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RECORDING OF THE  
MEETING BETWEEN THE  
PRESIDENT AND MESSRS.  
DEAN, EITZLICHMAN AND  
HALDEMAN ON MARCH  
21, 1973, FROM 5:20  
TO 6:01 P.M.

ITEM 9.1

**SONY CORP.**  
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TRANSCRIPT PREPARED BY THE WATERGATE  
SPECIAL PROSECUTION FORCE OF THE RE-  
CORDING OF THE MEETING BETWEEN THE  
PRESIDENT AND MESSRS. DEAN, EHRLICH-  
MAN AND HALDEMAN ON MARCH 21, 1973,  
FROM 5:20 TO 6:01 P.M.

HALDEMAN: Well, you go round and round and come up with all questions and no action. Backed up where you were at when you started. [inaudible]

PRESIDENT: Well, do you have any additional remarks?

EHRLICHMAN: Well, I just, I just don't think that the immunity thing will wash.

PRESIDENT: In the grand jury.

EHRLICHMAN: It may, if you come to . . .

PRESIDENT: Well, the immunity . . .

EHRLICHMAN: That was his problem. [inaudible] Under this procedure of John's, uh, John's grand jury package was, uh, was, was to give immunity, you know, to various witnesses who go before the grand jury. I, I think you have to figure that that is out of the picture. I just don't think that it, that it can be carried off.

HALDEMAN: Well, either the grand jury [inaudible] special, or a special panel.

DEAN: Yes, the panel is investigating and will report back on the whole thing. [inaudible] Immunized witnesses shall be called and information can be obtained, and, uh . . .

PRESIDENT: [inaudible] Presidential family?

DEAN: I was thinking we could, well we have special legislation to get immunity powers. We're at the Department of Justice right now, asking them to assess the ability to grant immunity.

PRESIDENT: Well, let's take the grand jury without immunity, what about that?

DEAN: Well. . .

PRESIDENT: What are your ideas about getting out of it?

DEAN: Well, I think that, uh, that is still a possibility, at least for some very drastic results [inaudible] these statutes. And, uh, later on the opportunity for indictment and so forth.

HALDEMAN: Well, uh, we're in trouble with people in and out of the White House indicted for various, for various offenses.

?: [inaudible] You mean [inaudible]?

?: That's right.

PRESIDENT: And the other, and the other problem [inaudible] I mentioned I wouldn't spend any, I wouldn't spend very much time with that.

?: [inaudible]

PRESIDENT: Uh, the other route would be two papers, or possibly three, and, these papers would say, say, "You asked me about this." Say, "Here is my, here is my review of the facts." And, uh, I think we disagree as to whether or not that is a viable option or not. I think, I think you could get out a very credible document that would stand up, and that will have the effect of turning the scope, and would have the effect of maybe becoming the battle ground on a reduced scope, which I think is important. But, uh, the big danger in the Ervin hearings, as I see it, is that they will, they will run out, uh, leads into that area that, uh, it would be better not to have to get into. [inaudible] Baker [inaudible] in this direction. And then you could put out a basic document that

would go on in a limited set of issues even if you, you don't try to concentrate on the target. If I had my . . . but obviously you have the [inaudible]. The imposing problem is this, does anybody really think, really think that really we should do nothing? That's the other, that's the option, period. [inaudible] If we fight it out on this ground, it takes all summer.

HALDEMAN: Which it will.

PRESIDENT: That's the other thing, whether or not today is the danger point.

HALDEMAN: Well, we have talked about that. We have talked about, uh, possible opportunities in the Senate.

PRESIDENT: Things that may turn up that we don't foresee now. Some people are playing the odds. You're trying to put out fires here and there.

DEAN: The problem of the Hunt thing and, and possibly Krogh and some of these other people [inaudible].

PRESIDENT: Is there no, uh, there is, there's no, uh, sign off on them. [inaudible]

?: Well, maybe [inaudible]

PRESIDENT: That's right. Well, in that case then, uh, what is your view as to what we should do now about Hunt, and so forth?

EHRlichman: Well, my, my view is that, that, uh, Hunt's interests lie in getting a pardon if he can. That ought to be somehow or another one of the options that he is most particularly concerned about. Uh, his, his indirect contacts with John don't contemplate that at all. They, they, they contemplate that [inaudible].

DEAN: That's right.



PRESIDENT: [inaudible] that's already understood.

HALDEMAN: Yep.

DEAN: He's got to get that at Christmas time.

PRESIDENT: That's right. But, uh. . .

DEAN: And if he doesn't [inaudible] crosswise.

HALDEMAN: If that blows. . .

PRESIDENT: If that blows and, and that, it seems to me, that the, uh. . . although let's say that clemency is understood, he has really [inaudible] in there. However, can he, by talking, get a pardon? Get clemency from the court?

DEAN: [inaudible] If he goes in there and tells this judge before sentencing, [inaudible] and says, "Your Honor, I am willing to tell all. I don't want to go to jail. I have pleaded guilty to an offense. [inaudible]. I don't have to go to jail, I will cooperate with you and the government. I will tell you everything I know." I think that, probably, uh, uh, would be looked upon very favorably, based on what he's told him.

PRESIDENT: Yeah.

?: If that happens. . .

PRESIDENT: So the point we have to, the bridge we have to try to cross there is, uh, and we have to cross, I understand quite soon, and, uh, and, uh, what would you do about, uh, Hunt's demand? [inaudible]

EHRlichman: Well, apparently Mitchell and, uh, and, uh. . .

DEAN: LaRue.

EHRlichman: LaRue are now aware of it, so they know what your feeling is.

PRESIDENT: True. [inaudible] do something.

HALDEMAN: Well, I have, I have not talked with either of them.

PRESIDENT: [inaudible] It is a long road, isn't it? I mean, when you look back on it, as John pointed out here, it really has been a long road.

HALDEMAN: It is.

PRESIDENT: For all of us, for all of us. What the hell are you going to do? [inaudible] That's why you are, that's why you are sort of wrestling with the idea of moving in another direction.

DEAN: That's right. It is not only that group, but within this circle of people that have tidbits of knowledge, there are a lot of weak individuals and it could be one of those who crosses us up: the secretary to Gordon Liddy, uh. . .

PRESIDENT: [inaudible]

DEAN: the secretary to, uh, to Jeb Magruder.

PRESIDENT: That's right.

DEAN: Um huh. Chuck Colson's secretary, among others, [inaudible] before the Senate Committee. This is not solved by one forum. There's the civil suit filed by O'Brien which, uh, for some reason we can't get settled. They are holding on to it. They will have, uh, intense civil discovery. They may well work hand and glove with that Senate Committee. They will go out and take depositions and start checking for the inconsistencies, see what is in the transcript of one and see what [inaudible] in the other. There's all kinds of things [inaudible]. If we can [inaudible]. The whole thing.

PRESIDENT: [inaudible]

DEAN: [inaudible] involved in the thing to protect their own behinds [inaudible] are into it.

?: Oh, yeah. . .

DEAN: Dwight, for example, hired himself a lawyer; Kalmbach has hired himself a lawyer; Colson has retained a lawyer; and now that we are [inaudible] self protection setting in.

PRESIDENT: Self protection?

DEAN: Sure.

PRESIDENT: Maybe we face the situation, we can't do anything about the participants. If it is going to be that way eventually, why not now?

DEAN: Well, my. . .

PRESIDENT: That's, that's what you said you were going to do.

DEAN: Well, my thought is by keeping on top of it [inaudible] somehow it would not harm you. Maybe the [inaudible] would get harmed.

PRESIDENT: We don't want to harm the people either. That is my concern [inaudible]. We can't, we can't harm the, uh, these young people [inaudible]. [inaudible] what they considered to be the best interests of the country, and so forth. [inaudible]

HALDEMAN: Well, we don't have any question here of some guy stashing money in his pocket.

[TWO VOICES -- INAUDIBLE]

PRESIDENT: . . . isn't something like this, for example, goddamn treason. [inaudible]

HALDEMAN: Well, like Sherman Adams, doing it for his own comfort, or, uh, Albert Ball, doing it for his own ambition.

PRESIDENT: That's right. That's the problem. That is why I say on, on this one [inaudible] well we have to realize that, uh, the attrition is gonna be rather considerable. That's your point, isn't it?

DEAN: I think [inaudible].

PRESIDENT: And if it did, that would take a lot of heat out of it. You know and I know. [inaudible].

DEAN: Right. If you find that you have to be structured, that your, your concern about, "There is something lurking here" [inaudible]. Now is the time to get the facts before Richard Nixon himself. Dean couldn't get all the information. People wouldn't give it to him. Uh, there are indications now that there are other things. And we'd like to get all of this information and lay it before the public, but it is not going to come out if people are going to go take the Fifth Amendment before the grand jury, and to tell you the truth, I. . .

PRESIDENT: And it isn't going to come out of the Committee.

DEAN: It's not going to come out of the Committee, either. Uh, for those reasons. . .

PRESIDENT: Not necessarily, that's the point.

DEAN: That's right, or it may never come out. They may. . . the statement will probably never get out either, regardless of how [inaudible] they are. But now is the time to throw it all out.

HALDEMAN: They are not going to have the key witnesses.

DEAN: That's right. That's right. So therefore, you, you select a panel of the Deputy Attorney General, the head of the Criminal Division, head of the Civil Division, something like that. You call on everybody

in the White House, and tell them that we want, "I have been instructed by the President here to put together exactly what happened. You won't be prosecuted for it because that is not the point now. The point is to get out all the information." And then you will make a decision, based on what you learn, whether people can remain in the government or not. And if it is bad, uh, they will be removed or forced to resign. But something that, uh, is palatable, they'll go on with their job.

HALDEMAN: The hue and cry would be that this is a super-Presidential Board. "They're just trying to build up the information. Now they realize they have got guilty people, so they, they've immunized them so that they can't be prosecuted."

DEAN: I'm not sure how many people would come out guilty.

HALDEMAN: [inaudible] The preception is the important thing.

PRESIDENT: Yeah, but the point is, we were talking. . .

DEAN: Alright, is that, is that better? Or is it better to have, you know, just, just keep going and things blow up and the whole thing collapse?

PRESIDENT: [inaudible]

HALDEMAN: After [inaudible], the President is accused of covering up that way.

PRESIDENT: That's the point.

EHRlichman: Or is there another way?

PRESIDENT: Yeah, like. . .

EHRlichman: Like the, the Dean statements, where the President then makes a full disclosure of everything which he then has. And is in a position if it does collapse at a later time to say, "Jesus, I had the FBI and the grand jury, I had my own counsel. I turned over

every rock I could find. And I rested my confidence in young people of good faith and it's obvious now . . ."

PRESIDENT: The middle ground today would be. . . That's the middle ground, the middle ground on that, but what it is, the middle ground would be that, uh, I mean, uh, if actually you, you [inaudible]. It doesn't concern me. I mean it doesn't concern me, and I think, I think as far as the public is concerned, [inaudible]. Ah, if you as the White House Counsel, John, [inaudible] I asked for a written, a written report, which I then, ah. . . , which, which is very general, understand. Understand, I don't want to think about things like that. [inaudible]. I am thinking now in far more general terms, having in mind the fact that the problem with the specifics of course, is that [inaudible] if do some you must do at all. But if you make it quite general in terms of, ah, your investigation indicates that "this man is not guilty, that man is not guilty, but this man did do that." You are going to have to say that, John. You're gonna have to face that. Maybe [inaudible] Chapin.

DEAN: Um, huh.

PRESIDENT: That has to be said. And, ah, so forth. And that under the circumstances, [inaudible].

EHRlichman: Could you do this? To give some weight to that, you could attach as an appendix a list of the FBI reports to which you had access: interview with Kalmbach, interview with Segretti, interview with Chapin, and Magruder, and whoever Dean [inaudible].

So that the President at some later time is in a position to say, "I relied."

DEAN: You mean on [inaudible] whether the President [inaudible]?

EHRlichman: That's right.

PRESIDENT: It also helps with the Gray situation because it shows Dean's name on the FBI reports [inaudible] as reporting to the President. He can say in there, "I have not disclosed the contents of these to anybody else. Yes, I was, had access to reports for the purpose of carrying out your instructions to find out whether. . . ." That is true, that, ah, you're the man I have asked to find out who the hell was involved here. You reported it before, found that there was no reflection on anybody [inaudible]. That's a good point. Ah, but, ah. . .

EHRlichman: I think I agree that the President's in a stronger position later. And that the Presidency is in a stronger. . .

PRESIDENT: And it matters as to whether. . . if he can be shown to have justifiably relied on you at this point in time.

DEAN: Well, there's the argument now that Dean's credibility is in question. Uh, as a result of Gray, maybe I shouldn't do it. Maybe someone else. . .

HALDEMAN: This will rehabilitate you, though. Your credibility. . .

PRESIDENT: No, as a matter of fact, John, I don't think your credibility much has been injured. Sure you are under a test that they want. You are up there to testify. I don't think it's the credibility. They want you to testify. I, I wouldn't like to be too

sensitive about that. I think that you would, you'd make a hell of a good impression, really.

EHRlichman: Beyond that, you can, you can help your, your participation in the interviews by saying, uh, that, in addition to having seen the, uh, the FBI synopses, you were present at the time of the interviews.

DEAN: That's right.

EHRlichman: You see, you used. . .

PRESIDENT: You conducted interviews of your. . .

DEAN: I conducted interviews of the following people. I, uh. . .

PRESIDENT: I'm just trying to think, -- huh?

DEAN: Turn all, all that into a puzzle.

?: Absolutely.

?: That's right.

EHRlichman: [inaudible] in furtherance of our role.

PRESIDENT: And also, that you put, has been such a lot of crap put out about what you have done without referring to the fact, without even being defensive about it, uh, [inaudible] you intended to [inaudible]. This should not be a letter to Eastland. I think that, uh. . . [inaudible] letter to me. And you could say that, "Now, the," you could say about that, "now that hearings -- now that the Watergate [inaudible] I can now give a report [inaudible] of the progress of [inaudible]."

HALDEMAN: Well, now that's what you should say. In other words, he gave you a report because you asked him for it, regardless of the timeliness.

DEAN: Well, the only problem with that is Hunt and Hunt [inaudible]. Liddy and McCord are still out on appeal. Maybe nothing happened at trial.



?: Yeah. [inaudible]

EHRlichman: [inaudible] much bigger than that. I think you could say that, you could say that, uh, "I have a report. I don't want to show you 'cause it. . . I wouldn't want it published because some fellow's trial. . ."

PRESIDENT: "The case is still on." Right. Well, let me say that the problem with that is I don't believe that helps on our cause. In spite of the fact that [inaudible], but I am not sure, maybe I am wrong. The fact that the President says, "I've shown Ervin." [inaudible]. We have, we have had nobody there. I think that something [inaudible]. We need to put out something to the public.

HALDEMAN: If you're worried about the timeliness, and try to hang it on the sentencing, don't we have to do that, we're going to say we just ignore the trial, and say you have been [inaudible] Dean has given you a report. We, we basically said it was an oral report. You can say . . . the thing is that Dean has kept you posted from time to time with periodic oral reports as, uh, on this thing, uh, uh, [inaudible] and so forth. You have asked him now to summarize those, uh, into, uh, an overall summary. [inaudible]

PRESIDENT: And I am making the report available to the Ervin Committee. Very powerful. [inaudible] And I again offer the Ervin Committee, I offer the Ervin Committee, uh, I say, "Dear Senator Ervin." I say, "Here is the report, it is before your hearings. You have, you have [inaudible], and as I have said previously, that any, any questions that are not answered here, you can call the White House staff

member, and they will be directed to answer any. . ."  
[inaudible].

?: Interrogatories? Written?

PRESIDENT: . . . on that basis. [inaudible] So we postpone indefinitely any statement we make. [inaudible]  
Yeah.

HALDEMAN: Well, then, what do you do then? I mean you did it as to the burglary, and you did it as to Segretti, and you made some passing reference to money, right? And then you send her up there. Uh, then [inaudible] Ehrlichman some time.

EHRlichMAN: My position on that is that, uh, I wasn't an investigator. I was sent out to do an investigation on Ellsberg. Uh, when we discovered what he was up to, we stopped him. [cough] Now, I suppose that lets Ellsberg out, because there are search and seizure things here that may be sufficient at least for a mistrial, if not for. . .

PRESIDENT: Isn't it damn near through yet?

EHRlichMAN: Pardon?

PRESIDENT: Isn't that case about finished?

EHRlichMAN: Oh, it'll go on a while yet. Ah. . .

DEAN: [inaudible]?

EHRlichMAN: Yeah. Ah, well, let's suppose, suppose that occurred. That was a national security situation. The man exercised bad judgment, and I think it is inarguable that he should never have been permitted to go to the Committee after that episode, having, having, uh, reflected on his judgment that way. But, uh, beyond that, the question is, did we, did we authorize, did we [inaudible]? And so forth. And that's all part of it.

PRESIDENT: Getting back to the, getting back to this, John, uh, you still sorta tilt to the panel idea yourself?

DEAN: Well, I see, I see in this conversation the things that we've, you know, thought about before, we've talked about before: that they do not ultimately solve what I see as a grave problem of a cancer growing around the Presidency, and that the cancer is going to continue to grow. This is just another kind of. . . it creates a problem. It does not clean the problem out.

PRESIDENT: Well. . .

EHRlichman: But doesn't it give, doesn't it permit the President to clean it out at such time as it does comes up? By saying, "Indeed, I relied on it. And now this, this later thing turns up, and I don't condone that. And if I'd known about that before, obviously I would have run it down."

HALDEMAN: "Now we'll run it down."

PRESIDENT: Here's why John is [inaudible]. You really think you've got to clean the cancer out now, right?

DEAN: Yes, sir.

PRESIDENT: And, uh, how would you do that?

DEAN: [inaudible]

PRESIDENT: You see no other, no other way that you. . . without the, without setting, without breaking down our executive privilege, of course.

DEAN: I think that, yeah, there are a couple of ways to do it.

PRESIDENT: You certainly don't want to do it at the Senate, do you?

DEAN: No sir. . .

PRESIDENT:     Alright.

DEAN:            I think that would be an added trap.

PRESIDENT:     That's the worst thing.

DEAN:            Right. Uh, we've got to do it. We aren't asked to do it. You have to do it, to get the credit for it. Uh, that, that gets you above it. Uh, as I see it, that means people getting, get hurt, and I hope we can find the answer to that problem.

EHRlichman:     Alright, suppose we did this? Supposing you do write a report to the President on everything you know about this. And the President then, prior to reading it, said, "John did you send the report over to the Justice Department?" And said, "[inaudible] to work on this. My Counsel has been at work on this. Here are his findings."

HALDEMAN:       Where would you start? [inaudible]

PRESIDENT:     Well, I don't know where it stops. Ziegler? The Vice President? [inaudible].

HALDEMAN:       [inaudible] Magruder. [inaudible] over to the Justice Department [inaudible] you've got the report over which says Magruder did this and that. [inaudible]

EHRlichman:     Well, that's what he's, that's what he is talking about apparently.

PRESIDENT:     And then Magruder. This fellow is a, this fellow is a. . .

HALDEMAN:       A free agent.

PRESIDENT:     is a free agent. According to the Hunt, who'd say that. . . he could pull others down with him.

HALDEMAN:       Sure. Well, what you, what you do [inaudible]. Sure as hell we have to assume Dwight [inaudible].

DEAN: Draw numbers with names out of a hat and draw them out to see who gets hurt and who doesn't. [inaudible]

?: Well, that sounds fair enough to me.

PRESIDENT: Strachan? [inaudible]

DEAN: Strachan? Maybe.

PRESIDENT: What about Jeb?

HALDEMAN: Do you think so?

DEAN: Yes, I think he has a problem.

PRESIDENT: Well, the problem with Jeb. . .

HALDEMAN: He has a problem of knowledge.

DEAN: Magruder has a problem of action, action and perjury.

PRESIDENT: Well, Strachan handled the money. That's his problem. [inaudible]

DEAN: The thing that's likely, you know, to happen, if it is possible to do it, is -- Hunt has now sent a blackmail request directly to the White House.

PRESIDENT: Who did he send it to? You?

DEAN: Yes.

PRESIDENT: Or to me?

DEAN: Your Counsel. [inaudible]

HALDEMAN: That's the interesting kind of thing, there's something there that maybe blow it all up that way [inaudible] and everything starts going in a whole new direction.

EHRlichman: That would hurt the Eastern, Eastern Asian Defense. Right there. That is blackmail.

HALDEMAN: For example, where does that take you? That takes you to your support, the other people who are not fully aware of the [inaudible]. . .

DEAN: That's right.

HALDEMAN: then we didn't know about it either. [inaudible]

DEAN: Well, then, then you have to get the proper people that can say -- [whistle].

HALDEMAN: Now if you go your route, you can't draw the line someplace. . .

DEAN: You can't. [inaudible]

PRESIDENT: If we go your route of [inaudible] cutting the President's cancer out. The question is we cut it out now. Take a Hunt. Well, wouldn't that knock the hell out from under him?

DEAN: That's right.

HALDEMAN: Now, if you take your move and it goes slightly [inaudible], you have a certainty, almost, of Magruder going to jail, Chapin going to jail, and you going to jail, and, uh, probably me going to jail.

PRESIDENT: [inaudible] question the last two.

HALDEMAN: Certainly Chapin. Certainly Strachan.

?: . . . who's speaking.

HALDEMAN: No, not really. [inaudible] Chapin and Strachan are clean.

?: Ah, come on. . . [inaudible]

EHRlichman: I think Strachan is hooked on, on this money.

PRESIDENT: What money was that?

EHRlichman: He is an accessory in a, in a undeclared campaign fund.

PRESIDENT: That's no. . .

HALDEMAN: The only man responsible for that is the Treasurer.

EHRlichman: Is it?

HALDEMAN: Sure.

PRESIDENT: But not under the law. But anyway, undeclared was money from 1968.

EHRlichman: Yeah. But then it got back into our coffers and was used in this campaign.

DEAN: Let's say, let's say the President sent me to the grand jury to make a report. Who would be, who would, who could I actually do anything, or cause any problems for? As a practical matter, first-hand knowledge, uh, almost no one. All I could do is to give them a focus [inaudible] leads.

PRESIDENT: Right. Right.

HALDEMAN: Then they start calling the leads.

DEAN: That's right, and whether all of them would come down or. . . Well, there, there again, if, if, if, if we don't have anybody to talk to who understands the process [inaudible]. I was talking outside with Bob about Henry Petersen. Uh, we just have to have somebody talk to somebody that can really break in and can say, "Henry, what does this mean in a criminal justice? What kind of a case could be made on this? Uh, what kind of sentences would evolve out of that?" Because I've got a pretty good idea of most of the statutes that are involved, but there is, there is so much behind the statutes.

PRESIDENT: Do you want to recommend that? Well you could do that. . . [inaudible]

DEAN: Well, you are putting, are putting in his knowledge.

PRESIDENT: I see.

DEAN: Ah, we'll have to play with that.

HALDEMAN: If you do it, the sooner the better.

DEAN: Right.

HALDEMAN: I've got, I've got this brother-in-law who has a problem in school. [inaudible]

DEAN: He wants a wild scenario. [inaudible]

HALDEMAN: My friend is writing a play, and he wants [inaudible]

DEAN: It, it bothers me to do anything further now, in the situation, when Hunt is our real hang-up.

PRESIDENT: Do you think it is a mistake to talk to him?

DEAN: Yes, sir, I do. It doesn't solve it. It's just one more step.

HALDEMAN: The payment to Hunt does too.

DEAN: The payment to Hunt does. [inaudible] That is why I say if somebody would assess the criminal liability.

HALDEMAN: Maybe we are mis-assessing it?

PRESIDENT: Well, maybe we are. [inaudible] Would you reply to that?

HALDEMAN: I think I would.

PRESIDENT: How else? You could start down that road. You could say, "Henry, I want to, I want to talk with you about some questions that arise in the course of my investigation, but I have to swear you to secrecy." If he'll take it on that basis.

DEAN: If the answer, of course, is [inaudible] this investigation I, I don't know if he would talk to me off-the-record. [inaudible]

HALDEMAN: [inaudible] What are your options?

EHRlichman: Well, you could eliminate the option of the President being able to take the position he knew nothing about it.

PRESIDENT: Ah, so you, uh, you see then. . . you don't see the, you don't see the statement thing, uh, uh, helping insofar as in anyway, the, uh, helping the cover? You, you must, you think that over some more.

DEAN: [inaudible] idea of a temporary [inaudible]



PRESIDENT: I agree with that. But the point is, is, uh, but you see, here is the way I would see the statement that we would put out: Our. . . everything we would intend to say there, in a general, general statement that I have [inaudible]. . . with regard to the facts as we send those into the goddamn thing, it's really. . . As I've said, we, we just can't [inaudible]. And, secondly, again, the offer of White House people to cooperate [inaudible]. That still leaves it, however, in the hands of the Committee. A statement at least, it, it's truly temporary. But it will indicate the President has looked into the matter, has had his Counsel report to him and this is the result of the matter. We [inaudible] "we will cooperate." And the Committee will say, "No." And so we just stand right there.

DEAN: Well, really [inaudible] I think what will, will complicate the, uh, problem will be Sirica giving a speech from the Bench on Friday when he sentences.

PRESIDENT: Yeah.

DEAN: I think he will charge that he cannot believe the trial was conducted by the government presenting a limited case and that he is not convinced that the case represents the full situation.

HALDEMAN: In other words, uh. . .

DEAN: I know if that's the case it will have a dramatic impact from the Bench.

PRESIDENT: [inaudible].

DEAN: I think in Sirica's defense. . .

PRESIDENT: [inaudible]

DEAN: it has been charged that there are higher-ups involved in this. He may take some dramatic action like, uh, you know, appoint a special prosecutor. Who knows?

PRESIDENT: Can he do that?

DEAN: Sure. I think he could.

PRESIDENT: He could appoint a special prosecutor, for what? For. . .

DEAN: For reopening the investigation. He is the Presiding Judge. [inaudible]

HALDEMAN: He could go, he could pick the grand jury. Or he said he could.

DEAN: Well, the government is going to do that. Uh. . .

PRESIDENT: The government is going to do that for a while.

DEAN: Right after sentencing, a week after sentencing they're going to take all of the people who have been sentenced back before the grand jury. . .

PRESIDENT: These same ones?

DEAN: These same ones. And see if they want now want to talk. Sirica may put, you know, [inaudible] provisional sentences. And if they are helpful to the government, back before the grand jury, he'll reconsider the sentences, and so forth.

HALDEMAN: [inaudible]

PRESIDENT: Suppose [inaudible], but, but, suppose he does that. Suppose. . . where does that leave us then, John? Where does that leave us?

DEAN: You could say, "Well. . ."

EHRlichman: I don't think that is a surprise to the defendants. I think their counsel must have prepared them of that.

PRESIDENT: Uh, right. I wonder, however, however, in terms of what went on, what about a solution? We are damned by the courts before Ervin has a chance on it.

EHRlichman: The, the only thing that we can say is for Ziegler to say, "Look, we have investigated backwards and forwards in the White House, and we're satisfied on the basis of the report we had that nobody in the White House has been involved in a burglary, nobody had notice of it, knowledge of it, participated in the planning, or aided or abetted it in any way."

PRESIDENT: Well, that's true.

EHRlichman: And it happens to be true -- as for that transaction.

PRESIDENT: I see. As for that transaction. Well John, you, you, uh, you [inaudible] is enough?

DEAN: [inaudible], Mr. President.

EHRlichman: Now, let's, let's try another, let's try another concomitant to that. Supposing Mitchell were to step out on that same day and were to say, "I have been doing an investigation at 1701 and I find so and so, and so and so."

PRESIDENT: Such as what?

EHRlichman: [inaudible]. And I don't know what he would say, but maybe he'd want to make some kind of a disclosure at that point.

PRESIDENT: What the hell is he going to disclose that isn't going to blow something? Well, [inaudible]. Well, I'm going to have to, I don't want to [inaudible]. I won't have any time [inaudible]. Well, ah, you meet what time tomorrow?

HALDEMAN: I am not sure. In the morning.

DEAN: Morning.

HALDEMAN: [inaudible] we will work this out.

PRESIDENT: Fine. Well, sure. You come here [inaudible].