1-1-1974


Don Edwards

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34. On April 12, 1973 the President telephoned Charles Colson at 7:31 p.m. and asked Colson to prepare a specific set of recommendations with respect to the Watergate matter. The following day Colson met with Ehrlichman twice. At the second meeting Colson was accompanied by his lawyer. Ehrlichman testified that at the second meeting Colson said that he understood that Howard Hunt would testify before the grand jury that the second break-in at the Watergate was opposed by Hunt but that Liddy said to Hunt that they couldn't call it off because they were doing it on Mitchell's order; that Hunt would testify about the transmittal of funds to the Watergate defendants; and that McCord was making allegations about a trip to Las Vegas by Hunt, McCord and possibly Liddy to break into the safe of Hank Greenspun in a project masterminded by Colson. Colson has stated that he recommended to Ehrlichman, among other things, that the President take steps to expose those involved in the planning, approving or authorizing of the Watergate break-in.

34.1 President Nixon daily diary, April 12, 1973, Exhibit 17, In re Grand Jury.
34.2 Charles Colson draft statement prepared for delivery to SSC, September 1973, 46-48.
34.3 John Ehrlichman log, April 13, 1973 (received from SSC).
34.5 John Ehrlichman testimony, 7 SSC 2729-30, 2800-02.
34.6 John Ehrlichman notes of April 13, 1973 meeting with Charles Colson and David Shapiro, Exhibit No. 98, 7 SSC 2933-36.
34.7 John Dean testimony, 3 SSC 1012-13.
35. On April 13, 1973, the day Magruder began meeting with the prosecutors, Lawrence Higby, staff assistant to Haldeman, had two telephone conversations with Magruder which were taped without Magruder's knowledge. Higby asked Magruder whether his testimony was going to be damaging to Strachan and Haldeman. Magruder said it would damage Strachan but he had not talked to Haldeman about the Watergate until long after. Higby told Magruder that it wasn't in his long or short term interest to blame the White House. On April 14, 1973 Ehrlichman and Haldeman reported these conversations to the President. Ehrlichman told the President that Higby had handled Magruder so well that Magruder had closed all his doors now with this tape; that the tape would beat the socks off Magruder if he ever got off the reservation.

35.1 Jeb Magruder testimony, 2 SSC 808, 851.

35.2 Tape recording of conversation between Jeb Magruder and Lawrence Higby, April 13, 1973 (received from SSC), and House Judiciary Committee transcript thereof, 9-10, 12-13, 14-16, 21.

35.3 White House edited transcript of conversation among the President, H.R. Haldeman and John Ehrlichman, April 14, 1973, 8:55 - 11:30 a.m., 7-9.
36. On April 14, 1973 the President met with Ehrlichman from 8:55 to 11:31 a.m. and with Haldeman from 9:00 to 11:30 a.m. At this meeting the President instructed Ehrlichman to meet with Mitchell. The President was advised that the grand jury was focusing on the aftermath. There was a discussion of payments to the Watergate defendants and of the transfer of $350,000 from Strachan to LaRue to be used for payments to the defendants.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.


36.2 Summary of White House edited transcript of a conversation among the President, H.R. Haldeman and John Ehrlichman, April 14, 1973, 8:55 - 11:30 a.m., prepared by House Judiciary Committee staff.
37. On the afternoon of April 14, 1973 Dean, Haldeman and Ehrlichman met in Ehrlichman's office. Dean has testified that there was a discussion of whether Haldeman, Ehrlichman, Dean, Mitchell, Colson and others would be indicted.

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37.1 John Ehrlichman log, April 14, 1973 (received from SSC).

37.2 John Dean testimony, 3 SSC 1013-14.

37.3 John Dean list of names, SSC Exhibit No. 34-47, 3 SSC 1312.

37.4 John Dean testimony, SSC Executive Session, June 16, 1973, 146.

38. On April 14, 1973, at 1:30 p.m., Haldeman had a telephone conversation with Magruder and taped the conversation. Magruder told Haldeman that he had committed perjury many times; that he had decided to follow his lawyer's advice and make a full disclosure to the grand jury; that it put Gordon in a spot; and that he intended to plead guilty.

38.1 H.R. Haldeman log, April 14, 1973 (received from SSC).

38.2 House Judiciary Committee transcript of tape recorded conversation between H.R. Haldeman and Jeb Magruder, April 14, 1973, 1, 5.
39. On April 14, 1973, at the President's request, Ehrlichman met with Mitchell from 1:40 to 2:10 p.m. Ehrlichman told Mitchell that the President had instructed him to talk to Mitchell and say not to hold back on account of the Presidency. Mitchell said that he was going to stay where he was because he was too far out. Mitchell said that he got euchred into it by not paying attention and that the whole genesis of this thing was at the White House. Mitchell told Ehrlichman that Dean had been caught in the middle like so many others who were trying to keep the lid on until after the election and trying to keep the lid on all the other things that had gone on at the White House. Magruder's pending disclosures to the prosecutors were also discussed. Mitchell told Ehrlichman that some of the White House fund had been used to make payments to the defendants, with Haldeman's approval, prior to the return of the money to Fred LaRue.

39.1 John Ehrlichman log, April 14, 1973 (received from SSC).
39.3 John Mitchell testimony, 4 SSC 1651-52.
39.4 John Ehrlichman testimony, 7 SSC 2756.
On April 14, 1973 the President met with Haldeman from 1:55 to 2:13 p.m. Haldeman reported to the President on his telephone conversation with Magruder. There was a discussion of what Haldeman and Strachan would say if Magruder testified that he had sent Gemstone materials to Strachan.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

40.1 President Nixon daily diary, April 14, 1973, Exhibit 19, In re Grand Jury.

40.2 Summary of White House edited transcript of a conversation between the President and H.R. Haldeman, April 14, 1973, 1:55 - 2:13 p.m., prepared by House Judiciary Committee staff.
On April 14, 1973 the President met with Haldeman and Ehrlichman from 2:24 to 3:55 p.m. At this meeting Ehrlichman reported on his meeting with Mitchell. There was a discussion of the motive for the payments to the defendants and the transfer of the $350,000 from the White House to the Committee. The President instructed Ehrlichman to meet with Magruder. There was a discussion whether it would reduce the likelihood of Department of Justice follow-up if Ehrlichman gave a report to Kleindienst rather than Silbert.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

41.1 President Nixon daily diary, April 14, 1973, Exhibit 19, In re Grand Jury.

41.2 Summary of White House edited transcript of a conversation among the President, H.R. Haldeman and John Ehrlichman, April 14, 1973, 2:24 - 3:55 p.m., prepared by House Judiciary Committee staff.
On April 14, 1973 John Ehrlichman met with Jeb Magruder and his attorneys. Ehrlichman informed Magruder and his attorneys that he was conducting an investigation for the President. Magruder and his attorneys discussed with Ehrlichman the information which Magruder had disclosed to the prosecutors earlier that day to the effect that at a meeting in Key Biscayne Mitchell, LaRue and Magruder had participated in an express and specific approval of the plan to break into and bug the DNC headquarters and to bug McGovern headquarters and the Fontainbleau headquarters of the Democratic Convention.

42.1 Jeb Magruder testimony, 2 SSC 808.
42.2 John Ehrlichman testimony, 7 SSC 2765-66.
42.3 John Ehrlichman notes, April 14, 1973, SSC Exhibit No. 98, 7 SSC 2937-43.
43. On April 14, 1973 the President met with Haldeman and Ehrlichman from 5:15 to 6:45 p.m. Ehrlichman reported to the President on his meeting with Magruder and his attorneys. The President instructed Haldeman to give Strachan a report of Magruder's testimony. There was a discussion of the motive for the payments to the defendants.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

43.1 John Ehrlichman testimony, 7 SSC 2757-58.
43.2 President Nixon daily diary, April 14, 1973, Exhibit 19, In re Grand Jury.
43.3 Summary of White House edited transcript of a conversation among the President, H.R. Haldeman and John Ehrlichman, April 14, 1973, 5:15 - 6:45 p.m., prepared by House Judiciary Committee staff.
44. On April 14, 1973, at approximately 6:00 p.m. and during the meeting specified in the preceding paragraph, Ehrlichman telephoned Kleindienst. Ehrlichman told Kleindienst that he had been conducting an investigation for the President. There was a discussion of what Ehrlichman should do with the information he had uncovered. Kleindienst has testified that Ehrlichman told him that the testimony that Magruder had given to the U.S. Attorneys would implicate people high and low in the White House and in the campaign committee. The President has produced an edited transcript of this conversation. According to this transcript Ehrlichman stated that the information provided by Magruder implicated people up and down in the Committee to Re-Elect; and, when Kleindienst asked who Magruder implicated besides himself and Mitchell, Ehrlichman answered Dean, LaRue, Mardian and Porter.

44.1 John Ehrlichman testimony, 7 SSC 2757-58.
44.2 Richard Kleindienst testimony, 9 SSC 3577-78.
44.3 John Ehrlichman testimony, Watergate Grand Jury, September 13, 1973, 138-40 (received from Watergate Grand Jury).
44.4 Richard Kleindienst testimony, Watergate Grand Jury, August 9, 1973, 67-69 (received from Watergate Grand Jury).
44.5 Summary of White House edited transcript of a telephone conversation between John Ehrlichman and Richard Kleindienst, April 14, 1973, at approximately 6:00 p.m., prepared by House Judiciary Committee staff.
On April 14, 1973 the President had a telephone conversation with Haldeman from 11:02 to 11:16 p.m. There was a discussion of what would be said to Strachan about the information Magruder was giving to the prosecutors. There was also a discussion about the motive for making payments to the defendants.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

45.1 President Nixon daily diary, April 14, 1973, Exhibit 19, In re Grand Jury.

45.2 Summary of White House edited transcript of a conversation between the President and H.R. Haldeman, April 14, 1973, 11:02 - 11:16 p.m., prepared by House Judiciary Committee staff.
46. On April 14, 1973, from 11:22 to 11:53 p.m., the President had a telephone conversation with John Ehrlichman. There was a discussion of what Ehrlichman would say to Colson and Strachan about his conversation with Magruder, and what Ehrlichman would say to Dean about a plan to deal with obstruction of justice allegations. There was also a discussion of whether Haldeman should be dismissed.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

46.1 President Nixon daily diary, April 14, 1973, Exhibit 19, In re Grand Jury.

46.2 Summary of White House edited transcript of a telephone conversation between the President and John Ehrlichman, April 14, 1973, 11:22 - 11:53 p.m., prepared by House Judiciary Committee staff.
47. During the evening of April 14, 1973 Petersen was briefed by the prosecutors on the information furnished by Dean and Magruder. Petersen telephoned Kleindienst and arranged to report to him immediately. On April 15, 1973 Kleindienst met at his home with Petersen, United States Attorney Titus, and chief prosecutor Silbert from approximately 1:00 to 5:00 a.m. Kleindienst was briefed on evidence implicating high White House and CRP officials in the Watergate break-in and the obstruction of the government's investigation. Kleindienst decided to arrange a meeting with the President that morning.

47.1 Henry Petersen testimony, 9 SSC 3627-28.

47.2 Richard Kleindienst testimony, 9 SSC 3572-73, 3578-79, 3585-86.
48. On April 15, 1973 at 8:41 a.m. Kleindienst attempted to reach the President by telephone to request an immediate meeting. The President returned Kleindienst's call at 10:13 a.m. and agreed to meet Kleindienst that afternoon.


48.2 Richard Kleindienst testimony, 9 SSC 3572-73, 3602.
49. On April 15, 1973 John Ehrlichman met with Gordon Strachan from approximately 10:00 to 10:35 a.m. and 11:15 to noon. They discussed Strachan's recollection of his contacts with Magruder and Haldeman relating to Watergate. Ehrlichman has testified that he confronted Strachan with Magruder's allegation about sending Strachan a budget which included specific reference to bugging, and that Strachan said that he was sure he had never seen anything like that. Ehrlichman's notes of his meeting with Strachan reflect a reference to a memorandum from Strachan to Haldeman stating a sophisticated intelligence operation is going with a 300 budget.


49.2 John Ehrlichman notes of a meeting with Gordon Strachan, April 15, 1973, SSC Exhibit No. 98, 7 SSC 2918-21.

49.3 John Ehrlichman testimony, 7 SSC 2767-69.

49.4 President Nixon daily diary, April 15, 1973, Exhibit 20, In re Grand Jury.

49.5 Memorandum from Tom Hart to Jack Nesbitt, July 24, 1973, Exhibit 29, In re Grand Jury.
Côté Denis
34. On April 12, 1973 the President telephoned Charles Colson at 7:31 p.m. and asked Colson to prepare a specific set of recommendations with respect to the Watergate matter. The following day Colson met with Ehrlichman twice. At the second meeting Colson was accompanied by his lawyer. Ehrlichman testified that at the second meeting Colson said that he understood that Howard Hunt would testify before the grand jury that the second break-in at the Watergate was opposed by Hunt but that Liddy said to Hunt that they couldn't call it off because they were doing it on Mitchell's order; that Hunt would testify about the transmittal of funds to the Watergate defendants; and that McCord was making allegations about a trip to Las Vegas by Hunt, McCord and possibly Liddy to break into the safe of Hank Greenspun in a project masterminded by Colson. Colson has stated that he recommended to Ehrlichman, among other things, that the President take steps to expose those involved in the planning, approving or authorizing of the Watergate break-in.

34.1 President Nixon daily diary, April 12, 1973, Exhibit 17, In re Grand Jury.

34.2 Charles Colson draft statement prepared for delivery to SSC, September 1973, 46-48.

34.3 John Ehrlichman log, April 13, 1973 (received from SSC).


34.5 John Ehrlichman testimony, 7 SSC 2729-30, 2800-02.

34.6 John Ehrlichman notes of April 13, 1973 meeting with Charles Colson and David Shapiro, Exhibit No. 98, 7 SSC 2933-36.

34.7 John Dean testimony, 3 SSC 1012-13.
### President Richard Nixon's Daily Diary

**Date:** April 12, 1973  
**Time:** 7:54 a.m. Thursday

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:54</td>
<td>P The President talked with his Military Aide, Maj. John V. Brennan.</td>
</tr>
<tr>
<td>8:00</td>
<td>P The President had breakfast.</td>
</tr>
<tr>
<td>8:13</td>
<td>P The President telephoned long distance to Charles W. Colson, attorney for Colson and Shapiro, in Washington, D.C. The call was not completed.</td>
</tr>
<tr>
<td>8:17</td>
<td>The President motored from Aspen Lodge to the Camp David helipad.</td>
</tr>
<tr>
<td>8:21</td>
<td>The President flew by helicopter from Camp David, Maryland to the South Grounds of the White House. For a list of passengers, see APPENDIX &quot;A.&quot;</td>
</tr>
<tr>
<td>8:57</td>
<td>The President went to the Oval Office.</td>
</tr>
<tr>
<td>9:17</td>
<td>The President met with his Assistant, John D. Ehrlichman.</td>
</tr>
<tr>
<td>9:26</td>
<td>The President was telephoned long distance by Mr. Colson in Dover, Massachusetts. The call was not completed.</td>
</tr>
<tr>
<td>9:55</td>
<td>The President met with his Assistant, Henry A. Kissinger.</td>
</tr>
<tr>
<td>10:03</td>
<td>The President went to the Cabinet Room.</td>
</tr>
</tbody>
</table>
| 10:03 | The President met with members of the NSC. For a list of attendees, see APPENDIX "B."  
White House photographer, in/out |
| 11:27 | The President returned to the Oval Office. |
| 11:30 | The President met with his Assistant, H. R. Haldeman. |
| 11:44 | The President met to discuss U.S.-European relations with:  
Joseph Luns, Secretary General of NATO  
Donald Rumsfeld, Ambassador from the U.S. to NATO  
Mr. Kissinger  
Members of the press, in/out  
White House photographer, in/out |
| 12:28 | The President met for a photo opportunity with:  
Oscar Berger, cartoonist  
Ronald L. Ziegler, Press Secretary  
White House photographer, in/out |

Mr. Berger presented the President with an original cartoon of the President meeting with Japanese Emperor Hirohito in September, 1971.
<table>
<thead>
<tr>
<th>TIME</th>
<th>ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1:10</td>
<td>The President met with his Special Assistant, Stephen B. Bull.</td>
</tr>
<tr>
<td>1:19</td>
<td>The President went to his office in the EOB.</td>
</tr>
<tr>
<td>1:20</td>
<td>The President talked with Mr. Bull.</td>
</tr>
<tr>
<td>2:23</td>
<td>The President talked with Mr. Ziegler.</td>
</tr>
<tr>
<td>2:25</td>
<td>The President met with Mr. Bull.</td>
</tr>
<tr>
<td>2:27</td>
<td>The President talked with his daughter, Julie.</td>
</tr>
<tr>
<td>2:30</td>
<td>The President met with Mr. Ehrlichman.</td>
</tr>
<tr>
<td>3:57</td>
<td>The President returned to the Oval Office.</td>
</tr>
<tr>
<td>4:00</td>
<td>The President met with John B. Connally, attorney for Vinson, Elkins, Searls, Connally and Smith.</td>
</tr>
<tr>
<td>5:27</td>
<td>The President returned to the second floor Residence.</td>
</tr>
<tr>
<td>5:47</td>
<td>The President went to the State Dining Room.</td>
</tr>
<tr>
<td>5:47</td>
<td>The President hosted a reception honoring Members of Congress who supported the President's veto of S.7, vocational rehabilitation and H.R.3298, water and sewer legislation. For a list of guests, see APPENDIX &quot;C.&quot; Members of the press, in/out White House photographer, in/out</td>
</tr>
<tr>
<td>6:55</td>
<td>The President returned to the second floor Residence.</td>
</tr>
<tr>
<td>7:20</td>
<td>The President had dinner with: The First Lady Tricia Cox</td>
</tr>
<tr>
<td>7:31</td>
<td>The President talked long distance with Mr. Colson in Dover, Massachusetts.</td>
</tr>
<tr>
<td>8:22</td>
<td>The President went to the White House bowling alley.</td>
</tr>
<tr>
<td>8:47</td>
<td>The President returned to the second floor Residence.</td>
</tr>
</tbody>
</table>
Opening Statement of Charles W. Colson
Before Select Committee on Presidential
Campaign Activities, United States Senate

I appreciate the opportunity to present this opening statement to your Committee. I shall first attempt to the best of my recollection to recount my knowledge of the events surrounding the Watergate Affair.

I will also attempt, if I may, to give this Committee some insight into the mood and atmosphere which existed in the White House during the Nixon years. I have followed your proceedings to date; it is clear that you are seeking to determine not only what in fact happened, but why and how these things could have happened.

AS TO THE FACTS:

I first heard that there had been a burglary at the Democratic National Committee headquarters on the radio. It was Saturday, June 17, 1972. I thought it was no more than an ordinary burglary — one more addition to the D. C. crime
Mr. Dean has testified that on March 21 he told the President of the extent of the cover-up and urged the President to take steps to remove the "cancer on his Presidency". Not on this date, April 2, nor on any other date for that matter, did John Dean ever express to me a belief that the President might be involved in a cover-up or indeed that a cover-up even existed. Not on this date nor on any other date did Mr. Dean ever suggest to me that he was seeking a way to help the President remove the "cancer on his Presidency". Mr. Dean knew full well that I was in communication with the President. If he felt then the way he has testified he did -- that is, the cover-up had to be ended -- why didn't he ever mention this to me?

As a result of Magruder's allegations, I submitted to a polygraph examination on April 4 administered by Mr. Richard Arther, the report of which was made available to your staff on May 3. The examiner concluded that I had had no prior knowledge or involvement in the Watergate.

On April 12, the President called me in Boston to say that he wanted to act promptly on Watergate. He asked me to prepare a specific set of recommendations, what I believe he called a "precis", and to submit it to him as soon as possible. Shortly thereafter, Mr. Ehrlichman called to
tell me that he was aware of the President's request, that he had been investigating actively on the President's behalf and, as soon as I had my recommendations prepared, he would like me to bring them to him.

I met with Mr. Ehrlichman twice on April 13. During the morning I met with him alone to try to determine from him what information he had obtained so that I could prepare my own recommendations more intelligently. Specifically, I wanted to know whether it had been determined who had ordered the Watergate because it was essential to know that in order to make any recommendations. John explained that he himself had been digging into the matter very deeply, did not have all the critical facts but was in the process of assembling them. He told me that he had had to take over the investigation inasmuch as John Dean had been told to go to Camp David to write a report but couldn't write one, thereby raising grave doubts about the adequacy of his work and his own involvement.

I told Mr. Ehrlichman that Mr. Shapiro had been digging very hard and that we had a number of recommendations. John suggested that both Shapiro and I return in the afternoon. We did so, told Ehrlichman all that we then knew and made the following recommendations:
We urged that whoever was involved in authorizing, planning or approving the Watergate either come forward or steps be taken to see that they were exposed;

We recommended that the President waive all Executive Privilege for the Watergate incident only and/or for any alleged criminal conduct arising out of the Watergate;

We alternatively suggested that the President waive Executive Privilege for the foregoing and for campaign issues for principal White House aides like Haldeman and Colson;

We once again urged the appointment of an independent special counsel and the replacement of John Dean;

Finally, Shapiro further suggested that Mr. Liddy and his counsel be called into the Oval Office and be told by the President himself that he wanted Liddy to tell the whole truth. Shapiro added that he had heard that Liddy was remaining silent because he was assured of a pardon. Shapiro said that Liddy should be told that the only way he could be considered for clemency was if he came forward and told the truth.
WEDNESDAY, APRIL 11, 1973

9:00    Garment
9:15    Dick Moore's office - Garment, Jim O'Connor
11:00-11:45 President
12:30-1:30 President
1:30    Roger Barth, Lee Henkel (tax simplification slide show)
2:10    Roger Barth
2:15-4:00 President
5:30    Blair House (Senators Ervin and Baker)
7:00    Buffet at Italian Embassy - 1601 Fuller - Black tie
9:00    Film at Kennedy Center - Brother Sun, Sister Moon

THURSDAY, APRIL 12, 1973

9:15    President
10:30   Ziegler
11:00   HRH office
11:45   HRH
1:15    HRH, Strachan
2:30    President
3:30    Alan Greenspan
5:00    Garment's office
5:30    State Dining Room - Congressional reception
6:15    Ziegler's office - Dick Moore et al

FRIDAY, APRIL 13, 1973

9:10    President
11:30   Charles Colson
1:00    President
2:30    Dean
3:00    Ziegler
3:10    President
5:00    Colson, David Shapiro
7:30    Dinner at La Fonda
8:30    "Godspell" - Motion Picture Assn.

SATURDAY, APRIL 14, 1973

8:45-11:30 President
11:50   HRH office
12:15   HRH, Dean
1:15    HRH out
1:20    Dean out
1:30    Ziegler
1:30-2:10 John Mitchell
2:30-3:10 President, HRH
4:00    Jeb Magruder, Jim Sharp, Jim Biehleower
5:00    President
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DEMOCRATIC NATIONAL COMMITTEE, et al.,

Plaintiffs,

vs.

JAMES W. McCORD, et al.,

Defendants.

Civil Action
No. 1233-72

FRANCIS L. DALE, et al.,

Plaintiffs,

vs.

LAWRENCE F. O'BRIEN,

Defendant.

Civil Action
No. 1347-72

MAURICE H. STANS,

Plaintiff,

vs.

LAWRENCE F. O'BRIEN,

Defendant.

Civil Action
No. 1824-72

WASHINGTON, D.C.
Tuesday, 22, 1972

Deposition of

JOHN L. EHRLICHMAN.
<table>
<thead>
<tr>
<th>Date</th>
<th>Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun 6</td>
<td>Deposition of Arden Chambers for the pltfs.</td>
</tr>
<tr>
<td>Jun 6</td>
<td>Deposition of Eveline M. Hyde for the Pltfs.</td>
</tr>
<tr>
<td>*** Jun 5</td>
<td>Memorandum of R&amp;A by Gordon Strachan in reply to opposition of pltfs. to motion for protective order; c/m 6-4-73.</td>
</tr>
<tr>
<td>Jun 12</td>
<td>Deposition of Jean M. Westwood for defts.</td>
</tr>
<tr>
<td>Jun 12</td>
<td>Motion of pltfs. to compel further testimony from H.R. Haldeman and John D. Ehrlichman; R&amp;A; c/m 6-12-73; M.C.</td>
</tr>
<tr>
<td>Jun 12</td>
<td>Order extending time for completion of all discovery, with conditions to 9-5-73; setting dates for bi-weekly conferences and setting dates for hearings on pending motions. (ii) Richey, J.</td>
</tr>
<tr>
<td>Jun 18</td>
<td>Transcript of proceedings, June 26, 1972; pages 1-43, Rep-T.Dourian; Court's Copy.</td>
</tr>
<tr>
<td>Jun 18</td>
<td>Transcript of proceedings, August 22, 1972; pages 1-35, Rep-T.Dourian; Court's Copy.</td>
</tr>
<tr>
<td>Jun 18</td>
<td>Transcript of proceedings, August 24, 1972; pages 1-23, Rep-T.Dourian; Court's Copy.</td>
</tr>
<tr>
<td>Jun 18</td>
<td>Transcript of proceedings, Sept.2, 1972; pages 1-60, Rep-T.Dourian; Court's Copy.</td>
</tr>
<tr>
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<td>Transcript of proceedings, Sept.12, 1972; pages 1-48, Rep-T.Dourian; Court's Copy.</td>
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<td>Transcript of proceedings, February 6, 1973; pages 1-14, Rep-T.Dourian; Court's Copy.</td>
</tr>
</tbody>
</table>

(Continued on next page)
A Yes, I did.

Q Was there more than one such conversation?

A Yes, I talked to Mr. Colson a couple of times on the telephone, as I recall, and once in my office.

Q Could you put those in any time frame for us, please, Mr. Ehrlichman?

A It would have been between our return from California which must have been about the 10th, I guess, 9th or 10th of April, and April 15th. As a matter of fact, I saw him in my office on the 13th.

Q Do you have any note of that conversation?

A Yes, I do.

Q What questions did you ask Mr. Colson and how did he respond?

MR. STRICKLER: Within the limitation as to time?

MR. DUNIE: Yes.

THE WITNESS: We were accompanied in our conversation by his partner and attorney, Mr. Shapiro.

BY MR. DUNIE:

Q Anyone else present?

A No.

Q This is the face-to-face conversation?

A This was a face-to-face conversation. They had come to
see me to give me an opportunity to ask questions and to discuss problems of executive privilege and its scope and to make some suggestions as to how the White House should conduct itself in the then controversy. The facts which I elicited, and I will just skip around in the notes, Mr. Colson advised me that he understood that the second break-in was opposed by Howard Hunt but that Mr. Liddy said to Mr. Hunt, "We can't call it off. We are doing this on Mr. Mitchell's order. We must go ahead."

This was in relation to Mr. Colson's prediction of what Howard Hunt would testify to when recalled before the Grand Jury, which had not yet occurred and was then going to be upcoming. He said he thought that Hunt would corroborate McCord's testimony without being more specific than that. There is quite a lot about executive privilege.

Q Did he voice an opinion to you as to the position the White House should take at that time on executive privilege?

A Yes, he did.

Q What did he say?

MR. STRICKLER: I think this is beyond the scope of your complaint and I object to it on the ground of relevancy and I suggest the witness not answer.

THE WITNESS: I will comply. That is really all that I elicited from him that is within the guidelines here.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JULY 26, 27, AND 30, 1973
Book 7

Printed for the use of the
Select Committee on Presidential Campaign Activities

U.S. GOVERNMENT PRINTING OFFICE
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FRIDAY, JULY 27, 1973

U.S. Senate,
Select Committee on
Presidential Campaign Activities,
Washington, D.C.

The Select Committee met, pursuant to recess, at 10:05 a.m., in room 318, Russell Senate Office Building, Senator Sam J. Ervin, Jr. (chairman), presiding.

Present: Senators Ervin, Talmadge, Inouye, Montoya, Baker, Gurney, and Weicker.

Also present: Samuel Dash, chief counsel and staff director; Fred D. Thompson, minority counsel; Rufus L. Edmisten, deputy chief counsel; Arthur S. Miller, chief consultant; Jed Johnson, consultant; David M. Dorsen, James Hamilton, and Terry F. Lenzner, assistant chief counsels; R. Phillip Haire, Marc Lackritz, William T. Mayton, Ronald D. Rotunda, and Barry Schochet, assistant majority counsels; Eugene Boyce, hearings record counsel; Donald G. Sanders, deputy minority counsel; Howard S. Liebengood, H. William Shire, and Robert Silverstein, assistant minority counsels; Pauline O. Dement, research assistant; Eiler Ravnholt, office of Senator Inouye; Robert Baca, office of Senator Montoya; Ron McMahan, assistant to Senator Baker; A. Searle Field, assistant to Senator Weicker; John Walz, publications clerk.

Senator Ervin. Senator Inouye, will you resume your examination of the witness.

Senator Inouye. Thank you very much.

Mr. Ehrlichman, when we recessed yesterday we were discussing your interviews as part of the inquiry made in behalf of the President, and in response to one of my questions you indicated that you had discussed or talked with Mr. O’Brien, Mr. Kalmbach, Mr. Dean, Mr. Mitchell, and again with Mr. Strachan, and you have indicated that you had maintained interview notes.

TESTIMONY OF JOHN EHRLICHMAN—Resumed

Mr. Ehrlichman. Of some of those, Senator, and I neglected to say I also talked to Mr. Krogh because of something that came up in the course of these interviews that I wanted to inquire about, so he would be an additional individual that I talked to.

Senator Inouye. We have no notes on Mr. Kalmbach, Mr. Dean, Mr. Mitchell, and Mr. Strachan. Is there any reason for this?

Mr. Ehrlichman. You should have. There are notes for Strachan and Dean. There are no notes for my talk with either—for my talk with Mr. Kalmbach. We did turn over to the committee staff the transcript of my interview with Mr. Mitchell which is a very, very poor one. It is not very helpful. It is very sketchy.
Senator INOUYE. Mr. Dash, do we have the copies of the Kalmbach, Dean, Mitchell, and Strachan—

Mr. EHRLICHMAN. There are no Kalmbach notes, Senator. There are Dean and Strachan notes. The notes that I have here are O’Brien, Dean, Colson, Magruder, and Strachan.

Mr. DASH. Senator Inouye, whatever you have, is what we received. In other words, that was intact, delivered to us in that form, and we have no other notes.

Senator ERVIN. Let the reporter assign it the appropriate exhibit number.

[The document referred to was marked exhibit No. 98.*]

Senator INOUYE. Then we have here, Mr. Ehrlichman, one Strachan and you had two Strachan meetings.

Mr. EHRLICHMAN. There are only notes for one.

Senator INOUYE. We have a Reisner meeting.

Mr. EHRLICHMAN. No, I think that is actually the—that is the Dean meeting, J. D. is up in the corner of it. That is the Dean meeting on April 13 at 3 p.m.

Senator INOUYE. Then, we have an O’Brien meeting.

Mr. EHRLICHMAN. Yes.

Senator INOUYE. And Colson and Shapiro.

Mr. EHRLICHMAN. Right.

Senator INOUYE. And Magruder.

Mr. EHRLICHMAN. Correct. That is it.

Senator INOUYE. We have no Mitchell.

Mr. EHRLICHMAN. No; you have the transcription of two tapes, Mitchell and Magruder, that are both very, very hard to read, hard to understand because the tapes are hard to understand. You also have the tapes themselves, and they are for whatever they are worth, I do not think you can make much from them.

Senator INOUYE. I received these notes early this morning, Mr. Ehrlichman, and I must confess that I find it very difficult to understand your hieroglyphics here.

Mr. EHRLICHMAN. Sure, right.

Senator INOUYE. So, if I may ask you, whenever the initial “H” appears, is that for Mr. Haldeman?

Mr. EHRLICHMAN. Not necessarily. You would have to take it in the context, Senator, that could also be Hunt in some cases here, although I used the double “H” for Hunt on occasion.

Senator INOUYE. JNM is John Mitchell?

Mr. EHRLICHMAN. Yes, sir.

Senator INOUYE. And JSM is Magruder?

Mr. EHRLICHMAN. Yes, sir.

Senator INOUYE. L or LD or LID is Liddy?

Mr. EHRLICHMAN. Well, LID is certainly Liddy, and I do not recall—yes, I have used L also for Liddy in the Magruder notes.

Senator INOUYE. And K or EK for Krogh?

Mr. EHRLICHMAN. I believe so, yes.

Senator INOUYE. And CC for Colson?

Mr. EHRLICHMAN. Yes.

Senator INOUYE. Now, there is a Greek symbol, the symbol pi, who is that?

*See p. 2915.
Mr. Ehrlichman. I would, Senator, I don't believe that I would have a great deal of information on either of those phases to assist but I would be happy to be available.

Senator Baker. The only point I make is if we forego questions now, it does not imply we cannot ask you questions later.

Mr. Ehrlichman. Certainly.

Senator Baker. Mr. Wilson handed a copy of the Congressional Record dealing with income tax during the Kennedy and Nixon administrations. Was it your wish that that be examined by the committee or made part of the record or what was the purpose of that?

Mr. Wilson. I just thought it would be made part of the record but, in effect, you want to ask any questions about it, make any statements, it is a very long statement. Very long colloquy, rather.

Senator Baker. And it is your contention it relates to the testimony of the witness, Mr. Ehrlichman, in response to queries put largely by Senator Montoya on the examination of income tax returns?

Mr. Wilson. That is the purpose of it, sir.

Senator Baker. Mr. Chairman, if there is no objection I would like to see the document identified for the record and accepted for that purpose.

I have no questions, Mr. Chairman.

Senator Ervin. The document will be identified for the record and received as an exhibit.

[The document referred to was marked exhibit No. 105.*]  

Senator Ervin. Senator Inouye.

Senator Inouye. Thank you, Mr. Chairman.

Mr. Ehrlichman, may we now study your April 13, 1973, C.C. and Shapiro interview note?

Mr. Ehrlichman. Yes, sir. I will get my copy.

All right, sir.

Senator Inouye. Will you please proceed, sir. On the first line, executive privilege, I believe it says.

Mr. Ehrlichman. Yes. This—I should say that this meeting was held primarily at Mr. Colson's request at the end of the day on the 13th of April. The first thing that he said was that he had some—some suggestions and points of view that he would like to have conveyed to the President and that was the purpose of the—the purpose of the meeting, but I also conceived of it as some opportunity to develop additional information because I was in the course of this inquiry. That first line refers to R. K. being Richard Kleindienst to the Congress about executive privilege and he simply noted that it has the Hill up in arms.

Senator Inouye. Please proceed, sir.

Mr. Ehrlichman. Then he said that Mr. Hunt at 2 p.m., on the coming Monday would once again be testifying both from the standpoint of hearsay and firsthand. He said his sources were both within the Government and Mr. Bittman, Mr. Hunt's attorney, that he would testify that funds had traveled——

Senator Inouye. What funds are we talking about?

Mr. Ehrlichman. Well, we are talking about these funds for the defendants in the criminal case, that fund from Parkinson and—traveled from Parkinson and O'Brien to Hunt to the Cubans and on

*See p. 3978.
other occasions from O'Brien to Hunt to Mrs. Hunt, and I have down the sum of $10,000 in the latter—in the latter category. He said all of this transmittal of funds information will be coming out.

Then he said with relation to Mr. McCord, as I recall the setting of this was that McCord was coming up with all sorts of wild stories. His later story was that Hunt and McCord, and he didn't know whether Liddy has been involved in this or not, has made a trip to Las Vegas. They landed. They had an airplane standing by. They were going to break into the safe of Hank Greenspun who was a publisher in Las Vegas and that McCord was saying that this was a maneuver master-minded by Charles Colson. Mr. Colson vehemently denied that he had any knowledge or acquaintanceship with such a maneuver or that he had anything to do with it, and he cited this simply as an example of the far out kind of allegations that McCord was making at that time.

I said, well, where does such a thing all fit in this whole—in this whole Watergate business and he said, well, I don't think that it does fit and McCord said that it was some kind of a Howard Hughes operation allegedly.

Now this, Senator, I hasten to point out, is kind of hearsay and I do not assert the truth of any of this, but I am simply describing what Mr. Colson was describing as Mr. McCord's rather extreme charges at that point.

Then he went on to tell another version of the inception of Watergate which he termed "Liddy hearsay" which was to the effect that Howard Hunt opposed the Watergate break-in, the second break-in, that Hunt characterized it as stupid, that Liddy told Hunt that it could not be called off, that Mr. Mitchell had ordered it and that it must go ahead.

Now here again, Senator, I do not vouch for any of the reliability of that but that is simply hearsay second- or third-hand.

Mr. Colson said he was also picking up the rumor that Mr. Mitchell had a "blood oath" to Mr. Liddy that there would be a Presidential pardon for Mr. Liddy.

He said that he thought that there was a possibility of Liddy corroborating McCord—pardon me, of Hunt corroborating McCord and you would have a situation of two people testifying to hearsay, so-called double hearsay. He then reported to me on information that they were hearing and again this is in the rumor stage, about two grand juries who were investigating Mr. Mitchell. In addition to the New York grand jury looking into the Vesco matter, that there was a second grand jury in Washington, D.C., which was looking into money which passed from a man named Klein to Mr. Mitchell in consideration of Government contracts for Klein.

Mr. Hundley. Excuse me, Mr. Chairman. I do feel I must break in. I discussed this with Mr. Hunt's and Mr. Mitchell's attorney and note for the record in response to a question, Mr. Ehrlichman has now mentioned the Vesco grand jury in New York, he is touching upon another matter that is completely unrelated to this hearing and I would urge the chairman to rule at this time that there should not be any more evidence taken about this April 13 meeting.

Senator Ervin. This committee agreed at the start as I understand it, at least agreed when Mr. Mitchell was here and also when Mr. Stans was here, that we could not go into the Vesco matter. While the committee undoubtedly has authority to investigate all campaign contri-
butions, the committee unanimously felt that out of fairness to Secretary Stans and Mr. Mitchell and in view of the fact that there was an indictment pending about this, that we ought to refrain from going into it. I would, therefore, request that you omit any statement in regard to the Vesco matter.

Senator Baker. Mr. Chairman, may I say that I entirely agree with you. It really is probably not a matter of law but a sense of fair play that would indicate when there is a criminal case pending, when there is an indictment, when there is a trial impending, that not only the witness who may be the named defendant in this case ought not to have to testify on that subject, but I think other witnesses should be cautioned to avoid it as well. I think the statement is well taken and I commend you for urging that precaution in the interest of fairness.

Thank you very much.

Senator Ervin. And without objection, the committee will strike from the record any testimony thus far given in reference to the Vesco matter.

Mr. Ehrlichman. Mr. Chairman, I might say for myself, I do not feel comfortable about perceiving second- and third-hand hearsay and a great deal of this I cannot, I cannot assert to be true but it is simply my notes of a meeting and what someone else asserted to me.

Senator Ervin. Yes. I think it is unfortunate that all those of us who interrogated witnesses do not confine our questions to elicit from the witness what he has personal knowledge of or in reference to statements made by parties involved with him. But unfortunately, it seems impossible to enforce that kind of a rule in congressional hearings.

Mr. Ehrlichman. If I may skip, then, down to the name Mardian, toward the bottom of that page——

Senator Inouye. Mr. Chairman, in view of the possibility that the rest of this interview might inadvertently touch upon the Vesco trial, I would like to forego any inquiry at this time and go into something else.

Mr. Ehrlichman. Senator, could I put something in perspective on the last page of these notes? Somehow or other these notes have appeared in the press and there are a number of adjectives which have been speculated in the press very unfairly to Mr. Mitchell, and I wish, if I may, simply to make clear that these six or seven references to Mr. Mitchell on the last page were Mr. Shapiro's secondhand characterization and did not in any way constitute an evaluation either by Mr. Colson or me of Mr. Mitchell, either as an individual or as a potential witness, and I am afraid some very cruel inferences have been derived from this last page that are totally unjustified and unfair.

Senator Ervin. Thank you.

Senator Inouye. Mr. Ehrlichman, in the last few minutes remaining I have a few questions here which may be a bit repetitious but just for the record, sir, did the President ever ask in your presence prior to March of this year for information on exactly how the Watergate break-in came about?

Mr. Ehrlichman. Yes, sir. In this sense, that on repeated occasions the President asked that a complete and definitive statement of the whole Watergate matter, how it was planned, how it was executed,
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
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**Note:** Figures in parentheses indicate page that exhibit was officially made part of the record.
EXHIBIT No. 98

4-13-73

Reasoner

Mr. Green - made
A plan to break

Liddy: off record

JWM - May get him on record

Maroulis - atty - to see JWM

for OK -

May be diverted to W4
by JWM

Peete

McCord -

Tracer - phone call happened

Hunt back (lying)

No W4 indicted

Avoid G & C -

Prosecutor -

Caulfield - Judge

Time to a 3rd

when come before C5
From: 

To: 

Subject: Sales Report

Hi [Name],

I'm writing to follow up on our recent conversation. I wanted to provide you with an update on the sales figures for the last quarter.

Total sales for the quarter came in at $120,000, which is a 10% increase from the previous quarter. The top performers were [Person A] with $52,000 in sales, [Person B] with $45,000, and [Person C] with $33,000.

I also wanted to mention that we have received positive feedback from our clients regarding the quality and service provided. We are planning to launch a new product line in the next quarter to capitalize on this positive trend.

Please let me know if you have any questions or if there's anything else I can provide.

Best regards,

[Your Name]
NY - GJ -  also x JMM
26 Wed GJ
Klein & to JMM
for gas KB
Klein's -> Perse Dacor factory
K a tax evader -

NY - JMM
Hoagren as WH -
Visco - Lewis - Visco msg -

$201
JMM case aptm.
as G.A.C.
in 4Q, 2003

- ph: 1814

Macdonald - Phoenix - cover stay
NY Times -

Big front page & lead
Cepl backing
S: 1. Restate Exec P.v
   M. Crim. conduct

   Never intended to cover it
   No one immune to any
   Inquiry by GS or legal Council
   Act outside scope of
   duties criminally-

C: 1. An investigator reports
   to
   E & FF
   damaging @

2. An order it be given us &

S: Raw HH anti-climax on it.

S: Have it main interview lady
   Lloyds no pardon
   Only alimony issues in filing-TMP
This key to W. God. This n should persuade him.
There were other discussions that week in which Haldeman and Ehrlichman talked about pinning this entire matter on Mitchell. I listened with some interest because I did not feel that they would succeed at this and I felt that also they would have to be thinking about how to handle the coverup activities and felt that I would undoubtedly be the target for them to pin everything with regard to the coverup on. As Haldeman and Ehrlichman began to discuss more about getting Mitchell to take the blame for authorizing this plan in the first instance, I began to increase my conversations with the prosecutors about the coverup. The more I told the prosecutors about the coverup the more interested they became in it. At this time, Haldeman and Ehrlichman were still unaware of my direct dealings with the prosecutors.

On Friday, April 13, Fred LaRue came to my office to see me. Before he arrived in my office I again contacted my attorney to advise him that LaRue wanted to see me and I asked what I should do. He again said he thought I ought to meet with LaRue, not to get into testimonial areas, but to make a memorandum of the meeting. I have submitted a copy of that memorandum to the committee.

[The document referred to was marked exhibit No. 24-46.]

Mr. Dean. When LaRue and I met, LaRue told me that he thought he was going to be called before the grand jury shortly and he wanted to know what I was going to do if I was called. I told him I was going to tell the truth. I told him I did not believe we should talk about testimony because we could be asked that very question in and of itself before the grand jury. LaRue said, "Let me just ask one question." He asked me if I had made any decisions on the money and I told him that I had not but I had merely passed messages along and returned messages. He said that he had assumed that to be the case and asked me how I was going to handle the persons above me who were involved. I told him again that I was going to withhold nothing from the grand jury and if asked I would respond.

Mr. LaRue also said that he needed some legal advice and I suggested that rather than getting it from me that he ought to get independent counsel. I liked Fred LaRue very much and felt very sorry for him realizing that this probably would be the last conversation we would have for some time and that he was in the middle of this matter not necessarily by his own choice but by the circumstances he found himself in at the time.

The strategy that was now developing was a partial uncovering of the coverup; that is, to get Mitchell to step forward. On Friday, April 13, I went to Ehrlichman's office where Ehrlichman and Haldeman were present and discussing a meeting that they had just had with Colson and his attorney, Mr. Shapiro.

They informed me that Colson had developed a plan to deal with the matter and that was that Mitchell should be smoked out. Ehrlichman said that Colson had concluded that obviously Mitchell had signed off on this matter and he should take responsibility for it to end this thing. Ehrlichman also said that Colson had some other ideas including the fact that the Gray hearings had been very damaging to me publicly and I should certainly not take any position out in

*See p. 1311.
front dealing with the Ervin committee hearings because of this. I might add that Ehrlichman and Haldeman were most cynical about Colson's suggestions and said to me that he was really scrambling to protect himself.

After discussing the Colson plan they told me that Mitchell would be coming down to talk about this entire matter. There was some discussion as to how to smoke Mitchell out. By the week's end it had been decided that the President would meet with Mitchell and ask him about his knowledge and hopefully the President would be able to get Mitchell to come forward. I told them I doubted very seriously if Mitchell would say anything to anyone about this matter. While these discussions were going on, the President called Ehrlichman and they had a brief discussion about the matter. I also recall that at one point in the conversation Ehrlichman said that "He's right here," referring to me.

On Saturday, April 14, I requested my attorney, Mr. Shaffer, to come to my office. I told him that Mitchell was coming down to meet with the President and that there was going to be an effort to smoke him out. I asked him if he had any ideas as Ehrlichman and Haldeman had asked me if I had any ideas. Mr. Shaffer gave me a former prosecutor's answer that what Mitchell needs is a good cross-examination.

I told him I did not think that that was possible by the President because the President was not the cross-examining type. He also made a couple of other suggestions which would have resulted in the President having to appear before the grand jury if he got any admissions from Mr. Mitchell. I passed these suggestions along subsequently to Ehrlichman and Haldeman but they were not viable suggestions.

Mr. Shaffer and I then sat down and began reviewing all the facts that I had related to him. I told him I wanted his opinion based on conversations with the prosecutors and his own knowledge of the criminal law as to who had problems and who could be indicted and who were the targets of the grand jury. Mr. Shaffer and I discussed this for awhile and then I prepared a list of who was likely to be indicted as the investigation proceeded.

I had guests for lunch and it was after lunch that I met with Dick Moore. I had the list in front of me and I thought that I would see what Moore's reaction to it was because I was planning to take it to Ehrlichman and Haldeman later. I showed the list to Dick Moore and told him it had been prepared based on conversations with my attorney and his knowledge of the involvement of various persons.

I told him that I felt that everybody on this list was a potential subject of an indictment. When I showed Moore the list he was quite upset. He said that if indeed that occurred it would be a tremendous tragedy to the country. He was shaken by the list and the seriousness with which I discussed it with him, but I was very serious in my desire to stop the coverup with Ehrlichman and Haldeman so I was appreciative for Moore's reaction. I have submitted a copy of the document I prepared to the committee.

[The document referred to was marked exhibit No. 34-47.]

Mr. DEAN. Later that afternoon I went to Ehrlichman's office where Ehrlichman and Haldeman were discussing Mitchell's visit. I learned
35. On April 13, 1973, the day Magruder began meeting with the prosecutors, Lawrence Higby, staff assistant to Haldeman, had two telephone conversations with Magruder which were taped without Magruder's knowledge. Higby asked Magruder whether his testimony was going to be damaging to Strachan and Haldeman. Magruder said it would damage Strachan but he had not talked to Haldeman about the Watergate until long after. Higby told Magruder that it wasn't in his long or short term interest to blame the White House. On April 14, 1973 Ehrlichman and Haldeman reported these conversations to the President. Ehrlichman told the President that Higby had handled Magruder so well that Magruder had closed all his doors now with this tape; that the tape would beat the socks off Magruder if he ever got off the reservation.

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35.1 Jeb Magruder testimony, 2 SSC 808, 851.

35.2 Tape recording of conversation between Jeb Magruder and Lawrence Higby, April 13, 1973 (received from SSC), and House Judiciary Committee transcript thereof, 9-10, 12-13, 14-16, 21.

35.3 White House edited transcript of conversation among the President, H.R. Haldeman and John Ehrlichman, April 14, 1973, 8:55 - 11:30 a.m., 7-9.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
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WASHINGTON : 1973

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MR. DASH. And Mr. Haldeman knew that then, did he not?

MR. MAGRUDER. I cannot recall in my meeting with him in January whether—yes, I am sure I did discuss those meetings, yes.

MR. DASH. So the attempt to get together and agree on that meeting was an attempt to get together and agree on at least from your point of view, would be the full story?

MR. MAGRUDER. That is correct, Mr. Haldeman recommended that Mr. Dean and Mr. Mitchell and I meet, which we did that afternoon.

MR. DASH. What was the result of that meeting?

MR. MAGRUDER. I realize that Mr. Dean had different opinions then as to what he would do probably, and so then my—I thought that probably it was more appropriate that even on that Monday that I get separate counsel so that I could get advice independent of the individuals who had participated with me in these activities.

MR. DASH. In other words, you really could not agree at the meeting with Mr. Mitchell and Mr. Dean.

MR. MAGRUDER. Well, it was cooperative.

MR. DASH. What was Mr. Dean's position?

MR. MAGRUDER. He would not indicate a position.

MR. DASH. All right. Did there come a time when you did get independent counsel?

MR. MAGRUDER. Yes, Mr. Parkinson, who was counsel of the committee, recommended Mr. Bierbower and on that Saturday I went to meet him, he was out of the country, and I met him and we agreed, he agreed to be my counsel that Saturday evening.

MR. DASH. Did there come a time when you decided that you should go to the U.S. attorney's office?

MR. MAGRUDER. Yes, that is correct.

MR. DASH. When did you go to the U.S. attorney's office?

MR. MAGRUDER. We agreed, they discussed the things with the U.S. attorney, I think on April 12 and I saw them informally on April 13 and saw them formally on April 14 on Saturday, April 14.

MR. DASH. At that time did you tell everything to the assistant U.S. attorneys?

MR. MAGRUDER. Yes, I cooperated.

MR. DASH. Who did you meet with?

MR. MAGRUDER. Mr. Silbert, Mr. Glanzer, and Mr. Campbell.

MR. DASH. Did you tell them everything you are now telling this committee?

MR. MAGRUDER. Yes.

MR. DASH. Did you have a meeting afterward with Mr. Ehrlichman?

MR. MAGRUDER. Yes, Mr. Ehrlichman called while I was with the U.S. attorneys and asked me would I come over and talk to him about the case. We talked to the U.S. attorneys and they agreed as a courtesy that we should and Mr. Bierbower and the other attorney with Mr. Bierbower and I went to see Mr. Ehrlichman that afternoon.

MR. DASH. Then, according to that meeting that you had with Mr. Ehrlichman, what happened?

MR. MAGRUDER. We told him in rather capsule form basically what I told you this morning.

MR. DASH. All right.

Now, I have just two final questions. I want to go back to the time when you came back from California to Washington, putting you back
Mr. Magruder. Now, you have to remember that the only person that I know of who sent Mr. Hunt to work for Mr. Liddy was Mr. Howard who worked for Mr. Colson so that someone like Clark MacGregor would have no knowledge of Mr. Hunt, either. I think Mr. MacGregor, as an example, was completely in the dark throughout the entire campaign and probably today is glad that he was. [Laughter.]

Senator Montoya. Now, how many times would you say you talked to him? You haven’t answered that question.

Mr. Magruder. I am sorry, talked to—

Senator Montoya. To Mr. Haldeman about the Watergate.

Mr. Magruder. I talked to him the day after the break-in on Sunday, I talked to him in January—now, about the true facts about the Watergate only in January. We talked during the campaign a number of times, not very often about the public relations aspects but not about how it happened, of how we were going to counteract the press activity that was occurring during the campaign, quite a different story, and you did not have to be involved in the break-in to try to handle it.

Senator Montoya. You mean you could handle it, publicitywise, if you didn’t know the details?

Mr. Magruder. Yes, sir, I know many people did handle it who did not know the details.

Senator Montoya. Then you had an April meeting from which you emerged and went down to the CRP and told, I think, Mr. Porter that the secrecy was out and now you could divulge everything?

Mr. Magruder. That is correct.

Senator Montoya. You told Mr. Porter that, didn’t you?

Mr. Magruder. Yes, sir.

Senator Montoya. Now, who participated at this White House meeting in April when this decision was made or communicated to you?

Mr. Magruder. Let me move back.

On the Wednesday before, I think it was a Wednesday, I called Mr. Haldeman’s office. I think this conversation is taped and I talked to Mr. Higbe who was his assistant and I said, “Larry, I have, as you know, specific problems and it is very difficult for me to continue my position on this matter. Could you ask Bob if there are any instructions that I should have that would be beneficial to me?”

I was basically asking for guidance from Mr. Haldeman. Mr. Higby came back to me and said, “Yes, Bob can’t talk to you but he wants you to know that the President wants you to tell the truth,” and “or he wants you to tell the truth,” I am not sure whether it was the President or he, “and that you should take the advice of your lawyers.”

Then, on Thursday and Friday my lawyers dealt with the U.S. attorney’s office. On Saturday I met with the U.S. attorneys in the morning and through the afternoon. Mr. Ehrlichman called my attorney’s office and asked me if I would come to his office. The U.S. attorneys and my attorneys agreed that that would be appropriate as a courtesy. We went, my two attorneys and myself went to Mr. Ehrlichman’s office and, in effect, gave him a capsule version of what I have discussed today. My understanding is that he taped that conversation also.

Senator Montoya. Now, who called you at the U.S. attorney’s office, Mr. Haldeman or Mr. Ehrlichman?
FEMALE VOICE: No. He's not here. I don't know when he'll be in. Can I have him call?

HIGBY: Uh, has he been in today?

FEMALE VOICE: No. Not at all.

HIGBY: I see. He's at home probably.

FEMALE VOICE: Probably, we haven't even heard.

HIGBY: Okay. Thank you.

FEMALE VOICE: Okay.

HIGBY: Bye.

* * *

HIGBY: Hi.

MAGRUDER: Hello.

HIGBY: How are you?
MAGRUDER: All right.

HIGBY: Say, I wanted to call you. I've just picked up a story here that really bogs the shit out of me. Ehrlichman just called down here and says that he's received word that you have talked to two reporters and given the story out with regard to Watergate.

MAGRUDER: That bullshitter.

HIGBY: that said that you had talked to them and in the story, you mention the fact that you'd talked to Haldeman regarding the bugging in general and the Watergate specifically.

MAGRUDER: I don't know what he's talking about.

HIGBY: Also said, uh, that

MAGRUDER: Larry -- Look [unintelligible]. Larry,

HIGBY: Mitchell had no knowledge of the Watergate

MAGRUDER: Larry,

HIGBY: or control over the Committee.

MAGRUDER: stop the bullshit. I'm not going to fool around. I didn't talk to any reporters. Now that's ridiculous.
HIGBY: Really?

MAGRUDER: God damn it!

HIGBY: Well I can't believe it because I can't understand what the hell kind of a game you'd be playing in trying something like that.

MAGRUDER: Damn it Larry. No, I told you the other night. Didn't I? Now what do you guys have to have? A God damn television set?

HIGBY: Well you told me the other night --

MAGRUDER: I told you the other night, I was going to do what my lawyers told me to do.

HIGBY: That's right and I can't believe they would --

MAGRUDER: [Unintelligible] my lawyers aren't going to tell me tell me to go tell two stupid reporters. Now Jesus Christ, would you guys start thinking!

HIGBY: Well, that's why I wanted to call you, Jeb. I couldn't believe it.

MAGRUDER: Well, it's just ridiculous.

HIGBY: Is somebody trying to screw you here?
MAGRUDER: I don't -- Who the shit cares anymore? You know? I mean this is just ridiculous. I don't know who thinks anybody's kidding anymore. I mean that kind of crap. Jesus Christ. I mean that just makes me sick, Larry.

HIGBY: It makes me sick too because I can't see what possible gain you would have (1) by talking to the press in general

MAGRUDER: Yeah.

HIGBY: and by (2) giving them any kind of a story like that.

MAGRUDER: First of all [unintelligible] wrong.

HIGBY: But I, uh, I wouldn't even have said, said anything like had, had Ehrlichman not hit me directly on that. He was trying to reach Haldeman, Haldeman was in with the President. And I said uh, I said, "What's the problem John?" And he went through this thing. And I just about dropped my drawers.

MAGRUDER: Well Larry, look, you know, the game is over on this whole thing and I am certainly not going to go and tell a reporter or two reporters and if I do, I'm not going to tell them a story that's absolutely ridiculous.
HIGBY: In other words, you haven't talked to any reporters.

MAGRUDER: I haven't talked to any reporters. I haven't talked to reporters on this story since, you know, who knows when, as far as any substance is concerned. You know, that's, you know there's no reason to do that Larry.

HIGBY: I couldn't believe that.

MAGRUDER: Now there's no reason. But, uh the worst place would be to tell reporters. You don't tell reporters. McCord may -- that's his problem. Shit. Secondly, I wouldn't tell them an incorrect story.

HIGBY: Did you talk to Haldeman?

MAGRUDER: Well other th--th--th-- not only did I talk -- that is minor. Uh, I may or may not have talked to Haldeman, right? But I certainly wouldn't tell him the story that what -- Mitchell was not involved?

HIGBY: Uh, the, the quote was out of the story, that, uh John just had it cold, which I couldn't believe. He said that, that you, you, told the-- these two guys it-- He wasn't sure if it was one interview or two -- that first of all you had no knowledge, that Mitchell had no knowledge of Watergate, or he had no control over the, and he had no control
over the Committee.

MAGRUDER: Jesus Christ. That's just ridiculous. That isn't even, you know -- What, does Ehrlichman need his head examined?

HIGBY: Well I don't think John -- no, John wouldn't, wouldn't jump to conclusions on something like that. He must have got it somewhere that was factual.

MAGRUDER: He maybe got it from somewhere. I don't -- Yeah, I've done so much junk on this that I can't believe it. I've told you. I told you the other night. I asked you if, if there was any direction I should get from, from Bob.

HIGBY: [Unintelligible] and the direction was: do, do exactly what your lawyers tell you to.

MAGRUDER: That's what exactly what I'm going to do.

HIGBY: And then you said you were going to go up and see Mitchell. And I thought Jesus Christ, maybe Mitchell told you something, and, and this was the result of that.

MAGRUDER: No. No, Mitchell didn't tell me anything at all. Mitchell had told me something, yes. But that had nothing to do with -- [draws breath] I mean Mitchell has his own desires in this case as you know which may be in con-- conflict
now with mine. I don't know.

HIGBY: Oh, really?

MAGRUDER: Well, yeah. Very well may be in conflict with mine.

HIGBY: Does he, what does he — What position's he on now?

MAGRUDER: Yeah, I mean I don't, uh —

HIGBY: Stonewall it?

MAGRUDER: That's right. I don't see that I can stonewall it, Larry, probably.

HIGBY: Yeah.

MAGRUDER: My lawyers don't and I doubt if I can.

HIGBY: Yeah.

MAGRUDER: I think I is going to be in Lewisburg quite soon Larry.

HIGBY: Who is?

MAGRUDER: I am.

HIGBY: Oh, I --

MAGRUDER: Oh [laughs] Larry, I mean you know.
Well the thing I couldn't understand --

[Unintelligible] fool around. This fooling around. I'm not talking about published stories. I'm probably going to jail, Larry. God damn it.

Of all the, of all the, the guys to turn on though, Bob -- I just couldn't believe it. 'Cause, uh, you know, Bob has been the guy that has brought you here and, and --

Do you think I would turn on Bob?

I honestly didn't. That's why I couldn't believe this story. And I told Ehrlichman I thought it was, you know he's probably got a crock of shit here. And he said, well, "Would you please get this to Bob. Bob's still in with the President." But I wanted to get the damn thing to you to find out what the story was.

All right. But, I mean the fact is that, that if I have to discuss the case, I will discuss it only with the proper authority and obviously, if I do discuss the case, and have to get to that point, I'm going to have to tell them the facts. I'm not going to lie any more.

Yeah.

I've committed perjury so many times now that I'm, uh,
you know, I'm uh, I've got probably a hundred years on perjury alone.

HIGBY: Well, I just couldn't believe you'd go around telling --

MAGRUDER: I would not tell reporters. If I tell the story, I will tell it to the proper authorities, which is not the Senate. I would tell it to the appropriate U. S. Attorney's Office. Uh, and I would tell it as, as I know it, and I would tell all the truth fully and completely.

HIGBY: Well, I just couldn't see why, where you would have anything to gain for yourself by turning on the White House or by, uh, turning on Bob.

MAGRUDER: Larry, you've got to realize, I'm not going to turn on anybody. I probably, if I have to, will tell the story. If I do. I haven't decided yet if I will.

HIGBY: Well, if you tell the story, I don't think Haldeman has anything to worry about.

MAGRUDER: [Unintelligible] nothing to worry about. Now you, you --

HIGBY: 'Cause you never discussed this God damned thing with him.

MAGRUDER: Larry, there's no problem. Now you've got one guy who,
uh, maybe has a problem. You know that.

HIGBY: Who?

MACRUDER: Your friend. My friend. If I ever have to.

HIGBY: Who? Gordon?

MACRUDER: Gordon, of course.

HIGBY: Yeah.

MACRUDER: But that's, that's life. I mean, you know, we've ruined every half -- you know. You know.

HIGBY: Hm.

MACRUDER: Our lives are all ruined right now anyway. You know, most of ours. Mine is certainly and so will many others before this is over. I think we ought to realize that.

HIGBY: Well, the thing that bothered me is by, by, if, if something like this had come out, obviously I'm worried about Bob, but,

MACRUDER: Course you are. You should be.

HIGBY: but that just put,

MACRUDER: Well --
HIGBY: but that just puts it right at the President.

MAGRUDER: I would not, under any circumstance, discuss anything with anyone outside of my lawyers and the U. S. Attorney's Office, number one. All right?

HIGBY: He -- and you didn't do that.

MAGRUDER: I have not talked to any reporters. I did not discuss that --

HIGBY: Ehrlichman was so God damned sure about it.

MAGRUDER: Well you tell Ehrlichman to go to hell. For me.
I mean, you just tell him. I'm tired of this bullshit. You know, we're not playing games anymore. I is going to go to jail, Larry. You know, I mean there's no question about it: I'm going to jail. The question is for how long, is all the question is now.

HIGBY: Are you at home now?

MAGRUDER: No, I'm here at the attorney's office.

HIGBY: Well, okay. I wanted to get it to you and I'm just going to, I'm going to, I'm going to lob in our conversation in the notes I've made here, uh, along with this Ehrlichman thing; 'cause (1) either Ehrlichman's guy is full of shit, or you are.

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MAGRUDER: Well, huh, I guarantee you when the facts are known, you will find I talked to no one.

HIGBY: Really?

MAGRUDER: Except my lawyers.

HIGBY: Huh.

MAGRUDER: I've talked to no one else yet and I have not decided whether I will talk to the U.S. Attorney's Office. If I do, --

HIGBY: Huh.

MAGRUDER: Uh, I'm sure they will get all the facts, as I know them. They will have -- Bob. Haldeman will have no problem with those facts.

HIGBY: Huh.

MAGRUDER: John Mitchell will. John Dean will. And Gordon will, probably.

HIGBY: Well, my friend, if there's anything I can do, let me know.

MAGRUDER: As I told you, I'm still with everybody. The, the thing is that, uh, you know, I am facing between a hundred, hundred and twenty-five year sentence.

HIGBY: Jesus Christ.
MAGRUDER: At uh — Now, obviously, I'm not going to do that, I mean serve that, but, uh, uh, uh — [sighs]

HIGBY: Well your best thing I would guess is has to — I mean you, you can't screw this place in the process of doing that,

MAGRUDER: I, I —

HIGBY: for long term or short term.

MAGRUDER: No, I can't. Larry, I'm probably going to have to — I don't know what I'm going to do. I can't, I can't lie any more.

HIGBY: Yeah.

MAGRUDER: I cannot lie any more. I've lied —

HIGBY: Yeah.

MAGRUDER: been to the Grand Jury. I've protected John Mitchell.
I've protected the President

HIGBY: Yeah.

MAGRUDER: when it was important. Uh, the story is going to come out. I have to do what I have to do now to protect whatever I can, and I —
HIGBY: Did, is somebody else talked to the press or something, Jeb? Uh, when you say the story is going to come out, I just --

MAGRUDER: I, I'm sure -- Well, I can't -- I don't know who could talk to the press about that.

HIGBY: I see.

MAGRUDER: Uh, I mean, maybe somebody has. I don't know. Uh, the number of players in this game and the number of uh, people who are talking now are, is, is enormous. I mean, half the White House staff has been down to the Grand Jury.

HIGBY: Well, you know, I've been on the periphery of this God damned thing and it -- to my knowledge you never did talk to Haldeman about any of this kind of bullshit.

MAGRUDER: Well I did talk to him one time long after it was over.

HIGBY: Yeah, I mean before it was started.

MAGRUDER: Of course not. Jesus Christ, no! The only person I ever dealt with was Gordon. You know --

HIGBY: Yeah.

MAGRUDER: that, Larry. I never talked to you about it.
HIGBY: I know that.

MAGRUDER: I talked to Gordon, is all I talked to.

HIGBY: Did, did Gordon ever relay to you any instructions from Haldeman on it?

MAGRUDER: Nope.

HIGBY: He didn't.

MAGRUDER: He, he, he did in --, he never relayed --

HIGBY: He never said to you anything like, uh, "Haldeman says to go ahead with the bugging," or any of that kind of bullshit?

MAGRUDER: No, No.

HIGBY: Huh.

MAGRUDER: He indicated to me --

HIGBY: Well you told me once that was the case.

MAGRUDER: No, well let me tell you what he did indicate as best I can recollect, and, it's hard to recollect exactly what happened. He did indicate to me that, uh, uh, that, you know, how do you put it, that it was, uh,
not approved or anything like that, but that, that
they, he, Gordon, had heard or did not have any
disagreement with it, or something to that effect.

HIGBY: I see.

MAGRUDER: No indication that Bob had ever seen anything --

HIGBY: Or the President?

MAGRUDER: Shit no. Nothing at all. Look, Larry, there is no
way, in anything I will ever say that will im-- impli-
cate the President of the United States in anything.

HIGBY: Yeah. Well, I'm going knock the shit out of this
story --

MAGRUDER: You know,

HIGBY: and Ehrlichman.

MAGRUDER: you know, I mean, you know these stupid sons-of-
bitches are sitting there, uh, you know, and

HIGBY: You might want to, you might want to keep your ears
open and have your people because this story must
be floating around if John's picked it up.
MAGRUDER: Look, you know damn well that there's a rumor that they're going to dump everything on me. You know that Larry.

HIGBY: No I don't.

MAGRUDER: Well, the rumor's all over town on that basis. That Magruder is the pigeon and he's going to take it -- all the gas.

HIGBY: Well,

MAGRUDER: Damn it.

HIGBY: Okay.

MAGRUDER: And I'm sure that there's all sorts of people that are going to, would love to dump it on me and I understand that. I understand that I am the easiest one right now to dump it on. But I tell you right now that the President will never be implicated, when I tell, if I tell the truth, and I will tell the truth if I talk. Obviously, I'm not going to re-perjure myself Larry.
HIGBY: Has Mitchell given you any advice?

MACGRUDER: Uh --

HIGBY: And you, you know, you guys ought to realize that,

MACGRUDER: Okay.

HIGBY: I'm sorry, but we're gonna have to face it.

MACGRUDER: Yeah.

HIGBY: We have to face it. I'm afraid I have to face them, they are going to have a problem that we don't have any problem with, because you don't have any problem because you don't know about this yet.

MACGRUDER: Well, Bob doesn't know about this yet.

HIGBY: I mean, I can't go down and lie. Okay, my friend. But, uh --

MACGRUDER: Okay.

HIGBY: I mean, I can't go down and lie. Yeah, yeah.
MAGRUDER: Yes.

HIGBY: What's he, what's he want you to -- or do you not want to get into it?

MAGRUDER: I can get into it but I haven't talked to Mitchell yet.
When I make my decision --

HIGBY: Oh, didn't you go up and see him?

MAGRUDER: No.

HIGBY: I thought you went up to see him.

MAGRUDER: I was going to, but I decided since I hadn't made my decision --

HIGBY: You know, after you and I talked.

MAGRUDER: Yeah. But I hadn't made my decision, Larry. I just said to my -- said to you, I think that, that I've got to do now what I feel has to be done based on my, the advice of my lawyers.

HIGBY: Well that's exactly what Bob feels you should do.

MAGRUDER: Bob feels -- now, if what my lawyers tell me to do is to make a clean breast of things -- get the thing out in the proper judicial form, by the way, not in any press story --
HIGBY: Yeah.

MAGRUDER: Uh, then I will tell John that. Of course, he will be upset with me because I obviously will implicate John Mitchell.

HIGBY: Uh hm.

MAGRUDER: Uh, and you know that Larry.

HIGBY: Well, I don't know that of my own accord. I mean everything you read would indicate --

MAGRUDER: -- would indicate that. I will implicate John Dean uh, and I'll implicate Gordon

HIGBY: Hm.

MAGRUDER: to some extent. Uh --

HIGBY: I was going to say, if Gordon, if you just had that one conversation then.

MAGRUDER: No we didn't. See, he got everything, Larry, from me.

HIGBY: Oh.

MAGRUDER: And he knows that but, I'm sure he did nothing with it by the way, it was all junk. The whole thing was a waste of time.
Yeah.  [Draws breath]  O.K.

You can guarantee Bob there is never going to be any problem, uh, no matter what I say, 'cause he never had anything to do with it as far as I know.

[Unintelligible]

And I can tell that truthfully and honestly.

Very good sir.

All right.  But would you knock that other thing down --

Yeah, I'm going to, I'm -- Oh I'm going to do more than knock it down, I'm going to shove it up somebody's rear.

You know, uh, he isn't facing the problem I'm facing.  I'm not going to screw anybody other than --

Yeah.

what has to be done now to get this thing solved.

Yeah.

You know.

O.K. sir.

O.K. Larry.
HIGBY: Yep, see you later.

MAGRUDER: O.K.

* * *

MAGRUDER: [unintelligible] anyone [unintelligible]

HIGBY: Yeah.

MAGRUDER: One thing you should be aware of, I'm sure, and I thought you all would be and, is that the standard line our Committee is taking, that, Shumway has taken, that Mitchell has taken when asked, that I have taken when asked, anyone has taken when asked is we, at the present time, so far, anyway, had no knowledge of the Watergate.

HIGBY: Yeah.

MAGRUDER: And that we did not, and if asked the question: "Do we have any knowledge of anyone else?", we've said not to our knowledge.

HIGBY: Uh hm.

MAGRUDER: Now, what they're trying to do which has been very obvious, by the way, to me anyway, is they're trying to get Shumway, as an example, to say, well that means
that you mean that someone else maybe had something
to do with it like, you know, X or Y or Z. They've
done that and I'm sure there's -- going to continue
to do that until it's out.

HIGBY: Uh hm.

MAGRUDER: Playing people off against [unintelligible]. I think

HIGBY: Yeah.

MAGRUDER: that's very understandable as having happened.

HIGBY: Yeah.

MAGRUDER: It will continue to happen. Now I've heard all sorts
of things, Larry, about people trying to dump it off
on me, as an example.

HIGBY: Hm.

MAGRUDER: I don't reply to those. I don't get mad and call you
or Bob and say, "Would you tell X to stop some of it."
Right? There's no purpose in it any more.

HIGBY: Yeah.

MAGRUDER: Just -- You've got to ignore those kind of [unintelligible]
HIGBY: Well I was, I was (1) of, of course shocked, and, and, and skeptical; (2) wanted to make sure that, you know, if I could recede before this thing got into Bob, before everything started flying apart here --

MAGRUDER: Right.

HIGBY: and see what the story was. Also, (3) to find out if there was any truth to it.

MAGRUDER: Well, you know, it's just, uh, you know, there's no, you know, as -- let me t--, let me take the kind of thing though that we've got to expect they're going to do and they've done it already.

HIGBY: Who is the they?

MAGRUDER: Anybody, I mean, you know, Woodward and Bernstein, say, who we won't even talk with as an example. I mean Shumway will not talk with them, as an example. Those are the guys that have -- the Post guys. Is what they did on Sunday, is say: If Strachan had any knowledge, you know, therefore, since he is a runner, X has knowledge.

HIGBY: Yeah.

MAGRUDER: Now, you, you, you've got to figure that's what they've done to me. They've said; well: If Magruder had any
knowledge that means obviously Mitchell did. That kind of uh, of uh, technique. And I fully expect them to continue doing anything of that kind if they can get away with it.

HIGBY: Yeah.

MAGRUDER: I mean they've done it; they continue to do it. I mean the Post particularly but, uh, [draws breath], you know, you name it, everyone has done that kind of thing: That therefore if Liddy did it, it couldn't be Liddy, it must be someone else, therefore it must be Magruder, or maybe Dean, and if Dean did it or Magruder did it therefore it must be other people.

HIGBY: Yeah.

MAGRUDER: And the same with Gordon on Sunday. The guy in the Post did that for Gordon,

HIGBY: Yeah.

MAGRUDER: if you remember. But, uh, if I called you every time somebody said to me, "The White House guys are saying --," you know, I'd call you every day.
HIGBY: Oh, well this was a complete break, though. And, I mean, the way this came across, and as I say, with Ehrlichman saying it.

MAGRUDER: Yeah.

HIGBY: He doesn't, he doesn't just blithely go around doing it. I wish I knew where he got it from. I think -- wasn't in a position to ask him. But, uh, when he, when he says it, obviously I'm, if I'm, I'm going to call you.

MAGRUDER: Sure. Of course, I, I understand that.

HIGBY: And, uh, obviously, that, were it true, that would have been, been a substantial problem.

MAGRUDER: Of course it would. But you're not going to have that problem because that isn't true.

HIGBY: Yeah.

MAGRUDER: You know.

HIGBY: He said, he, he said that apparently it was -- come from two unimpeachable sources.

MAGRUDER: Well that's a lot [ring] of -- you know, unimpeachable sources, have on occasion --

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HIGBY: Oops. That's Haldeman calling from the President's office. [ring] Bye.

[Higby speaks immediately to Haldeman]

HIGBY: Yes sir.

HALDEMAN: Do you believe Magruder?

[Twenty-one second silence]

* * *

MAGRUDER: Hello.

HIGBY: Oh hi Jebber, I am sorry.

MAGRUDER: How are you?

HIGBY: I, -- Patty just banged on here and said that you'd been trying to get me.

MAGRUDER: Yeah, well I, you know, I just wondered if you had any follow-up. I didn't -- I'm really disturbed by that Larry.

HIGBY: No. Uh-uh. I just, uh, I haven't gotten any follow-up yet. Bob's now up in John's office. If I get any, I'll get back to you though. [Unintelligible]
MAGRUDER: Well, I just, you know, that kind of stuff is just, you know -- Well, I mean this, you know, well it just tees me off that we've had all, you know, if I'd, if every time everybody said, "Colson said this or Clawson said that, or so and so said that --," yeah, I'd -- well, yeah.

HIGBY: How are you doing?

MAGRUDER: Oh? Badly.

HIGBY: Badly, huh. Are you home now?

MAGRUDER: No. I'm going to go, I'm -- we got to, we're going to go out. I got to -- you know, next week I -- you know next week's going to be, bad week, probably, I guess. They'll probably call me down there next week.

HIGBY: Have you got any uh, subpoenas, summonses yet, or anything?

MAGRUDER: No, not yet. But I figure they're getting pretty close.

HIGBY: What about Mitchell?

MAGRUDER: No. I don't think, I think they'll go after me first and then go down, you know.

HIGBY: When -- it sounded to me like you really had kind of made a decision when we talked.

MAGRUDER: Well, I haven't made a decision, I've just --
HIGBY: Your lawyers advised you or

MACRUDER: Well, the problem is --

HIGBY: are you tucking it out or what?

MACRUDER: the, the lawyers are, you know, they're new and so, the problem more is that, uh, is that, uh-- Well, you see, I don't have any uh, I don't have any chips. You know, I'm out of the bargaining position. So all I can do is go down and -- All of us now are out of the bargaining position, Larry.

HIGBY: Really?

MACRUDER: Well, I think so. I don't think anybody's got any bargaining room left. So you -- I guess, uh, we are going to do one of two things when they call me. I'll go down and, and, uh, tell them the facts or I'll take the Fifth Amendment and, uh, take a trial.

HIGBY: Haven't you decided which to do yet?

MACRUDER: No. I mean it -- they haven't decided. I'm just you know, doing just what I've got to do, is let them decide. You know, what -- if they think that the, uh, case is so bad that I can't, uh, get a good situation by talking, then I've got to go with the Fifth Amendment.
HIGBY: I see.

MAGRUDER: And if they think I can do better by not -- See, by going the Fifth Amendment you may be able to beat it, not, uh, in the sense of uh, beating them in the, uh, you know, the truth sense, but beating them by, by legality, technicality, uh,

HIGBY: Yeah.

MAGRUDER: prejudicial jury, uh pre-trial publicity. Uh, and you go that way, I guess if you can't, uh, if you're going to get hung anyway.

HIGBY: Um hm.

MAGRUDER: That's, I think, the problem almost all of us are facing with them.

HIGBY: Have you talked at all to Mitchell?

MAGRUDER: Not yet. Because I haven't made up my mind. And when I make up my mind, I'll tell him, first, you know.

HIGBY: Yeah.

MAGRUDER: And let you all know, and --

HIGBY: But you haven't called him or anything?
MAGRUDER: Well, I've talked to him. But you know, he wants me to stay

HIGBY: Um hm.

MAGRUDER: you know.

HIGBY: Jees, you surprised me. I didn't realize Gordon had been involved to [unintelligible] any extent.

MAGRUDER: Well I don't -- I didn't say that. I mean, I don't want to say anything to you that's going to upset you.

HIGBY: Well, it's not going to upset me. I mean, the truth is going to come out I guess, sooner or later.

MAGRUDER: Sooner or later. Maybe not, you know. If I, if I, take the Fifth and it never comes out -- It just, I just take the Fifth and that's the last thing I ever say.

HIGBY: Um hm.

MAGRUDER: You know, and then you hope that, uh -- I think next week will be the week we will all figure out, find out, what to do. I, I'm shooting sure Dean's got the same problem I've got.

HIGBY: Really?

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MAGRUDER: Well, I mean, we're all past the point where we're in a--, You know, two months ago, then you were in a bargaining position, I guess, you know. Before McCord. But now, hell, they don't, they don't need us any more. Hell they had, they got, uh, you know, they got everybody down there. A parade of people.

HIGBY: Really?

MAGRUDER: Yeah. Well, I don't know exactly. I don't -- Nobody knows exactly. I don't know exactly. But I've seen the list of witnesses. They have Reisner, Powell Moore, you know --

HIGBY: Yeah.

MAGRUDER: All these guys just build up the case. [draws breath] So, it's not too encouraging.

HIGBY: Jesus. Hell, it sure as hell isn't.

MAGRUDER: But, uh, may be better get it out, uh, sooner or later and get the President out of it, so he doesn't have to worry about it any more and let the rest of us, uh, pay the penalty.

HIGBY: Who the hell could have talked to, to the press, I wonder?
MAGRUDER: Well, Larry, I think a lot of people are talking to the press. That's, uh, you know, uh, uh --

HIGBY: Do any of the guys approach you?

MAGRUDER: Oh yeah, by the way, I've talked to people. It isn't that we haven't talked to them. We have done that purposely. But we've taken a standard line. Right now, up till now, which is that we had no knowledge of the, you know: blah, blah, blah.

HIGBY: Yeah.

MAGRUDER: But, uh, we had not to my knowledge, and I, I don't -- can't think of any instance where in any of my discussions, the few that I've had, and I've had them only when Van thought that it was best for me to talk to them, uh, which have not been too often.

HIGBY: When was the last time you talked to --?

MAGRUDER: Oh shit, I can't think of the last -- late, early this week, probably.

HIGBY: Really? Monday or Tuesday, huh?

MAGRUDER: Maybe.

HIGBY: Huh!
MAGRUDER: I can't, you know, I'd have to go back and look. Yeah, I'm sure I talked to uh -- The one guy at the Star has been legitimate, and we haven't had any problem with him. The ones who have been legitimate. But the point is, is that, uh, no time would they -- the only thing they do, now -- You know what they're doing, is they do supposition stuff. You know, they've done it on Shumway all the time. You know:

HIGBY: Yeah.

MAGRUDER: If so and so knew, wouldn't it be likely? And of course you say, "Well I don't know anything about that." Sure the guy reported to them. Yeah, but that doesn't mean anything, you know. You know, that kind of, you know, if, if Magruder -- they pulled this -- if, if Magruder knew, therefore wouldn't Mitchell know. Question.

HIGBY: Yeah.

MAGRUDER: They've done that on us all the time.

HIGBY: Sure.

MAGRUDER: Which is very understandable.

HIGBY: Him.
MAGRUDER: But I would say one thing, Larry, and I mean this sincerely, you guys ought to forget about the press. In this case. Anymore. That's not the problem, Larry.

HIGBY: Uh hum.

MAGRUDER: You, you know the press are the minor problem in this case. No one is going --

HIGBY: Obviously it could be a problem on something like that.

MAGRUDER: Well, it won't be because the facts eventually will come out and no one is going to say, that I know of, at least certainly I'm not, uh, in any way, shape or form that I had any dealings with Mr. Haldeman. It's just -- I never did.

HIGBY: Yeah.

MAGRUDER: Now there's no way I am going to say that, Larry. When I, I have to tell the truth, I'm going to tell the whole truth, and it ain't going to be a mixture of truth and half -- and why would I any way, shape or form ever want to do that with Bob anyway unless it was true?

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HIGBY: Yeah. I couldn't understand why you would.

MAGRUDER: So what you've got is a misinterpretation or a uh, case where a guy is trying to make a case. I've had this happen now so many -- I've had these guys call me and say, "Look, I've got good sources in the White House who say that you're the guy and it's all your fault and so on--," and they've named names to me.

HIGBY: Jimminy Christmas.

MAGRUDER: You know, I just say --

HIGBY: In the White House, they've named names of people who have said that?

MAGRUDER: Yeah.

HIGBY: Who?

MAGRUDER: Oh, you know, all the guys I have mentioned.

HIGBY: Who?

MAGRUDER: Oh Larry --

HIGBY: You haven't mentioned any White House guys. I can't believe it.

MAGRUDER: Yeah.

HIGBY: That any White House guys would be saying that.
MAGRUDER: Yeah. And they've even named names in my case. Which they don't usually do but they --

HIGBY: Like who? Seriously, that's terrible.

MAGRUDER: Larry, it's not, it's not -- I know it's terrible, but it's not important. I just ignore it. I say fine, print it.

HIGBY: Are they responsible guys?

MAGRUDER: Yeah. Oh yeah.

HIGBY: High up guys here in the White House?

MAGRUDER: Oh yeah. Yeah. But it's past that point to fool with that. I don't even fool with that any more. I could care less right now. [Unintelligible] interested in the press, Lar. Nobody should now. Other than getting the thing settled so the President comes out.

HIGBY: When do you think your guys will have a decision on what the hell you ought to do?

MAGRUDER: Oh I would take a guess, probably next Tuesday, or Wednesday.

HIGBY: Not till Tuesday or Wednesday?
HIGBY: What, are they evaluating your discussions now?

MAGRUDER: Yeah. They, see they haven't gotten into it -- until, till, really until, uh late last week and then they were gone this, early this week at this conference down at the Homestead and they just got back in it on Wednesday.

HIGBY: Yeah.

MAGRUDER: and, uh, you know, there is just a lot of stuff they've got to -- they play catch-up ball. None of us had our own lawyers we were all dealing with Committee lawyers --

HIGBY: Where does Colson fit in this whole thing? You crossed his path anywhere?

MAGRUDER: Well --

HIGBY: I don't mean, I don't mean in terms of the actual case. I mean, you know, the maneuvering that's going on.

MAGRUDER: Yeah. Yeah. I have.

HIGBY: Really?

MAGRUDER: Sure. Yeah.

HIGBY: Hm.
So you know, there's a lot of that back and forth. Larry, you know, people figuring they had better save their ass as best they can. I understand that.

Yeah.

You know, that lie detector thing isn't going to [unintelligible]

Yeah.

That's a trick of the trade, that's all.

Yeah.

I could pass the lie detector test.

Yeah.

[Sighs] So, so there's a lot of that stuff going on. But that's life. That isn't important anymore. It really isn't. Along about three weeks ago I realized after [laughs] McCord that that wasn't the important point anymore. It isn't important for Bob anyway, by the way.

Yeah.

Larry, even, you know, it doesn't matter what X says anymore. The facts will sooner or later come out.
HIGBY: Yeah.

MAGRUDER: And when they come out, uh, hopefully, nobody of any substance will be hurt other than Big John.

HIGBY: You -- Do you think Gordon will be hurt?

MAGRUDER: Well, I don't know. It all depends on what he has to say. I don't know. I really don't know.

HIGBY: What do you have to say?

MAGRUDER: Well, what I have to say, but probably what others have to say, too.

HIGBY: Really?

MAGRUDER: Yeah. I mean I don't know. I really don't.

HIGBY: You do think John Dean will definitely be hurt though?

MAGRUDER: Well I don't know if he will be hurt. I would think that, uh, uh -- I mean, we all know he attended those meetings.

HIGBY: Yeah.

MAGRUDER: And, uh, if, if whatever happened in those meetings is discussed, I guess, uh -- and he says he is going to say what happened in those meetings by the way.
HIGBY: Does he?

MAGRUDER: Yeah. If he does, then he puts Mitchell, me, and he all in a spot.

HIGBY: Um hm.

MAGRUDER: Uh --

HIGBY: Okay sir.

MAGRUDER: A rough situation,

HIGBY: Yeah.

MAGRUDER: but I do think Lar, that I would hope you all were thinking more in terms of the big picture now and I wouldn't worry about the press anymore, Lar. It's not going to -- There's going to be lots of stuff floating, and I'd worry about --

HIGBY: Well, we won't worry about the press unless something like that hits tomorrow morning's paper and then we'd have a substantial problem we'd have to worry about.

MAGRUDER: No you wouldn't because there's nothing to it. There wouldn't be anything to it, Lar. My point is that --

HIGBY: Well it would be if it was attributed to you.
MAGRUDER: Well, shit nobody -- that just isn't going to happen.

HIGBY: Yeah.

MAGRUDER: You see.

HIGBY: Well obviously, if you were sitting here, and y--,
somebody had given you that, uh, like Ehrlichman,
you'd say, "Good Lord!"

MAGRUDER: You can guarantee Bob that

HIGBY: "I've got to find what the --"

MAGRUDER: there is no way, under any circumstances because it never
happened. No matter what I ever have to say, a week from
now, or two weeks, that his name will come into the situa-
tion at all. In any way, shape or form.

HIGBY: Huh.

MAGRUDER: Okay? Now it isn't true with Gordon and I told you that.

HIGBY: That's right.

MAGRUDER: And that's the way --

HIGBY: All you can do is tell the truth.

MAGRUDER: All I can do is tell the truth -- if I do that. I
may not even do that. So he may not have any problems
from me anyway.
HIGBY: Okay.

MAGRUDER: I don't think -- Look, they're not interested in Gordon, by the way.

HIGBY: Yeah.

MAGRUDER: They're not interested in those guys anymore. They're finished with those guys.

HIGBY: Yeah.

MAGRUDER: They've got, they've got every one of our secretaries on perjury wraps. They are not going to do a damn thing to them. They don't care about those people anymore.

HIGBY: Really?

MAGRUDER: They don't care anything about the aides. They don't care about Bob Reisner, Gordon Strachan, Bart Porter -- anymore. They want big fish.

HIGBY: You and Mitchell?

MAGRUDER: And they're going to get you and -- me and Mitchell.

HIGBY: Really?

MAGRUDER: Oh sure they are. I mean no question, they're going to get me. It's just a question of how long.
HIGBY: Okay.

MAGRUDER: You visit me kiddo?

HIGBY: Huh! I'll do more than that.

MAGRUDER: All right.

HIGBY: Don't need to worry.

MAGRUDER: Yeah. Okay.

HIGBY: See you later.

MAGRUDER: All right.

HIGBY: Bye.
SUBMISSION OF

RECORDED PRESIDENTIAL CONVERSATIONS

TO THE

COMMITTEE ON THE JUDICIARY

OF THE

HOUSE OF REPRESENTATIVES

BY

PRESIDENT RICHARD NIXON

APRIL 30, 1974

(Material unrelated to Presidential actions deleted)

P Did you reach any conclusions as to where we are.

E No conclusions. Dick Wilson, I think, has an interesting column this morning (unintelligible) It's all a money problem. Unintelligible Well, yes --

P Wilson's in the Star.

E (Unintelligible)

P So what--?

H (Unintelligible) is really the essence of this whole thing is too much money. Too much was spent. And so I --

P Yeah. My point, everybody--

H No not everybody. Let's say, one group, pieces that (unintelligible) has on that side and more like (unintelligible) says that his, you know, solving Watergate doesn't take care of it.

P Lots of people, I think want the President to speak out on the whole general issue of money and campaign and all that.

E Generally, but he gets specific on this. He says also (unintelligible)

P Is that what you think, go out and make a speech?
E  Magruder may have talked to some of the press and that that was (unintelligible)

P  But in a great detail, Colson (unintelligible) that he nailed Bob Haldeman. The way Colson said, he said he had Colson and two, but not any way that's particularly bad. Right?

E  Well I think, I think like on so many things this got, this got planted as a little seed by Shapiro with Colson and that it grew and apparently

P  Uh, uh.

H  I would guess what's happened is he's got this report from, Colson does, from Danny Hofgren that at the bar in the Bahamas with (unintelligible), someone (unintelligible) one night said to Hofgren everybody was involved in this. He didn't --

E  Everybody knew about it?

H  Mitchell, Haldeman, Colson, Dean, the President

P  Magruder --

E  He said, he specifically said the President.

P  Magruder does believe that, does he?

H  No. I've got it --

P  I just wonder if he believes (unintelligible). Does he believe it, John?
E No. He tape recorded this thing. Higby handled it so well that Magruder has closed all his doors now with this tape.
P What good will that do John?
E Sir, it beats the socks off him if he ever gets off the reservation.
P Can you use the tape?
E Well no. You can use Higby.
P Why not --
E Well, it's illegal.
H No, it's not. It is not.
P Don't you have to tell somebody --
E Put a beeper
H There is no beeper required. Check the Washington law.
P Yeah.
H District of Columbia is under federal law and the federal law does not require disclosure to the other party of the recording of phone conversations. The phone call was made to Magruder's lawyer's office which is also in the District of Columbia so both ends of the conversation were in the District of Columbia and there is no law requiring disclosure.
E (Unintelligible)
P Well, anyway --

H It cannot be admissible, but it's legal.

P That's interesting. That's a new one. (Unintelligible) now and then, any way. I never heard anybody beep and I know that --

H No. It all depends on where you are. The basic law in most states is that you must disclose to the other party that you're recording the conversation.

P Yeah. What is the situation -- I'll get past this in a hurry. What is the situation, John, in your opinion on what was Colson's and/or Shapiro's motive in building up the Magruder story? Maybe they believe it?

E Their innuendo is that Mitchell has put Magruder up to this.

P I guess not. OK. There is the motive. Now, let me come to something else.

H I don't believe that Magruder's --

P I don't either. Not at all.

H I believe Mitchell has tried to.

P Huh?

H I believe Mitchell tried to. To keep Magruder's faith because he refers to Mitchell and says now that I have decided to talk I am going to have to tell Mr. Mitchell and he's going to be very unhappy with me because he's told me not to.
36. On April 14, 1973 the President met with Ehrlichman from 8:55 to 11:31 a.m. and with Haldeman from 9:00 to 11:30 a.m. At this meeting the President instructed Ehrlichman to meet with Mitchell. The President was advised that the grand jury was focusing on the aftermath. There was a discussion of payments to the Watergate defendants and of the transfer of $350,000 from Strachan to LaRue to be used for payments to the defendants.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.


36.2 Summary of White House edited transcript of a conversation among the President, H.R. Haldeman and John Ehrlichman, April 14, 1973, 8:55 - 11:30 a.m., prepared by House Judiciary Committee staff.
The President motored from the South Grounds of the White House to the office of his dentist, Dr. William O. Chase, 1302 18th St., N.W.

The President met with Dr. Chase.

The President motored from Dr. Chase's office to the South Grounds of the White House.

The President went to his office in the EOB.

The President talked with his Special Assistant, Stephen B. Bull.

The President talked with Secretary of Defense Elliott L. Richardson.

The President met with:
- John D. Ehrlichman, Assistant
- H. R. Haldeman, Assistant

The President talked with Mr. Bull.

The President met with:
- Henry A. Kissinger, Assistant
- Gen. Alexander M. Haig, Jr., Army Vice Chief of Staff

The President talked with Mr. Bull.

The President talked with Mr. Bull.

The President went to the Oval Office.

The President met with Mr. Haldeman.

The President went to the South Grounds of the White House.

The President greeted tourists being escorted by the First Lady on a tour of the White House gardens. Included in the group were Mayor Walter E. Washington (D-Washington, D.C.) and winners of a poster contest sponsored by the Society for a More Beautiful National Capital, Inc. For a list of poster contest winners, see APPENDIX "A."

Members of the press, in/out
White House photographer, in/out

The President, accompanied by his Press Secretary, Ronald L. Ziegler, returned to the Oval Office.
<table>
<thead>
<tr>
<th>TIME</th>
<th>ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>2:23 p.m.</td>
<td>The President met with Mr. Ziegler.</td>
</tr>
<tr>
<td>2:24</td>
<td>The President met with:</td>
</tr>
<tr>
<td></td>
<td>Mr. Haldeman</td>
</tr>
<tr>
<td>3:55</td>
<td>The President went to his office in the EOB.</td>
</tr>
<tr>
<td>4:58</td>
<td>The President talked with the First Lady.</td>
</tr>
<tr>
<td>5:15</td>
<td>The President met with:</td>
</tr>
<tr>
<td></td>
<td>Mr. Haldeman</td>
</tr>
<tr>
<td>5:41</td>
<td>The President was telephoned long distance by Senator Robert Dolé (R-Kansas) in Salina, Kansas. Mr. Bull took the call.</td>
</tr>
<tr>
<td>5:45</td>
<td>The President was telephoned by his daughter, Julie. The call was not completed.</td>
</tr>
<tr>
<td>6:08</td>
<td>The President talked with his daughter, Julie.</td>
</tr>
<tr>
<td>6:09</td>
<td>The President returned to the second floor Residence.</td>
</tr>
<tr>
<td>8:11</td>
<td>The President and the First Lady motored from the White House to the Washington Hilton Hotel.</td>
</tr>
<tr>
<td>8:58</td>
<td>The President and the First Lady were greeted by:</td>
</tr>
<tr>
<td></td>
<td>Edgar A. Poe, correspondent for the New Orleans Times-Picayune and outgoing President of the White House Correspondents' Association</td>
</tr>
<tr>
<td></td>
<td>Ted Knap, correspondent for Scripps-Howard Newspaper Alliance and incoming President of the White House Correspondents' Association</td>
</tr>
<tr>
<td></td>
<td>The Presidential party went to the head table in the International Ballroom.</td>
</tr>
<tr>
<td></td>
<td>The President and the First Lady were guests of honor at a dinner hosted by the White House Correspondents' Association. Mr. Knap presented the President with a sterling silver replica of an 18th century globe crafted by Williamsburg silversmiths. For a list of other head table guests, see APPENDIX &quot;B.&quot;</td>
</tr>
<tr>
<td></td>
<td>Members of the press, in/out White House photographer, in/out</td>
</tr>
</tbody>
</table>
The President returned to his limousine. He was accompanied by:

The First Lady
Mr. Poe
Mr. Knapp

10:20  10:26

The President and the First Lady motored from the Washington Hilton Hotel to the South Grounds of the White House.

10:28

The President and the First Lady returned to the second floor Residence.

11:02  11:16  P

The President talked with Mr. Haldeman.

11:20  P

The President telephoned Mr. Kissinger. The call was not completed.

11:22  11:53  P

The President talked with Mr. Ehrlichman.

For a record of the President's activities after midnight, see the Daily Diary for April 15, 1973.
SUMMARY OF WHITE HOUSE EDITED TRANSCRIPT

April 14, 1973, 8:55 a.m. to 11:31 a.m.

The President, Haldeman and Ehrlichman met on April 14, 1973 in the EOB office from 8:55 to 11:31 a.m. The transcript of the meeting opens with the notation "Material unrelated to Presidential actions deleted." Thereafter, in response to a question by the President whether he had reached any conclusions "as to where we are," Ehrlichman said no. (p. 1) The President asked "what your conversation with Colson was and in essence, what did he and the lawyer tell you about?" Ehrlichman replied that Colson told him that Hunt was going to testify on Monday afternoon according to information obtained through Bittman or through Shapiro through Bittman.

The President asked, "Now why is Hunt testifying?" and Ehrlichman said, "I'll tell you what he said and then I'll tell you what I think the fact is." Ehrlichman said, "He said Hunt is testifying because there was no longer any point in being silent", because "so many other people were testifying." Ehrlichman said, "My feeling is that Bittman got very antsy." The President asked, "Why," and Ehrlichman said, "This grand jury started focusing on the aftermath and he might be involved." Haldeman said, "Exactly." (pp. 2-3)

The President said, "What do Colson et al, Colson and Shapiro, think we ought to do under these circumstances? Get busy and nail Mitchell in a hurry?" Ehrlichman said, "Yes." The President asked, "How is that going to help," and Ehrlichman said, "Well, they feel that after he testifies that the whole thing is going to fall in short order." The President
said, "Right." Ehrlichman said that Mitchell and Magruder would be indicted and both will say the President lost any possibility of initiative for participation in the process. (p. 3)

Ehrlichman said Colson wants the President to "persuade Liddy to talk." (p. 3) The President said "Me?", and Ehrlichman suggested the President should send word to Liddy "through a spokesman or in some way you would be activist on this score."

Haldeman said, "that doesn't involve any real problem" because "As Dean points out, he [Liddy] is not talking 'cause he thinks he supposed not to talk" but "If he is supposed to talk, he will." "All he needs is a signal," Haldeman said, "if you want to turn Liddy on." (p. 4) Ehrlichman explained that Colson "wants you to be able to say afterward that you cracked the case." (p. 4) and that the "next forty-eight hours are the last chance for the White House to get out in front of this and that once Hunt goes on, that's the ball game." (pp. 4-5)

The President asked, "But you've got to be out in front earlier," and "I mean go public." Ehrlichman said, "Either publicly, or with provable, identifiable steps which can be referred to later as having been the proximate cause." The President asked whether Liddy was "not talking because he thinks the President doesn't want him to talk? Is that the point?" Ehrlichman replied that according to Colson and Shapiro, "Mitchell's given him a promise of a pardon." The President said, "I don't know where they get that. Mitchell has promised Liddy a pardon?" Ehrlichman said, "Yes."
The President said he had an uneasy feeling that the Magruder story may have been planted. Discussion followed about whether Magruder was telling the truth and whether Colson was a liar. (pp. 4-6) Haldeman said, "I would guess what's happened is he's got this report from, Colson does, from Danny Hofgren that at the bar in the Bahamas with (unintelligible), someone (unintelligible) one night said to Hofgren everybody was involved in this." Ehrlichman asked, "Everybody knew about it?" and Haldeman said, "Mitchell, Haldeman, Colson, Dean, the President." Ehrlichman then said, "[he] said, he specifically said the President" and the President asked, "Magruder does believe that, does he?" and "I just wonder if he believes (unintelligible). Does he believe it, John?" (p. 7)

Ehrlichman said, "No," that a conversation with Magruder was taped, that "Higby handled it so well that Magruder has closed all his doors now with this tape." The President asked, "What good will that do John" and Ehrlichman responded, "Sir, it beats the socks off him if he ever gets off the reservation." The President asked if the tape can be used, and Ehrlichman and Haldeman expressed different opinions about the legality of recording a telephone conversation without a beeper. Haldeman said that no law required such disclosure of recording in the District of Columbia. (pp. 8-9)

The President asked "what was Colson's and/or Shapiro's motive in building up the Magruder story? Maybe they believe it?" Ehrlichman replied, "Their innuendo is that Mitchell has put Magruder up to this." Haldeman said he believed Mitchell tried to keep Magruder's faith because Magruder refers to Mitchell and says "now that I have
decided to talk I am going to have to tell Mr. Mitchell and he's going
to be very unhappy with me because he's told me not to." (p. 9)
Ehrlichman said Magruder is an emotional fellow "ready to crack" and
he had "no doubt that he's ready to talk." The President said that if you
were his lawyer wouldn't you advise him to go in and try and purge him-
self" because "[a]t least gets rid of one charge." Ehrlichman was not
sure it would get rid of it "but it certainly reduces it when he comes in
voluntarily." (p. 10) Haldeman said he wanted to talk to Magruder, and
the President said, "Turn Bob on him."

The President then asked "what is Hunt going to say," and "will
he say that Colson promised him clemency?" Ehrlichman thought not. (p. 11)
The President said, "You see the only possible involvement of the Presi-
dent ... is that, now apparently John, either you or Bob or Dean, somebody
told me they said, told Colson not to discuss it with me." (p. 11)
Ehrlichman said he did. The President said that one evening Colson
"dropped it in sort of parenthetically," and said he "had a little
problem today, . . . about Hunt." The President said that he had sought to
reassure him and that Colson had told him about Hunt's wife. The
President said, "I said it was a terrible thing and I said obviously
we will do just, . . . we will take that into consideration. That was the
total of the conversation." (p. 12) Ehrlichman said, "Well, I had . . . a
couple of conversations in my office," with Colson, explaining that Hunt
wrote Colson "a very, I think a I've been abandoned kind of letter" after
the election, and Colson came to tell Ehrlichman about it and asked
him, "What shall I do?" (pp. 12-14) Ehrlichman said, "And I said,
'Well, better talk to him.' I thought somebody had better talk to him, the guy is obviously very distraught. . . . And has a feeling abandoned."
The President said, "Right." (p. 14) Ehrlichman said Colson said, "What can I tell him [Hunt] about clemency or pardon." And Ehrlichman said he told Colson "You can't tell him anything about clemency or pardon. And I said, 'Under no circumstances should this ever be raised with the President.'" The President said, "(Unintelligible). Well, he raised it, I must say, in a tangential way. Now he denies that, as I understand it, that he said they'd be out by Christmas." Ehrlichman said, "I've never talked to Chuck about that, have you," and the President said that Dean or somebody had told him that Colson didn't, that he "just talked or saw Bittman casually -- were off on (unintelligible) or something of that sort." (p. 14) The President said that Colson said [apparently to Bittman], "I, I had given, . . . I know about Hunt's concern about clemency," and "I, Chuck Colson feel terrible about it, 'cause I knew his wife." The President continued to relate what Colson apparently said to Bittman: "I will go to bat for him and I have reason to believe that my views would be listened to." Ehrlichman said Colson says he "talked with Bittman, that he was very skillful in avoiding any commitment," and that Colson says that Bittman was pitching him, but that he wasn't catching 'em" and that Colson "might have a tape of that meeting or a tape of the conversation. . . ."
Haldeman said Colson said Ehrlichman and Dean told him to promise clemency, but that he was smarter and did not. (p. 15)

The President again asked whether Colson indicated "that Hunt's going to talk to that subject . . . [i]he promise of clemency?" (p. 16)
Ehrlichman said that he did not ask Colson that and Colson did not say that. Haldeman said, "Well we've got to go on the basis, John," and "we don't know how they know what Hunt's going to testify." Haldeman said their only basis for knowing what Hunt is going to testify to was Shapiro's meeting with Hunt the other day, and that is assuming Hunt would tell Shapiro what his testimony would be. Haldeman said they had no reason to assume that Ehrlichman said Shapiro said Hunt would corroborate a lot of McCord's hearsay. The President said, "Hunt could testify on Colson's (unintelligible)." (p. 16)

The President said, "We're talking about when he [Hunt] and Liddy are in the office with Colson" and Colson called Magruder. The President said that "Colson says that they didn't discuss the (unintelligible) then," but that Hunt could say he went in and showed this whole thing to Colson and Colson picked up the phone and talked to Magruder. The President asked, "Does Colson realize his vulnerability there?" (p. 17)

Ehrlichman said Colson claimed he had no vulnerability because he talked in very general terms with Hunt and Liddy, and the President said he understood that but was simply saying that Hunt and Liddy could assert that -- that's the point. Ehrlichman said he asked Colson specifically about that conversation "and he maintains that they were talking in general terms about intelligence and when they said intelligence he meant one thing and apparently they meant another." (p. 18)

The President said, "Question, for example, is Hunt prepared to talk on other activities that he engaged in?" Ehrlichman said he "couldn't
derive that." The President said, "You mean is he going to blow the White House on the --," and Ehrlichman said, "I couldn't get that at all."
The President said he assumed the U. S. Attorney would not be pressing on "that." Ehrlichman said McCord volunteered this Hank Greenspun thing.
The President asked if that was a serious thing, "Did they really try to get into Hank Greenspun." Ehrlichman said, "I guess they actually got in," to which the President responded, "What in the name of (expletive deleted) though, has Hank Greenspun got with anything to do with Mitchell or anybody else?" Ehrlichman said, "Nothing. Well, now, Mithcell [sic]. Here's -- Hughes. And these two fellows, Colson and Shapiro, Colson threw that out."

The President said, "Hughes on whom," and Ehrlichman said the Hughes thing is cut into two factions, which were fighting. The President said, "Yeah," to which Ehrlichman said Senator Bennett's son for whom Hunt worked represents one of those factions. The President said, "So he ordered the bugging?" and Ehrlichman said, "I don't know. I know the (unintelligible) say it's a bag job." (pp. 18-19) Haldeman said, "They busted his safe to get something out of it. Wasn't that it?" Ehrlichman said, "No. They flew out, broke his safe, got something out (unintelligible)," and "[n]ow as they sat there in my office --." (p. 19) The President said, "Other delicate things, too. You've got apart from my poor brother, which unfortunately or fortunately was a long time ago but, more recently, you've got Hubert Humphrey's son works for him and, of course, they're tied in with O'Brien I suppose. But maybe they were trying to get it for that reason." (p. 19) Ehrlichman said he didn't know why, but that Shapiro and Colson didn't know anything about it. Ehrlichman said, "They said, one said to the other,
'Say, that may have something to do with the New York Grand Jury,' meaning the Vesco Grand Jury which is a runaway and which is into --." The President asked if Colson knew about that. Ehrlichman did not know and said that Colson says he does not even know who Hank Greenspun is. To this the President said, "(Unintelligible)", and Ehrlichman said he would take him [Colson] at face value on that one. The President asked, "You didn't know that either?" and Ehrlichman responded, "I know very well who he is." (p. 20)

The President then said, "Let me just take a minute further and run out the Hunt thing, and then the Grand Jury, I want to get all the pieces if [sic] my mind if I can." (p. 20) The President said, "Hunt's testimony on pay-off, of course, would be very important," and asked, "Is he prepared to testify on that?" Ehrlichman said apparently so and that Hunt will implicate O'Brien and Parkinson by hanging them up on obstruction of justice. The President asked, "Can Hunt do that," and Haldeman said, "why doesn't he accomplish his purpose simply by saying they gave them money to handle their legal fees?" (p. 21) The President said, "Hunt then is going to go" and that "raises the problem on Hunt with regard to Kalmbach," who "has possible vulnerability as to whether he was aware, in other words, the motive, the motive, --." (p. 22) Ehrlichman described Dean's calls to Kalmbach about raising money and that Kalmbach got some money and sent it back. Haldeman said, "Dean says very flatly that Kalmbach did not know the purpose of the money and has no problem." (p. 22) The President said, "Dean did know the purpose? Hunt testifies -- so basically then Hunt will testify that it was so-called hush
money. Right?" Ehrlichman said he thought so. The President asked, "Where does that serve him, let me ask?" and was told by Ehrlichman it would serve him to have his sentence reduced. Haldeman said "he'd be served the same purpose by not saying it was hush money, by saying it [sic] gave it to these guys I had recruited for this job and I . . . was concerned about their family --." The President said, "That's right, that's what it ought to be and that's got to be the story that. "At this point Haldeman said, "Unintelligible" and the President continued with, "Will be the defense of these people, right?" (pp. 23-24)

Haldeman said, "That was the line they used around here. That we've got to have money for their legal fees and family;" and the President said, "Support. Well, I heard something about that at a much later time. . . . And, frankly, not knowing much about obstruction of justice, I thought it was perfectly proper." (p. 24) After some discussion comparing the payments to fund raising for the Berrigan brothers and the Scottsboro people, the President said, "Nevertheless, that Hunt then saying there was a payoff," and "Hunt, on other activities -- Hunt then according to Colson was not -- I don't know what Colson meant about the door of the Oval Office." Ehrlichman said he hadn't wanted to get into that with Colson because Shapiro was there and "I'll have to get back on that." (p. 25) The President said, "Right."

The President said, "[I]t is Colson's view that Magruder's talking would have the effect of bringing it there because of the -- I think what he is really referring to, John, is that by reason of Colson, by reason of Magruder nailing Haldeman and Colson, that that's the door
of the Oval Office. I don't know what else because there's nobody else around, nobody physically around." (p. 26) Haldeman said, "Magruder isn't going to nail Haldeman and Colson." The President said, "Well, let's see. I don't think so either but." (p. 26)

The conversation then turned to contacting Mitchell to tell him, in Ehrlichman's words "the jig is up." (p. 27) The President said "now is the time to do something." The discussion covered several possible persons who might take the message to Mitchell (pp. 27-29).

Ehrlichman then mentioned that he had been working on something when Dean called him at twelve-thirty. The President asked if he was working on "another subject." Ehrlichman said, "Oh, no" and Haldeman said, "There is no other subject!" (pp. 30-31) Ehrlichman then related a scenario suggested by Dean in that telephone call. One scenario involved the President calling Mitchell into his office on Saturday and telling Mitchell "You've got to do this," and Mitchell "stonewalls you," so the President says, '"Well, John [Mitchell], I have no alternative.' "And with that the President calls the U. S. Attorney and says, 'I, the President of the United States of America and leader of the free world want to go before the Grand Jury on Monday.'" (pp. 31-32) To this the President said, "I won't even comment on that." Haldeman said, "That's a silly --." The President said, "Typical of the thinking-of--." Ehrlichman said, "We're running out every line."

Ehrlichman said he thought Mitchell "will understand this thing" and that "if he goes in it redounds to the Administration's advantage." The President asked "How . . ."
Ehrlichman said that when the President got Ehrlichman's report he would be able to call in Mitchell as the "provable wrong-doer" and say, "Now, John, for (expletive deleted) sake go on in there and do what you should. And let's get this thing cleared up and get it off the country's back and move on." (pp. 32-33)

Haldeman then said, "Plus the other side of this is that that's the only way to beat it now." (p. 33) The President said, "Well, --" and Haldeman said that was the only salvation for Mitchell from Mitchell's personal viewpoint, and the President said, "How can he make it, anyway." (p. 33) Haldeman said Connally "made the point that you had to get this laid out and the only way it could hurt you is if it ultimately went to Mitchell. And that that would be the one man you couldn't afford to let get hung on this." The President said, "I think he's wrong about that. I think this is the worst one, well, due to the closeness to the President at the time of the crime. Would you agree, John?" (pp. 33-34) Discussion followed concerning whether different news stories would result depending upon whether the grand jury cracked the case by itself or Mitchell went to the U. S. Attorney at the President's urging. (pp. 35-36)
The latter alternative news story would say, according to Ehrlichman, "Charges of cover-up by the White House were materially dispelled by the diligent efforts of the President and his aides in moving on evidence which came to their hands in the closing days of the previous week." The President said, "I'd buy that." (p. 36)

Ehrlichman said he was concerned because since the end of March, he had "turned up a fair amount of hearsay evidence that points at this (unintelligible)." The President said, "So did Dean." (pp. 36-37) The President said, "Yet he [Dean] tried, very honestly, he tried to look it as the best way he could," and that, "Maybe he could and maybe he really didn't know." Ehrlichman said, "Well, its [sic] hearsay. And, so you don't hang a guy, you don't hang a guy --." The President said, "And, also, we are going to remember Mitchell has denied it." (p. 37) Then Ehrlichman said, "But I sit over there in Bob's office and listen to that tape of one of the co-actors saying flat out on the tape that he was guilty and that Mitchell was (unintelligible) going to force our fall, and --." The President said, "Did he say that? Did he say that?" Ehrlichman said, "Yeah," and that "I said to myself, 'My god. You know, I'm a United States citizen. I'm standing here listening to this, what is my duty?'" To which the President responded, "Well the point is you've now told me. That's the problem." Ehrlichman said, "That's correct. That's correct." The President said, "See the difference is that the problem of my position up to this time has been quite frankly, nobody ever told me a damn bit of this, that Mitchell was guilty," and Ehrlichman said, "That's right." Haldeman said, "Well we still don't
know," that he thought "the scenario that was spun out, that Dean spun out on Mitchell is basically the right one," and that he did not think "Mitchell did order the Watergate bugging and I don't think he was specifically aware of the Watergate bugging at the time it was instituted. I honestly don't." (pp. 37-38) Ehrlichman said, "That may be." At this point there is a notation "Material unrelated to Presidential actions deleted." (p. 38)

The transcript resumes with the President saying, "What did he say? What did he tell Moore?" Ehrlichman said, "Well, remember I asked Moore to find out what Mitchell had testified to," and the President said, "Yeah. Moore heard the testimony and said well you're not --," and Ehrlichman said, "He was never asked the right questions." Haldeman said, "He probably didn't to the Grand Jury, either," and Ehrlichman said, "That's right. As far as the quality of the evidence is concerned --," At this point the notation again appears, "Material unrelated to Presidential actions deleted." (p. 38)

The President next said, "All right. I now have evidence that--." Ehrlichman said, "You don't have evidence if I" and the President said, "I'm not convinced he's guilty but I am convinced that he ought to go before a Grand Jury." (p. 38) Ehrlichman said, "What I did last night and this morning was to write out what would in effect be a report to you." The President said, "Right." Ehrlichman said, "Of this (unintelligible) deliver it to you." The President said, "John," followed by the notation "Material unrelated to Presidential actions deleted." Thereafter the President says that, coming around again, Ehrlichman knows
the case, has conducted the investigation, has reported to the President, and has been asked by the President "to go up and lay it on the ground to Mitchell and to tell Mitchell, look, there is only one thing that can save him. I think John's got to hear that kind of talk...."
The President suggested that Rush might be the man to do it, and incidentally was a man to be considered to be brought into the White House to "advise the President on this thing and examine all the White House things, to look at all the FBI files, to look at the Jury report, Dean report, FBI files and give me a report." The President said, "Rush, I trust. Rush is a friend. He is a total White House man, yet he is not tied in to this."
In response to Haldeman's query whether events hadn't overtaken that project, the President said no, because if they got Mitchell, "they're going to say now what about Haldeman, what about Chapin, and what about Colson and the rest?" The President said he had to have a report which would say "There are no other higher-up," would "put a cap on it," and would "then face the Segretti crap." (pp. 39-41) Ehrlichman said, "In forcing this out, Dean remains a problem," and read to the President what he had "come to" on that. Ehrlichman read, "'John Dean has not involved himself in this matter as your counsel for several months and properly so. I should not continue to fill in for him, ' meaning me, ' for several reasons, including the impermissible [sic] demands on my time that were involved. You need a full time special counsel to follow these related problems.... I do not recommend that Dean take a leave. That is neither in nor out. He has involved himself to the extent described above. Either that requires dismissal, or it does not. And that choice should be made at once. If he is discharged, the U. S. Attorney and the Grand Jury should be (unintelligible)." (pp. 41-42) Ehrlichman said, "I think you've got to bite the bullet on Dean, one way or the other, pretty quick." And Haldeman said, "All right, but recognize
that that kills him. Dean's reaction, basically he says that that kills him." (pp. 41-42) There is then a notation "Material unrelated to Presidential actions deleted" and the transcript resumes with the remark the President, "Well, let's see what Dean says when you tell him that?" Ehrlichman replied, "He doesn't agree with that." The President said, "I know he doesn't agree, but what does he do?" Ehrlichman replied, "He wants to stay and just disconnect himself from this case." (p. 43)

Returning to the Mitchell problem, the President said, someone who knew the case had to talk to Mitchell and that was "one of two people." The President said, "I can verse myself in it enough to know the thing, but I am not sure that I want to know. . . ." (p. 43)

The President then said to Ehrlichman, "I am not trying to duck it. I just, John -- and, I'll take this one on. The thing, John, is that there's nobody really that can do it except you." A discussion followed about what Ehrlichman should say to Mitchell. Ehrlichman suggested saying, among other things, "We've got to think of this thing from the standpoint of the President and I know you have been right along and that's the reason you've been conducting yourself as you have," to which the President said, "Right." (p. 45) After further suggestions the President said, "And the door of the White House. We're trying to protect it." (p. 46) At one point Haldeman said, "(Unintelligible) one part of the scenario really worries me. You say I listened to Magruder." Ehrlichman responded, "Well, I can't say it quite that way." (p. 48) There was discussion of whether if Mitchell went to the U. S. Attorney, the U. S. Attorney would drop investigation of the cover-up. The President and Ehrlichman feeling the
cover-up investigation would continue anyway, although Ehrlichman said, "They would certainly be diverted." (p. 50)

The discussion turned to what Mitchell would say in response to Ehrlichman's approach. The President thought Mitchell would say, "Oh, damn it. Look John, you know that there are people in the White House who are deeply involved in this and you know that Colson and Haldeman "pressured' 'This poor boy over here.' I think Mitchell will take the offensive." (p. 52) Haldeman said, "You see, I am not at all sure but what Mitchell may think I am involved. I am sure he probably thinks Colson's involved, because Magruder has said that," and "I would guess that's the line Magruder has used with Mitchell, and you might have to play Magruder's tape recording for him." (p. 52)

The President asked whether Magruder was planning to go see Mitchell. Haldeman said, "Yes, Sir, if he decides to go, if he decides to talk," and that Magruder was "about on the verge" and he assumed Magruder "is either going to talk or he's going to take the Fifth. He's not going to lie." (p. 52) Ehrlichman said, "He says, I know I'm going to be arrested. I know I'm on my way to jail. If Mitchell comes back with a line like that, "You're not serving the President, well, that if you made any kind of investigation surely you know people in the White House are involved. . . . We're not protecting the President by hoping this thing is going to go away."

(pp. 52-53) Ehrlichman said he would tell Mitchell: "The thing is not going to go away, John, and by your sitting up there in New York pretending that it is, is just making it worse. And it's been getting steadily worse, by your sitting up there for the last couple of months.

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We're at the point now where we had no choice but to ask you to do this." (p. 53)

The discussion turned to cooperation with the Ervin Committee, and Ziegler's views that they should stonewall it (pp. 54-57). The President said, "You see the point is, the point is, I believe that cooperation with the Committee might at least indicate no cover-up. That's what I'm trying to do." (p. 57) Ehrlichman said the story will come out, and "We're going to go through a period now where we take some gas," giving the example of a Kilpatrick radio program, "just taking Kleindienst apart something terrible on executive privilege." Ehrlichman said, "Now that was a tactic. Kleindienst took a hard line up there." The President said "Yeah."

Ehrlichman said "because if he had softened at all, that would have really hurt our negotiations." (pp. 57-58) There was further discussion of negotiating with the Ervin Committee and the possibility of a court test case if agreement could not be reached with the committee. (pp. 58-60)

The President then said, "We don't want a court case --," and Ehrlichman said that a court case would "delay any appearance by any White House people," that they could agree to "abide the outcome of the case," and that "If Mitchell does get indicted, Mitchell's lawyers are going to somehow move to stop the Ervin hearing." (p. 60)

Ehrlichman said that was Shapiro's analysis also, that the motion to quash the Ervin hearings would be on the point that they can't get a fair trial. The President asked, "John, is that better than just caving?" Ehrlichman said they had the option of caving at any time. (pp. 61-62) Ehrlichman said it would be better to be forthcoming before Mitchell is indicted, and
that, "You asked me, 'Do I want to cave now?' My feeling about this whole thing is that we ought to be looking at every nook and cranny for every device that there is to be forthcoming." The President said, "Right." Ehrlichman said, "And this is a place where we could do it. My sense of this whole case is that our best defense is that the President always wanted this to happen, and that we weren't being cute about this at all." (p. 62)

The discussion turned to who would get "out in front" on the Segretti matter. The President suggested Chapin, but Haldeman indicated he himself should, saying, "If the Mitchell thing breaks, like on Monday, and if (unintelligible) and that starts breaking and you get into a big bottling up of Watergate," it seemed to him "that's the best possible time, place and atmosphere for my statements to come out debunking Dean." (pp. 63-64) In connection with this there was a discussion whether the Ervin Committee should be asked for early hearings. The President said, "We don't want early hearings, huh?" and Ehrlichman said no, "Number one, I don't want 'em," and also he had a commitment to Ervin and Baker not to discuss the negotiations until they were over. (pp. 66-67)

A discussion followed concerning issuing a statement by Haldeman about his relationship to Segretti, and timing this statement with relation to any plea Mitchell might enter. The President then said, "We don't even know yet what Magruder is going to do" and Ehrlichman said, "Does it really matter? If once you're possessed of this information." The President said, "Yeah, I see," but that "my Gosh. I'm not a mind reader" and that "Mitchell's going to say, 'Well, I don't know whether Jeb, how do you know Jeb's going to do that?'" Ehrlichman said, "I don't."
But it doesn't matter," and he responded "[t]hat's it" when the President said, "they've got other information?" When asked how he knew that, Ehrlichman said, "Well, we've got some sources inside the U. S. Attorney process," apparently indicating he would say that to Mitchell, but would also say "I don't know how good they are, John." Ehrlichman said he would also say to Mitchell, "You undoubtedly do, too" have sources. The President said, "our sources are Shapiro, right?" Ehrlichman said, "Oh, no. Dean and his lawyers have sources in the U. S. Attorney's office." (p. 68) The President said, "Silbert, right." (p. 69)

The President then asked about the other grand juries, including the Vesco case, which Ehrlichman said again was a "runaway Grand Jury." He explained that the grand jury was investigating whether or not Vesco procured an appointment with the Attorney General in consideration of a $200,000 campaign contribution, and the President said, "Oh, my God. And Harry Sears charges that?" Ehrlichman discussed the details about what happened, including Vesco's question to Stans, "how does a guy get to be a big contributor around here"; Stans' response that "Well, the word big means two hundred thousand dollars"; Vesco's query "cash or check" and Stans' reply "either one." The President asked, "This was after my poor brother was up there?" Ehrlichman said, "I'm not sure. I don't know, before or after," and then went on to describe further conversations between Stans and Vesco resulting in Vesco getting a phone call, "allegedly," from John Mitchell. "[T]hat's enough to indict," Ehrlichman said he was told. The President said, about the appointment Vesco got as a result of the phone call, "My God that's dumb," and "You know what I mean," that he "can imagine all those (unintelligible) in here trying to
Ehrlichman then said, "Now that may not be enough to convict, but it's enough to indict." At this point the transcript says "Material unrelated to Presidential actions deleted." (p. 70)

The transcript resumes with the statement by the President, "We've come full circle on the Mitchell thing. The Mitchell thing must come first." The President said, "We've got to make this move today" and "If it fails, just to get back our position I think you ought to talk to Magruder" and "you tell Magruder, now Jeb, this evidence is coming in you ought to go to the Grand Jury. Purge yourself if you're perjured and tell this whole story." The President said, "Because I think we do have to," and Haldeman agreed. The President said, apparently referring to Ehrlichman's proposed talk with Mitchell, "Say that the evidence is not Jeb," (pp. 70-71) and that "we are not talking to John because Jeb is going to crack or that Dean is going to the Grand Jury." "It's past that point," the President said, "They've got the case made." The President said Mitchell will say, "Well, I think they're bluffing here." Ehrlichman said, apparently saying what he would tell Mitchell, "It isn't a question of bluffing. Nobody's made any representations to us at all. Nobody's tried to bluff us. It just a question of putting together all the facts and any time someone, if the U. S. Attorney's office goes through the process that I've gone through, he'll have all the facts. And there'll be. And you don't get it all from any one person. It's some from this one, some from that one." (p. 72)

The President then said, "what is the -- is the liability of Hunt -- I am thinking of the payoff thing."
The President said, that Dean had told him a few weeks ago "about the problem of Hunt's lawyer" needing "sixty thousand or forty thousand dollars or something like that." The President said, "I said I don't know where you can get it. I said, I mean, I frankly felt he might try to get it but I didn't know where." The President said that Dean "left it up with Mitchell and Mitchell said it was taken care of...." The President asked if Dean had talked to Ehrlichman "about that." (pp. 72-73) Ehrlichman responded, "He talked to me about it. I said, John, I wouldn't have the vaguest notion where to get it." The President said, "Yeah." Ehrlichman said he saw Mitchell later in the day, and the President said, "[w]hat happened?" and Ehrlichman said, "And he just said, 'It's taken care of.'" (p. 73) Haldeman said that "Mitchell raised the problem to Dean and said, 'What have you done about that other problem?'", and Dean said, "Well, you know, I don't know.' And Mitchell said, 'Oh, I guess that's been taken care of.'" Haldeman said that it was apparently taken care of "through LaRue," who told Dean, "this whole thing is ridiculous now," and "it's all out now and there is nothing we can do about it," and "you know I can't figure out how I got into this, to begin with, but it seems to me all of us have been drawn in here in trying to cover up for John." (pp. 73-74) The President asked "For Mitchell?" and Haldeman said, "Yeah, which is exactly what's happened." (pp. 73-74) The President said, "LaRue said this?" Haldeman said, "Yes," and the President said, "He's right." Then Haldeman said if LaRue "is called" he "intends to tell the truth...." The President said, "Is he?" Haldeman said, "Yeah," and the President said,
"Well," and Haldeman said, "I don't know." Then the President said, "what instructions?" Haldeman said he didn't know. The President said, "but his instructions will be, LaRue, that I was helping to get --." Ehrlichman said, "The way Dean talks LaRue wasn't even thinking about the messages" Haldeman said, "I don't think LaRue cares. I think LaRue figures that the jig is up."

Ehrlichman said he had a bit of incidental intelligence that McCord dropped yesterday with regard to Mardian. "Just a small --." The President said, "(unintelligible) back in Phoenix," and Ehrlichman said, "I heard a cover story which he fed to the New York Times which would lay it all back at the White House. The trouble with that is, sir, (unintelligible) It will only stand so long as Mitchell stands."

The President said, "But he could lay it to the White House?" and Ehrlichman said, "But bear in mind Shapiro was giving me this in a whole litany of things that were persuasive (unintelligible)." The President said, "The point on Mardian, well, let me say I don't think that Mardian or LaRue or Mitchell or Magruder or anybody want to hurt the President." Haldeman and Ehrlichman agreed. Ehrlichman asked about Colson, and Haldeman said, "I just think he will do everything he can not to hurt the President," to which the President said, "Yeah. That has got to be true of everybody because it isn't the man, it's the office." Haldeman said, "sure," and the President said, "But also it happens to be true. I wish I knew about the (expletive deleted)," to which Haldeman said, "They will have asked that doesn't apply and they could, I think rationalize to themselves that hurting or getting anybody else could be. . . . Good for the President rather than bad," and that includes "Ehrlichman, Haldeman,
Dean . . . certainly Colson. Colson will be at the top of that -- Colson first, then Haldeman, then Dean, then Ehrlichman." (p. 76)

The President said, "You see I think a Mardian story to the Times will be frankly that Colson put the heat on." (p. 76) Haldeman said he did not think Mardian had any personal desire to "get me," but he knew Mardian hates Colson. The President said, "You see you can make a hell of a circumstantial case on Colson. . . . Colson is closer to this crew of the robbers than anybody else." (p. 77)

There was some discussion of whether Hunt would be given immunity, and the President asked, "How do you handle the problem of clemency, John?" (p. 78) Haldeman said, "Well, you don't handle it at all." That's Colson's, cause that's where it comes from." Ehrlichman said, "That was the line of communication," and the President said, "Colson to Bittman." The President said, "I guess that's the only thing we have on that -- except Mitchell, apparently had said something about clemency to people," and Haldeman said, "To Liddy." The President asked Ehrlichman and Haldeman whether Mitchell "ever discussed clemency" with either of them, and each said no. The President then said "(unintelligible) We were all here the [sic] room," and Haldeman said, "Well, may have said, 'Look we've got to take care of this.'"
The President replied, "But's [sic] he's never said, 'Look you're going to get a pardon from these people when this is over.' Never used any such language around here, has he, John?" Ehrlichman said, "Not to me," and Haldeman said, "I don't think so." The President asked, "With Dean has he?" and Ehrlichman responded, "Well I don't know. That's a question I can't answer." The President said, "Well, but Dean's never raised it. In fact, Dean told me when he talked about Hunt. I said, 'John, where does it all lead?' I said, what's it going to cost. You can't just continue this way. He said, 'About a million dollars.' (unintelligible) I said, John, that's the point. (unintelligible) Unless I could get them up and say look fellows, it's too bad and I give you executive clemency like tomorrow, what the hell do you think, Dean. I mean, you think, the point is, Hunt and the Cubans are going to sit in jail for four years and they are not being taken care of? " Haldeman then said, "That's the point. Now where are you going to get the money for that?" The President said, "That's the reason this whole thing falls apart. It's that - It's that that astonishes me about Mitchell and the rest," and Ehrlichman said, "Big problem."

(Material unrelated to Presidential actions deleted) (pp. 78-80) Immediately following the deletion, the President said, "The word never came up, but I said, 'I appreciate what you're doing.' I knew it was for the purpose of helping the poor bastards through the trial, but you can't offer that John. You can't - or could you? I guess you could. Attorneys' fees? Could you go a support program for these people for four years." Ehrlichman said, "I haven't any idea." Reference was made to the Berrigan
brothers being supported in jail, and the President said, "But not to hush up," and Ehrlichman said, "That's right." (pp. 80-81)

The discussion turned again to whether Dean should be fired. The President said he had made up his mind to do it and Ehrlichman responded that he was not sure it was the right decision. Ehrlichman said he had not meant to imply what the decision on Dean should be, only that there was a "go no go" decision that has to be made. He said, "Here's your situation," that the President should look again at the big picture," and that "You now are possessed of a body of fact," to which the President replied, "That's right." Ehrlichman said, "And you've got to -- you can't just sit here." The President said, "That's right." Ehrlichman said, "You've got to act on it. You've got to make some decisions and the Dean thing is one of the decisions that you have to make." Ehrlichman then said, "I am still heavily persuaded that we affect the Grand Jury and U. S. Attorney treatment of Dean favorably by keeping him on. . . . And that that's important." The President said, "Why is that? - because they like him?" and Ehrlichman said, "No, no. No, no. Because they can treat him differently as the President's Counsel than as a dismissed person. . . . It's a very heavy psychological factor." (p. 82)

The President said that "Well this will be done because there is another reason too. It isn't like, Dean is not like Mitchell, now, let's face it." Haldeman agreed. The President said, "Dean is not like Mitchell in the sense that Dean only tried to do what he could to pick up the pieces and everybody else around here knew it had to be done." (p. 83) Ehrlichman said, "Certainly." The President said, "Let's face
it. I'm not blaming anybody else —." Ehrlichman said, "No, I understand that. I have great trouble in (unintelligible) in the light of the known involvement that he had in the." The President said, "Aftermath?"

Ehrlichman said, "Right, but —." Haldeman said, "But the known involvement he had in that was for what was understood here to be the proper system." The President said, "The question is motive. That's right."

Ehrlichman said, "That number one. Number two, there is nothing new about that. As I have developed this thing. . . . There were 8 or 10 people around here who knew about this, knew it was going on. Bob knew, I knew, all kinds of people knew." (p. 83) The President then said, "Well, I knew it. I knew it." Ehrlichman said, "And it was not a question of whether —," and the President said, "I must say though, I didn't know it but I must have assumed it though but you know, fortunately — I thank you both for arranging it that way and it does show the isolation of the President, and here it's not so bad — But the first time that I knew that they had to have the money was the time when Dean told me that they needed forty thousand dollars. I had been, frankly, (unintelligible) papers on those little envelopes. I didn't know about the envelopes (unintelligible) and all that stuff." (p. 84) Ehrlichman then said that if Dean was dismissed because he knew the operation was going on, you couldn't stop with him and you would have to "go through a whole place wholesale." (p. 84) The President then said, "Fire the whole staff," and Ehrlichman said, "That's right. It's a question of motive. It's a question of role and I don't think Dean's role in the aftermath, at least from the facts that I know now, achieves a level of wrongdoing that requires that you terminate him." (p. 84)
The President then said, "I think he made a very powerful point to me that of course, you can be pragmatic and say, (unintelligible) cut your losses and get rid of 'em. Give 'em an hors d'oeuvre and maybe they won't come back for the main course. Well, out, John Dean. On the other hand, it is true that others did know." (pp. 84-85)

Further discussion followed about Dean, Ehrlichman and Haldeman pointing out that Dean had been made a focal point in the Gray process, and will become a focal point in the Ervin process, and if dismissed he would still be a focal point with less protection and "less incentive."

Haldeman said, "What Dean did, he did with all conscience in terms that the higher good." The President asked what Dean said about motive, did he say it was "hush-up?" (p. 85) Ehrlichman replied, "No. He says he knew, he had to know that people were trying to bring that result about."

(p. 86) Ehrlichman said, referring to Dean, "And he says, you know, the way I got into this was I was I would go to meetings in campaign headquarters and we'd get through the meeting and Mitchell and LaRue would say to -- Mardian and LaRue would say to Mitchell, 'You've got to do something about this.' And Mitchell's stock answer was, to turn to John Dean and say, 'What are you going to do?' And so John said, 'I got to be kind of a water carrier. I'd come back from those meetings and I'd come in to see Bob,' or me or somebody else, and say, 'Well Mitchell's got this big problem.' And then he'd say, They'd say to me, 'well I don't know what I'll do about it.'" The President asked, "When he came in to see Bob and you what would he say was the problem?" Ehrlichman said, "He'd say, 'These guys, Hunt's getting jittery, and says that he's got to have umpty-ump thousand dollars, and Mitchell's terribly worried about it,' and it was never expressed, but it was certainly understood --." (p. 86)
The President then said, "On the question of motive then, though, I guess in those conversations with you with respect to motive was never discussed." Ehrlichman said, "Never discussed with me in those terms." (p. 87) The President said, "Right. The motive was to help defendants who were, by golly, who had worked for the campaign committee."

Ehrlichman said, "It never really got that far because, we, at least my conversation with John always was, 'Well, you know that's interesting, but I just don't know what to do for you.'" The President said, "[h]e may have gone further with you, Bob. Did he?" Haldeman said, "No. We referred him to Kalmbach. You aimed it at Kalmbach, I aimed it at Mitchell. I said, 'John, you can't come here and ask for help, we don't have it.' The one thing where it did go further, if you want to argue about it, it was in the sense that the 350, . . . Which was not our money, we did move back over there." (p. 87) The President said, "[f]or this purpose?", and Haldeman said, "(unintelligible). Yeah, yeah." A discussion followed in which Haldeman said Hunt asked for the money, the $350 thousand, which was transferred from Haldeman to LaRue through Strachan (pp. 87-88), and the problem Haldeman had in getting the CRP to take the money. The President asked what LaRue would say about the money, and asked would he say, "I used it for hush money?" Haldeman said, "I don't know what he'll say. He'll probably say I packaged it up --." The President said, "That help? but [sic] that certainly doesn't help us." Haldeman said, "Doesn't help anybody." The President said, "The other thing he says, well, I just -- I have retained it in a fund for future campaigns," but Haldeman said, "I'm sure he doesn't have it." Ehrlichman
said, "I am not sure, either, but I assume it went right out to pay these people. That's my assumption." The President said, "You know he used it --," and Haldeman said, "Not all of it." (p. 89)

Ehrlichman said that Dean says "we have only two problems that we have to manage in the White House," one being the referral to Kalmbach," but that can be explained. Haldeman said, "I'm running the three fifty into my statement, but the question is whether we want it in." The President said to put it in, and Haldeman said, "that's another bombshell" because it was not known "that I had it." (pp. 89-90)

A few moments later, after some discussion about Mitchell and a call from Dean, the President said, "We did not cover up, though, that's what decides, that's what decides." (p. 92) The President then said that he realized that "Mitchell's case' was 'a killer' and that 'Dean's case' was 'the question!' The President said, "I do not consider him guilty. Now that's all there is to that. Because if he -- if that's the case, then half the staff is guilty." Ehrlichman said, "That's it. He's guilty of really no more except in degree," and the President said, "That's right." Ehrlichman said, "Then a lot of," and the President said, "And frankly then I have been since a week ago, two weeks ago." Ehrlichman said, "Well, you see, that isn't, that kind of knowledge that we had was 'not action knowledge, like the kind of knowledge that I put together last night. I hadn't known really what had been bothering me this week. . . . But what's been bothering me is", and the President interjected, "That with knowledge, we're still not doing anything." (p. 92) Ehrlichman agreed, and the President said, "That's
exactly right. The law and order. That's the way I am. You know it's a pain for me to do it — the Mitchell thing is damn painful." (p. 92) Further discussion followed in which the President again asked if Ehrlichman should see Magruder before Mitchell, and urged him to see Magruder first. Ehrlichman said he would tell Magruder that the President does not in any way view it as serving his interests for Magruder to remain silent. Ehrlichman said he would say to Magruder, "If there ever was an impediment to your coming forward by reason of your impression, assumed or otherwise, of what the President wanted you to do I think it's my job to impart to you what is actually the case." (p. 95) The President then said that Ehrlichman should start with Magruder by saying that, "the President holds great affection for you and for your family," and that "this is a very painful message for me to bring —"The President said, "Also, I would first put that in so that he knows I have personal affection. That's the way the so-called clemency's got to be handled. Do you see John?" (pp. 95-96)

Ehrlichman said, "I understand." Haldeman said, "Do the same thing with Mitchell." (p. 96) There was then a discussion about what Ehrlichman should say to Mitchell, including a statement that "if we're looking at this thing from the standpoint of the President, today is probably the last day that you can take that action, if you're ever going to take it to do the President a bit of good." (p. 100) The President apparently suggested that Mitchell might say Colson and maybe Haldeman are going to get involved, and said, "I'd go further and say, 'The President has said
let the chips fall where they may. He will not furnish cover for anybody.'
I think you ought to say that." (p. 100) Haldeman said, "He may go, he
may get Chuck" and "He may get you." (pp. 100-101) The President said.
"We are asking on this thing (unintelligible) Get the White House.
You see on the other hand, he may do something else, Bob. I think he
would think the latter." Haldeman said, "That's the thing we've worried about all along, that some-
body will get (unintelligible) what we do but we can't live by whether we
(unintelligible) the (unintelligible)." (p. 101) The President said,
"(unintelligible)." The President suggested Ehrlichman might wait to
talk to Magruder until after he sees Mitchell, saying, "Suppose you get
stone-walled with Mitchell." Ehrlichman said, "I tell you, it is not
what Mitchell says that matters today. It is the fact that you have
acted on information you have today." He said, "Now, let's suppose
Mitchell turns us down cold, and says I'm going to preserve all my rights.
I'm going to fight every inch of turf and so on and so forth. OK. That's
right. But at least you, having accumulated all this knowledge this week,
have tried to get this thing out, so that sometime two months from now, three
months from now, a year from now, when there's a panic you can say on
the 14th of April --" (pp. 101-102)
The President said, "No, seriously, as I have told both of you, the boil
had to be pricked. . . . We have to prick the boil and take the heat. . . .
I - am I overstating?" Ehrlichman said, "No. I think that's right. The
idea is, this will prick the boil. It may not. The history of this thing
has to be though that you did not tuck this under the rug yesterday
or today, and hope it would go away." (p. 102) The President said, "Now.
In the scenario. I sort of go out and tell people that I have done this."
There was further discussion of what to do if Mitchell does not go to the U. S. Attorney and Magruder decides to stay "clammed up," including the possibility of taking the hearsay evidence to Silbert. Ehrlichman said, "I would like a record of my conversations with both Magruder and Mitchell. I think personally that maybe I ought to get my office geared up so that I can do that." The President said, "Well go gear it. No, no. Well, wait a minute. No, I think that's too --." And then said, "I don't want to hear the record . . . don't have me hear the record." (pp. 105-106)

The transcript ends with a notation "Material unrelated to Presidential actions deleted."