court of Appeals in the District of Columbia, that they had a legitimate right to rely on Hunt's representations that they were doing this for the president. Which tacitly makes -- gives you presidential authority to undertake this kind of a burglary. I never understood those holdings, but they have held to this day.

**Timothy Naftali**

Well, I asked you about when you first met him, because I think it's on August 29th, the president in a public statement would surprise you by mentioning something called the Dean investigation. Could you give us a little bit of that?

**John Dean**

Well, he was out in San Clemente and having a press conference, and he was asked by the traveling Press Corps why he wasn't appointing a special prosecutor to look into this, because of the potential conflicts of interest. He said, "Well, there is no need for that." And he ticks off the fact that the FBI is investigating it. The Congress has a number of committees investigating it.

The general accounting office was investigating it. At that point, the SEC might have even been involved. And he finally says, "And my own lawyer has made his investigation and found nobody presently employed in this administration is involved in it." As I say, this was the first time I had heard of this investigation, and after the president made the announcement, Ziegler, the press secretary, asked me, he said, "Well, do you have a -- can I have a copy of your report for background or whatever?" I said, "Ron, there is no report. I don't know who put that in the president's ear, but -- or if he just dreamed it up, but there has never been a report made by me." And from that time on, there was a great deal of pressure periodically that I write such a report. And I always refused to do so. I -- when Haldeman first suggested it, I said, "Well, yeah, I'll get everybody to write their own affidavit and I'll just put them in and summarize them, but I -- you know, Bob, as well as I do, the problems with this." So there never was a Dean report.

Timothy Naftali

So you meet with the president in September. How is the --

John Dean

Incidentally, on the report, you know, it was a shrewd move if I had done it, because I think what their thought was, that the president would be able to pull that report out of his drawer and say, "Listen. This is all I ever knew. And I relied on my counsel." So I wasn't going to lie to the president about it, and not that -- I wasn't even thinking in those terms, but when I realized the way the game might be played, as we were getting towards the shorter strokes, I was very glad I hadn't written that report.

Timothy Naftali

No, no, it would have been used against you.

John Dean

Yes.

Timothy Naftali

You see, though, that the game is changing because even Kalmbach doesn't want to be the moneyman anymore, and that switches, I guess, to LaRue.

John Dean

Right.

Timothy Naftali

So you now, whether you like it or not, are the intermediary for extortion.

## John Dean

Yes, the first time I get a direct request is about, about March 19th or 20th of 1973. And as it happens, I'm dealing with the president on a fairly regular basis because after the president wins his re-election overwhelmingly, he wants to get rid of Watergate. He wants it to go away. He wants it to stop. He wants -- it's taking too much time of Haldeman and Ehrlichman to be involved in it. So, you know, both of them say deal with Dean. He knows everything about this, and he can keep you abreast of it. I don't know how much they have told him or have not told him. I've never really looked back to construct that, but I had the impression that they really hadn't been very fair with him in keeping him aware of the problems, because they're up to their eyeballs with their own problems. And so I tried to start educating him, and by the time I get the first direct request, comes from one of the lawyers at the reelection committee who's met with Howard Hunt's lawyer, and he's a lawyer handling -- he comes in after the break-in, after the Democratic National Committee brings a lawsuit, he's one of the civil lawsuit attorneys, he meets with Hunt's lawyer, and Hunt's lawyer gives him the message to give to me, that if Hunt doesn't get paid his money, something like \$120,000 that he needed two days ago, he's going to have a lot of seamy things to say about what he did for John Ehrlichman, an obvious reference that that lawyer doesn't understand to the Ellsberg break-in. That's, to me, the -- this is the first time I get a direct extortion or money request. That to me was the end. I said, "That's it." It just happens Bud Krogh was over that afternoon, and I told Bud, I said, "Bud, I've got to tell you that I'm about to blow this up. And I'm sorry that people are going to be hurt, but it's getting too far, there is no end in sight, and I'm going to try to get the president to put an end to it." And that's when I would go in actually on the morning of March 21st, and to get his attention, I told him, after a little introductory chatter, there was a cancer on his presidency. Because that's the way I -- it was just malignant, the way it was just consuming. And it was getting worse, and I figured he had to do the surgery. And I did -- often by that time when I went in, he would have his feet up on the desk, and talked to me around the shoes. Well, he had both feet on the floor by the time I gave him that little introductory chat. Then I tried to take him -- as Len Garment said, I can't believe how much information -- he said, "Did you ever prepare those remarks?" I said, "No." I said, "That was just sort of an extemporaneous summary of the high points, and, you know, I didn't get everything, but I certainly gave him the gist of everything." And, of course, Nixon would later rely on that as his defense. I've listened to that tape, and it was very clear to me what I was trying to do. I'd try to hit him with a fact as to how bad things were, you know. "Bud Krogh, Mr. President, believes he committed perjury when he was nominated to be undersecretary, because they ask him a lot of questions about, you know, the Ellsberg break-in," which Nixon said, "Oh, that's the first time I've heard of that." But anyway, when I tell him about Krogh's potential being charged with perjury, he says, "Well, John, perjury is a tough rap. That's a tough rap. You can -- it's hard to nail somebody for perjury." He's got answers for everything. And when I finally lay on him the fact that these guys want money, who knows how much, he asked me, he said, "How much could they want?" And I pulled at that point, and what is it, it's the spring of '73, a good number of years ago now, but I pulled -- I said a million dollars, just pulling it right out of thin air, trying to take what I thought would be a rather ugly awesome number that -- not knowing if that's the amount or not. But Nixon's response was, he said, "That's no problem, John. I know where we can get a million dollars," which I realized was not carrying the day, and I also now know that after my meeting, he went to see Rose in her office and said, "How much money do we have in the kitty?" So he was, he was actually prepared and had the frame of mind that we had to pay Hunt off. He would later claim that he didn't give an order to do so, and I don't think he did, because it got handled over at the re-election committee by Mitchell.

Timothy Naftali

Would you like some more water?

John Dean

Yeah.

Timothy Naftali

Well, of course, we have a tape of that meeting, but what we don't have a tape of is what happened afterwards. When you left the Oval Office that day, what was your reaction?

John Dean

My reaction was that I had effectively removed myself as the desk officer of the cover-up, that I had made very clear, because Haldeman came into the second half of that meeting, that the sequence of followup was to be -- to bring John Mitchell down, and to get Mitchell to stand up and account for, you know, the burglary and hope if he would do that, that no one would look into the cover-up. What happened, as I later describe, is a meeting in Haldeman's office when Mitchell came in. Nobody ever said anything. I thought I was going to see one of the great confrontations, but Haldeman -- neither Haldeman nor Ehrlichman really had the guts to confront Mitchell. And there is a later meeting with Nixon where Nixon kind of wants to know what happened, and the answer is that, well, nothing happened, and it was kind of humorous in the way it was said, and that's the great line, "modified limited hangout" came out. That's what they were suggesting Mitchell might do or Nixon might do, where you say something but don't say anything, because Mitchell was toughing it out, then. He was prepared to go down in flames, if necessary. He wasn't going to -- you know, he just wasn't going to stand up and be accounted for.

Timothy Naftali

If you were the desk officer of the cover-up, who was the general in charge of the cover-up?

John Dean

I had several generals. I'd say Mitchell at first, and then it was a combination of -- it was mostly Haldeman, mostly Haldeman.

Timothy Naftali

Haldeman felt vulnerable, I assume?

John Dean

Well, I don't know that Haldeman -- I don't know that Haldeman felt vulnerable. I think everybody had a vulnerability. I think Ehrlichman had a greater vulnerability. He, obviously, took more overt acts of getting Young to theoretically make documents disappear that would track back the Ellsberg

-in to him. Haldeman was -- I believe I was aware of that as well. They just knew that there was a huge disaster, but they thought that PR was the answer. I tried to dissuade them of that. I remember the first time I told Ehrlichman that we were obstructing justice, and he said, "John, there is something putrid in the water you're drinking out there in Old Town where you live." He didn't want to hear it. I said, "Well, John, you better listen, because we're on the other side of the law on this."

Timothy Naftali

What role do you think the president played in the cover-up?

John Dean

Well, it wouldn't have happened if he hadn't have wanted it. He knew very well. When you go back, you know, he bases his defense on my March 21st conversation when it all comes falling down, and said, "Before Dean came in, I didn't know anything." Actually some of my conversations before March 21st are highly revelatory. I'd give him bits and pieces. I just happened to lay out and use that dramatic term that there is a cancer on your presidency in that talk. But that's his defense. So when the tapes come out that he has talked to Haldeman within days of the break-in about using the CIA to block the FBI investigation, it -- you know, it decimates his defense. So he's clearly involved all the way along. I've never -- I've never made an effort, because I don't think they're all available or all transcribed, but some day, somebody will construct what Nixon's knowledge was, when and where along the way.

Timothy Naftali

When did you hear of the possibility of using the CIA to blunt the investigation? Did you hear of that in the summer?

John Dean

Well, what happened is I go -- Pat Gray, somebody else I know, he had been head of the Civil Division of the Justice Department when I was there, so he -- you know, you develop a working trust with people you know and what have you, which he didn't have for Ehrlichman or Haldeman. He liked Nixon, but he had no rapport at all with Nixon. So I go over to -- Gray calls me over, after they have done some preliminary investigation, and he says, "John," he said, "This has got to be one of two or three things. It's either the re-election committee has authorized these guys to do this, and it's just a bungled operation that they screwed up, and, you know, I don't know who from there authorized it." But he said, "One of the other strong things that we're very troubled about is the fact that Howard Hunt's an ex-CIA guy. Jim McCord is an ex-CIA guy. All the -- three of the Cuban Americans have CIA ties." He said, "We suspect this might be a CIA operation as well." Well, I was reporting back to both Haldeman and Mitchell, and when I give that report that evening to Mitchell, he said -- he says to me, he says, "John, tell Haldeman" -- I told him I hadn't brought Haldeman up to date. "Tell Haldeman to call Dick Walters and tell Dick Walters to tell the CIA -- to go and tell the FBI to stay the hell out of this." So that's exactly what I did. When I report to Haldeman, I say, "Here is what Mitchell is suggesting," and Haldeman would later go into the office and tell the president that, and the president not only tells him how to do it, but, you know, tells him how to do it better than Mitchell could have suggested. So that's where that all generated from.

Timothy Naftali

Tell us a little bit -- it's very dramatic, about what you did with Hunt's safe in the White House.

John Dean

Well, there is a lot of misunderstanding on that. I didn't do anything very dramatic at all. Right after the Haldeman -- excuse me. When Colson says that Hunt has an office, he's on the payroll, and we're going to get -- I thought he was off, and I'm going to clean that up with personnel, but there is a safe in his office also that's, that's locked. And nobody has the combination. I believe today that Colson's secretary did -- Howard Hunt did give her the combination, but that wasn't being volunteered at the time. And Colson says, "Lord knows what's in there," but other than the fact that Hunt dropped down to my office and told my secretary, "My safe is loaded." So he's worried about it. Ehrlichman gives instructions when Bruce Kehrli comes up with the personnel records to have the -- whatever procedure you use to open that safe. That happens when I'm gone. And the safe is opened. My deputy, Fred Fielding, is there, and they bring the contents -- there is a gun, some diaries, papers, what have you, they are just put in boxes by the Secret Service, and they're just dumped in my office. And Fred Fielding and I, at Fred's suggestion, he said, you know, the doctor's office is right across the hall, let's not touch this stuff without surgical gloves on. So that makes sense to me. So we get a set of surgical gloves and start going through these papers, and there is a lot of stuff about the Ellsberg break-in in there. There are a lot of personal things of Hunt -- letters to -- from his wife and drafts of letters to her. I believe she -- I've never known this for a fact. She might have been a CIA agent as well, at that time that wasn't -- women were very few and far between in the ranks of the CIA. So -- and there is an address book and a lot of other things, which sits in my safe -- oh, the other thing that's in his safe is a big attaché case that's filled with electronic surveillance equipment: wires, bugging devices and what have you. And what we find out later is that this is -- McCord had given Hunt this. Hunt had come over to the White House after the arrests of the men at the DNC, stuck this into his safe, and I turn -- you know, this sits around. I say to Ehrlichman, "What in the hell are we going to do with this stuff? The FBI is going to be wanting whatever was in Hunt's safe sooner or later." And Ehrlichman says, "Well, John, you drive across the Potomac every night. Put it in the Potomac." I said, "John, I can't do that." We turned over the attaché case with stuff, which was clearly related to the break-in and what have you, to the FBI. And this is very unsophisticated. We just give the rest of the stuff, or what I thought was the rest of the stuff, to Pat Gray in two envelopes. He's called over by Ehrlichman, and Ehrlichman tells him this stuff should never see the light of day, and it just should be kept in whatever secure file you have. That way the White House can say we've turned everything over to the FBI. Much later, we learn that Pat Gray, on his own initiative, and this really didn't come from -- I was there. It didn't come from anything that was said to him. He destroys all that data and information, two envelopes full of -- he puts it in a burn bag or he burns it with Christmas wrappings up in his home in Connecticut. This is clearly an obstruction of justice, but he didn't get nailed for it, because he claimed, again, that he had been told -- to the best of our knowledge, none of it related to the Watergate break-in. And that's true.

Timothy Naftali

Was the Diem coup --

John Dean

Yeah, we flipped -- there was a stack of cables that had come from the State Department that I gave to David Young, who I think sent a lot of them back to the State Department. But there was one in there that showed that Hunt was playing CIA forger and making the Kennedy administration, if not the president himself, responsible for the killing of Diem during the time he was president of South Vietnam, that assassination. It's clear -- there is something -- there was some memos relating to that, where they tried to peddle it to various people in the media, a guy by the name of Lambert through Colson's office. So there is a lot of, you know, really troublesome stuff. But again, unrelated to Watergate. I've never been sure if that truly was an obstruction to do that, because I had very clear instructions from Petersen that they were only going to look at the Watergate break-in. Obstruction of justice is a, is a crime which nailed most of the people involved in Watergate, that I know a lot more about today than I did then. And it's still, it's about as fuzzy a crime as a prosecutor has in his kit. Because it's pretty much anything that you don't give the prosecutor that he wants, or he thinks might be somehow relevant, not only that, to anything else he might find of his interest, to be, you know, a very serious crime. In other words -- and you just can't -- I don't see, you know, how when you get into it, into a situation where the politics are such high stakes at that level, that you -- you would expect to just turn over, particularly in an agency that had loathed Richard Nixon, the kind of data that could have destroyed him. And call that an obstruction of justice.

#### Timothy Naftali

The enemies list.

#### John Dean

The enemies list was one of those things that I think got vast more attention during the Senate Watergate hearings than it probably deserved. It was one of those things that -- I certainly hadn't planned to testify to it. Lowell Weicker happened to be a neighbor of mine in Old Town, and he and I had had some conversations. So he knew that there were some collections like this, and I -- as I tried to explain to the Senate when I revealed this information, it was assembled by a fellow by the name of George Bell, who was anything but a -- sort of a tough guy. He was a mild mannered, very successful businessman, who was working on a dollar a year sort of basis at the White House, just volunteering. And Colson had given him one of many assignments, was just sort of to gather the names of the people who were less than our friends. And it kind of got shortened down to the enemies list. Its genesis may well have been to people we make sure we don't want to invite to White House functions. It expanded out. And at one point, there was no question it gets Haldeman's attention, and he thinks it's a great idea to see if we can't get sort of an enemies project going where we can use the power of the Federal Government to screw these people, in essence. So there is pressure -- and I actually learned much more about this by going through files of Haldeman's aides, Higby, Strachan, and Kehrli, because they're the ones who are constantly putting pressure on me to come up with this so-called enemies project. I finally, in essence, wrote a memo that would become -- I put into the record during the Senate hearings on how to screw our enemies, was sort of the title. And I used it and was as blatant as possible to try to make it look as absurd as it was. And to my amazement, Haldeman thinks it's a great idea. So they want to implement it. I learned that I was almost fired because while one of the things I had done in the memo was made it very clear that the counsel's office wasn't going to have anything to do with this, I suggested well, maybe you can get somebody like a Murray Chotiner type or a Lyn Nofziger or somebody like that who might take this on, but I had no interest in it, and didn't think it was the right thing to have our office doing, and so I was passing the buck. But the names that actually appeared before the Senate, first of all, there were hundreds or so names. These

were just names that were collected in these memos that George Bell had sent around that I just stuck in my drawer in the same place all the time, and had this file full of them. And when I actually narrowed the project down, I selected some pretty high profile people and went to Colson and said, "Who do you think should be our top 10?" And Colson gave me the names of 10 he would put -- knowing what the project was going to be. The project never went anywhere. It got in sort of a modified form with Fred Malek and his trying to not make sure that no people who were less than friendly to the White House got any federal contracts. There was an effort to lean on the IRS to start some tax audits, and finally, they insisted -- because I knew him from my days at the Justice Department also, the commissioner of Internal Revenue was Johnny Walters. And so they had me call Walters over, and I, in essence, just told Walters. I said, "Listen, you can handle this request in any way you want, but I just want you to know that this is what the White House wants. It is something you may be uncomfortable with. It's your decision." I wanted to make it very clear, I wasn't pushing him. That these are people they want tax audits on, that they think are people who have earned them. And I said, "You handle it however you want to. I've done my task." And he left and apparently he took it up with George Shultz, and Shultz vetoed it properly, which surprised nobody. In fact, one of the conversations I later had with Nixon in, I think it was the September 15th conversation, 19th, whenever that conversation was, he said he didn't send George Shultz over there to be a candy ass, that he was expecting better out of Shultz than he was getting. But he didn't. And that didn't surprise me from what I knew about George Shultz. That we wouldn't buy into something like this. I knew -- I was almost 99 percent sure that Johnny Walters wasn't going to have anything to do with it. But this didn't prevent them from getting around both Shultz and Walters. I learned, before I had been there, that they had had open access to IRS files when a guy who was a sort of a special counsel title may have worked in Ehrlichman's office who may have just been a freelancer on the staff, by the name of Clark Mollenhoff, a well known established sort of super ethical journalist, sort of an ombudsman who was going to go in and looking at IRS stuff, for whatever reason, and was getting a lot of IRS files over. We didn't do that in my office. Caulfield apparently pulled some tax returns.

**Timothy Naftali**

Roger Barth was involved --

**John Dean**

I was going to say, Ehrlichman had a -- they had placed in the Internal Revenue Service, a fellow who was very friendly to the White House by the name of Roger Barth. And Barth was able to get, I think, several audits initiated. However he did it, I don't know. And one was, of course, Larry O'Brien, that Nixon was very interested in constantly pounding on his desk that Ehrlichman do something about.

**Timothy Naftali**

Tell us a little bit about your role in the IT & T story.

**John Dean**

I had very little to do with the ITT matter. I actually had been away. I had been on a foreign vacation when that all erupted in the press and the fact that ITT had arranged to give money to -- and convention facilities to the Republican Party and all the business about the Dita Beard memo, and the settlement of the ITT case. As I say, I was out of town. I came back in, and it was the hot subject, and



about the extent of my involvement, the most memorable moment of my involvement was when they wanted to prove that Dita Beard's memo, to her bosses that Anderson had gotten ahold of, was a forgery. And that it was not really from her, and that she had not written it. I wasn't privy to the fact that Howard Hunt was putting on wigs and going out and visiting with Dita Beard in a Denver hospital. As I say, I would -- Fred Fielding, in my office, was covering the meetings more than I, but at one point, they did ask if I would go over and meet with Hoover to see if Hoover would do the right thing and make sure they got the right decision on this forged memo. I'd met with Hoover in other meetings, big meetings in the Justice Department, but I really had no rapport with him. And I went over to his office, and there was the storied director literally standing at the end of a glass table with his reflection in it, as I came into the office, and he said, "Won't you come in and sit over here in this chair, and tell me what your problem is," and I did, and he took that under advisement. Then he just got chatty at one point, and he said, "You know, Mr. Dean," he said, "I'm not very fond of Jack Anderson. I'll tell you what Jack Anderson's really all about." And this was a story that Jack Anderson had broken. And he said, "I have a couple small dogs, and we put down paper at night in the entry hall for the dogs. And the dogs do their business right there. And then we -- the housekeeper puts those dogs' papers in the garbage can out in back. And one morning I looked out, and I saw one of Jack Anderson's men going through my trash, and I want to tell you, Mr. Dean, Mr. Anderson will go lower than dog shit to get information." And I didn't know whether to laugh or what to do, because he was just being dead serious. And I took that as a sign that we might get a very favorable ruling on this memo, which ultimately came back that they said, no, the memo was not a forgery. So that was about the extent of my -- other than to sort of monitor what was going along.

Timothy Naftali

Was there a connection between the convention -- the choice of San Diego and the decision not to pursue the anti-trust?

John Dean

I don't know the answer to that. I do know that of course Dick Kleindienst, when he would be nominated to become attorney general, lots of questions would come up about ITT. I did get involved also in the fact that Peter Flanagan was being called as a witness, and they weren't going to confirm Kleindienst unless Flanagan testified. And Nixon was very strong on executive privilege. He had been part of the Eisenhower administration when Eisenhower had taken a very tough line on his staff testifying, and so Nixon was very much of that frame of mind. And it really came down to the fact that when -- you know, and I talked to Flanagan. I realized that Flanagan didn't have anything that hurt the White House. All he had was some knowledge of it, he didn't have any certainly harmful information, and he was very willing to testify. So we made an exception. And Flanagan went up and testified. But Kleindienst also testified and perjured himself to get the nomination.

Timothy Naftali

And Dita Beard, so her recollection was an honest recollection, it wasn't --

John Dean

As best I can tell, it was an honest recollection, or at least her take on the facts. As I say, I -- it is hard -  
- the fellow who headed the Antitrust Division, a fellow by the name of McClaren, was a very straight

shooter. It's hard for me to believe that McClaren would have put in the fix for -- unless he had a very legitimate question about the case, that they would have done it. So I -- you know, my antenna never particularly got quivering on all that business, and I thought -- you know, what was effective, and why it plays in the bigger picture, it's how effective Larry O'Brien was in absolutely hammering the Nixon White House with the fact that -- of this picture of corruption that they were settling antitrust cases, and getting all this money from IT & T to have their convention in San Diego. Ultimately, it was changed from San Diego to Miami. And that, I think, fit in the larger picture of why O'Brien was targeted when Mitchell wanted to get -- they sent Liddy into the DNC. They were looking for information about O'Brien just to discredit him. That's why Nixon was hammering Ehrlichman to get a tax audit going on O'Brien, because not only because of how effective he was, but, of course, his relationship with Howard Hughes.

**Timothy Naftali**

Well, Caulfield is following O'Brien. We have the evidence -- pardon me?

[Off stage voices]

**Timothy Naftali**

It's okay, no problem. I don't mind holding it, thanks. Caulfield is following O'Brien.

**John Dean**

That didn't work either.

**Timothy Naftali**

That's all right. I can hold it. It's no problem. Caulfield is following O'Brien in '71.

**John Dean**

Yes.

**Timothy Naftali**

They're getting ahold of his -- we have this in the special files. They're getting ahold of his itineraries; they seem to be taping him. Who would be running that operation?

**John Dean**

That would be Haldeman, and, you know, Haldeman and coming from Nixon, because Nixon clearly does not like how effective O'Brien is as a Democratic spokesman, and he thinks there is a tie between O'Brien -- which, there was, a tie between O'Brien and Kennedy -- and Nixon is still, you know, up to the last minute very distressed and concerned about having to run against Teddy Kennedy.

Timothy Naftali

Who would be the desk officer in Haldeman's operation for this kind of --

John Dean

It was spread around. All of his people -- Higby was sort of the super junior staffer. After that, it would be Strachan and Kehrli would move around, and -- but, you know, Haldeman -- they were more -- they were more just shepherding. Haldeman had morning meetings every morning in his office after the -- you know, the senior staff meeting and staff -- Haldeman would meet with his own staff, senior staff: Ray Price, myself, Fred Malek, Bill Timmons, I think, used to come into that, some others. And, you know, these things would be shepherded around -- I can't recall ever -- you know, anything of an illicit nature coming up at any of those meetings.

Timothy Naftali

I was just going to say, you'd think that that would be closely held --

John Dean

Yeah, it was. Well, you know, Ehrlichman was the one who was principally giving the instructions to Caulfield. He would pick up the phone and it's very hard to separate Haldeman and Ehrlichman, because they met constantly. They dealt constantly. Ehrlichman could be talking to Haldeman and say, "Oh, yeah, we've got to get something for the boss on O'Brien," and then Ehrlichman would call Caulfield.

Timothy Naftali

Just so we have a sense of the climate, in your book you referred to the tickler. What did you mean by that?

John Dean

Well, your papers are full of tickled memos. There was a tickler system. A tickler file is a time-dated file, where somebody puts a date ahead, to look ahead at that date and see if something is due, and if it isn't, to then, indeed send a tickle memo out or call and say where is that, and keep this file going. It's a perpetual file. It's a good management technique. We do it with computers today, but it was done manually in those days.

Timothy Naftali

All right. Moving ahead, when did you first suspect that you were being taped in the White House?

John Dean

The first time that it really became apparent that I was taped was the meeting I had with the president on April 15th of 1973, and it was late on a Saturday. I had earlier told my colleagues that I was going to go to the prosecutors and deal with them directly. I don't think they thought I would be as candid with

the prosecutors. I was reluctant, at first, to deal with the prosecutors, because I asked them, I said, "Can you take the information I give you and not give it back to the main Justice Department?" And they said, "Of course, we will be happy to work on that arrangement." So it was an informal sort of here's what I know, if I -- we can look at the criminality of all this. But let's understand what's going on, and do it that way. So it was a deal my lawyer worked out. He's a former prosecutor. This is the way prosecutors operate. That's how they need to get their head going where it needs to go. Because I was determined -- my thought was in breaking rank, that by doing so, I'd force Nixon to end it, that he would indeed say, okay, I'm in trouble, my staff is in trouble, I got to let everybody go, and I got to get out in front of this. That didn't happen, unfortunately. That was my thinking from March -- a little earlier than March 21st, but that's when I really said, I've got to push this as hard as I can push it. I really wasn't out to nail anybody; I wasn't out to save my own neck. A lot of it got played, well I was only going to testify if I got immunity and a walk. None of that really happened, as I'll explain. Anyway, I worked this deal out with the prosecutors, and I give them just a little bit, starting to give them a little bit to see what they can handle. One of the things I give them, because it is -- it comes up in the nature of a conversation because of the way the testimony had happened in the original trial, and Hunt had filed a motion for material that was found in his safe that had disappeared, was that the fact that Pat Gray had destroyed the documents that Ehrlichman and I had given him, because Gray had confided that to me. And when they asked me, I had to tell them honestly. Well, you know, they're flabbergasted with this, that the director of the FBI has destroyed information. The information, in other words, is suddenly getting much hotter. The other thing, my lawyer said, "John, you've got to tell these guys about because it's an ongoing obstruction, since there is a criminal trial going on, is the fact of the break-in into Ellsberg's office. He said that is -- the government has a lot of trouble with that. They're prosecuting a man they have illegally investigated, and that will probably result in Ellsberg's case being thrown out. So you've got to tell them that." So I said, "Charlie, you tell them that, and you have my permission to do it." So he did that. Because I said Nixon -- we still hadn't worked out the national security implications of this, but I agreed since they're dodging it, the best way to do it is for you to tell them, which we did. Anyway, this happens right up to the 15th, and it's gotten so uncomfortable for these guys to -- three assistant U.S. attorneys who are now dealing in a league they'd never envisioned, never dreamed might go to these areas. Make a long story short, they tell my lawyer they're going to have to break rank and go back and report this to the Department of Justice. I got the director of the FBI, I got the White House with the major case they're trying, that they're obstructing justice with. So they -- they break the deal. And we tell them, if they break the deal, we break the deal, which we did. That's when we stopped dealing with the prosecutors. We said we'll go deal with Sam Dash, who won't have the same kind of problems you do. Anyway, when this goes back to the Justice Department, it goes right to the White House, right up to Nixon. And Ehrlichman calls me and said, "I'd like to talk to you about what you're telling these prosecutors." Because I'm nailing him on a number of items, on things like the Hunt safe, about telling Liddy to get out of town, other things. I said, "John, I won't talk to you. I'll be happy to talk to the president, because I think the president has got to get himself in front of this. But I won't talk to you." Get a call back, president wants to see me, can I come in on Saturday evening and visit with him. It's during that conversation I become convinced he's taping me. First of all, he's sitting in a chair, not unlike the easy chair you're in, dressed with his jacket that he would sometimes wear, not -- sort of a dressing robe, and he's been -- I can tell he's been drinking wine or something -- in fact, he offers me a drink, and I say no, I'm not inclined. And he has a yellow pad where he's got some questions. He starts taking me through leading questions which are not being -- are not accurate leading questions. I don't give him the right answers. At one point, for example, he said, "You know, of course, when you told me there was a cancer on the presidency and I said there would be no problem to get a million dollars, I was joking, don't you, John?" I said, "Well, I wasn't sure of that, Mr. President." He was not getting the kind of answers he wanted. He gets up from the chair

and walks over to the corner of his little EOB office, and there is literally a palm over there, and in a stage whisper he says to me, he says, "John, I was foolish to talk to Colson about clemency for Hunt, wasn't I?" I said, "Yes, Mr. President, you were." And at that moment I said this man got away from the microphone, he's making a record of this call -- conversation, didn't want that on record, you're being taped. How many times have you been taped? That's when it occurs to me. I'm not sure, though, so when I prepare my testimony for the Senate, this is the only thing I put in my testimony where I'm speculating, that I believed I was taped. I'd told Sam Dash when I first started dealing with him, "Sam, I believe there are tapes." I told people in the White House. I told Len Garment at one point, I said, "Len, there may be tapes" -- I was very ambiguous -- "there may be tapes of my conversations with the president." There is a very humorous tape of Nixon and Haldeman speculating that I was carrying my own tape recorder, and they go on at some length about this, about how I was thin and could have it in my pocket, and we wouldn't know. Because Haldeman is sure, I don't know there is a taping system, that so few people know of the taping system, which I didn't. And, of course, as I later learned from Sam Dash, what happened is after I testified, they're doing everything on the minority side to discredit any line in my testimony. At one point, a fellow by the name of Sanders, a junior staffer, asked Alex Butterfield, who is one of many witnesses they're calling up, he said, "You know, Dean made this comment and testified the fact he believed he was taped on one or more conversations. That's probably absurd, isn't it, Mr. Butterfield?" And Butterfield said, "No, I don't think it's absurd at all." As to the actual April 15th tape, where I thought this was happening, which would have been one of the great doozies of all tapes, according to the Secret Service, the reel ran out before I arrived, so that conversation was not recorded.

Timothy Naftali

Oh, my, just please give us a little bit of color. How did you prepare for that riveting testimony before the Senate Watergate Committee? What did you do that morning?

John Dean

I was denied access to my files before I testified, so I -- the only way -- I had a few documents I had taken, when I left, was the handwriting was getting on the wall, and Charlie, my lawyer, wanted me to get ahold of what I could that would refresh my recollections and so forth, because we were talking about things that when I first started staying these things, that the prosecutors and even Sam Dash thought, you know, this is just unbelievable. I can't even comprehend it. So any documentation would have been helpful. I had little of that, though, and to prepare the sort of do it in a chronological fashion. This was pre-computer days. I didn't have a laptop to work on. I do touch type, but my typewriter was broken. So I couldn't even use that, so I decided to longhand it, and the way I did it was to go through -- I had a booklet of Xeroxes that the re-election committee had just given me of all of the -- for their civil case, they had recorded this, all of the Watergate-related reporting from "The Washington Post" and every other paper. So I used that as sort of a trigger for what was happening in sort of the sequence of things, where I could -- knew from the public statements and what was happening publicly in different times, I could reconstruct as best I could internally. I was able to get a copy of the dates I had met at least one of the archivists who was on site at the White House got me just a quick down and dirty, I'm not even sure it was complete at that point, the meetings I had had with the president. But it was just literally impossible to separate in my mind for certain what had happened on one day versus another day. I know there is an author, is working right now on a book, and there has been a couple of studies about using my testimony versus the actual tapes. One of the things I tried to make pretty clear during my testimony is that I don't -- I didn't believe -- first, my

mind, my head doesn't work like a tape recorder. All I could do was characterize. I could remember some lines, like a cancer on the presidency, because I deliberately intended to say that before I went in to make sure I had his attention when he seemed pretty relaxed, when I was in there with that session. But the rest of it was just trying to generally characterize what had happened, because I believed I was taped, I was undertestifying, because I thought what a great way to hang a witness is on perjury, if he is being held to things that are not. I, for example -- and afterwards, realized I confused some things that happened on the 21st with the 17th, but your mind can't separate those sorts of things when they're all kind of unfolding.

**Timothy Naftali**

What didn't you testify to? You gave eight hours of testimony.

**John Dean**

In the greater scheme of things, I certainly highlighted everything. I had expected in doing it the way I did it, was just to summarily mention areas that I would get great deeper cross-examination, but they never really got much below the bullet points of an eight hours of bullet points. The testimony before the -- during the Senate -- excuse me, during the U.S. versus Mitchell, Haldeman, Ehrlichman, et al, was a little bit more detailed and more piercing and a little bit more in-depth than the Senate testimony. But, you know, as I say, I was just trying to generally draw the picture, and -- because I knew at that point -- I thought at that point it was really my word against Haldeman, Ehrlichman, Mitchell, Colson, the president. And, you know, it was -- I had no -- I had no motive to lie about any of these things, which would make it hard to accuse me of perjury, because I was trying to help the government unravel this.

**Timothy Naftali**

When you were testifying, did you anticipate that someday we'd have tapes to use to judge your testimony?

**John Dean**

Yes, I did. I believed I had been taped on some of the conversations, so that's why I -- because I couldn't remember them cold. I could just remember generally what had happened in each one. I could characterize them. I undertestified to a lot of things. Well, I remembered more than I was testifying to. I thought, you know, this -- some day if there are tapes, they'll come out. Nixon actually had -- when I mentioned that -- I had mentioned it to the prosecutors, too. And at one point Petersen asked Nixon in one of the tapes, he said, "Well, you know, Dean said he thinks he's taped." And Nixon said, "Oh, yeah, yeah, yeah, I used to -- I think that's what he's talking about is I made memos of things after the fact."

**Timothy Naftali**

Tell me about -- the White House ran a press operation against you, Colson did.

**John Dean**

Colson did -- well, Colson ran that outside the White House. Buchanan operated inside the White House, and Pat's later -- I hold no -- I said, "You were doing what you were expected," because he knows he was being had now, too, because he said, you know -- as Ziegler, who attacked me viciously as well, later came out and apologized to me personally, and he said, "Listen. John Dean had the answers right, and we didn't." So that all got straightened out. And I -- I had a not totally naïve belief that the truth does ultimately come out. Sooner or later, it does bubble up. Sometimes it takes a long time, but I was comfortable that not everybody could be counted on to lie.

**Timothy Naftali**

What mysteries did you have about the whole Watergate story? What didn't you know that you wanted to figure out at the time or -- Let's --

**John Dean**

I don't think there are any unanswered questions today about Watergate. They say well, we don't know why they went in there to

in the DNC, what the motive was for. That's never been any mystery to me. I mean it was pretty clear to me, right away from Magruder, right after the fact -- they're just fishing. They were in there to find anything they could that could discredit O'Brien that they could use against him. Hunt in essence told the Cuban- Americans, just go look for some numbers that might be interesting, contributions from people, and they -- he , and said particularly see if there are any from Castro in Cuba, for McGovern, because they wanted to use that to discredit -- they were actually looking for things that O'Brien might be used to embarrass him. It was so bungled. Here's one of the interesting things about Watergate. So much credence is given to the fact that how could they be so stupid and foolish? Well, they were just that stupid and foolish. And they can't believe it. But it was apparent, readily apparent within, you know, immediately. First you look at what they did at the Ellsberg

-in, was as stupid and bungled as what happened at the Watergate. It was James Bond stuff where they -- they thought they were -- you know, how could you walk in with an army of people to do what cat burglars normally do, if you're working for a foreign espionage operation.

**Timothy Naftali**

When you chatted -- when you discussed with Magruder, before his Grand Jury testimony, you talked to him.

**John Dean**

Right.

**Timothy Naftali**

Some people have used the word "coached" him. Did he know what had happened? Did he --

**John Dean**

Oh, absolutely, absolutely. I didn't have to coach Jeb. What he wanted to do with me, which they at one point tried to claim was my suborning his perjury, which it wasn't. I said, "The only thing I'll do, Jeb, is tell you the kinds of questions you're going to get asked by the prosecutors. I don't even care about your answers. I don't want to hear your answers." But that's what I did with him. I gave him sort of a drilling as to the sort of things he could anticipate he would be asked.

**Timothy Naftali**

And he told you that Mitchell had ordered it?

**John Dean**

He told me it was very clear -- he told me that within days after the  
-in.

**Timothy Naftali**

And he didn't say that Haldeman had ordered it?

**John Dean**

No, no. He thought that Strachan might be aware, but he didn't think -- Haldeman hadn't ordered it.

**Timothy Naftali**

And Strachan never told you that he was aware of it, did he?

**John Dean**

No, Strachan always, to the contrary, said that he really -- he said, "Well," he said, "while it looks terrible, because I'm all around it, I actually didn't know what they were going to do."

**Timothy Naftali**

But he knew generally that there was --

**John Dean**

He knew generally, yeah.

**Timothy Naftali**

Now, Mitchell ultimately, ultimately owned up to it, didn't he?

**John Dean**



Ultimately, late in the game, when I had broken rank -- I go to the, started dealing with the prosecutors in early April where I had my lawyer go down and start talking to them, and say, "You've got a very unhappy witness," and it's my feeling that I can convince -- you know, if the White House knows I'm going to break rank, I think -- at this time, for example, particularly with Haldeman, I feel Haldeman is the kind of straight honorable guy that would, rather than let the president go down, he'll stand up and account for himself what he did right, what he did wrong. Ehrlichman I'm not so sure about, but I'm sure if the two of us go, and Mitchell go, then it will pull it away from Nixon, and Nixon may survive. I'm not out to nail Nixon, initially. It's only when they decided to go to war with me that I say, "You picked the wrong guy. And I'm willing to do battle."

Timothy Naftali

What's the line? What's the red line? When do you -- when do you decide that they've gone to war with you?

John Dean

When they put out a statement that is -- intimates that. In fact I -- the way I can track that back down is I issued -- I never talked to the press when I was in the White House, refused to. Never leaked a scintilla, never did during the entire Watergate time I'm a witness, either. I later learned, years later, that one of my lawyers did so, much to my chagrin, which Charlie, my principal lawyer and I had suspected, but he did it without my authority, and I was able to testify before the Senate that I suspected who was leaking this, but I couldn't tell whether it was coming from the prosecutors or my lawyer or what have you. I don't talk to the press, but anyway, I did -- while I was still in the White House, Ehrlichman had issued a statement that Ziegler had blessed, that forced me to have my secretary call the key papers to issue a statement saying if they think that I'll be their scapegoat, they picked the wrong guy.

Timothy Naftali

And when does Mitchell talk to you about --

John Dean

Late April, when I'm dealing with the prosecutors, and I've told Mitchell that I'm going to -- you know, anybody I had any respect for. I gave them an eyeball-to-eyeball. Here's what I'm going to do. Here's why I'm going to do it. Here's what I hope will happen. I know you're not going to like it. I regret it, but we've got to all account for ourselves because we've made terrible mistakes, and it's time to clean this up. As a result of that, Mitchell, Mitchell arranges a meeting with Haldeman. Actually, I'm at Camp David at the time this first comes up, this first comes up. I'm at Camp David, and Mitchell asks that I come down from Camp David and meet with him and Magruder because my testimony is different. When Jeb had talked to me on the telephone and said, you know, here is what, here's what Mitchell and I told the Grand Jury, which I had no idea, that there'd been only one meeting in Mitchell's office with Liddy, and the other one had been canceled. I said, "Well, that isn't true." He said, "Well, you know, you knew that was" -- I said, "Jeb, I didn't know that was going to happen. I didn't know what your testimony was going to be." And I think that was stupid. But anyway, they said, "How will you testify?" And I said, "If they ask me if there were two -- when did you meet on Liddy's plans, I will tell them exactly when I met." Well, this created the first problem for Mitchell.

Timothy Naftali

Were they going to try to say that Liddy did this all by himself?

John Dean

Yes.

Timothy Naftali

There was no second meeting, and it had never been authorized --

John Dean

Yes, yes. That's what they had done initially. That had been the -- Mitchell and Magruder had both testified in the first Grand Jury that resulted in the trial of and the conviction of Liddy, Hunt, and the Cuban-Americans and McCord. So my testimony differs with theirs. And I'm called down and over to Haldeman's office, and he said, "John wants to meet with you." And he said, "Why don't you guys go down and meet in Chapin's office, which is empty," because Chapin had left, then, Dwight Chapin. So we did. And in the course of -- I explained exactly, you know, what I was going to do. I said, "I'm not going to lie for anybody. It's going to come out. You better get down there and clean it up sooner rather than later. Tell them you had foggy memories, whatever you tell them. I don't know." And Mitchell was very unhappy with it. I said, "John, I've never asked you," you know, talking about the third meeting, which I'd learned about later, where he had actually approved -- where Magruder had said he had approved Liddy's plans. I said, "I've never asked you if you approved Liddy's plans." He said, "Well, I did." And that was the first time he ever had told me. He was just actually trying to do that, to even put more pressure on me to lie for him. I testified that way about that meeting before the Senate. Haldeman denied it. Or Haldeman didn't really add anything to it. When Haldeman later, years later, published his diary, he had recorded, that before I met with Mitchell, Mitchell, to his surprise, after he had stonewalled him, and right after the break-in, that when Haldeman had asked him again if he had -- if he, indeed, had approved Liddy's plans, Mitchell had acknowledged to Haldeman, as he recorded in the diary that he had done so, which pretty solid corroboration, a contemporaneous note.

Timothy Naftali

You never saw Richard Nixon again afterward?

John Dean

Never did, never did. I wouldn't have had any problem with it, but he would have. Just his personality, that would have been difficult. And the memoirs are kind of curious. He, at one point, says how much he likes me and respects me in the memoirs, but then he said I lied before the Senate and the problem is that he had lied more than I had. Well, he -- I don't know what -- this is when they were nitpicking and using minor problems in my -- getting one thing on one date wrong with another date, which --

Timothy Naftali

You, in -- in Blind Ambition, you give the impression that the president's own knowledge of Watergate is always shifting. I mean he knows that there is a cover-up, and that he's engaged in it but that he's forgetting things. That you're reminding -- is it just to put it on the record that you have to remind him, or do you think that somehow he's not fully processing everything that's going on?

John Dean

I think it's a little bit of both. I think there's times that he clearly knows things that he is not telling me about. For example, in one conversation I tell him about the firebombing of the Brookings, where I've flown out to California and, you know, turned that break-in and firebombing off. And he absolutely says nothing about it. Well I, years later, discovered there are recordings of him literally pounding on the desk demanding that break-in. So, you know, that isn't something new to him at that point. So he just lets it pass. He doesn't react to it. He claims that the first time he learned about the Ellsberg break-in is from me, in one of my conversations. I think it's about the March 17th conversation. That's hard for me to believe, that I'm the first one that told him about that. That's the -- that's the real true core of the reason that the cover-up is going on. I can't believe he's not -- doesn't see that that implicates Ehrlichman, if not Haldeman and himself, while the Watergate only implicates Mitchell.

Timothy Naftali

Tell us about the day that he wanted you to sign a resignation letter that basically was a confession.

John Dean

That was a curious morning. That was -- when? -- April 16th, as I recall, of '73.

Timothy Naftali

The day after the --

John Dean

He -- he says -- he tells me that Ehrlichman and Haldeman have given him letters that he can just have, in the event he needs them, of their resignation, so they are ready to resign. And he said he'd like the same from me. Well, I took one scan at the letters, and they are, in essence, confessions. And I said to the president, I said, "Well, let me take these and look at them, and I'll come back with you with another draft of something for you." What I now know today is that Ehrlichman had prepared the letters, and he -- after my meeting with him, Haldeman and Ehrlichman had come in the other door and he said, "Boy, I really socked it to Dean." And it was just the opposite. In fact, I was surprised that the leader of the Western world backed down as quickly as I backed him down on that.

Timothy Naftali

When did you begin to view the president as an adversary?

John Dean

Not until, not until after the -- I broke rank with the prosecutors. When they -- when it was clear, you could tell from the internal operations after I had -- he had the benefit of what I was testifying about. There were growing efforts at that time to start publicly discrediting him.

**Timothy Naftali**

This was in early April.

**John Dean**

Yeah -- no. This is probably in May at this time. By the time you get to May 22nd -- when the May 22nd statement, which is kind of, to me, the last -- this was when he was going to lay out everything he knew, when he knew it, and there -- well, he doesn't directly attack me. He makes claims like I'm the first one that told him on the 22nd, and lays out a scenario of events that just makes it clear that he's going to, he's going to go toe-to-toe with me on my version versus his version.

**Timothy Naftali**

Because he's already asked for your resignation. You've resigned already by then.

**John Dean**

Right.

**Timothy Naftali**

Why don't you take some water, just so I can ask you one last question. I feel bad when I watch you cough under the heat of the lamp.

[Off stage voices]

**Timothy Naftali**

Thanks.

**John Dean**

Good.

**Timothy Naftali**

How long did you spend in prison?

**John Dean**

Believe it or not, I never went to prison. I'm one of the few who -- particularly since I confessed, I didn't -- I pleaded guilty. I was initially sentenced to one to four years by Sirica. But I was in the witness protection program, and I was sent to a facility, a witness protection facility outside of Washington at

an old deserted army base, Fort Holabird. And every day I was driven by -- I had been -- literally from the time of my Senate testimony, before my Senate testimony, special prosecutor Cox had received some pretty good intelligence that the FBI had, that there were a number of death threats out for me. And they -- they asked me if I would go into the witness protection program, because they wanted to keep the government's star witness alive. And Sam Dash also was aware of other threats, and he counseled Charlie. And I really didn't want it. I figured if somebody wants to get you, they're going to get you. But I agreed to it at that time and had them with me for a year, almost, you know, and so when it came time to start serving, the prosecutors wanted me to surrender just before the trial so I was there, but rather than going to a jail, I was in a witness protection facility. Actually some of the other witnesses who were serving hard time, if you will, Colson and Magruder were brought up to this witness protection facility as well. I did 120 days there, of which most every day I was driven into Washington, wore a suit and jacket every day, spent the time before the trial in the prosecutor's office, then about a week before my testimony, I stopped going into the office to just sort of have a break before I testified so they couldn't say that they were influencing my testimony. After my testimony, Jim Neil wanted me right back in the courthouse in the room the special prosecutors were occupying, because particularly as they prepared cross-examination, they didn't have computers there. I was their computer for dates, information, reactions. So I was determined, once I got started on this road, to do everything I could in my power to unravel it.

Timothy Naftali

How did you feel? I mean, you had worked with these people.

John Dean

Bad, it was not pleasant. But I told them, as I say, everybody -- I went to Mitchell, I went to Haldeman, I told Krogh, I told others, I said, "This is very painful, but it's the only way it's going to end." And that's the only way it did end. And actually, that's another thing I should say. I certainly included Nixon. That was the conversation on the 15th, which I say, which is probably the most interesting tape of all my tapes. It was a fairly long session.

Timothy Naftali

It sounds as if you had personal conversations with most of these men, with the exception of President Nixon, after, afterwards.

John Dean

Curiously, I ran into Haldeman when he was working for a fellow by the name of Murdoch, a developer here in Los Angeles, and we were going to have lunch. We never did. We had a nice exchange in the hall. I was coming down an elevator, and he was getting on, and I was seeing somebody else in the building. And we just had a brief reunion, and we just never did. And he -- next thing I knew, he had stomach cancer and passed away. Ehrlichman, I first ran into when we shared the same publisher up in New York. When I years later filed a lawsuit for some defamation over my role in -- particularly dragging my wife into Watergate, I deposed Ehrlichman, because he was helping that cause. Colson and I buried the hatchet when he showed up at Holabird, and I was there. He sort of apologized for what he had tried to do. He said, "You know, you knew, John, more than I did about a lot of these things." I said, "That's probably true," which was. I mean sort of the mechanics,

but he was up to his eyeballs, and he was going to be -- he was indicted for both the Ellsberg break-in, as well as for Watergate. And in looking at some of the memos in the prosecutor's office, it's clear they were also considering a number of perjury charges against him in addition to that. When he pleaded, and they created a unique single count offense for him to plead to, sort of an obstruction of justice in relationship to the Ellsberg case, so he still claims to this day, he really doesn't -- didn't know as much as he did about Watergate. But he and I, you know, I was surprised at some of the cheap shots he's taken, notwithstanding his newfound or now it's matured Christian beliefs, and we've exchanged mail a couple times on that.

**Timothy Naftali**

Have you interacted with Jeb before his recent illness?

**John Dean**

I've seen Jeb, yes, over the years, and chatted with him, friendly, have a nice rapport with him. I wasn't particularly close to Jeb. The people I was -- you know, Alex Butterfield is probably the person I see the most, who I knew then.

**Timothy Naftali**

You don't agree with Jeb's recent testimony that the president and Haldeman ordered the break-in?

**John Dean**

I was around when Jeb first broke that story for a documentary he was working on. I participated in the documentary as somebody on camera as well. And I don't know how Mitchell could have the phone to his ear and Jeb could hear the president approve to Mitchell or tell him to go ahead with the program. I just don't know how you do that. And I don't know why Jeb would have never shared that with somebody along the way. So as I say, I've always had difficulty -- if he believes it, I don't doubt that he believes it, but I'm not sure whether it's recovered memory that might have gotten distorted. I have always been very suspicious of memory, my own included. While I was able to testify to great detail before the Senate and repeat that testimony many times, it was refreshed recollection just by the process of preparing testimony. But who knows what influences shape our memories, and so eyewitness testimony is typically the worst.

**Timothy Naftali**

Were you noted for having a good memory as a kid?

**John Dean**

I've never had -- I've always had a good -- I've been a great crammer all my life, could read and retain.

**Timothy Naftali**

Last question, what do you remember of August 9, 1974? Where were you?

**John Dean**

I had had two wisdom teeth pulled that day, and was like a chipmunk, and watched those proceedings with a little extra throbbing in my throat. It was sad. It was a sad day. I thought it was, to me, one of Nixon's really most eloquent decisions because he saved the country a lot of agony. The decision, one, to turn over the tapes when the court ordered, because he theoretically could have said, "I regret that I have to deny the court. I am a constitutional coequal. I don't believe they have the power. I happen to have the army. They don't have anybody to enforce their action." But he did. He willingly complied with it, and, of course, he was out a few days later. And that resignation spared the impeachment trial, which would have been -- you know, I certainly wasn't looking forward to it. I would have been the key witness in the proceeding again. So that was one of his -- obviously, one of his most difficult decisions, and one of his great decisions.

**Timothy Naftali**

Would you -- in a way, did you feel a bit of relief when he was pardoned, because it meant there wouldn't be a trial?

**John Dean**

There was -- I didn't -- I haven't -- I was dealing with Jaworski at the time, and so I knew Jaworski. And I had known Jaworski actually before that. I knew -- I was working with the special prosecutors. I knew -- in fact at the time of the Saturday Night Massacre, when Nixon fired Cox, the people that the prosecutor -- the assistants, people like Rick Bermanistkal [unintelligible] me, to tell me that Henry Petersen is trying to take charge of this case. And I say, "Henry has got a problem with me if he takes charge of this case." Not that I'm out to nail Henry, but he walked so close to the line that some might consider he's on the other side of it. So he's certainly got a serious conflict of interest if he were to prosecute me. They were also worried -- they needed to get somebody else in there, and I think I helped create some of that pressure behind the scenes, that Petersen clearly couldn't handle the case. He was compromised by Nixon as well.

**Timothy Naftali**

That's why I asked you, when he mentioned about narrowing the case --

**John Dean**

Well, that isn't, that isn't where the compromise happened. It's the fact he's giving me Grand Jury information.

**Timothy Naftali**

Oh.

**John Dean**

That's how Magruder knows what he's going to be asked when he goes before the Grand Jury.

Timothy Naftali

And Petersen understood that this was wrong, you don't --

John Dean

Well, it's probably not in -- it's close. As I say, you could probably prosecute it either way. It's a violation of 6E, part of the rules of criminal procedure. That's not a statutory violation, but you could - you know, an aggressive prosecutor could also say this man is obstructing justice, working with a co-conspirator at this point. But it's a fine line. They never prosecuted Henry, as a result. What happened is Henry was a career person, and he got wowed by the White House.

Timothy Naftali

So you're behind the scenes putting pressure --

John Dean

Today, incidentally, if that would happen, he would be prosecuted. An assistant would be.

Timothy Naftali

So the rules -- does the statute now --

John Dean

Just the fact that it happened the way it did and they should have known better. And the fact -- what's most distressing about today's relationship between the White House and the Justice Department, during the Nixon administration, the president, -- not even the vice president -- the chief of staff, myself, and Ehrlichman were the only ones who could contact anybody in the Department of Justice. Today, something like 400 people from the White House staff have direct access on any case, anything that's happening in the Department of Justice, total politicalization of the White House.

Timothy Naftali

And that's -- and that's --

John Dean

Of the Justice Department, by the White House.

Timothy Naftali

Let's get back to the pardon. When did you find out about the pardon?

John Dean



I actually was in the office of the special counsel or special -- yeah, Watergate special counsel the day that Ford announces it. First, I was starting to tell you, I don't think -- it was pretty clear from the internal operations, and I've now looked at these memos, that the staff all wanted to prosecute Nixon for obstruction of justice. Jaworski did not. He just did not -- he's somewhat of an establishmentarian. And this was just something he didn't want to be the man, and it was his call, that he didn't want to do. So I didn't think he was, one, going to prosecute Nixon. The question had not been resolved, however, when Ford did the pardon. And I happened to be in the prosecutor's office that afternoon. I'm actually -- I'm actually doing my time, so to speak. I'm doing my 120 days at Holabird, and that's one of the days they've driven me -- I'm there most days, so I get -- I got the reaction of all the prosecutors who were furious. I mean they don't know what it's going to do to their trial, which is about to start in October or late September. They -- you know, it creates a disaster for them as to how, the impact it will have on a jury, for the others. We now know that Haldeman and Ehrlichman had certainly maneuvered the best they could to try to get pardons, which they didn't know Ford was going to turn around the next day and say, okay, I've got a couple more here now. So it was a very difficult time for the prosecutors. Personally, you know, it wasn't surprising. You know, I think that -- you know, I didn't know -- I didn't necessarily think there was a deal. I didn't think anybody would be that crude at that late stage because again, that could be another obstruction of justice. But I think that Nixon was close enough to Ford on a personal relationship, which is now Ford has said exactly what it was, that he thought that Nixon had suffered enough, and even more importantly, because I knew the prosecutors were doing it, is they were just pestering that White House daily, and peppering them for information about Nixon. They were building more of a case. And Ford was unable to govern. So while in the short term, it certainly cost Ford dearly politically, in the long term, I think it was probably better for the country.

Timothy Naftali

Had there been any discussions of pardons?

John Dean

Oh, yeah, oh, yeah. There had been a lot of debate about it. There had been debate whether the prosecutor would prosecute, and he was, you know --

Timothy Naftali

Well, I meant before when you were still White House counsel. Was anybody talking about --

John Dean

That's part of the obstruction of justice, was the pardon of Hunt and the others. In fact, there is an informal -- you know, at one point, Nixon says to Ehrlichman, after I had broken rank, "Well, you know, don't worry about him too much, because I'm the only one who can really help him out down the road."

Timothy Naftali

But no one had said that to you directly?

John Dean

Not direct, but intimidated.

Timothy Naftali

Oh, who intimidated it to you?

John Dean

Ehrlichman, but it is -- you say those sort of things, so that you, you know, you're so protected.

Timothy Naftali

All right, step back from this. What -- to what extent was Watergate the product of a climate in an industry?

John Dean

Purely the atmosphere created it. It was an atmosphere that came out of Vietnam, and the siege mentality, the fact that the anti-war demonstrations, the leaks, is really where it started, the fact that Nixon is having trouble governing because of the leaks that are affecting his national security decisions. That's when they start wiretapping newsmen. That's when this whole mentality, it's sort of the Cold War mentality, is just marching right on into the Vietnam War. And this is where things are a little unclear to me as to what is legitimate national security and what is not. I mean why aren't these things being done by the FBI or the agencies that would normally do them? Well, Hoover -- they're arguing well, he's old, and he's lost his guts, and he used to do these things for presidents, so on and so forth. So, you know, today I'm a little wiser and think it wouldn't be appropriate at any time. When you're 30 years of age, and all your knowledge comes from a book, it's a lot different than the real world experience.

Timothy Naftali

Why were there no checks? Why weren't there people saying no? Why wasn't Haldeman saying no?

John Dean

Haldeman was an implementer. Ehrlichman occasionally did say no on some things. In fact there is one tape where Nixon says to Haldeman, "Don't run that by Dean and Ehrlichman, those highfalutin lawyers will just say no." That's why I'm clearly -- am eased out of the -- out of the special investigations unit. I did try to say no.

Timothy Naftali

But I am saying that --

John Dean

In fact, I thought that was part of my job, you know, was to say no. This is absurd, crazy. But you typically -- if you make a legal argument, it wasn't as persuasive as making a political argument. You know, if somebody gets -- somebody goes and firebombs the Brookings, you got to -- somebody committing a capital offense out of the White House, that's going to be curtains. They understood that. They didn't want -- they didn't care -- didn't think it through until they got to the political implications. The fact that it was, that it might be morally wrong, somebody might die in an arson, somebody might be violating an arson statute, that didn't register. Politics did.

**Timothy Naftali**

Why didn't they understand the political, the political damage of Watergate until late in the game?

**John Dean**

It was part of -- it's part -- you know, it's part of living in the bubble. The White House is, you know, is a very isolated place. It is really above and out of the fray. It is the quiet in the storm. It is protected; it's isolated. There is something of a bunker mentality, because everybody is shooting around you. The best -- I think one of the -- if you ever can get the footage or see the pictures of the day they circled the White House with buses, it just sort of always -- are you aware of that incident?

**Timothy Naftali**

I've heard of it, yeah.

**John Dean**

They literally put buses right beside where the flat -- front and the flat back, they circled the entire White House, about on the other side of Lafayette Square, all the way down and around. And it was, here was all this chaos breaking out in the city with anti-war demonstrations and tear gas and many riots, and then you're inside this rim of buses, and it's all quiet. It's just sort of a perfect symbol of the way the White House is.

**Timothy Naftali**

And who in the White House was responsible for the activities against anti-war protesters and trying to disrupt that. Is that Colson?

**John Dean**

Colson to a degree, but that actually -- I never saw a really organized effort. That was kind of ad hoc. That's been overplayed an awful lot, really kind of started when the FBI and the agencies with LBJ, who was the first person to be terribly frustrated by those. When I was in the Justice Department, a rather unique job, because of my age and my hair was a little longer than everybody else who wore crew cuts, to negotiate with the leaders and their lawyers of the anti-war movement when they came to Washington, for where they could have their march, would it be Constitution Avenue, would it be Pennsylvania Avenue, and all the rules and permits. And I noticed that my superiors, Mitchell, and Kleindienst and the others

in the department, they were actually kind of frightened by these people. They were afraid to be on the street. During the demonstrations, I'd be right down on the street in the mix enjoying and -- they weren't riots. They were by and large peaceful protests. And my job was unique in that I would go into the attorney general's office, and here would be, you know, Mitchell would be at the head of the table, and you'd have all these generals with, you know, stars, and you'd have the chief of police there, and the chief of the park police, and all these uniforms. I would, then, argue the demonstrator's case to get a better route for them.

Timothy Naftali

I was amazed at how much trouble the Vietnam Veterans Against the War had for Dewey Canyon III.

John Dean

Right.

Timothy Naftali

The government tried to prevent them from using the mall. Do you remember that?

John Dean

Right. Remember it well. I'm out -- I'm not in the permit business by that point. I'm at the White House, so -- But, in fact, I had some success with these people, you know, to convince them that they only were increasing the publicity of the demonstration, and they were only increasing the likelihood of violence of the demonstration by their confrontation or their, you know, their really making issue about where they could go and how they could go there. And these people were not there to riot. They were just average people that felt strongly about the war. And when they understood that, that helped them to get decent permits.

Timothy Naftali

Was it a generational issue?

John Dean

I think it was. I think it was. Well, you know, in fact, when I first went over to the White House, one of those occurred, who would I find would go to the roof, there was a little crow's nest up there, would be Ehrlichman and Haldeman with binoculars. And that's how -- that's about as close as they wanted to get.

Timothy Naftali

Watching the demonstration?

John Dean

Watching the demonstration from the roof of the White House. And then one time Ehrlichman actually got in trouble with this. He got a -- Nixon was away, and the first lady was coming, had to come back, and we had taken a helicopter from the -- we had gone up at the pad at the Pentagon, but Ehrlichman wants to land it on the south lawn, which he did. He didn't want to have to try to get back through the crowd to get back to the office. And the first lady was really annoyed, really, she thought it was the president coming in, because that's the only person who's allowed to land on the south lawn. And here Ehrlichman and I get out of the helicopter. Ehrlichman got the heat, I didn't, but -- because I didn't have the power to summon helicopters at that stage.

**Timothy Naftali**

And this was just to avoid the war demonstrators?

**John Dean**

Right.

**Timothy Naftali**

So the climate, the atmosphere, you have to understand that to understand the --

**John Dean**

Absolutely. So we'll pick up the rest of this in part two.

**Timothy Naftali**

That's right. Thank you very much, John. I appreciate it.

**John Dean**

Pleasure.