

Transcript of a Recording of a Meeting
between President Nixon and John Ehrlichman,
February 14, 1973 from 5:34 - 6:00 p.m.

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Ehrlichman: And then there'll be a committee bill which we'll support.

President: Absolutely.

Ehrlichman: Yeah. Okay. Good, and we'll publicly state our position at the time we have one.

President: Sure.

Ehrlichman: Okay.

President: Great, John.

Ehrlichman: Well, that's the only thing up to -- that it needed...

President: What about Gray's uh (unintelligible)...

Ehrlichman: All right. If you'd like to get into that, uh...

President: I think this, uh, I really don't feel myself that, uh, -- I've thought about it these and some other things. I've been doing a lot of thinking about it. I think we had better take a known quantity with weaknesses that we're aware of in this particular area than to try to take somebody else. Gray is loyal. Uh, I realize he's weak in some areas. Uh, I realize there'll be some confirmation problem, but let's look at that for just a moment. Maybe it's just as well to have Gray get up there and have them beat him over the head about Watergate, and have him say what the hell he's done.

Ehrlichman: Well, he's prepared to do that. I've been over this today with John Dean to see...

President: Um hmm.

Ehrlichman: ...what he says the problems will be. He says it will be a very long, very tough confirmation, and will be an opportunity for a

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Ehrlichman: different set of Senators to get into the
(cont.) Watergate than the Ervin group.

President: Yeah.

Ehrlichman: It will be the Tunneys and Kennedys.

President: Right.

Ehrlichman: And the Bayhs and so on. But recognizing
that --Gray tells a very good story.

President: Um hmm.

Ehrlichman: And he could be expected...

President: He tells, he tells basically the story that
I think ought to be done -- but the main
problem with Watergate are not the facts.
Sure the facts, the this, that, and the
other thing, the main problem is the
covdr-up thing.

Ehrlichman: Yeah.

President: Now damn it, we just can't have an
appearance of cover-up. And I think we can
simply say that, yes the -- we, we want --
and let him get up there. You see if you
don't, if you kick him upstairs to the
Circuit Court, they'll say that we're
afraid... There's no way we'll get around
it. it'll look like a cover-up. It does
get a different set. It gets Kennedy,
Tunney and the rest. So that they'll get
after Gray. Gray, it seems to me, makes a
rather good impression. I don't know, I
haven't seen on television. Does he?

Ehrlichman: Reasonably good. He's very earnest.

President: Yeah. (Ummm)

Ehrlichman: Uh, he's very square corners.

President: Yeah.

Ehrlichman: You know, kind of the retired Navy Captain.
Uh he, he's vulnerable according, according
to John's analysis. He's vulnerable on two

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Ehrlichman: counts. One is whether or not he handled
(cont.) Watergate adequately and John says, "I think
he'll acquit himself very nicely there."

President: He does.

Ehrlichman: The other is his stewardship of the Bureau
over the period of the last eight months.

President: Yeah.

Ehrlichman: There, John says, uh, the established
bureaucracy of the Bureau will be feeding
all kinds of garbage...

President: Yeah.

Ehrlichman: ...to the Committee...

President: Yeah.

Ehrlichman: ...and Gray will be on the defense.

President: Mm hmmm.

Ehrlichman: So he says, we're liable to be in for a few
surprises, on other cases or oth-- the
handling of other matters or things of that
kind that are incalculable right now. But
he said he doesn't think that he is in
serious jeopardy, and on balance, he thinks,
uh, Gray is, as you say, is a known
quantity. He is a guy we can tell to do
things and he will do them. Now he's been a
little weak on that.

President: I know.

Ehrlichman: ...because of this.

President: Yeah.

Ehrlichman: He's been afraid of what he'd have to face
at the time of confirmation.

President: Yeah.

Ehrlichman: John says

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President: Once he's confirmed

Ehrlichman: He thinks if...

President: He'd be tough.

Ehrlichman: ...if, but only if, you call Gray over and you read him chapter and verse. And you say, "Pat..."

President: I'd agree to do

Ehrlichman: He says you. Now I can do this, but, but, he said you.

President: Right.

Ehrlichman: Uh, you would say, "Pat, I had an arrangement with J. Edgar Hoover that up until now I have not had with you and I missed it. Once you're confirmed, I want it understood that we go back to a personal relationship.

President: Without the Attorney General.

Ehrlichman: ...that when I call, you respond.

President: Um hmm.

Ehrlichman: And that we have to have a, a absolutely tight relationship.

President: Well, how can we get it so that not only I call but if you call?

Ehrlichman: Well, then you could delegate that and, and, uh, go from there. As it is now, uh, John says we made a mistake in, in the inception in not tying him down tight enough. But we did it, for a number of reasons. He, he was contingent, and we had this thing hanging up, and he's tracked reasonably well. Now, he has some guilty knowledge in connection with the Watergate that only Dean and I know about, uh, that has to do with, uh, Hunt. Uh, we turned some stuff over to Gray to get it out of here. That'll never come out. He'll never testify to that, there isn't any way that he could testify to that.

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President: What if he, uh...

Ehrlichman: Well, it just isn't necessary. There's no way for anybody to know. And that he understands that that set of circumstances never happened and it's never, never appeared, never came out.

President: Where are the files?

Ehrlichman: I don't know where he's got em, but he's got 'em. We felt that we want to be in a position to say we had turned everything over to the FBI, so I called him up to my office one day, and we said, Pat, here's a big fat envelope.

President: What is this -- stuff that Hunt did on, uh, that, uh, case in California?

Ehrlichman: Well, no, it's other stuff, and, uh, uh, Dean's never told me what was in the envelope.

President: I don't, I don't know what Hunt dealt in myself.

Ehrlichman: Well, he must have dealt in a hell of a lot of stuff.

(both talking)

President: ...doing some things,

Ehrlichman: He did, he did some things for Chuck, apparently, that he made record of.

President: Was that in this envelope?

Ehrlichman: Yeah.

President: Did Chuck make a record of it?

Ehrlichman: No, but Hunt did.

President: How did you get Hunt's stuff?

Ehrlichman: Well, we opened his safe. See, Dean took everything out of his safe, and we turned everything over to FBI agents who came for it, except this

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Ehrlichman: envelope full of stuff. And, then I called
(cont.) Gray to my office. Dean came in. I said,
"Pat, here's an envelope. We want to be in
a position to say we've turned everything
over to the FBI, so we're giving it to you.
I don't care what you do with it, as long as
it never appears.

President: Suppose that they ask him about other
activities with, uh, Hunt and so forth, what
does he say about

Ehrlichman: Presumably, he says I honestly don't know of
any because, uh, maybe he never opened the
envelope. If he was smart, he didn't.

President: I don't want to get into that with him, the
envelope.

Ehrlichman: I understand.

President: (Unintelligible) avoid that.

Ehrlichman: But I want you know about it. The, uh, at
some point in time, if you haven't already,
Bob or I or John Dean or somebody ought to
give you the run down on how this Ervin
hearing is going to go, the kinds of things
that are liable to come smoking up so you're
not surprised. But, uh, we think that
there's a reasonably good possibility of
coming through it very much like we've come
through the trial with, uh, a certain amount
of day to day flak.

President: Oh, sure.

Ehrlichman: And evening television stuff, but no lasting
results.

President: Well, I suppose this is all dependent -- I
talked to Bob a little bit about it in case
there would be some (unintelligible) -- but
I suppose, John, it depends, see if he
(unintelligible) after he came back from
California.

Ehrlichman: Right. Right.

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President: (Unintelligible) But really the problem is that one of these guys could crack.

Ehrlichman: Sure.

President: One of them could. The one, the one that could crack that it would really hurt would be Hunt.

Ehrlichman: Uh, yea, Magruder could really hurt in a different direction.

President: Well, Magruder, if he cracks, he goes to prison.

Ehrlichman: Yes.

President: Well, I -- unless, unless he takes immunity -- is that what he would do?

Ehrlichman: Possibly, possibly, uh...

President: What do you think?

Ehrlichman: There are several of those guys that, that uh, we're relying on. Sloan is not a problem.

President: He doesn't know anything.

Ehrlichman: But, uh, uh, Magruder is a problem of, uh

President: Magruder knows a hell of a lot.
(unintelligible) Let's face it.
Didn't, didn't Magruder perjure himself?

Ehrlichman: Yep.

President: Or did he? I don't know.

Ehrlichman: Sure did.

President: But I think he did. From what I've heard he must have.

Ehrlichman: Sure did.

President: He said he was not involved -- he didn't have the knowledge and he did. Is that right?

Ehrlichman: Basically, that's right.

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President: Yeah. But beyond that, I mean beyond Magruder? Who the hell else perjured himself? Did Mitchell?

Ehrlichman: I assume so without knowing.

President: Well, who else have we got?

Ehrlichman: The thing, uh, the thing has a very good chance if it's handled right. We can cut our losses here, cut our losses there, uh, uh, try and and shore up Howard Baker here and there, uh,...

(President and Ehrlichman talking at same time)

Ehrlichman: ...backfires and so forth.

President: I had heard -- I thought your (unintelligible) I'm not going to be taken by surprise by anything.

Ehrlichman: Okay, well...

President: When I say that I mean -- the only real problems that I see basically are whether if, to the extent that it ties into the White House staff, uh, you know, I was just thinking it's fortunate all that lip service and everything else we've done -- at least I've never met any of these people.

Ehrlichman: That's right.

President: Except for Magruder. I don't ever, I don't -- I never met Hunt. Never talked to -- and haven't discussed these things, fortunately.

Ehrlichman: Yep. I've met Hunt once, never...

President: I knew something, I mean, I mean the Segretti operation must have been, or uh, or uh, that, uh, or no or Colson in areas other than Watergate, but purely political stuff.

Ehrlichman: Yeah.

President: Which was perfectly legal.

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Ehrlichman: Yeah.

President: Nothing wrong with it.

Ehrlichman: Yeah.

President: I think they did some work on, uh, on, uh, Teddy Kennedy or something. That's in the paper already.

Ehrlichman: Did some investigating.

President: Yeah.

Ehrlichman: The other issue...

President: (Unintelligible)...

Ehrlichman: ...raised at this point.

President: ...yeah.

Ehrlichman: ...is because the, the handling of Gray in other hands, Eastland and his, and his group could go in an unpredictable direction. I just don't know. And so that's the, that's the one lingering hazard. Now, the other prime candidate is Henry Petersen.

President: Um, hum.

Ehrlichman: The, uh, Criminal Deputy and he's in just as bad shape.

President: Oh, Christ, yes.

Ehrlichman: You know. And without the ties that Gray has.

President: He wouldn't care what happened to us.

Ehrlichman: Oh, Ruckelshaus is a, a possibility. Ah, ah, there's one other fellow named Vernon Acree who's the head of Customs who's a possibility.

President: (Unintelligible)

Ehrlichman: But, uh, that's about the...

President: On the Gray thing...

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Ehrlichman: About the spread.

President: ...for instance I see your point. It's two Watergate hearings.

Ehrlichman: That's right.

President: Would Gray -- would not be called before the Ervin Committee.

Ehrlichman: No, well he could be but, uh, probably wouldn't be. (pause) So sort of double indemnity -- what is -- double, double...

President: Double jeopardy.

Ehrlichman: Jeopardy.

President: (Unintelligible)

Ehrlichman: (sigh), uh...

President: (Unintelligible) tough--

Ehrlichman: I, it really is.

President: We just don't have a good, strong man, a loyalist.

Ehrlichman: Well,...

President: Bland.

Ehrlichman: Yeah, that's it. We combed, you know, about as well as we can. Uh, (pause). Let me come at it from another side. We had the idea of nominating Maury Stans for a confirmable place.

President: I heard about that.

Ehrlichman: The thought there is to pull out some of the poison, to air it in another proceeding. Uh, Maury's pretty clean, tells a good story. Ah, he's righteously indignant. Ah, so nominate him, get him up before the Senate Foreign Relations Committee, or some other committee. Let them ask him about campaign financing. Let him tell his story and be vindicated in,

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Ehrlichman: in that process. Pretty good, pretty goo,
(cont.) ah, collateral action. I'm inclined to
think that there's some of that in Gray --
in the case could be made that the very
thing would do the same thing. You'd have
papers say. "Gee, now that he's told the
whole story, that was a hell of an
investigation. And, uh, the Administration
really did turn over every rock."

President: Well, for example, they'll ask -- did you
investigate, did you get it straight from
Haldeman. They didn't.

Ehrlichman: No, the FB-- the Bureau never did it. At
least not that I know of.

President: But did they get one from you?

Ehrlichman: Oh, they got two from me.

President: Colson?

Ehrlichman: Sure.

President: Why not Haldeman?

Ehrlichman: They -- it just never led to him. If they,
if they'd wanted to, he was available.

President: And that's what he would say.

Ehrlichman: Yeah.

President: Yeah.

Ehrlichman: Sure.

President: Could I (unintelligible)

Ehrlichman: No problem....

President: (Unintelligible).

Ehrlichman: Yeah.

President: (Unintelligible) I think I'd send him up.
I'd simply simply send him up.

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Ehrlichman: Okay, okay.

President: (Unintelligible). You know we constantly get this story repeated, John, which (unintelligible), a little with --the Nixon Administration's program of investigating domestic subversive groups that you know, that goddamned thing started you know what I mean; on this -- in the Watergate story this morning, that thing started as you know, years ago.

Ehrlichman: Sure.

President: It reached its peak under Bobby Kennedy.

Ehrlichman: Oh, the taps and stuff. Yeah. Sure, sure.

President: And that those became available to Hunt.

Ehrlichman: Yeah.

President: I don't know how the hell they became available to Hunt.

Ehrlichman: They didn't. They didn't.

President: Huh?

Ehrlichman: They didn't.

President: You sure?

Ehrlichman: Yes, sir.

President: Those were available to you as I recall.

Ehrlichman: But, but there was never any connection between Dave Young's leak operation.

President: Oh, that's Dave Young.

Ehrlichman: Yeah. See and that's where he tied in and now we had Hunt working for Dave Young for a brief period of time.

President: Oh, I see.

Ehrlichman: And what he was doing down there was simply a job of analysis. He was taking all those leaks and matching them up...

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President: Yeah.

Ehrlichman: ...to see where a community among them was...

President: Yeah.

Ehrlichman: ...to try and determine which documents they came from.

President: But we had to check that?

Ehrlichman: Oh, why of course. But, but he never got tap materials...

President: Yeah.

Ehrlichman: ...from anything.

President: Did Dave Young get it?

Ehrlichman: Oh, Dave Young never got any of this domestic tap stuff.

President: Wha, who the hell did?

Ehrlichman: Well, I got some of it, Bob got a lot of it. Bob got most of it, I think. I'm not aware that anybody else ever did.

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President: The point is if you're ever asked in the Domestic Council about it, I would show some outrage.

Ehrlichman: Why sure.

President: That this, the Nixon Administration, what the hell, we cut 'em back.

Ehrlichman: That's right, way back. We cut the Army clear out -- see they had the army doing all this.

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President: (Unintelligible)

Ehrlichman: We cut all that out.

President: The army out of it and we, uh, had the number of domestic, uh, taps has been cut down to the barest necessary to protect the national security.

Ehrlichman: We'll, we're finally took 'em off. We took all of 'em off except the national security taps.

President: But they're done domestically as well as...

Ehrlichman: They're done domestically but they're done, you know, pursuant to that statute and the number is way, way down.

President: I'm inclined to, to think that we just better go to (unintelligible) because I think at the present time we have the worst of both worlds. We can't leave it uncertain. Now how do you handle Kleindienst on this? I've got to run.

Ehrlichman: Oh, I'll just inform him. He'll be happy as a clam.

President: Yeah. I've got to see him alone. I, uh...

Ehrlichman: Right. I would not tell Kleindienst until after you've talked to Gray.

President: Okay. Should we meet Gray more privately tomorrow?

Ehrlichman: Yeah, yeah.
(writing noises)

President: All right.

Ehrlichman: Okay.

President: I'm going to the Pentagon at one o'clock and I could be back by, let's say four o'clock.

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Ehrlichman: Four o'clock.

President: Because I don't know how long it'll take.

Ehrlichman: Okay, fine.

President: If -- you and I will. see him together.

Ehrlichman: Alright, alright.

President: We'll decide that damn thing.

Ehrlichman: I think just...

President: Just you give me a very brief talking paper.

Ehrlichman: Yeah, alright.

President: You can just say that the President wants to have a candid talk with you about this. We haven't, we haven't made up our minds. He wants to talk to you first.

Ehrlichman: Alright.

President: That'll keep him.

Ehrlichman: Alright. Good. Okay, I've got other stuff, but I'll...

President: Tell him all the damn heat he is gonna be through.

Ehrlichman: Yep, we've got to do that.

President: You could bring it in, in the morning if you want. I have no, uh, I have nothing to, uh in fact, you could have come in this morning. I (unintelligible). Wait a minute, tomorrow's Thursday, no, I've put a Cabinet meeting on Friday. Thought I'd let George send (unintelligible)

Ehrlichman: Good.

President: (Unintelligible/**REMOVED**)

Ehrlichman: Good, well, I'll get him in tomorrow afternoon. We won't put it on your schedule. I'll get a talker in before that.

President: Okay.