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RECORDING OF THE
MEETING BETWEEN
THE PRESIDENT AND
JOHN DEAN ON
APRIL 16, 1973 FROM
10:00 TO 10:40 A.M.

ITEM 22.1

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TRANSCRIPT PREPARED BY THE WATERGATE SPECIAL PROSECUTION FORCE
OF THE RECORDING OF THE MEETING BETWEEN THE PRESIDENT AND JOHN
DEAN ON APRIL 16, 1973 FROM 10:00 TO 10:40 A.M.

PRESIDENT: Good morning, John. How are you?

DEAN: Good morning.

PRESIDENT: Sit down, sit down. Trying to get my remarks ready
to deliver for the building trades.

DEAN: So I understand.

PRESIDENT: [inaudible]

DEAN: Yeah.

PRESIDENT: You know, I've been thinking we ought to get the odds
and ends [inaudible] we talked, and, ah, you will
remember that, remember we talked about resignations
and so forth and so on, that I should have in hand.
Not to be released.

DEAN: Uh, huh.

PRESIDENT: But that I should have in hand something or otherwise
they'll say, "What the hell, did you, after Dean told
you all of this, what did you do?" You see?

DEAN: Uh, huh.

PRESIDENT: I talked to Petersen about, about the thing, and I
said, "Now, ah, what do you want to do about, about
this situation on Dean, and so forth?" And he said,
"Well," he said, he said, "I don't, I don't want to
announce anything now." You know what I mean?

DEAN: Uh, huh.

PRESIDENT: But what is your feeling on that? See what I mean?

DEAN: My feeling -- are we talking Dean or are we talking
Dean, Ehrlichman and Haldeman?

PRESIDENT: Well, I thought Dean. . .

DEAN: Dean.

PRESIDENT: at this moment.

DEAN: Alright.

PRESIDENT: Dean at this point because you're going to be, ah, you're going to be [inaudible] and I'll have to handle them also. But the point is, what is your advice that we. . . you see the point is, we don't have. . . I just, I just got a, I just typed up a couple just to have here which I would be willing to put out. You know.

DEAN: Uh, huh.

PRESIDENT: In the event that, ah, certain things occur.

DEAN: I understand.

PRESIDENT: To put the, uh, put, is putting [inaudible] which is [inaudible]. What's your advice on how to get the. . .?

DEAN: I think it would be good to have it on hand, and I would think, to be very honest with you --

PRESIDENT: Have those others too?

DEAN: Have those others also.

PRESIDENT: Yeah, yeah.

DEAN: I would. . .

PRESIDENT: Well as a matter of fact, they both, ah, suggested it themselves.

DEAN: Um huh.

PRESIDENT: So I've got that, ah -- I am sorry, Steve, I hit the wrong bell.

DEAN: Hah!

PRESIDENT: So I've already done that with them.

DEAN: Alright.

PRESIDENT: They said look [inaudible] and I thought that I want to get your advice on them, too. So what I, what I, I think we'd want to do. . . we should have it in two

different forms here, we should have it, and I would like to discuss with you the forms. It seems to me that your, your form should be, uh, uh, to request an immediate indefinite leave of absence. That would be one thing. The other, of course, would be a, just a straight resignation.

DEAN: Uh, huh.

PRESIDENT: Ah, first, ah, what I would suggest is that you sign both. That's what I had in mind. And then we'll talk about after, ah, because you don't know yet what you're going. . . For example, if you go in and plead guilty you'd have to resign.

DEAN: That's right.

PRESIDENT: If, on the other hand, you're going in, ah, on some other basis, then I think a leave of absence. . .

DEAN: That's right.

PRESIDENT: is the proper thing to do.

DEAN: I would think so.

PRESIDENT: And, ah, that's the way I would discuss it with, ah, with others, too. But if you have any other thoughts, let me know. I am not trying to press you on the thing. I just want to be sure John's got the record that you're, you're, ah [inaudible] anything that I should know. [inaudible]

DEAN: Ah, I, I think it's a good idea. I frankly do.

PRESIDENT: Yeah.

DEAN: But, ah, I think if you do it, for, for one, I think you have problems with others too Mr. President.

PRESIDENT: I already have [inaudible] others.

DEAN: Alright, that's what I am trying to advise you on --

PRESIDENT: But on theirs, on theirs, on theirs, both the, ah, ah, pending, the, ah, the decision's all pending their appearance, and so forth. This is, isn't yours. Nothing's going to be said.

DEAN: Um huh.

PRESIDENT: But I've got to have it in hand if there's any. . . by, by reason, as I told them as a matter of fact after our talk last night, I told them, I said we. . . I've got to have it in hand so that I can move on this if, ah, if Petersen is going to report to me everyday.

DEAN: Um huh.

PRESIDENT: I said now Petersen, I said, "If you get this stuff confirmed," I said, "I need to know." And he said, "Well, I, ah" and I asked, I asked him specifically the question, "what are you, what, what are you going to do?" And he said, "Well who is it going to be today?" And I said, "Well, Strachan's going to be today." There are three today I think. I don't know, who's the third one.

DEAN: I don't know.

PRESIDENT: That's right! You're not supposed to. . .

DEAN: (Laughter)

PRESIDENT: Ah, and then, OK.

DEAN: What I would like to do is, is draft up for you an alternative letter putting in both options and you can just put them in the file.

PRESIDENT: Um huh.

DEAN: Ah, just short and, and sweet.

PRESIDENT: Alright. Fine. I had, I had dictated something myself, on my own, which is, which is, ah [inaudible]. But you don't have to. . . if you can give me a better

form, fine. I just want you to do it either way.
Do you, ah, or do you want to prepare something?

DEAN: I'd like to prepare something.

PRESIDENT: Good. Alright. Fine. Why don't you take this?
And, ah, you can take those just as an idea and have
something and, ah. . . I've got to see Petersen at
1:30.

DEAN: Alright.

PRESIDENT: Understand I don't want to put anything out, because
I don't want to jeopardize your position at, at all.
You've got a right to, to do what everybody else can
[inaudible]. You've taken a hell of a load here and
I, but I just feel that since what you said last
night that we've got ah, and, and with Haldeman,
Ehrlichman, I have, I have a leave of absence from
them. Which, however, I will not use until I get
the word from Petersen on corroboration. . .

DEAN: Um huh.

PRESIDENT: which he, which he advised himself. I talked to him
after, after you left -- about 11:45 or so, the son
of a bitch, doesn't know how hard we work around here.

DEAN: Well, you will have something, ah, ah, within a
couple of hours.

PRESIDENT: Well I think you can put it. . . I won't be back,
won't be back. Ah, yeah, you, you can, ah, you
draft what you want me to. . . In other words you. . .

DEAN: And if you don't like what I draft, you can tell me
and I will change it in any way. . .

PRESIDENT: Sure, sure.

DEAN: that you want.

PRESIDENT: But the fact is, I can't make the decisions, particularly you see... and ultimately it may depend. . . Well, put it this way, put it this way: you draft what, what you, you want and, ah, if I have any concerns about it I'll give you a ring. You can, ah, be around, and so forth. And, ah, but, but you would agree you said that nothing should be put out now. Right?

DEAN: I would agree. I was, I was thinking about that.

PRESIDENT: You see we got that problem today that the thing may break. You know with Magruder, and, ah, and so forth. And, ah, ah, I, ah.

DEAN: I. . .

PRESIDENT: You know what I mean. That's what I wanted to run over with you, briefly, just to, you know, to get your feelings again as to how we can handle it, how we. . . you know you, you were saying the President should stay one step ahead of this thing. Well, we've got, ah, the point is the only problem is what the hell can I say publicly? Now, here's what we've done.

DEAN: The point is. . .

PRESIDENT: I called in, I got in Kleindienst. You know I've been working on it all week.

DEAN: Right.

PRESIDENT: I got, as soon as I got the Magruder thing, I got, I got in Kleindienst, and, ah, then at four o'clock we got in, ah, sold Henry Petersen. Kleindienst withdrew, ah, and, ah, ah, assigned Petersen. I said, "Alright, Henry, I don't want to talk with Kleindienst anymore about this case, I'm just going to talk to you."

DEAN: Um huh.

PRESIDENT: "You're in charge. You follow through and you're going get to the bottom of this thing and I am going to let the chips fall where they may." We've covered that all the way down the line. Now I had to follow him to a certain extent on the prosecution side. On the other hand on the PR side I sure as hell am not going to let the Justice Department step out and say look we dragged the White House in here. I've got to step out and do it, John.

DEAN: That's right.

PRESIDENT: Don't you agree?

DEAN: That's right. Ah. . .

PRESIDENT: Again, I don't want to walk out and say, ah, look John Dean's resignation has been accepted. Jesus Christ, that isn't fair.

DEAN: Nor would it be fair to say Ehrlichman and Haldeman's have.

PRESIDENT: Well that, you know I've already examined it. But you see, they haven't been charged yet. As soon as they are charged, it's a problem. But you see, but in your case you haven't been charged with anything yet.

DEAN: No, I have not.

PRESIDENT: That's my problem you see. Would it. . .

DEAN: Ah. . .

PRESIDENT: All I want is to have in office. . . The only reason I'm doing this is to, ah, because of you, what you said about some of. . . what you said about them, and that is why I'm getting it from them too.

DEAN: Well, there's a, there's a chance, ah, ah, well there's

a chance that today when LaRue goes down that Haldeman, Ehrlichman's name are going to be right down there before the grand jury.

PRESIDENT: Well, the name may be in but the point is you don't just throw somebody out because their name might come forth.

DEAN: I understand.

PRESIDENT: You understand. Ah, would you. . . you could also, if you would, here's, ah, and I would like for you to prepare a letter that you would have for Ehrlichman and Haldeman. Would you do that?

DEAN: Yes sir.

PRESIDENT: And then I'll give them the form and let them work out their. . . something that's appropriate. Would you prepare that for me too?

DEAN: Yes, I will.

PRESIDENT: But they told me last night orally, just as you did, that, ah. . .

DEAN: They stand ready?

PRESIDENT: With head erect, they said, "Look, we will leave in a minute. We will leave today, you can do whatever you want." And I said, "What the hell, we're going to have to wait until we get some evidence." You know what I mean?

DEAN: Uh, huh.

PRESIDENT: I gather that you agree with me.

DEAN: I. . . That's what I do, and the question is timing and ah. . .

PRESIDENT: Yep.

DEAN: Ah. . .

PRESIDENT: Now, let's get Dean's advice as to how we handle this now, from, ah, now on. What is your, what's your advice?

DEAN: Well, I would say you should have the letters in hand and, ah, based on what you learn from Petersen, you can make a judgment at the time, and I think you're still five steps ahead of what will ever emerge publicly. I don't think they. . .

PRESIDENT: I think they caught [inaudible] somebody told me that the Post according to Ziegler has something they are running tomorrow. Magruder talking around and everything. I don't know.

DEAN: Well, I know, I know some of the things Magruder said. He said that, ah, that the prosecutors had asked him a number of questions about Ehrlichman and Haldeman. There is no, there's no doubt that that's gonna be out on. . .

PRESIDENT: Yeah.

DEAN: the street fast also.

PRESIDENT: Then the other will come out too.

DEAN: Uh, huh.

PRESIDENT: That's my point.

DEAN: It's unfortunate. And I, I'm hoping that the ultimate resolution of this thing is that no one has any problems and that's possible.

PRESIDENT: Legally?

DEAN: Legally.

PRESIDENT: That's right, which I hope is your case too. In other words when I say I don't want anything about the White House staff -- not you, not Colson, not Ehrlichman, not Haldeman, because goddamn it, let me, let me,

let me cover that and make this point again. Because I need to, ah, you know, we know there's no. . . the Dean report. Ziegler has always said it was oral.

DEAN: That's right.

PRESIDENT: Right. But you remember when you came in, I asked you the specific question "Is anybody on the White House staff involved in it?" You told me, "No."

DEAN: That's right. And I have no knowledge. . .

PRESIDENT: You still believe that --

DEAN: Yes sir, I do.

PRESIDENT: Yes. But you did tell me that in the aftermath there were serious problems.

DEAN: That's right.

PRESIDENT: Right. And, I said, "Well, let's see what they are." Right?

DEAN: And now you are beginning to see what they are. They are potential, technical, obstruction of justice problems.

PRESIDENT: Sure.

DEAN: But not [inaudible]

PRESIDENT: I talked to Petersen last night and he made exactly the same point. He said the obstruction was morally wrong. No, not morally.

DEAN: [inaudible]

PRESIDENT: He said it may not have been morally wrong and it may not have been legally wrong, but he said from the standpoint of the Presidency you can't have it. So, that's what he's feeling, so he, he seems to think that there's a. . . that the obstruction of justice thing is a goddamn hard thing to prove. . .

PRESIDENT: He hit you. . .

DEAN: No.

PRESIDENT: at a dinner. . .

DEAN: No.

PRESIDENT: or something?

DEAN: No, no. O'Brien, who was one of the lawyers who was representing the Re-Election Committee, was asked by Hunt to meet with him. He came to me after the meeting and said that Hunt asked that the following message be passed to you. I said, "why me?" He said, "I asked Hunt the same question."

PRESIDENT: To you, Dean -- or to me, the President?

DEAN: Passed to me. . .

PRESIDENT: Oh.

DEAN: Dean.

PRESIDENT: Oh.

DEAN: And it's the first time I'd heard anything like this. And I said, ah. . .

PRESIDENT: He had never asked you before?

DEAN: No.

PRESIDENT: Ah, let me tell you. What did you report to me on though? I. . . It was rather fragmentary, as I recall it. You said. . .

DEAN: Very. . .

PRESIDENT: Hunt had a problem --

DEAN: Very fragmentary. I was, I. . .

PRESIDENT: Yeah, but that's not the thing. I, I said, "Why, John, what's it going to cost to do this?" That is when I sent you to Camp David and said, "For God's sake, let's see where this thing comes out."

DEAN: That's right.

PRESIDENT: And you said it could cost a million dollars.

DEAN: I said that, you know, it conceivably could, and the way it's. . . I said, "If we don't cut this thing. . ."

PRESIDENT: Exactly. [inaudible] Anyway, but that's the only conversation. Where. . . how are we going handle it? We have no one indicted for that money.

DEAN: Ah, well, let me tell you the rest of what Hunt said. He said, "You tell Dean that I need \$72,000 for my personal expenses, \$50,000 for my legal fees. . ."

PRESIDENT: Um huh.

DEAN: if I don't get it I am going to have some things to say about the seamy things I did at the White House for John Ehrlichman."

PRESIDENT: Um huh.

DEAN: Alright, I took that to Ehrlichman. Ehrlichman said, ah, "Have you talked to Mitchell about it?" I said, "No, I have not." Ah, he said, "Well, will you talk to Mitchell?" I said, "Yes, I will." I talked to Mitchell. I just passed it along to him. And then there was a meeting down here a few days later in, in Bob's office with Bob and Ehrlichman, and Mitchell and myself. And, ah, Ehrlichman said at that time, he said, "Well is that problem with Hunt straightened out?" He said it to me and I said, "Well, ask the man who may know: Mitchell." And Mitchell said, "I think that problem is solved."

PRESIDENT: That is all?

DEAN: That's all he said.

PRESIDENT: Right. That's good. In other words, that was done at the Mitchell level?

DEAN: That's right.

PRESIDENT: But you had knowledge; and Haldeman had a lot of knowledge; Ehrlichman had knowledge. . .

DEAN: Right.

PRESIDENT: and I suppose I did that night. That assumes culpability on that, though.

DEAN: I don't think so.

PRESIDENT: Why not?

DEAN: Ah. . .

PRESIDENT: I plan to be tough on myself on that. On the other hand, you know, I I must say that I didn't really give it a thought at the time because I didn't know, ah. . .

DEAN: No one gave it a thought.

PRESIDENT: You didn't, you didn't. . .

DEAN: No one.

PRESIDENT: You didn't tell me this about Ehrlichman, for example, when you came in on that day.

DEAN: I know.

PRESIDENT: You simply said, "Hunt needs this money." And you were using it as an example of the problems ahead.

DEAN: I, I have tried, ah, all along to make sure that anything I passed to you myself didn't cause you any personal problems.

PRESIDENT: John, let me ask you this. Let us suppose if this thing breaks and they ask you John Dean, "Now, John you were the President's Counsel. Did you report things to the President? What did you report?"

DEAN: I, I would, I would refuse to answer any questions on anything. . .

PRESIDENT: That sounds like it might be easy. Let me ask you this.

DEAN: unless you waive. . .

PRESIDENT: Let me say that on this point, I would, ah, would not waive. You could say, "I reported to the President." Ah, that "the President called me in," I mean the President has authorized me to say "he called me in, and, ah, and ah, asked me. . ."

DEAN: Um huh.

PRESIDENT: ah, make that, that before, that when the event first occurred, you conducted an investigation and passed to the President the message, "no White House personnel according to your investigation were involved." You did do that didn't you?

DEAN: I did that through Ehrlichman and Haldeman.

PRESIDENT: But that you did it. . .

DEAN: Through John Ehrlichman. Now that... I'm going to have to say I did it through Ehrlichman and Haldeman.

PRESIDENT: No, but, I know you did it. . . because. . .

DEAN: That's right.

PRESIDENT: I didn't, I didn't see you until after the election.

DEAN: That's right.

PRESIDENT: Alright. Now, but then you can say, "and then after the election, the President, when the McCord thing broke, called you in." I think that's when it was, wasn't it?

DEAN: No, ah. . .

PRESIDENT: After the McCord. . .

DEAN: It was before the McCord thing, because you remember you told me after the Friday morning that McCord's letter -- you said, "You predicted this, this was going to happen." Because I had, oh, in, in about a week, ah, or two weeks. . .

PRESIDENT: How did it. . . why did I get you in there? What, what triggered me getting you in?

DEAN: Well, we just started, we just started talking about this thing, and. . .

PRESIDENT: But I called you in, you and Moore together, to be frank. . .

DEAN: Well. . .

PRESIDENT: for a Dean Report.

DEAN: on a, on a Wednesday morning --

PRESIDENT: [inaudible]. Oh, oh, I know what was involved. It was involving that damn executive privilege and all that crap.

DEAN: That's right. It was that, the Gray things were popping, but on the Wednesday morning before I asked. . .

PRESIDENT: We had three conversations to my recollection.

DEAN: Well, sir, I think we had more than that. But, of course, we have a, we'd have a record of that through. . .

PRESIDENT: Yeah.

DEAN: those people. I think we had more than that. But the, the one report where I finally. . . I called Bob. . .

PRESIDENT: I have to read this [inaudible]. Go ahead.

DEAN: Yeah. I called Bob and I said, I said, "Bob, I, I don't think the President has all the facts."

PRESIDENT: That's right and then you came and sat in this chair and that's the first time that I realized the thing.

DEAN: That's right.

PRESIDENT: And what. . . and now the question is: well Mr. Dean, is, "Why didn't you tell the President before?" And your answer there is. . .

DEAN: I didn't know. That is absolutely correct.

PRESIDENT: That's what you told me last night. You see, I don't want you, John, to be in a position and frankly I don't want the President to be in a position, where one of his trusted people had information that he did keep, kept from him. So I want. . .

DEAN: I did not know.

PRESIDENT: Fine. You did not know. "How did you find out then?" they'll ask. But you, but you're, but you can handle that.

DEAN: That's right.

PRESIDENT: But I did, I did ask you and I think, I think you should say the President authorized me to say this -- I won't reveal the conversation with the President -- but he, and ah, he asked me this question. I told him that, that ah, he, ah, ah, that nobody in the White House was involved. And that in addition to that, as I, I ah. . . to the best of my ability kept ah, I kept. . . or what do you think you ought to handle with the Presidential thing? Why don't you. . .

DEAN: Well, I think the less said about. . .

PRESIDENT: Alright.

DEAN: you. . . I think that's stupid.

PRESIDENT: I think we're going to have to definitely do this.

DEAN: I think you can say anything you want to say about it but, but I have to say. . .

PRESIDENT: Well, let me tell you I am going to handle that properly and I just want to be sure that it, that it, it jibes with the facts. I can say that you did tell me that nobody in the White House was involved and I can say that you then came in, at your request, and said, "I think the President needs to hear more about this case."

DEAN: That's right.

PRESIDENT: Then it was that night that I started my investigation.

DEAN: That's right.

PRESIDENT: Correct?

DEAN: That was the Wednesday before they were sentenced.
Now I can get that date, I don't have it off the top. . .

PRESIDENT: Would you do me this? Get your chronology of that
Wednesday you came in and told me. That would be
helpful for me to have.

DEAN: That's what I. . .

PRESIDENT: Because from my point I've just got to have it. That's
when I became interested. I would, I became frankly
interested in the case and I said, "Now goddamn it,
I want to find out the score." And I set in motion
Ehrlichman, Mitchell and a few -- not Mitchell, but
others. OK?

DEAN: Sure.

PRESIDENT: One other thing. On this privilege thing, I think,
ah, nothing -- so that you could be sure you know
nothing is privileged that involves wrongdoing. . .

DEAN: That's correct.

PRESIDENT: On your part or wrongdoing on the part of anybody
else. I am, I'm, I'm telling you that now and I want
you to. . . when you testify, if you do, to say that
the President has told you that. Would you do that?

DEAN: Yes, sir.

PRESIDENT: Would you agree to that?

DEAN: I do.

PRESIDENT: Fine. However, let me say that, ah, with regard to,
with regard to what we call the electronic stuff they
heard, and what I have now found is in the leak area

of the national security area. Ah, that I consider privileged.

DEAN: I do too.

PRESIDENT: And I think you should say, for example, on that. . . But what I meant is ah, ah, I should, ah. . . I think in the case of the Kraft stuff, what the FBI did, they were both, I find. . . I have checked the facts. There were some done, some done through, ah, private sources. Most of it was done through the Bureau after we got going. Hoover didn't want to do, ah, to do Kraft. But what it involved, John, apparently, was this: there were leaks from the NSC. They were in Kraft and others columns and we were trying to plug the leaks. . .

DEAN: Right.

PRESIDENT: and we had to. . . so we get it done. Finally we turned it over to Hoover. And then when the hullabaloo developed we, we just stopped it altogether.

DEAN: I understand.

PRESIDENT: And that includes Spock too. But in my view, the view, I consider that privileged.

DEAN: I have no intention of raising that in any conversation.

PRESIDENT: Have you informed your lawyers about that?

DEAN: No.

PRESIDENT: I think you should not. Understand, not because it would cut anything, except I do think it is privileged. But it's going to be up to you.

DEAN: No -- I think it is privileged also.

PRESIDENT: Yeah. Support you know -- and this was necessary to do. If we had Hoover a little bit. . . and in control, as Lyndon Johnson, it would have been better. Ah,

now, your, your guess as to when will I and Petersen
[inaudible]. . . when will you be called? Perhaps
Tuesday, Wednesday or --

DEAN: I would think sometime this week.

PRESIDENT: You don't think the thing is likely to break today,
is that right?

DEAN: No, I don't.

PRESIDENT: I wonder what Ziegler's got. He must have. . . he
seems to think that something's going to break. He
hasn't been in to see me and I will have to get him
in later. But, ah. . . well, on that thing, I'll
ask Petersen.

DEAN: Um huh.

PRESIDENT: Petersen, Don't you agree with me that it is better that we
make the first announcement and not the Justice
Department?

DEAN: Yes, I do. Definitely. On your own staff.

PRESIDENT: Uh?

DEAN: On his own staff.

PRESIDENT: Oh hell, I am going to make the announcement with
regard to Magruder too. Goddamn it, it was our
campaign. I am not going to have the Justice Depart-
ment. . .

DEAN: Oh, I could [inaudible]

PRESIDENT: we triggered this whole thing. You know what I mean?

DEAN: That's right.

PRESIDENT: But you perceive. . .

DEAN: Well, if, if, if..when the. . .

PRESIDENT: You helped to trigger it.

DEAN: When history is written, you'll. . . and you put the
pieces back together, you will see why it happened.

It's because I triggered it. I, I put everybody's feet to the fire because it just had to stop.

PRESIDENT: That's right. And you put. . .

DEAN: And I still continue to feel that, ah, that. . .

PRESIDENT: Right. You put Magruder's feet to the fire.

DEAN: Yes, I did.

PRESIDENT: Where did you see Magruder? Ah. . .

DEAN: I didn't. I. . . In fact, I refused to see him. That was one of the problems.

PRESIDENT: Oh, and that's why he. . .

DEAN: I started, I talked to him. I, I met with him in one of these outer offices out here at a meeting.

PRESIDENT: What got Magruder to talk?

DEAN: Ah. . .

PRESIDENT: I would like to take the credit.

DEAN: Because, because. . . Well, ah, huh. . . he thought. . .

PRESIDENT: [inaudible]. I was hoping that you had seen him, because, ah. . .

DEAN: He was. . . well, he was told, you know, he was told, one, that, you know, there was no chance. . .

PRESIDENT: Well, after all, when you made the statement about the question of nobody here. . . drawing wagons up around the White House, ah. . . [inaudible] immediately you thought that the primaries were [inaudible]. We're talking about pre-pre-primaries, with all of the committees. Right?

DEAN: Correct.

PRESIDENT: Where it is.

DEAN: That's right.

PRESIDENT: But on Magruder, come again. What's the deal, deal there?

DEAN: Ah, the, ah, ah, situation there is that he and Mitchell were continuing to talk, continuing to talk about proceeding along the same course they'd been proceeding to, to lock in their story, but my story did not fit with their story. And I just told them I refused to change, to alter my testimony, other than, than to repeat it just as I knew. I . . . this had to do with the number of meetings in the Department of Justice.

PRESIDENT: Yes, I heard this. Oh, I remember. Oh, I remember. You told me this. Everybody told me that. You said, "Dean said, I will not go, I will not go down there and lie;" you said, "because your hand will shake and your voice. . ." Remember you told me that?

DEAN: Yes, no way I could. I'm incapable of it.

PRESIDENT: That's right. Thank God. Don't ever do it John. Whatever you do, tell the truth. That is the thing that you're gonna. . . I have told everybody around here, "God damn it, tell the truth!" Cause all they do, John, is compound it.

DEAN: That's right.

PRESIDENT: That son of a bitch Hiss would be free today if he hadn't lied about that, John. If he had said, if he had just said. . . he didn't have. . . he could have just said, "I . . . look I knew Chambers and, yes, as a young man I was involved with some Communist activities but I broke it off many years ago." And Chambers would have dropped it. But, if you are going to lie, you go to jail for the lie rather than the crime.

DEAN: Ah. . .

PRESIDENT: So believe me, don't ever lie [inaudible].

DEAN: The, the truth always emerges.

PRESIDENT: We know that.

DEAN: It always does.

PRESIDENT: Also there is a question of right and wrong, too.

DEAN: That's right.

PRESIDENT: What is right and what is wrong.

DEAN: That's right.

PRESIDENT: Perhaps there are gray areas, but you're right to, to get it out now, I'm sure. On Liddy, I wanted to be sure that, that you recall, on our conversation, I, ah. . . you asked me to do something. I've left it with Petersen now. He said he'd handle it. Ah, that's the proper place. . .

DEAN: That's right.

PRESIDENT: for it to be. When Liddy says he can't talk with peers from higher authority, I am not his higher authority.

DEAN: No.

PRESIDENT: It's Mitchell.

DEAN: Well, he's been obviously looking for the ultimate. . .

PRESIDENT: What do you think he's thinking about?

DEAN: I think he's thinking about Presidential clemency. He thinks. . . has the impression that you and Mitchell probably talk on the telephone daily about this.

PRESIDENT: You know we have never talked about it.

DEAN: I, I understand that.

PRESIDENT: I have never talked to Mitchell about this, oh, except about when, whether we go, ah, the executive privilege thing.

DEAN: Right.

PRESIDENT: He came in and said, "Everybody should testify in executive session," . . .

DEAN: Mitchell said that?

PRESIDENT: except you. Which I think, I mean. . .

DEAN: I think. . .

PRESIDENT: What do you think about executive privilege?

DEAN: I think, I think, Mr. President, the earlier. . . right now we're going to fizzle.

PRESIDENT: What?

DEAN: I think that when, when, when Petersen finishes with his. . .

PRESIDENT: You don't think we can hold to executive privilege anyway do you, John, now?

DEAN: To hold on executive privilege?

PRESIDENT: Tell me your advice on that. What should we do?

DEAN: I think, I think if you. . . if, if there are indictments down there in that court room, none, none of us officials should go up to testify. I think the Watergate is just going to be totally carved out of the Ervin hearings. Then uh. . .

PRESIDENT: That's the Watergate, right? Then the other stuff is not that important. . .

DEAN: Sure.

PRESIDENT: Segretti and all that?

DEAN: Segretti and all that stuff is not that important. They'll try to. . . they can have a lot of fun with it, but it is not very meaningful.

PRESIDENT: So you think Liddy thought that my calling Mitchell would [inaudible]? Well, we covered that last night.

DEAN: That's right.

PRESIDENT: You were there.

DEAN: I can recall, I think. . .

PRESIDENT: Is that enough?

DEAN: That's right. Petersen will tell you if it doesn't, ah. . .

PRESIDENT: You tell me now if it isn't enough --

DEAN: No, I think it is enough.

PRESIDENT: I am going to respect your -- after all, you are still the Counsel around here --

DEAN: [Laughter]

PRESIDENT: No, but I'm serious. You've got to advise me and the same with Haldeman and Ehrlichman. As long as you are around here, we've got to, we've got to take a look.

DEAN: Well, I want to, I want to lay one thing out.

PRESIDENT: Um huh.

DEAN: I think there is a mythical belief, ah, I've not talked to Bob or John about this -- if they don't have a problem, Mr. President. And I am not really sure you're convinced they do, but I am telling you, they do.

PRESIDENT: A problem? [Click]

DEAN: Yeah.

PRESIDENT: There's no question about it.

DEAN: No question.

PRESIDENT: They are. . .

DEAN: I just want. . .

PRESIDENT: Yup. Petersen made the point. I said, "Tell me what the facts are." And he said, "The problem is, the problem is that they are going to get splashed and," he said, "When they get splashed, you've got a

problem, Mr. President." Now, then he goes on to say that as far as the legal form of obstruction is concerned, and he covers all three of you here. . .

DEAN: Um huh.

PRESIDENT: he said, it is a very difficult case to prove. Do you agree with that?

DEAN: That's right.

PRESIDENT: You see that's the point. And I know it would work. I mean I am speaking now in personal terms. I. . .

DEAN: It's a technical case and it's a tough case.

PRESIDENT: It's a tough one to prove. What do you mean by that? I. . .

DEAN: Apparently my lawyer said, "Now, I've, I've, I've won cases on this, ah, ah, with tougher facts than you've got, I'll assure you."

PRESIDENT: Yeah.

DEAN: It would not, it would not be a. . .

PRESIDENT: So that is their real culpability because it, it would be a. . . both Ehrlichman and Haldeman are in on the obstruction. . .

DEAN: That's right.

PRESIDENT: is that your point?

DEAN: It would be a very good idea if they had counsel.

PRESIDENT: I told them that last night-- to get lawyers -- so I am one step ahead of you there. Now, is there anything else you think I should do? You don't think I should -- shit, I am not going to let the Justice Department break this case, John.

DEAN: I understand. I think you've got to break it. You are breaking it.

PRESIDENT: Well, goddamn it, that's what we've done.

DEAN: That's right.

PRESIDENT: I could have told you to go to Camp David and concoct a story couldn't I?

DEAN: That's right.

PRESIDENT: And you've never heard that said, have you?

DEAN: No, sir.

PRESIDENT: In fact, I think I know [inaudible]. But on the other hand, it was your job to tell me, wasn't it?

DEAN: Uh, huh.

PRESIDENT: And you have. Basically what you have done -- no, you, you've told me the truth though. You've told me the truth. It was your job to work for the White House, the President, the White House staff and they were not involved in the pre-thing. But then you thought about the post-thing. You thought about it and that's why you decided to, you said. . . cut it off.

DEAN: I thought we could just cut it off.

PRESIDENT: Cut it off. Right?

DEAN: to, to, to keep this whole thing a. . .

PRESIDENT: Look, one thing I want to be sure in here, when you testify, I don't want you to be in a position so that. . . and I don't want the President to be in a position, that his Counsel did not level with him. See my point?

DEAN: Now, there's, there's no point that I have not leveled with you, as you should know.

PRESIDENT: What I mean is, when you say, "Well, now Mr. Dean," I'm speaking now, but. . .

DEAN: They will, they will...

PRESIDENT: "why didn't, why didn't, why didn't you tell the

President -- did you know about this? Why didn't you tell the President?"

DEAN: That is a PR situation, Mr. President. The U.S. Attorneys are not going to ask me questions, as to what I said to the President and what I didn't.

PRESIDENT: Well, I favor, I frankly think -- I would, I would hope you could help on the PR there by you saying --

DEAN: I'd be happy to help on it.

PRESIDENT: I would like for you to say -- and you are free to talk. You are to say, "I, I told the President about this. I told the President first there was no involvement in the White House. Afterwards, I told the President that, ah, that I. . ." And the President said, "Look, I want to get to the bottom of this thing, period." See what I am driving at -- not just the White House. You continued your investigation, and so forth, and the President went out and investigated in his own way, which I have done. . .

DEAN: Um huh.

PRESIDENT: believe me. I put a little pressure on. . .

DEAN: Um huh.

PRESIDENT: Magruder and a few of his lot. And, ah, as a result of the President's actions this thing has been broken.

DEAN: That's right.

PRESIDENT: Because also I put pressure on the Justice Department -- I told Kleindienst that, goddamn it, that. . .

DEAN: No, I think, I think you are in front right now and, ah, you can rest assured everything I do will, will keep you as far as. . .

PRESIDENT: No, I don't want that, understand? When I say "don't lie," don't lie about me either.

DEAN: No, I won't sir -- your -- [inaudible]

PRESIDENT: I, I, I think I have done the right thing, but I want, I want you to do. . . I want you to do, if, if you feel I have done the right thing, I think the country is entitled to know it. Because we are talking about the Presidency here.

DEAN: This thing has changed so dramatically. The whole situation since I gave you the picture. . .

PRESIDENT: It was in that chair --

DEAN: in that chair over there, and gave you what I thought were the circumstances, the potential problems, and the like. You have done nothing but try to get to the bottom of this, this thing, and --

PRESIDENT: I think so.

DEAN: And ah, ah. . .

PRESIDENT: Well, I said, "Write a report." But my purpose was to write a report, as I said, "I want the Segretti matter, I put the Segretti stuff in it; put everything else in it. Whether the White House. . . was the White House involved?" You know, what do you think? How about -- one last thing -- Colson. Ah, you don't think that they're going to get him into something?

DEAN: I think, I think he has some technical problems, post, also. I don't know if he has any, if ah. . . To the best of my knowledge, he had no, had no advance knowledge of this thing.

PRESIDENT: Right. I suppose the key there is Hunt. He was so close to Hunt. I just want to know for my own benefit.

I, as I told you last night, I don't want, I don't want to be there.

DEAN: [inaudible]

PRESIDENT: What about Chuck Colson? What. . .

DEAN: Chuck swore up and down to me. . .

PRESIDENT: I have got to say -- to you John Dean -- was Colson involved?

DEAN: I have no information that he was at all.

PRESIDENT: Post?

DEAN: Technical problems.

PRESIDENT: Those two things you mentioned last night.

DEAN: That and, ah, let's face it, there's other technical problems, ah, you know.

PRESIDENT: Um yeah.

DEAN: It's a, it's a, all the obstruction is technical stuff that mounted up.

PRESIDENT: Well, you take, for example, the clemency stuff. That was solely Mitchell, apparently, and Colson's talk with, ah, Bittman where he says, "I'll do everything I can because as a, as a friend. . ."

DEAN: No, that was with Ehrlichman.

PRESIDENT: Hunt?

DEAN: That was with Ehrlichman.

PRESIDENT: Ehrlichman with whom?

DEAN: Ehrlichman, and Colson and I sat up there, and Colson presented his story to Ehrlichman. I asked him regarding it and, and then John gave Chuck very clear instructions on going back and telling him, ah, you know, "Give him the inference he's got clemency but don't give him any commitment."

PRESIDENT: No commitment.

DEAN: Right.

PRESIDENT: That's alright. [inaudible] no commitment. I've got a right to sit here and take a fellow like Hunt or, ah, or, or a Cuban whose wife is sick or something and give them clemency for that purpose -- correct?

DEAN: That's right.

PRESIDENT: But, ah, John specifically said, "No commitment," did he? When he. . .

DEAN: He said, "no commitment."

PRESIDENT: And then Colson then went on to. . . apparently to --

DEAN: I don't know how Colson delivered it, ah. . .

PRESIDENT: To Hunt's lawyer -- isn't that your understanding?

DEAN: Yes, but I don't know what he did or how. . .

PRESIDENT: Where did this business of the Christmas thing get out, John? What the hell is that. . .

DEAN: Well, that. . .

PRESIDENT: all about? That must have been Mitchell, huh?

DEAN: No, that was Chuck again. I think that ah. . .

PRESIDENT: That they'd all, that they'd all be out by Christmas?

DEAN: No, I think he said something to the effect that Christmas is the time that clemency generally occurs.

PRESIDENT: Oh yeah.

DEAN: Ah. . .

PRESIDENT: Well, that. . . I, I, I don't think that is going to hurt him.

DEAN: No.

PRESIDENT: Do you?

DEAN: No.

PRESIDENT: Clemency is one thing. He is a friend of Hunt's. I'm just trying to put the best face on it, but if it is the wrong thing to do I've got to know.

DEAN: Well, one, one of the things, I think you have to be very careful -- and that's why Petersen is very good -- is, if you take a set of facts and let the prosecutors who have no [inaudible] to be, to be making no [inaudible]

PRESIDENT: Yeah.

DEAN: but they'll give you the raw facts as they relate to the law, ah, and it's later you've got to decide, you know, what public face will be put on it. In other words, if they'll, if they're. . .

PRESIDENT: Oh, I understand.

DEAN: it'll come out in court, you know.

PRESIDENT: You can help on that, John.

DEAN: Yes sir, I know. Ah, wherever I may be I will be available to help on that.

PRESIDENT: Well, I hope you are right ----- You think you testify when? Well, Petersen will decide that.

DEAN: Yeah.

PRESIDENT: Do you want me to say anything to him about it?

DEAN: No.

PRESIDENT: Is that because, ah. . .

DEAN: Well, I think my lawyers and, and the U.S. Attorneys Office ought to continue to work in. . .

PRESIDENT: You see, I am having him report to me daily now.

DEAN: Right.

PRESIDENT: Which I, which I think I should do. And ah. . . so all that I'll say is that I'm going to tell him that we have talked today and that I went over again the various materials --

DEAN: What would be the best thing in the world is if they decide that they've got nothing but technical cases against people at the White House and they chuck them all out. That is not impossible.

PRESIDENT: Should I, should I telephone him?

DEAN: No, sir.

PRESIDENT: Hah, hah! That's what they ought to do.

DEAN: That's right.

PRESIDENT: May be a tough case for them to prove, John.

DEAN: What if they started out just not to do it and then none of the events are even released. It could very well happen.

PRESIDENT: Well, that's what I hope and I understand. The reason I have to have that is in case there is a break tonight. I don't want to have to call John Dean in and say, "Look, John, can I have it?" It looks like I . . . it puts a cramp in my plans. I, I've got to know because I do have some knowledge there might be more involved here. All that I am saying is this, as you know, is that I have heard things from the U.S. Attorney, and from John Dean and from my own people that indicate that there could be a technical violation, that there could be, there could be, ah . . . Under the circumstances, I feel that it's my duty to have your resignation in hand. Of course, the President always has a resignation.

DEAN: Or a, or a . . .

PRESIDENT: How does that sound to you?

DEAN: Well, that's right. Well, the thing is in phrasing the letter, ah, is important.

PRESIDENT: Right.

DEAN: You don't cause anybody to have problems with a fair trial, so that is why I'd like to . . .

PRESIDENT: Well, that's right. I think that's, I think, I . . . those are my dictations. I [inaudible]. Those are only a form for you. And you, you work it out and work it out so that it would be one that would apply

to you and work out the answer to, ah, Ehrlichman and Haldeman's letter. Just a form that I can give anybody -- Strachan -- [inaudible] he's not gone.

DEAN: Yes, he's gone, to USIA.

PRESIDENT: Well, that doesn't come to me does it?

DEAN: Well, the whole Executive Branch -- is, huh. . .

PRESIDENT: No, no I mean tell him his resignation can be submitted to Keogh.

DEAN: That's right, Keogh.

PRESIDENT: Well, I'll get his resignation. I'll tell, I don't care. . . I will tell those guys they should, ah. . .

DEAN: I would think, I don't think that you ought to tell Strachan. I think. . .

PRESIDENT: No, no, no -- tell Keogh he ought to ask for his resignation.

DEAN: I think Bob ought to do that though.

PRESIDENT: Bob Haldeman?

DEAN: Um huh.

PRESIDENT: Good. I'll tell, I'll tell Bob then to get them. That'll, that'll be Strachan and, ah, Magruder [coming up].

DEAN: Alright, sir. Alright.

PRESIDENT: That's your, your advice? Oh, also if you do have any random thoughts on, ah, how many more we could do on the presentation of this thing, sit over in your office and think of it, I mean as to how to handle, ah. . .

DEAN: Well, I wanted to. . .

PRESIDENT: so that the President is in front, you know.

DEAN: I want, I want, I want to give you some, some notes on that which I think will help.

PRESIDENT: Would you do that?

DEAN: Sure I will.

PRESIDENT: The record. Here's what I have done -- here's what I have done -- and what we think the President ought to do and when, you see what I mean? And then, if we have to use these things, I pray to God we don't, cause you guys don't deserve it. You don't deserve it.

DEAN: Well, the whole thing is, the important thing is that it's not them, it's you.

PRESIDENT: No -- well, I know maybe it isn't me personally, it's this place.

DEAN: Well, it's the office and, ah, the campaign office as well.

PRESIDENT: Alright. Remember, be back.

DEAN: Alright, sir.

PRESIDENT: I would, I'd just, just, just hang tightly.

DEAN: I couldn't. . .I couldn't. . .

PRESIDENT: Hang tightly.

DEAN: couldn't be more objective, Mr. President, and, ah, I would say I don't think I have lost by objectivity in this thing at all.

PRESIDENT: What?

DEAN: I said I don't think I've lost my objectivity at all in this. Do you know why? [inaudible]

PRESIDENT: Alright, John. Good to talk to you.