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STATEMENT OF INFORMATION

HEARINGS

BEFORE THE

COMMITTEE ON THE
JUDICIARY

HOUSE OF REPRESENTATIVES

NINTH-THIRD CONGRESS

SECOND SESSION

PIJR61JANT TO

H. Res. 803

A RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT GROUNDS EXIST FOR THE HOUSE OF REPRESENTATIVES TO EXERCISE ITS CONSTITUTIONAL POWER TO IMPEACH

RICHARD M. NIXON
PRESIDENT OF THE UNITED STATES OF AMERICA

BOOK II

EVENTS FOLLOWING THE WATERGATE BREAK-IN

June 17, 1972-February 9, 1973

MAY—JUNE 1974

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON: 1974

FOREWORD

By Hon. Peter W. Rodino, Jr.,
Chairman,
Committee on the Judiciary

On February 6, 1974, the House of Representatives adopted by a vote of 410-4 the following House Resolution 803:

RESOLVED, That the Committee on the Judiciary acting as a whole or by any subcommittee thereof appointed by the Chairman for the purposes hereof and in accordance with the Rules of the Committee, is authorized and directed to investigate fully and completely whether sufficient grounds exist for the House of Representatives to exercise its constitutional power to impeach Richard M. Nixon, President of the United States of America. The committee shall report to the House of Representatives such resolutions, articles of impeachment, or other recommendations as it deems proper. Beginning in November 1973, acting under resolutions referred to the Committee by the Speaker of the House and with a special appropriation, I had begun to organize a special staff to investigate serious charges against the President of the United States. On May 9, 1974, as Chairman of the Committee on the Judiciary, I convened the Committee for hearings to review the results of the Impeachment Inquiry staff's investigation. The staff began its initial presentation the same day, in executive session, pursuant to the Committee's Impeachment Inquiry Procedures adopted on May 2, 1974. By June 21, the Inquiry staff had concluded its initial presentation. On June 25, the Committee voted to make public the initial presentation including substantially all of the supporting material.
presented at the hearings. The Committee also voted to make public the President's response, which was presented to the Committee on June 27 and June 28 in the same form and manner as the Inquiry staff's initial presentation.

Statements of information and supporting evidentiary material were compiled by the Inquiry staff in 36 notebooks and furnished in this form to each Member of the Committee. The notebooks presented material on several subjects of the Inquiry: the Watergate break-in and its aftermath, ITT, dairy price supports, domestic surveillance, abuse of the IRS, and the activities of the Special Prosecutors.

The staff also presented to the Committee written reports on President Nixon's income taxes, Presidential impoundment of funds appropriated by Congress, and the bombing of Cambodia.

Fifteen notebooks were furnished to the Members of the Committee relating to the Watergate break-in on June 17, 1972 and to events following the break-in, through April 30, 1973. In each notebook a statement of information relating to a particular phase of the investigation was immediately followed by supporting evidentiary material, which included copies of documents and testimony (much already on public record), transcripts of Presidential conversations and affidavits.

The fifteen volumes relating to the Watergate phase of the Inquiry were divided into four books, as follows:

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Book I dealt with events prior to the Watergate break-in. Book II dealt with allegations involving Presidential interference with the official Department of Justice investigation. Book III dealt with allegations concerning payments of "hush" money to Watergate defendants to insure their silence, offers of leniency and executive clemency, and the instigating or making of false statements to persons connected with an official investigation of Watergate; Book III also included a chronology of events between February 9 and March 22, 1973. Book IV dealt with events relating to the President's investigation of the Watergate break-in and alleged cover-up between March 22 and April 30, 1973.

Every effort was made to preclude inferences in the presentation of this material. A deliberate and scrupulous abstention from conclusions, even by implication, was observed.

With respect to the Presidential recorded conversations, the Committee determined to hear the recorded conversations in their entirety. The Presidential recorded conversations were neither paraphrased nor summarized by the Inquiry staff. Thus, no inferences, or conclusions were drawn for the Committee. During the course of the hearings, Members of the Committee heard each recording and simultaneously followed transcripts prepared by the Inquiry staff. Each of
these transcripts is reprinted under the appropriate Statement of Information.

During the course of the hearings, the Committee found it necessary to issue four subpoenas to President Richard Nixon requiring tape recordings of 98 Presidential conversations as well as all papers and things prepared by, sent to, received by, or at any time contained in the files of H. R. Haldeman, John D. Ehrlichman, Charles W. Colson, John Dean, III, and Gordon Strachan to the extent that such papers or things related or referred directly or indirectly to the break-in and electronic surveillance of the Democratic National Committee Headquarters in the Watergate office building during May and June of 1972 or the investigations of that break-in by the Department of Justice, the Senate Select Committee on Presidential Campaign Activities, or any other legislative, judicial, executive or administrative body, including members of the White House staff.

The Committee also subpoenaed the President's daily diaries (logs of Presidential meetings, telephone calls, and other activities) for the periods April through July 1972, February through April 1973, July 12 through July 31, 1973 and October 1973.

In response to these subpoenas, the President furnished only edited White House transcripts of 31 of the subpoenaed conversations between March 17 and April 18, 1973. These edited transcripts were summarized by the Inquiry staff and made a part of the evidentiary material presented to the Committee. To the extent that the President declined to comply with the Committee's subpoenas and produce the
required material, the record of the Committee now made public in these volumes is incomplete.

In a few instances, Ranking Minority Member Mr. Hutchinson and I determined, pursuant to authority granted us by the Committee, to defer the release of evidentiary material or to delete it for one of the following reasons:

1) Because the public interest in making the material public was outweighed by the potential prejudice to the rights of defendants under indictment and awaiting trial.

2) Because the information was classified or otherwise required confidential treatment,

3) Because the material was only marginally pertinent and was considered to be defamatory, degrading or embarrassing, or,

4) Because the material was not pertinent to Presidential responsibility within the outer limits of an impeachable offense within the meaning of the Constitution.

The Committee on the Judiciary is working to follow faithfully its mandate "to investigate fully and completely" whether or not sufficient grounds exist to recommend that the House exercise its constitutional power of impeachment.

I believe that the readers of these volumes will see that the Committee's primary effort in carrying out its mandate has been to obtain an objective, impartial presentation which will enable each Member of the Committee to make an informed judgment in fulfilling his or her constitutional responsibility.
I also believe that the publication of the record of these hearings will provide readers with a clear idea of the particulars of the investigation and that the proximity of the evidence will assure them that no statement of information is offered without supporting evidentiary material.

July 1974
INTRODUCTORY NOTE

The material contained in this volume is presented in two sections. Section 1 contains a statement of information footnoted with citations to evidentiary material. Section 2 contains the same statement of information followed by the supporting material.

Supporting material consists of information obtained at hearings before the Senate Select Committee on Presidential Campaign Activities; information developed in executive session by other Congressional committees; information furnished to the Committee by the Grand Jury of the District of Columbia and by other grand juries: information furnished to the Committee by government agencies; transcripts of tape recordings of conversations among President Nixon and his key associates prepared by the Committee staff; information furnished to the Committee by the President, the Executive Departments of the Government, the Special Prosecutor, and other information obtained by the Committee, much of which was already on the public record.

Each page of supporting evidence is labeled with the footnote number and a description of the document or the name of the witness testifying. Copies of entire pages of documents and testimony are included, with brackets around the portions pertaining to the statement of information. Markings on the documents include item numbers and receipt stamps of the House Judiciary Committee and other agencies from which the Committee received material.
In a few instances, names of persons in sensitive positions have been deleted from documents at the request of the CIA, FBI and other investigative agencies. Some documents contained deletions when the Committee received them.

In the citation of sources, the following abbreviations are used: "SSC" for Senate Select Committee on Presidential Campaign Activities; "SJC" for Senate Judiciary Committee; and "WC" for House Judiciary Committee.
STATEMENT OF
INFORMATION

EVENTS FOLLOWING

THE WATERGATE BREAK-IN

June 17, 1972 - February 9, 1973

(1)
1. On June 17, 1972 shortly after 2:00 a.m. five persons, including James McCord, a security consultant for the Committee for the Reselection of the President (CRP), were arrested in the Watergate headquarters of the Democratic National Committee (DNC). Immediately after the arrests, Howard Hunt and Gordon Liddy left the Watergate Hotel. Hunt took with him a briefcase belonging to McCord that contained electronic equipment, went to his office in the Executive Office Building (EOB), and withdrew from a safe located in his EOB office $10,000 previously provided to him by Liddy for use in case there was a mishap. Hunt placed McCord's briefcase in the safe. In the early morning hours, he delivered the money to an attorney on behalf of the five persons arrested at the DNC headquarters.

1.1 Paul Leeper testimony, 1 SSC 96, 105-06....................
1.2 James McCord testimony, 1 SSC 126.........................
1.3 E. Howard Hunt testimony, 9 SSC 3688-89....................

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.. 72
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2. At the time of the arrests at the Watergate headquarters of the DNC, electronic surveillance and photographic equipment and approximately $1,500 in cash were found in the possession of the persons arrested. A subsequent search of rooms in the Watergate Hotel that had been rented under alias names used by certain of the persons arrested produced a directory containing a White House telephone number for Howard Hunt, a check drawn by E. Howard Hunt, and 32 sequentially numbered $100 bills. (These bills had been received from a Florida bank into which Barker had deposited five checks contributed to the President's re-election campaign. Four of these checks totalling $89,000 had been drawn on a Mexican bank payable to Manuel Ogarrio, a Mexican lawyer. The fifth check totalling $25,000 had been drawn by Kenneth Dahlberg. These checks had been delivered to Gordon Liddy by FCRP Treasurer Hugh Sloan to be converted into cash.)

Page 2.1 Paul Leeper testimony, 1 SSC 96, 105-08........ 81
2.2 Memorandum from Vernon Walters to L. Patrick Gray, July 7, 1972, SSC Exhibit No. 143, 9 SSC
2.3 Hotel registration records, June 16, 1972, for R. Godoy (Virgilio Gonzalez), J. DiAlberto (Frank Sturgis), J. Valdez (Eugenio Martinez), and F. Carter (Bernard Barker), Exhibits 88-91, United States v. Giddy...........................................87
2.4 United States v. Liddy indictment, September 15, 1972, Count One, paragraphs 1-15..................... 89
2.5 Metropolitan Police Department, Washington, D. C., Supplementary Evidence Report, June 20, 1972, 92
2.6 L. Patrick Gray testimony, 9 SSC 3451 95
2.7 John Dean testimony, 3 SSC 942-43

2.8 Hugh Sloan testimony, 2 SSC 575-76
3. At approximately 8:00 a.m. on the morning of the arrests, Henry Petersen, the Assistant Attorney General in charge of the Criminal Division of the Justice Department, telephoned Attorney General Richard Kleindienst at home to tell him of the arrests at the DNC headquarters.
4. On the morning of June 17, 1972 Gordon Liddy telephoned Jeb Magruder, Chief of Staff to John Mitchell at CRP, at the Beverly Hills Hotel in California. Magruder returned Liddy's call from a pay telephone. Liddy advised Magruder of the arrests at the DNC headquarters. Shortly thereafter, Magruder met with John Mitchell, the Campaign Director of CRP, and Fred LaRue, Mitchell's Special Assistant at CRP, at the hotel. There was discussion regarding somebody's contacting Attorney General Richard Kleindienst concerning the arrests at the DNC headquarters. Later that day, Liddy and Powell Moore, an official at CRP, met with Attorney General Kleindienst at the Burning Tree Club near Washington, D.C. Liddy told Kleindienst that Mitchell had asked him to give Kleindienst a report on the break-in at the DNC headquarters and that some of the persons arrested might be employed by either the White House or CRP. Kleindienst called Henry Petersen and instructed him not to give special treatment to those arrested at the Watergate. Kleindienst told Liddy to leave the premises.
4.5  John Mitchell testimony, 4 SSC 1662.........113

4.6  Robert Mardian testimony, 6 SSC 2352-53.......114

(7)
5. In the late afternoon of June 17, 1972 Secret Service Agent Boggs telephoned John Ehrlichman, Assistant to the President, and told him that one of the persons arrested at the DNC headquarters had in his possession a document referring to Howard Hunt, who apparently was a White House employee. Later that day, Ehrlichman telephoned Ronald Ziegler, the President's press secretary, who was with the Presidential party in Florida. Ehrlichman told Ziegler the substance of his telephone conversation with Agent Boggs. Ehrlichman also telephoned Charles Colson, Special Counsel to the President, and discussed Hunt's White House employment status.
6. During the evening of June 17, 1972 Assistant Attorney General Petersen telephoned Attorney General Kleindienst and told him that documentation relating to a White House consultant had been found at the scene of the break-in at the DNC headquarters.

(9)
7. On June 18, 1972 H. R. Haldeman, Chief of Staff to President Nixon, who was at Key Biscayne, Florida with the Presidential party, spoke by telephone with Jeb Magruder, who was in California. Haldeman directed Magruder to return to Washington, D. C. to meet with Counsel to the President John Dean, Haldeman's Special Assistant Gordon Strachan, and FCRP Treasurer Hugh Sloan to learn what had happened and determine the source of the money found in the possession of the persons arrested at the DNC headquarters. By the following day, Magruder had returned to Washington.

Page

7.1 Jeb Magruder testimony, 2...........SSC 799......................................................126

7.2 H. R. Haldeman testimony,..............8 SSC 3039...............................................127

(10)
8. On June 18, 1972 John Ehrlichman spoke by telephone with H. R. Haldeman. They discussed the break-in at the DNC headquarters, the involvement of James McCord, and the fact of Hunt's name being involved.
9. At noon on June 18, 1972 Gordon Strachan telephoned Haldeman's principal staff assistant, Lawrence Higby. Higby told Strachan that Haldeman had spoken with Jeb Magruder about the break-in and that John Ehrlichman was handling the entire matter.

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9.1 Gordon Strachan testimony, 6 SSC 2457 ..................................................132

9.2 H. R. Haldeman testimony, 8 SSC 3019 ................................................... 133

(12)
10. At 7:32 a.m. on June 19, 1972 Attorney General Kleindienst telephoned the Acting Director of the EBI L. Patrick Gray in Palm Springs, California, and stated that Kleindienst wished to be briefed on the investigation of the break-in at the DNC headquarters. Kleindienst told Gray that the President wanted to talk to Kleindienst about it that day or possibly the next day.
11. In the morning or early afternoon of June 19, 1972 Ehrlichman told John Dean to look into the question of White House involvement in the break-in at the DNC and to determine Howard Hunt's White House employment status. Dean has testified that he then spoke to Charles Colson regarding Colson's knowledge of the break-in and Hunt's status and that Colson denied knowledge of the event, but expressed concern over the contents of Hunt's safe. Dean has also testified that he spoke to Gordon Liddy, who advised of his and Magruder's involvement in the planning and execution of the break-in. Thereafter Ehrlichman received a report from Dean that Dean had spoken to Liddy and to law enforcement officials, that law enforcement officials were aware that the matter went beyond the five persons who were apprehended, that Liddy was involved, and that there was a further direct involvement of the CRP.

11.1 John Dean testimony, 3 SSC 932-34.................

11.2 John Dean testimony, Watergate Grand Jury, November 19, 1973, 48-50 (received from Watergate Grand Jury)..........................

11.3 John Ehrlichman testimony, 7 SSC 2821-22........

11.4 John Ehrlichman testimony, 6 SSC 2582-83........

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12. On June 19, 1972 the President telephoned Charles Colson from Florida and spoke with him for approximately one hour ending shortly before noon. The break-in at the DNC headquarters was discussed.

12.1 Meetings and conversations between the President and Charles Colson, June 19, 1972 (received from

Page

12.2 Charles Colson draft statement prepared for delivery to the SSC, September 1973, 1, 6-8,

(received from SSC)........................................................................................................157

(15)
13. On June 19, 1972 Howard Hunt went to the Executive Office Building and reviewed the contents of his safe. He determined that the contents included cables Hunt had fabricated indicating a relationship between the Kennedy Administration and the assassination of Vietnamese President Diem, materials relating to Gemstone, James McCord's electronic equipment, and other material. Hunt thereupon informed Charles Colson's secretary, Joan Hall, that Hunt's safe contained sensitive materials.

Page 13.1 E. Howard Hunt testimony, 9 SSC 3672, 3689

(16)
14. During the afternoon of June 19, 1972 John Ehrlichman, Charles Colson, John Dean, Bruce A. Kehrli, Staff Assistant to H. R. Haldeman, and Ken Clawson, White House Deputy Director of Communications, met in Ehrlichman's office and discussed Howard Hunt's White House employment status. Colson stated that Hunt should have been terminated as a White House consultant as of March 31, 1972. Kehrli was asked to and did bring Hunt's employment records to Ehrlichman's office. These records did not indicate that Hunt's consultant status had been terminated. By memorandum dated June 19, 1972 Colson transmitted to Dean documents relating to Hunt's status.

(By memorandum dated March 27, 1972 to Charles Colson, Hunt had requested assistance in changing the annuity benefit option he had selected upon retirement from the CIA. By memorandum dated March 30, 1972 to Kehrli, Richard Howard, Staff Assistant to Charles Colson, had inquired respecting Hunt's situation. At the top of the original of the Howard memorandum, there is a handwritten note: "Noble - Please let me know on this w/o giving out any info. on the name of the fellow we're trying to help. B." At the bottom of that memorandum there is a handwritten note "OK - Drop as of April 1, 1972 BAK." On May 5, 1972 Hunt had written a letter on White House stationery to CIA General Counsel Lawrence Houston, renewing his request respecting his benefit Option and stating that he had discussed the matter with the White House legal staff.)

14.1 John Ehrlichman log, June 19, 1972
(received (17)
14.2 John Dean testimony, 3 SSC 934-35 168

14.3 Memorandum from Charles Colson to John Dean, June 19, 1972, with attachments: memorandum from Richard Howard to Bruce Kehrli, March 30, 1972; memorandum from Joark Hall to Charles Colson, June 19, 1972. SSC Exhibit No. 34-15, 3 SSC 1157-59...........................

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14.4 John Ehrlichman testimony, 6,SC 2612 113

14.5 Charles Colson draft statement prepared for delivery to the SSC, September 1973, 1, 2-4 (received from sSC).-------- ---174

14.6 Memorandum from E. Howard Hunt to Charles Colson March 27, 1972, (received from SSC) 178

14.7 List of Presidential assistants and their staffs (received from White House 180

14.8 Copy of memorandum from Richard Howard to Bruce Kehrli, March 30, 1972, with Cox-Buzhardt correspondence regarding the memorandum (received from Watergate Special Prosecution Force) 181

14.9 Original of memorandum from Richard Howard to Bruce Kehrli, March 30, 1972, with handwritten notations (received from White House) 184

14.10 Letter from E. Howard Hunt to Lawrence Houston, May 5, 1972 (received from CIA), 185

14.11 Jeb Magruder testimony, 2 SSC 791-93 185
15. At the meeting specified in the preceding paragraph, John Ehrlichman instructed that Howard Hunt's EOB safe should be opened in the presence of John Dean, Bruce Kehrli and a Secret Service Agent, and that Dean should take possession of the contents. Charles Colson said that this should be done immediately. On the evening of June 19, 1972 at Kehrli's request, Hunt's safe was forcibly opened in the presence of a Secret Service Agent and a GSA representative. Kehrli and Fred Fielding, Dean's assistant, arrived shortly thereafter.

15.1 John Ehrlichman testimony, 6 SSC 2612-13 190

15.2 John Dean testimony, 3 SSC 934 192

15.3 Bruce Kehrli deposition, Democratic National Committee v. McCord, May 15, 1973, 6-9 193

15.4 Fred Fielding deposition, Democratic National Committee v. McCord, May 15, 1973, 7-9.........197

15.5 Charles Colson draft statement prepared for delivery to the SSC, September 1973, 1, 4

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(19)
16. Immediately before the meeting specified in paragraph 14, John Dean asked Gordon Liddy to advise Howard Hunt that he should leave the country. Liddy contacted Hunt and told him that "they" wanted Hunt to get out of town. Dean states that he took this action on instructions from Ehrlichman, and that Dean retracted his instruction shortly after

he gave it. Ehrlichman has denied that he gave such instructions.

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16.1 John Dean testimony, 3 SSC 934 204

16.2 E. Howard Hunt testimony, SSC Executive Session, July 26, 1973, 210-12......

16.3 E. Howard Hunt testimony, 9 SSC 3690 208

16.4 John Ehrlichman testimony, 7 SSC 2718-19 209

16.5 Transcript of tape recorded conversation between Ken Clawson and John Ehrlichman, March or April 1973, SSC Exhibit No. 108, 7 SSC 3009 211

16.6 Transcript of tape recorded conversation between Charles Colson and John Ehrlichman, April 17, 1973, SSC Exhibit No. 109, 7 SSC 3010-11 212

16.7 United States v. Mitchell indictment, March 1,


(20)
17. On the evening of June 19, 1972 John Mitchell met at his apartment in Washington, D. C. with John Dean, Jeb Magruder, Robert Mardian and Fred LaRue and discussed the break-in at the DNC headquarters.

17.1 John Mitchell testimony, 4 SSC 1622......

17.2 Jeb Magruder testimony, 2 SSC 799-800..

17.3 Robert Mardian testimony, 6 SSC 2355....

17.4 Fred LaRue testimony, 6 SSC 2303-04....

(21)

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18. On June 19, 1972 Ronald Ziegler, the President's press secretary, described the break-in at the DNC headquarters as "a third-rate burglary attempt."

Washington Post, June 20, 1972, A1, A> 232

(22)
19. On June 20, 1972 at 9:00 a.m. H. R. Haldeman, John Ehrlichman and John Mitchell met to discuss the break-in at the DNC headquarters. John Dean joined the meeting at 9:45 a.m. Attorney General Kleindienst joined the meeting at 9:55 a.m. Later that day, Haldeman met with the President for one hour and nineteen minutes (11:26 a.m. to 12:45 p.m.) and the subjects discussed included Watergate. Haldeman's notes of the meeting reflect that that portion of their discussion dealt with checking an EOB office for bugs, a "counter-attack," "PR offensive to top this," and the need to "be on the attack -- for diversion." When a tape recording of the conversation was produced on November 26, 1973 in response to a subpoena by the Watergate Special Prosecutor, the recording contained an eighteen and one-half minute buzzing sound that obliterated the portion of the conversation reflected in the foregoing segment of Haldeman's notes.

19.1 H. R. Haldeman calendar, June 20, 1972 (received

19.2 John Ehrlichman log, June 20, 1972 (received

19.3 John Mitchell log, June 20, 1972 (received from SSC) . .---- 239

19.4 H. R. Haldeman testimony, 8 SSC 3039-40: 240

19.5 John Ehrlichman testimony, 7 SSC 2822 242

19.6 President Nixon's daily diary, June 20, 1972,
Exhibit 13, In re Grand Jury, Misc. 47-73, 1-2 243

19.7 Meetings and conversations between the President and H. R. Haldeman, June 20, 1972 (received from White House)......................
H. R. Haldeman handwritten notes of meeting, June 20, 1972, Exhibit 61, In re Grand Jury, Misc. 47-73 246

J. Fred Buzhardt testimony, In re Grand Jury, Misc. 47-73, January 18, 1974, 2499-2500 249

19.10 Report to Chief Judge John Sirica from Advisory Panel on the White House tapes, January 15, 1974 251


(24)
20. On June 20, 1972 Gordon Strachan met with H. R. Haldeman and showed him a copy of a Political Matters Memorandum Strachan had sent to Haldeman prior to April 4, 1972 concerning approval of a "sophisticated intelligence system with a budget of $300,000." Haldeman acknowledged to Strachan that he had read the political intelligence item in the memorandum. Strachan also showed Haldeman political intelligence reports referring to "Sedan Chair II" which had been attached to the memorandum. Haldeman said he had not previously read the attachment, and proceeded to read it. According to Strachan, Haldeman directed him to destroy all of the documents. Haldeman has testified that he could not recall giving Strachan any such instruction.

20.1 Gordon Strachan testimony, 6 SSC 2452-53,

20.2 H. R. Haldeman testimony, 8 SSC 3096-97 256

(25)
21. Following his meeting with H.R. Haldeman, Gordon Strachan shredded the Political Matters Memorandum regarding a sophisticated intelligence gathering system that he had shown Haldeman. Strachan also shredded other related documents, including a memorandum regarding Gordon Liddy, an April 4, 1972 talking paper prepared by Strachan for a meeting between Haldeman and John Mitchell, a memorandum from Jeb Magruder to Mitchell regarding Donald Segretti, and Segretti's telephone number. After Strachan destroyed these documents, he told John Dean what documents he had destroyed. On July 1, 1972 Strachan, Haldeman and Lawrence Higby were part of a Presidential party aboard Air Force One. Strachan has testified that during the flight he reported to Haldeman that the job had been accomplished, and Haldeman told him to reduce the number of copies made of future Political Matters Memoranda from three to two. Haldeman has testified that he does not recall receiving such a report.

21.1 Gordon Strachan testimony, 6 SSC 2441, 2458-60 2,6^°

21.2 John Dean testimony, 3 SSC 933-34 274

21.3 H.R. Haldeman testimony, 8 SSC 3097 276

(26)
22. On June 20 or 21, 1972 Robert Mardian and Fred LaRue met in LaRue's apartment with Gordon Liddy. Liddy told LaRue and Mardian that he and Howard Hunt had developed the plans for entries into the DNC and the McGovern presidential campaign offices; that he, Hunt and others involved in the Watergate break-in had been previously involved in operations of the White House, specifically an entry into the offices of Daniel Ellsberg's psychiatrist; that Hunt had acted to make ITT lobbyist Dita Beard unavailable as a witness at the Senate Judiciary Committee hearings on the nomination of Richard Kleindienst to be Attorney General; and that he had shredded all new, serialized $100 bills in his possession and other evidence relating to the Watergate break-in. Later that day Mardian and LaRue met with John Mitchell and apprised him of their meeting with Liddy. Mitchell was told of Liddy's and Hunt's prior surreptitious entry into the office of Daniel Ellsberg's psychiatrist and of Hunt's earlier activities involving Dita Beard.

Fred LaRue testimony, 6 SSC 2286-88, 2309, 2317-18, 278

Robert Mardian testimony, 6 SSC 2357-63, 284

John Mitchell testimony, 4 SSC 1621-22, 1628, 1643-44, 1660 2q1

(27)
23. Shortly after Hunt's involvement in the Watergate matter became known, a
White House telephone list bearing Howard Hunt's name and phone extension was
recalled and the list was re-issued.

.deleting Hunt.

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.23.1 Statement of CIA employee, January 17, 1974
.(received from CIA) 298
24. On June 20, 1972 John Mitchell, the Campaign Director of CRP, issued a prepared press statement. The statement denied any legal, moral or ethical accountability on the part of CRP for the break-in at the DNC headquarters.

Washington Post, June 21, 1972, Al, A9 302
25. On June 20, 1972 at 6:08 p.m. the President spoke by telephone with John Mitchell. The President and Mitchell discussed the break-in at the DNC headquarters. According to a dictabelt recording made by the President on June 20, 1972 recollecting the events of that day, Mitchell expressed to the President his regret that he had not kept better control over the people at CRP.

25.1 President Nixon daily diary, June 20, 1972, Exhibit 13, In re Grand Jury, Misc. 47-73, 1-2 306

25.2 President Nixon remarks before Associated Press Managing Editors Association, November 17, 1973, 9 Presidential Documents 1345-46 308

25.3 Dictabelt recording of President Nixon's recollections of events of June 20, 1972, and House Judiciary Committee transcript thereof 310
26. On June 21, 1972 shortly after 9:35 a.m. John Ehrlichman told Acting FBI Director Gray that John Dean would be handling an inquiry into Watergate for the White House and that Gray should call Dean and work closely with him. Gray told Ehrlichman that the FBI was handling the case as a "major special with all of our normal procedures in effect." At 10:00 a.m. Gray telephoned Dean and arranged to meet Dean at 11:30 a.m. in Gray's office. At the meeting they discussed the sensitivity of the investigation, and Dean told Gray that Dean would sit in on FBI interviews of White House staff members in his official capacity as counsel to the President.

26.1 L. Patrick Gray log, June 21, 1972., t2
(received from SSC)

26.2 L. Patrick Gray testimony, 9 SSC 345° 314

26.3 John Dean testimony, 3 SSC 942 , 315

(31)
27. On or about June 22, 1972 John Ehrlichman met with John Dean and discussed the contents of Howard Hunt's safe and what to do with certain politically sensitive documents.

27.1 John Dean testimony, 3 SSC 937-38.............
313

27.2 John Ehrlichman testimony, 6 SSC 2612-14*.b....*
320

27.3 John Ehrlichman testimony, 7 SSC 2824-26.--------
323

27.4 Portion of John Dean notes for Camp David report,
SSC Exhibit No. 34-43, 3 SSC 1290 326

(32)
28. On June 22, 1972 FBI agents interviewed Charles Colson in the EOB. John Dean was present. When the agents inquired about Howard Hunt's office in the EOB, Dean told them either that he would have to check out whether Hunt had an EOB office or that the request to see Hunt's office would have to be checked out.

28.1 Charles Colson draft statement prepared for delivery to the SSC, September 1973, 1, 10 (received from SAC)..................

28.2 John Dean testimony, 3 SSC 939-40..........

28.3 Notes of Charles Colson interview, June 22, 1972, SSC Exhibit No. 34-16, 3 SSC 1160..........

28.4 L. Patrick Gray testimony, SJC, Gray Nomination Hearings, March 7, 1973, 328......

28.5 L. Patrick Gray testimony, SJC, Gray Nomination Hearings, March 22, 1973, 671....
29. On or about June 22, 1972 Acting FBI Director L.Patrick Gray met with John Dean. Gray told Dean the FBI had discovered that a $25,000 check drawn by Kenneth Dahlberg and four checks totalling $89,000 drawn on a bank in Mexico City payable to Manuel Ogarrio had been deposited in a Miami, Florida bank account of Bernard Barker, one of the persons arrested on June 17, 1972 at the DNC headquarters in the Watergate. Gray and Dean discussed the FBI's alternative theories of the Watergate case, including the theory that the break-in was a covert operation of the CIA. Either that same day or the following morning Dean reported to Haldeman on his meeting with Gray, and Haldeman in turn transmitted the essence of the report to the President.

Page

29.1 L. Patrick Gray log, June 22, 1972 (received from SSC)................................................338

29.2 L. Patrick Gray testimony, 9 SSC 3451 339

29.3 John Dean testimony, 3 SSC 942-43 340

29.4 Memorandum from C. W. Bates to Charles Bolz, June 22, 1972, 1-2 (received from SSC) 342

29.5 Telegram from FBI Washington Field Office to L. Patrick Gray, June 22, 1972, 1-2 (received from SSC) 346

29.6 H. R. Ha'deman testimony, Subcommittee of the Senate Appropriations Committee, Hearings on Purported Attempt to Involve the Central Intelligence Agency in the Watergate and Ellsberg Incidents, Executive Session, May 31, 1973, 360-61 348

29.7 H. R. Haldeman testimony, 8 SSC 3040 350

(34)
30. On June 22, 1972 the President held a press conference. He
was asked whether he had made an investigation to determine whether
there was a direct link between the people who bugged the DNC headquarters
and the White House. The President said:

Mr. Ziegler and also Mr. Mitchell, speaking for the campaign
committee, have responded to questions on this in great detail. They
have stated my position and have also stated the facts accurately.

This kind of activity, as Mr. Ziegler has indicated, has no
place whatever in our electoral process, or in our governmental
process. And, as Mr. Ziegler has stated, the White House has had no
involvement whatever in this particular incident.

As far as the matter now is concerned, it is under
investigation, as it should be by the proper legal authorities, by the
District of Columbia Police, and by the FBI. I will not comment on
those matters, particularly since possible criminal charges are
involved.
31. On June 23, 1972 H. R. Haldeman met with the President and informed the President of the communication John Dean had received from Acting FBI Director Gray. The President directed Haldeman to meet with CIA Director Richard Helms, Deputy CIA Director Vernon Walters and John Ehrlichman. Haldeman has testified that the President told him to ascertain whether there had been any CIA involvement in the Watergate affair and whether the relationship between some of the Watergate participants and the Bay of Pigs incident was a matter of concern to CIA. The President directed Haldeman to discuss White House concern regarding possible disclosure of covert CIA operations and operations of the White House Special Investigations Unit (the "Plumbers"), not related to Watergate, that had been undertaken previously by some of the Watergate principals. The President directed Haldeman to ask Walters to meet with Gray to express these concerns and to coordinate with the FBI, so that the FBI's investigation would not be expanded into unrelated matters that could lead to disclosure of the earlier activities of the Watergate principals.

31.1 H. R. Haldeman testimony, Subcommittee of the Senate Appropriations Committee, Hearings on Purported Attempt to Involve the Central Intelligence Agency in the Watergate and Ellsberg Incidents, Executive Session, May 31, 1973, 353-54 356

31.2 President Nixon statement, May 22, 1973, 9 Presidential Documents 693, 696 358

31.3 H. R. Haldeman testimony, 8 SSC 3040-41 360

31.4 H. R. Haldeman testimony, 7 SSC 2884 362
32. In the early afternoon of June 23, 1972 John Mitchell, Campaign Director of CRP, met with Maurice Stans, Chairman of FCRP, in Mitchell's office. They discussed the Dahlberg and the Mexican checks. Stans knew at that time that these checks were campaign contributions that Hugh Sloan, Treasurer of FCRP, had given to Gordon Liddy to be converted to cash.

32.1 John Mitchell testimony, 4 SSC 1659........
32.2 Maurice Stans testimony, 2 SSC 725. ........
32.3 Maurice Stans testimony, 2 SSC 699-701. .......
32.4 Maurice Stans testimony, 2 SSC 748........
32.5 Hugh Sloan testimony, 2 SSC 575-76........

32.6 Maurice Stans calendar, June 23, 1972 (received from SSC) 372
32.7 John Mitchell log, June 23, 1972 (received from SSC) 373
32.8 Maurice Stans telephone records, June 23,
1972 (received from SSC)....

(37)
33. At approximately 1:30 p.m. on June 23, 1972 pursuant to the President's prior
directions, H. R. Haldeman, John Ehrlichman, CIA Director Helms and Deputy CIA
Director Walters met in Ehrlichman's office. Helms assured Haldeman and Ehrlichman
that there was no CIA involvement in the Watergate and that he had no concern from the
CIA's viewpoint regarding any possible connections of the Watergate personnel with the
Bay of Pigs operation. Helms told Haldeman and Ehrlichman that he had given this
assurance directly to Acting FBI Director Gray. Haldeman stated that the Watergate affair
was creating a lot of noise, that the investigation could lead to important people, and that
this could get worse. Haldeman expressed concern that an FBI investigation in Mexico
might uncover CIA activities or assets. Haldeman stated that it was the President's wish
that Walters call on Gray and suggest to him that it was not advantageous to push the
inquiry, especially into Mexico. According to Ehrlichman, the Mexican money or the
Florida bank account was discussed as a specific example of the kind of thing the
President was evidently concerned about. Following this meeting, Ehrlichman advised
Walters that John Dean was following the Watergate matter on behalf of the White

House.

33.1 John Ehrlichman log, June 23, 1972 @ (received from SSC). ..........................
33-2 Vernon Walters testimony 9 SSC 34Q4~()5
33-3 Vernon Walters memorandum for record, June 28, 1972, SSC Exhibit No. 101, 7 SSC 2948-49 380

(38)
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33.4 Richard Helms testimony, 8 SSC 3237-39 382


33.6 John Ehrlichman testimony, 6 SSC 2563-64 392

33.7 John Ehrlichman testimony, Subcommittee of the Senate Appropriations Committee, Hearings on Purported Attempt to Involve the Central Intelligence Agency in the Watergate and Ellsberg Incidents. Executive Session, May 30, 1973,

33.8 Vernon Walters testimony, 9 SSC 3408 395

(39)
34. On June 23, 1972 at 1:35 p.m., Dean telephoned Gray and said that Walters would be visiting Gray that afternoon. At 2:34 p.m. on the same day Walters met with Gray and discussed the EBI investigation of the break-in at the DNC headquarters. Walters stated that if the FBI investigation were pursued into Mexico it might uncover some covert CIA activities and that the matter should be tapered off with the five men under arrest. Gray agreed to hold in abeyance the FBI interview of Manuel Ogarrio. Gray has testified that the FBI continued its effort to locate Kenneth Dahlberg. Gray reported to Dean the substance of his conversations with Walters.

34.1 L. Patrick Gray log, June 23, 1972 x 1-2, (received from SSC) ........................................................................................................ 398

34.2 L. Patrick Gray testimony, 9 SSC 3452-53 400

34-3 Vernon Walters testimony, 9 SSC 3406-n7............................. 402

34-4 Vernon Walters memorandum for record. June 28, 1972, ssc Exhibit niQo. 129, 9 ssc 3815 404

(40)
35. On June 23, 1972 at 3:00 p.m. Maurice Stans met at the CRP offices with Kenneth Dahlberg who, at the request of Stans and Fred LaRue, had flown to Washington that day for the meeting. LaRue and Stans discussed the check drawn by Dahlberg, the money from which had reached the bank account of Bernard Barker. At 5:00 p.m. on the same day Dahlberg met with Stans, LaRue and Robert Mardian.

35.1 Maurice Stans calendar, June 23, 1972 (received from SAC)

35.2 Maurice Stans testimony, 2 SSC

35.3 Maurice Stans telephone records, June 23, 1972 (received from SSC)

(41)
36. On or before June 26, 1972 Walters determined that there were no CIA sources or activities in Mexico that might be jeopardized by FBI investigations of the Ogarrio check in Mexico. On June 26, 1972 Walters met with John Dean and advised him that there was nothing in any of the FBI investigations that could jeopardize or compromise in any way CIA activities or sources in Mexico.

36.1 Vernon Walters testimony, 9 SSC 3407-09 410

36.2 Vernon Walters memorandum for record, June 28, 1972, SSC Exhibit No. 130, 9 SSC 3816-17 413
37. On or about June 27, 1972 John Dean and Fred Fielding, his assistant, delivered to FBI agents a portion of the materials from Howard Hunt's safe. The materials given to the FBI agents included top secret diplomatic dispatches relating to Vietnam. The portion withheld from the FBI agents included fabricated diplomatic cables purporting to show the involvement of the Kennedy administration in the fall of the Diem regime in Vietnam, memoranda concerning the Plumbers unit, a file relating to an investigation Hunt had conducted for Charles Colson at Chappaquiddick, and two notebooks and a pop-up address book.

37.1 John Dean testimony, 3 SSC 937-38, 948 416

37.2 Fred Fielding deposition, May 15, 1973, Democratic National Committee v. McCord, 15, 34-35 419

37.3 FBI inventory of contents of Hunt's safe, published as insertions in SJC, Gray Nomination Hearings, March 7, 1973, 329-30 422

37.4

Richard Ben-Veniste statement, United States v. Liddy, November 5, 1973, 3-5 424

(43)
38. On June 26 or 27, 1972 Dean met with Walters and asked if there was any way the CIA could provide the bail money or pay the salaries of the persons arrested in connection with the break-in at the DNC headquarters. Walters said the CIA would do so only on a direct order from the President. According to Dean, his proposal to the CIA had previously been approved by John Ehrlichman. Dean also has testified that he reported to Ehrlichman regarding Walters' negative position on the proposal, and that he was asked by Ehrlichman to push Walters a little harder. Ehrlichman has denied receiving these reports from Dean. On June 28, 1972 at 10:45 a.m. Dean met with Ehrlichman. At 11:30 a.m. Dean telephoned Walters and asked Walters to see him in his EOB office. At this meeting Walters and Dean discussed the Dahlberg check and the Mexican checks, and Dean again asked whether the CIA could do anything to stop the FBI investigation of these checks. Walters said there was nothing his Agency could do.

38.1 John Ehrlichman log, June 26-28, 1972
(received from SSC) .......

Page ...429

38.3 Vernon Walters testimony, 9 SSC 3410-12 433

38.4 John Ehrlichman testimony, 7 SSC 2835 436

38.5 Vernon Walters memorandum for record, June 28, 1972, SSC Exhibit No. 130, 9 SSC 3816-17 437

38.2 John Dean testimony, 3 SSC 945-48

38.6 Vernon Walters memorandum for record, June 29, 1972, SSC Exhibit No. 131, 9 SSC 3818 439

38.7 Vernon Walters memorandum for record, June 29, 1972, SSC Exhibit No. 132, 9 SSC 3819-20 440
39. On the morning of June 27, 1972 Gray met with Mark Felt and Charles Bates of the FBI to receive a briefing on the latest Watergate break-in developments. During that briefing Dean telephoned Gray. Gray has testified that in the ensuing conversation he told Dean that if Dahlberg continued to evade the FBI, Dahlberg would be called before a grand jury. Gray also has testified that he asserted to Dean the importance of an aggressive FBI investigation to determine the motive and identity of all persons involved.

On June 27, 1972 CIA Director Helms received a memorandum from the Chief of the Western Hemisphere Division of the CIA stating that there were no CIA traces on Manuel Ogarrio and that the CIA's last contact with a person named Kenneth Dahlberg occurred in 1961 and concerned the manufacturing of a hearing aid for a high level Peruvian. Later that day, Helms told Gray that the CIA had no interest in Ogarrio. Helms confirmed with Gray their plan to meet the following day.

Page

Director Helms, June 27, 1972 (received from CIA) 444

39.1 Memorandum from CIA Western Hemisphere Chief to

39.2 L. Patrick Gray log, June 27, 1972, 1-2 (received from SSC) 445

39.3 Lo Patrick Gray testimony, 9 SSC 3454 447
40. On June 28, 1972 at 10:25 a.m. Dean telephoned L. Patrick Gray about rumors of leaks from the FBI, the material from Hunt's safe, a slowdown in the investigation, and the tracing of the Mexican money. According to Gray, he may have told Dean during this conversation of the meeting he had scheduled with Helms for 2:30 p.m. that day. At 10:45 a.m. Dean met with John Ehrlichman. At 10:55 a.m. Ehrlichman telephoned Gray. Gray has testified that when he returned the call at 11:17 a.m., Ehrlichman said, "Cancel your meeting with Helms and Walters today; it is not necessary." At 11:23 a.m. Gray called Helms to cancel their meeting. Helms asked Gray to call off interviews which the FBI had scheduled with two CIA employees. (In July 1971, pursuant to a request from Ehrlichman to Deputy CIA Director Robert Cushman, the two CIA employees had provided Howard Hunt with disguises, hidden cameras, and other material for use in domestic clandestine operations. In requesting CIA assistance for Hunt, Ehrlichman had told Cushman that Hunt "has been asked by the President to do some special consulting work on security problems.")
June 28, 1972.......................... (received from CIA)
40.7 CIA employee affidavit, May 18, 1973 (received from

40.8 Partial transcript of telephone call from John
Ehrlichman to General Robert Cushman, July 7, 1971,
and accompanying affidavit of CIA employee,
February 5, 1974 (received from CIA) 467

(47)
41. On June 28, 1972 Helms wrote a memorandum to Walters stating the substance of Helms' conversation with Gray. Helms stated the CIA still adhered to its request that the FBI confine its investigation to the persons already arrested or directly under suspicion and that the FBI not expand its investigation into other areas which might eventually run afoul of CIA operations.

41.1 Memorandum from Richard Helms to Vernon Walters, June 28, 1972 (received from CIA) 472

(48)
42. On June 28, 1972 Gray directed that the FBI interview Manuel Ogarrio and continue its efforts to locate and interview Kenneth Dahlberg. On that evening John Dean telephoned Gray at home and urged that, for national security reasons or because of CIA interest, efforts to interview Ogarrio and Dahlberg be held up. Gray thereafter cancelled the interviews.

42.1 L. Patrick Gray testimony, 9 SSC 3455-56 (49)
43. On June 28, 1972 FBI agents met with Gordon Liddy, in the presence of FCRP attorney Kenneth Parkinson, to question Liddy regarding the break-in at the ZINC headquarters. When Liddy declined to answer the agents’ questions, he was discharged by FCRP Chairman Maurice Stans.

43.1......Gordon Liddy deposition, O’Brien [Democratic National Committee] v. McCord, August 24, 1972, 37-41 478
44. On or about June 28, 1972 John Dean was informed that the FBI was attempting to interview Kathleen Chenow, the secretary of David Young and Egil Krogh in the White House Special Investigations Unit (the "Plumbers"). (The number of a telephone billed to Chenow at her home address but located in the EOB was contained in a personal book of telephone numbers of Eugenio Martinez and in an address book of Bernard Barker found in the Watergate hotel room that had been occupied by certain of the men arrested in the DNC headquarters.) Dean has testified that he informed John Ehrlichman of problems connected with Chenow's interview and Ehrlichman agreed that before her FBI interview Chenow should be briefed not to disclose the activities of Howard Hunt and Gordon Liddy while at the White House. On June 28, 1972 Dean telephoned Acting FBI Director Gray and requested that Chenow's interview be temporarily held up for reasons of national security. Gray agreed to the request.

44.5

44.6

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44.1 John Dean testimony, 3 SSC 941.......... 484

44.2 E. Howard Hunt testimony, SSC Executive Session, May 14, 1973, 311-12 485

44.3 L. Patrick Gray testimony, 9 SSC 3455-56...... 487

44.4 Washington, D. C. Police Department evidence report, June 20, 1972, identifying Bernard Barker address book, Exhibit 38-A, United States v. Liddy 489


SSC report of Kathleen Chenow FBI 302 interview,
July 3, 1972 (received from SSC) 495

44.7 L. Patrick Gray testimony, SJC, Gray Nomination Hearings, February 28, 1973, 127 496

44.8 Kathleen Chenow telephone recordss 2/72 – 4/72 (received from SSC) 497
45. On June 28, 1972 Gray met with John Ehrlichman and John Dean. At this meeting Gray was given two folders containing documents which he was told had been retrieved from Howard Hunt's safe and had not been delivered to FBI agents when the remainder of the contents of the safe was delivered on June 27, 1972. Gray was told that these documents were politically sensitive, were unrelated to Watergate, and should never be made public. Dean did not deliver to Gray the two notebooks and pop-up address book that had been found in Hunt's safe; Dean has related that he discovered these items in a file folder in his office in late January 1973, at which time he shredded the notebooks and discarded the address book.

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45.1 John Ehrlichman log, June 28, 1972 (received from SSC) ........................................502

45.2

45.3 John Ehrlichman testimony, 7 SSC 2835-36.....504

45.4 John Ehrlichman testimony, 6 SSC 2614........506

45.5 John Dean testimony, 4 SSC 1362-65.........507

45.6 Richard Ben-Veniste statement, United States v. Liddy, November 5, 1973, 3-4 511

(52)

46.1......Tape recording of a portion of a meeting among the President, H. R. Haldeman and John Mitchell on June 30, 1972 and House Judiciary Committee transcript thereof 514

(53)
47. On July 2, 1972 Fred Fielding, staff assistant to John Dean, flew to England, where Kathleen Chenow was vacationing, to bring Chenow back to Washington. On or about July 3, 1972 Chenow discussed her forthcoming FBI interview with Fielding and Plumbers Unit member David Young. Dean and Fielding were present when the FBI interviewed Chenow.
48. On July 5, 1972 at 5:54 p.m. Acting FBI Director Gray phoned Deputy CIA Director Walters and stated that, unless the CIA provided by the following morning a written rather than the verbal request to refrain from interviewing Manuel Ogarrio and Kenneth Dahlberg, the FBI would go forward with those interviews. At 10:05 a.m. on July 6, 1972 Walters met with Gray and furnished Gray a memorandum indicating that the CIA had no interest in Ogarrio or Dahlberg. Gray then ordered that Ogarrio and Dahlberg be interviewed. At 10:51 a.m. Gray called Clark MacGregor, Campaign Director of CRP, who was with the President at San Clemente, California. Gray has testified that he asked MacGregor to tell the President that Gray and Walters were uneasy and concerned about the confusion during the past two weeks in determining whether the CLUE had any interest in people whom the FBI wished to interview in connection with the Watergate investigation. Gray also has testified that he asked MacGregor to tell the President that Gray felt that people on the White House staff were careless and indifferent in their use of the CIA and FBI, that this activity was injurious to the CIA and the FBI, and that these White House staff people were wounding the President. MacGregor has denied both receiving this call and the substance of it as related by Gray, but has testified to receiving a call from Gray on another subject the previous evening or possibly that morning. (By letter of July 25, 1973 to Archibald Cox, J. Fred Buzhardt stated that the President's logs do not show any conversations or meetings between the President and Clark MacGregor on July 6, 1972. The President's log for that date shows meetings between the President and MacGregor
from 10-40 a.m. to 12:12 p.m., Pacific time.) At 11:28 a.m. the President telephoned Gray. Gray told the President that he and Walters felt that people on the President's staff were trying to mortally wound the President by using the CIA and the FBI. The President responded by instructing Gray to continue to press ahead with the investigation.

48.1 L. Patrick Gray log, July 5, 1972 (received from SSC) 521

48.2 L. Patrick Gray testimony, 9 SSC 3457-58........... 522

48.3 L. Patrick Gray log, July 6, 1972, 1-2 (received from SSC) 524

48.4 Vernon Walters testimony, 9 SSC 3413-14 526

48.5 Vernon Walters memorandum for record, July 6, 1972,
   SSC Exhibit No. 97, 7 SSC 2913-
   14....................... sm Can

48.6 Memorandum from Vernon Walters to Acting Director of the FBI, July 6, 1972, SSC Exhibit No. 142,
   ...528

48.7 Clark MacGregor testimony, 1Z SSC 491Z-1X............

48.8 Letter from Archibald Cox to J. Fred Buzhardt, July 10, 1973 and letter from J. Fred Buzhardt to Archibald Cox, July 25, 1973 (received from Watergate Special Prosecution Force) 539

48.9 President Nixon daily diary, July 6, 1972, 1-3 (received from White House) 544

48.10 John Ehrlichman testimony, / avv anon v
48.11 President Nixon statement, May 22, 1973, 9
PRESIDENTIAL DOCUMENTS 693, 696 -

(received from Watergate Grand Jury)..........................

(56)
49. In July 1972 Dean obtained from Gray various interview and investigative reports of the FBI investigation of the break-in at the DNC headquarters. Dean has testified that he showed these reports to

the attorneys for CRP and to CRP officials. Previously Dean had asked Attorney General Kleindienst for access to FBI interview reports and Attorney General Kleindienst had refused his request.

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49.1 L. Patrick Gray testimony, SJC, Gray Nomination Hearings, March 21, 1973, 620-21 556

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49.2
John Dean testimony, 3 SSC 945

49.3 John Dean testimony, 4 SSC 1361

49.4 Richard Kleindienst testimony, 9 SSC 3564 560

(57)
50. On or about Friday July 28, 1972 a grand jury subpoena was served on Maurice Stans, Chairman of FCRP, to testify in connection with the investigation of the break-in at the DNC headquarters about his knowledge of the purpose for which campaign funds were spent. The President requested that John Ehrlichman determine if Stans could testify by deposition instead of being subjected to a personal appearance before the grand jury. John Dean called Henry Petersen, Assistant Attorney General in charge of the Criminal Division, and requested that Stans' testimony be taken at the offices of the Department of Justice rather than before the grand jury. Petersen had previously agreed to this arrangement in the case of testimony by members of the White House staff. Petersen told Dean that this procedure could not be used for Stans, and Dean reported that response to Ehrlichman. On Saturday, July 29, 1972 Ehrlichman called Petersen and requested that Stans not be compelled to appear before the grand jury. Ehrlichman accused the prosecutors of harassing Stans. On Sunday, July 30, 1972 Ehrlichman called Attorney General Kleindienst. Ehrlichman reported that Petersen had refused to follow his instructions. The next day Kleindienst, Petersen and Assistant United States Attorney Earl Silbert met in Petersen's office. They agreed that Stans would be questioned under oath at the Department of Justice and not before the grand jury. On August 2, 1972 Stans was questioned in Petersen's conference room. According to Stans, in August the President called Stans and told him that he appreciated the sacrifice that Stans was...
making in not answering questions for the press and hoped that he could continue to take it.

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50.1 Earl J. Silbert statement to the Senate Judiciary Committee in response to "A Report to the Special Prosecutor on certain aspects of the Watergate Affair," March 4, 1974, 27-28 (received from Senate Judiciary Committee) 563

50.2 John Dean testimony, 3 SSC 954 565

50.3 John Ehrlichman testimony, 7 SSC 2699-2700 566

50.4 Henry Petersen testimony, 9 SSC 3618-19 568

50.5 Richard Kleindienst testimony, 9 SSC 3564-65 570

50.6 Robert W. Barker (counsel for Maurice Stans) statement, 2 SSC 682 572

50.7

Maurice Stans testimony, 2 SSC 726 573
51. John Ehrlichman has testified that on July 31, 1972
Ehrlichman, John Dean and Attorney General Kleindienst met
and discussed whether Jeb Magruder was involved in the break-
in at the DNC and that shortly

thereafter Ehrlichman discussed the meeting with the
President. Kleindienst has testified he does not recall the
meeting. In August, 1972, after Magruder's testimony before
the grand jury investigating the break-in at the DNC
headquarters, Dean called Assistant Attorney General Henry
Petersen to find out how Magruder had done when testifying.
Petersen called Assistant United States Attorney Silbert
and discussed Magruder's testimony. Petersen has testified
that he told Dean that while Magruder was a very articulate
young man, nobody believed Magruder's story that he did not
know the purposes for which campaign funds had been spent.

51.1 John Ehrlichman log, July 31, 1972
(received

Page

51.2 John Ehrlichman testimony, 6 SSC 2554-
55.............z//

51.3 Richard Kleindienst testimony, 9 SSC 3566-67 579

51.4 John Dean testimony, 3 SSC 952 581

51.5 Henry Petersen testimony, 9 SSC 3617, 3651 582

51.6 Earl Silbert testimony, SJC, Nomination
of Earl
Silbert to be United States Attorney for the
District of Columbia, April 23, 1974, 51-53------
----584

(60)
52. At the end of August 1972 John Ehrlichman met with the President and discussed what public statements the President should make about the White House and CRP involvement in the June 17th breakin. The President decided that he would state that there was no involvement of present White House employees. On August 29, 1972 in a press conference the President stated that John Dean, under the President's direction, had conducted a complete investigation of all leads that might involve any present members of the White House staff or anybody in the Government. The President said, "I can say categorically that his investigation indicates that no one in the White House staff, no one in this Administration, presently employed, was involved in this very bizarre incident." John Dean has denied conducting that investigation. The President also stated that the FBI and the Department of Justice had had the total cooperation of the White House and that CRP was continuing its investigation.

52.1 John Ehrlichman testimony, 7 SSC 2726 588
52.2 President Nixon news conference, August 29, 1972, 8 Presidential Documents 1306....
52.3 John Dean testimony, Watergate Grand Jury, November 19, 1973, 48-50 (received from Watergate Grand Jury)R-- ~
53. On September 15, 1972 the President met with H. R. Haldeman and John Dean. Certain subjects were discussed in the course of the September 15, 1972 meeting:

Filing of indictment against seven Watergate defendants

Manner in which Dean has handled Watergate matter

Human frailties and bitterness between Finance Committee and Political Committee

Governmental power and political White House and Watergate matter

Tape recording of a meeting among the President, H. R. Haldeman and John Dean on September 15, 1972 and House Judiciary Committee transcript thereof 594

53.1 Tape recording of a meeting among the President, H. R. Haldeman and John Dean on September 15, 1972 and House Judiciary Committee transcript thereof 594

53.2 H. R. Haldeman's notes of meeting with the President on September 15, 1972 (received from Watergate Grand Jury) 637

53.3 H. R. Haldeman's notes of listening to tape recording of a meeting with the President
and John Dean on September 15, 1972 (received from Watergate Grand Jury)...............................

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opponent

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(ea)
54. On October 5, 1972 the President held a press conference. He stated that the EBI had conducted an intensive investigation of Watergate because 'I wanted to be sure that no member of the White House staff and no man or woman in a position of major responsibility in the Committee for Re-Election had anything to do with this kind of reprehensible activity.'
55. On December 15, 1972 John Ehrlichman met with CIA Director Richard Helms, William Colby of the CIA, and John Dean. They discussed answers to questions posed by Assistant Attorney General Henry Petersen and Assistant U. S. Attorney Earl Silbert. Colby had disclosed on November 27, 1972 to the Federal prosecutors that Ehrlichman was the person who had requested CIA assistance for Howard Hunt in 1971. They also discussed the materials turned over by the CIA to the Justice Department on October 24, 1972.

55.1 John Ehrlichman log, December 15, 1972 (received)

55.2 William Colby testimony, Senate Armed Services Committee, nomination of William Colby to be Director of Central Intelligence Agency, July 25,

55.3 William Colby testimony, Senate Armed Services Committee Executive Session, May 14, 1973, 110 656

55.4 Henry Petersen testimony, 9 SSC 3622-23 657
56. On January 8, 1973 former CIA Deputy Director Cushman sent a memorandum to John Ehrlichman identifying as the person who requested CIA assistance for Howard Hunt in 1971 one of the following: Ehrlichman, Charles Colson or John Dean. On January 10, 1973 after discussions with Ehrlichman and Dean, Cushman changed the memorandum to state that he did not recall the identity of the White House person who requested assistance for Hunt.

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56.1 John Dean testimony, 3 SSC 977-78 660

56.2 Robert Cushman testimony, 8 SSC 3295-97 662

56.3 Memorandum from Robert Cushman to John Ehrlichman, January 8, 1973, SSC Exhibit No. 125, 8 SSC

56.4 Memorandum from Robert Cushman to John Ehrlichman, January 10, 1973, SSC Exhibit No. 126, 8 SSC 3391 666

56.5 Partial transcript of telephone call from John Ehrlichman to General Robert Cushman, July 7, 1971 with accompanying CIA employee affidavit, February 5, 1974 (received from CIA) 667

(6ti)
57. Early in 1973 John Dean met with Assistant Attorney General Petersen. Petersen showed Dean documents delivered by the CIA to the Department of Justice, including copies of the photographs connecting Howard Hunt and Gordon Liddy with Dr. Fielding's office. On a second occasion prior to February 9, 1973 Dean met with Petersen and discussed what the Department of Justice would do if requested by the CIA to return materials. Petersen told him that an indication that the materials had been sent back to the CIA would have to be made in the Department's files.

57.1 John Dean testimony, 3 SSC........978 672
(66)
58. On February 9, 1973 Dean called CIA Director James Schlesinger. Dean suggested that the CIA request the Department of Justice to return a package of materials that had been sent to the Department of Justice in connection with the Watergate investigation. Deputy CIA Director Walters contacted Dean on February 21, 1973 and refused Dean's request.

58.1 James Schlesinger memorandum for the record, February 9, 1973, SSC Exhibit No. 135, 9 SSC

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58.2 James Schlesinger testimony, Senate Armed Services Committee, May 14, 1973, 146-47 676

58.3 Vernon Walters memorandum of conversation on

58.4 John Dean testimony, 3 SSC 978-79.................

(67)
STATEMENT OF INFORMATION

AND

SUPPORTING EVIDENCE

EVENTS FOLLOWING

THE WATERGATE BREAK-IN

June 17, 1972 - February 9, 1973
1. On June 17, 1972 shortly after 2:00 a.m. five persons, including James McCord, a security consultant for the Committee for the Re-election of the President (CRP), were arrested in the Watergate headquarters of the Democratic National Committee (DNC). Immediately after the arrests, Howard Hunt and Gordon Liddy left the Watergate Hotel. Hunt took with him a briefcase belonging to McCord that contained electronic equipment, went to his office in the Executive Office Building (EOB), and withdrew from a safe located in his EOB office $10,000 previously provided to him by Liddy for use in case there was a mishap. Hunt placed McCord's briefcase in the safe. In the early morning hours, he delivered the money to an attorney on behalf of the five persons arrested at the DNC headquarters.

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(71)
Sergeant LEEPER. In the area of the Watergate complex, the White House area.

Mr. DASH. Moss that your position on June 17, 1972?

Sergeant LEEPER. Yes, sir. I've been working that area.

Mr. DASH. Now, Sergeant, is the dress that you are presently wearing at this committee hearing the type of dress that you usually shear in your vocation?

Sergeant LEEPER. 5'0, sir.

Mr. DASH. What is your usual dress?

Sergeant LEEPER. Well, various things from old Army shirts, golf jackets, golf hats, casual clothes. I had a pair, on the night in question, a pair of blue slacks on, a blue jacket Keith a university written across the front of it, and a golf cap.

Mr. DASH. And in the police automobile that you use, is this a marked automobile or unmarked?

Sergeant LEEPER. No, sir, it is unmarked.

Mr. DASH. Was that the kind of automobile that you were June 17, 1973?

Sergeant LEEPER. Yes, sir.

Mr. DASH. What was the nature of that call?

Sergeant LEEPER. Well, the call came out about 0120 hours on the morning of the 17th, Saturday, and the call originally came out for any scout car, which would be a marked car vehicle in the Police Department and official in it to respond to the Taterzate. 2600 Virginia Avenue, to assist a special officer, the official vehicle would be a sergeant, lieutenant, or a captain's cruiser. These would be marked vehicles. No one answered that, and the dispatcher, the police dispatcher came over the air and asked if there was any TAC unit in the area.

Senator BAKER. Any hat?

Sergeant LEEPER. The) refer to us as casual clothes, tactical squads and they have other squads.

Senator BAKER. TAC unit.

Sergeant LEEPER. Tactical unit. Yes, sir, end at this time I was notified in cruiser 727, which is an unmarked police vehicle with Officer Bohn Barrett and Officer Clark Shoffler.

Mr. DASH. Where were you located when you received that call?

Sergeant LEEPER. We there in the area of about 1x an(l :40th i N-ashincort, D.C.

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doll ,)oo,, it, (lo ~1)ll r-wtoirlize the pllyvsto-tr:lpll that appears on that easel '

Serete:IN:1:EPiELL ages. Sir', it is of the l-tteryate eluples.
Senator BASE. Just one second, just a second, I do not mean to unduly interrupt counsel, but just so I can keep the continuity in my mind, that man across the street was in the Hotvard Johnson?

Sergeant LEEPER. That is correct.

Senator BAILER. Where?

Sergeant LEEPER. He was out on the balcony. I did not see him, Senator. It was just called to my attention by Officer Shoffler.

Senator BAKER. But you knew he was watching you?

Sergeant LEEPER. Yes, sir.

Senator BAKER. How long did he watch?

Sergeant LEEPER. I do not know, sir. I did not even look over. I just

Senator BAKER. I did not have flour guns out?

Sergeant LEEPER. I did not have my gun out but Officer Shoffler had his weapon out.

Senator BAKER. And you were on the floor of the DNC, the Democratic National Committee?

Sergeant LEEPER. Yes, sir.

Senator BARER. The balcony outside?

Sergeant LEEPER. It was later found to be James Baldwin.

Senator BAKER. Do you know how long Baldwin watched?

Sergeant LEEPER. I think from the time we pulled up in front here, sir.

Air. DASH. All right. Then, what did You do? Did you leave the terrace at that time?

Sergeant LEEPER. Yes, sir, we responded back in the area of the hallway and Eva met up again with Officer Barrett down to this area, checking the offices that were open as we came down the hallway, and we came into this room here through a glass door, Officer Barrett was the first man followed by myself and Officer Shoffler. Officer Barrett responded up to this area here and I started into this little secretarial cubicle here, Officer Shoffler was somewhere in this area and at this point I heard Officer Barrett yell: "Hold it, come out."

Air. DASH. Where was that voice coming from?

Sergeant LEEPER Officer Barrett?

Air. DASH. Yes; was that voice coming from?

Sergeant LEEPER. Right in this area here, Officer Barrett was right in this area. At this time I respond back of the cubicle into this cubicle, jun1?eff 1lp O11 the desk, drawing my weapon and when I looked out this glass partition there were five men standing in front of a desk with their hands either raised above their heads or at least shot1l1er high11 wearing lstue sureical gloves.

Sir. DASH. What, if anything, ttitl You see them doing at the time that their hands xvere up ivhell Con ha(l ^ our gulf s O11t on theme
Sergeant I.EEPER. Some of the gentlemen, sir, had tried to remove the gloves himself, taking one hand and trying to throw it ok with the other.

Sgt. Dill - Otis called it of all the things or paraphernalia in the place where you found the knife.

Sergeant I.EEPER, yes, sir. One of the men Flail. was carrying a small, oval, silver,tin, all over all large silver box in his coat.

(73)
(Irvinfl os-er it contained : -nriolls items, cameras, btllbs, cltlmps for clampln< (> the e mmers to tile (lev); wnnl;ie-tallsies. thinc,j of this sort.

Ak. D.-SH. NOV, juit ^,oincr (loxvn tovlttrtl tile corner there from thitt roo.-n xvhere ~ou apprehe(n le(l the men, the corner toxvarlt the bottom ric,h corner, c,o all the xvay donvn to the large oirt'ice in the corner there.

Se. geflnt LEEPER. Richrt in here, sir.

Air. DASH. NO; the Itrcre office in the corner, the s-er-- e(lc,ew whose office is that?

Sergeant LEEPER. That is the office o' the chairman at that time of .he Democratic Partv svas LaxsTence F. O'Brien.

Rlr. DXSH. Antl svas there entrance to that offIce from or necess to it from ~here vou founfl the men vou npprehen(lel?

Sergeant LEEPER. \-es, sir. As ,ou can see by the ehart, sir, you ha(l access to that offS, e.

Air. DASH. Anel next to that office, to the left, ~;hose office svas that?

Sergeant LEEPER. That is the (leputv chairman, sir, Stanle-- L. Gra--.

Sk. D.XSH. NOEV, ROU at that point, what di(l l ++OU tlo nith the men he apprehenale(l nt that point?

Sergeant LEEPER. We ordered them out from behind the dej!; and lined thentl up along the xvall, facincr the nvall, hntlts on the xvall, feet sprealls apart, antl at that time I informeel the1ll xvho s^e-e •vere, they xYere un(ler arrest for burcllar-- and a(ls--isetl tlellll of their ricr1ll3 ansl at that tinze, I directed Officier Barrett to beein a svstematic search of euch man.

Air. DASH. DitlVOU notice anvthine unlls-z ll about these men lvhen +'Oll arreste(l them, the lva-- the:- xvere elre>-se(l'e

Sergeant LEEPER. Tlllex xvere •vell elresse(l, sir, in either suits, sport toats and ties.

\:k. DASH. ~olv. (IO + oll knoxv the nanles of those people. lli(l ths v gri--e their names at that tinle to sotl?

Sergeant LEEPER. ~tt that tinle, no, sir.

W[r. DASH. Did they gi--e anv narrLes to vou'?

Sergeant LEEPER. Later, +N-hen they xvere boollied in the precinct, tallsen to healtlquarters, 9:301 L Street, the-- ga--e us nanles svhicj 1 kler pros ed to be false names, aliases.

A[r. D.-SH. Ditl ~ou later fin(l out xvho they xvere~?

Sergeant LEEPER. \es, sir.

Sldr. DASH. Coul(l ~ou natne the persons ~vho vOt| arrestetl in that location bv the names that iater fotnl(l ont svho thes- nsere to be?

Sergeant LEEPER. Fra{l; ~StrIcris, Bernareel L. Barker, Janles \[cCoral, Eugenio :akrtixtez, antl I thilllv it sV>'+S Nire,iilio Gonztltles. Senator ERVI.X. Vircilio Gonzttles?

Sergeant LEEPER. I belie--e thtl is the ~rlts he prolloxltces his n:lnle

\:lt. DASH. Dil(l ~Ot| XICeOIlIPSInV tlllenl (IO\51 to the sration holllse'?

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\:lt. DASH. Dil(l ~Ot| XICeOIlIPSInV tlllenl (IO\51 to the sration holllse'?
Mr. MCCORD. I received on retirement in August 1970 the Distinguished Service Award for outstanding performance of duty with CIA. I received some others.

Mr. DASH. Now, prior to your arrest, indictment, and conviction relation to the Watergate incident, were you ever arrested charged with a crime, or the subject of any complaint or disciplinary proceeding in your life?

Mr. MCCORD. I have had traffic violations in the Washington area; yes, sir.

Mr. DASH. That all?

Were you an employee of the Committee To Re-Elect the President?

Mr. MCCORD. Yes.

Mr. DASH. What position did you hold and what were your duties?

Mr. MCCORD. I came aboard first as a security consultant part time in September of 1971.

Mr. DASH. By the way, how did you get that job?

Mr. MCCORD. I was introduced initially by Mr. John Caulfield and Mr. Odle, the Director of Administration who testified yesterday and based on that internment was employed part time and then full time in January, the first of January 1972.

Mr. DASH. NOW, what were your duties in that position as security chief?

Mr. MCCORD. The duties were essentially the function of the Protection of the property and the lives of the personnel of the committee in that facility there and subsequently in the facility at Miami, Fla., that the committee and some of the White House staff would occupy during the Republican Convention in August of 1972. The duties were primarily those of physical security protection of personnel security, some document security, and some protective work for the family of John Mitchell.

Mr. DASH. NOW, were those duties, and that assignment that you have just described under whose direction did you work?

Mr. MCCORD. Primarily under the direction of Mr. Robert Odle who was my immediate supervisor in the committee. The responsibility with Mr. Alitchell and his family, I received directions from him, from Mrs. Mitchell, from Robert Odle and Stir. Liddy.

Mr. DASH. Did there come a time when you worked under the direction of Gordon Liddy?

Mr. MCCORD. Yes, I did.

Mr. DASH. What was Mr. Liddy's position at that time?

Mr. MCCORD. He was at first from December until about March 1972 — general counsel for the Committee To Re-Elect the President. Thereafter he was — occupied the same position with the finance committee for the reelection of the President.

Mr. DASH. When did this arrangement begin or, in which capacity did you work under his direction, Mr. AielcCord, with Mr. Liddy?

Mr. ACCORD. The first discussions of the arrangements began sometime in January 1972. Early January.

Mr. DASH. Could you briefly state for the committee, Mr. McCord, what it was that Mr. Liddy wanted you to do?

Mr. MCCORD. I can give a bit of a background if you want that.
When he first came aboard the committee in December 1971 he began to—sve struck up an acquaintance. *ve had had a contact on it, and

(75)
Mr. DAslr. All right [inv. x]. Hunt, with regard to the Democrat Convention in Miami, did you give any assignments to Mr. F3arkel to Air. HOT. I did.

Mr. I).vslr. And what, if any, assignment did Lou give Mr. Barker? Air. HUNT. We are speaking nox only of the Democratic Convention.

Air. DASH. Democratic.

Mr. HUNT. Wfr. Barker's principal assignment vas to develop a network of informants along the Wliami Beach hotel complex v-who could report to us concerning campaign developments, convention developments, policies of individual Democratic candidates.

Mr. DASH. Did he also have an assignment to proellse a houseboat as a base for electronic surveillance?

Mr. HUNT. Yes.

Mr. DASH. And did he also have an assignment to recruit some persons who might be disreputable looking young men, hippies, to pose as McGovern supporters?

Mr. HOT. Yes.

Mr. DASH. XWhat nvere they supposed to do?

Mr. HUNT. They were supposed to demonstrate in front of the Doral Hotel some evening and behave outrageously to bring discredit upon the bulk of the useful McGovern supporters.

Mr. DAsFr. Now, Mr. Hunt, I think you, in fact, did participate in the break-in of the Democratic National Committee headquarters at the Watergate on or about Clay 27, 1972, is that not true?

Mr. HUNT. I do not know if the word :participate" embraces it Mr. DASH. You did not make an entry yourself? -

Mr. HUNT. No, sir. I participated in it.

Mr. DASH. And is it not true that you recruited Air. Barker to bring up the team of Cuban-Americans to assist in this plan?

Mr. HUNT. Yes, sir.

Mr. DASH. And is it true that it was his job to engage in photographing Democratic Party documents?

Mr. HUNT. Yes, sir.

— Mr. DASH. Now, it is true, is it not, that you also participated in the second break-in, using the "participating as you indicated before that you definitely did not break in the Democratic National Committee headquarters on June 18, 1972?

Alr. HUNT. Yes, sir.

Mr. DASH. Where nvere you situated when the entry team lras arrested?

Mr. HOT. In room Bl4 of the Watergate Hotel, which is another building.

Airr. DASH. What did you do immediately after you nvere made aware that an arrest had taken place?

Parr. HUNT. I closed up Afr. McCord's briefcase, xvllich contained electronic equipment, and with Ak. I.idv, xve left the premises. I drove to the White House, where I inserted the briefcase Ielongillg to Afr. WicCord, into my twvo-dramer safe. I Event—I believe I called Mr. I)ou. Caddy's apartment, he being an attorney.

Who is Air. Caddy?

Airr. HUN-T. Air. Douglas Caddy, an attorney and a former employee of the Mullen Co., and asked him if he could receive me at that early hollr of the morning.
AIr. DASH. Did you take any money out of the safe?
AIr. H1'NT. Yes, sir, I did.
AIR. D. sk. Hoxv much?
AIr. HUNT. I took out $10,000.
AIr. I)ASH. Anlere did you get that money?
AIr. H1.,-N-T. That xvQs contingency mone) that had been provided me I~v Atr. Liddy.
or.. DASIf. Contingency just in case there ives this kind of troubler AIr. H1J5T. Yes, sir; in case there ives a mishap.
AIr. DASH. AVhat did you do with that money?
AIr. HEN-T. I tools it during the course of the early morning to AIr. Caddy's apartment and gave it to him on behalf of the five men who had been arrested.
AIr. DAslr. Did you make an analysis or review of the contents of voter safe at that time or a later time?
AIr. HUJ5-T. NO, sir; not at that time.
Arr. 1).vsfil. ANThen did you, if you did?
AIr. HIJ5-T. Excuse me.
Blr. D.ssTl. Atr. Hunt. this might help YOU. DO 7-OU recall returning to your office at the EOB and looking through the contents of your safe?
AIr. HEN-T. Yes, sir.
AIr. H1J>-T. Xnd do you recall that that m-as on or about June 19, 197--i'?
AIr. H1J>-T. Yes, sir.
All. I)ASH. Just very brieflv. can you describe the contents of your safe at that time, xvllet yotl had in there?
AIr. HUNT. AVell, there ives a great deal of material, Air. Dash. l}(l- I)ANsn. Just by category.
3Mr. HAUNT. There lvere the fabricated Vietnamese cables that I had shown to Blr. Colson, Atr. Conein, and Ak. Lambert. There was material relating to Gemstone; there avere transcripts of my conversations with Mr. Clifton De Lotte, for example. There avas a very substantial amount of material, part of which ives shown me at the time of disco~erv by the 1.-.23. attornev—perhaps I am not being responsive.
AIr DASH. Yes, you are being responsive Did it also include the briefcase which included AIr. 3lcCord's electronic equipment?
Atr. HIro-T. Oh, y es; that avas there.
L1r. DASH. Nonv, did you inform anyone on that day of the contents of your safe?
AIr. HOT. I did.
AIr. I)zSIl. Tho ives that?
AIr. HUNT. AIr. Colson's secretary.
Err. I)ASII. What is her name?
Ntr. Htrs-T. Her name svas Zrrs. Joan Hall.
sir. DAslr. I}id y ou characterize or say anvthine about the contents?
Arr. H5XT. Yes, sir; I did.
Atr. I).sslr. B'hat did y ou say?
Atr. HUNT. Before I left the White House for the last time. I stopped by Air. (?olson's office. not to see him but simply to inform Alrs. Hall whom I linelv held the combination to my safe, that it contained sensiti--e material. I simply said to her. "I just avant vou to know that that safe is loaded."

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2. At the time of the arrests at the Watergate headquarters of the DNC, electronic surveillance and photographic equipment and approximately $1,500 in cash were found in the possession of the persons arrested. A subsequent search of rooms in the Watergate Hotel that had been rented under alias names used by certain of the persons arrested produced a directory containing a White House telephone number for Howard Hunt, a check drawn by E. Howard Hunt, and 32 sequentially numbered $100 bills. (These bills had been received from a Florida bank into which Barker had deposited five checks contributed to the President's reselection campaign. Four of these checks totalling $89,000 had been drawn on a Mexican bank payable to Manuel Ogarrio, a Mexican lawyer. The fifth check totalling $25,000 had been drawn by Kenneth Dahlberg. These checks had been delivered to Gordon Liddy by FCRP Treasurer Hugh Sloan to be converted into cash.)

2.1 Paul Leeper testimony, 1 SSC 96, 105-08...... 81
2.2 Memorandum from Vernon Walters to L. Patrick Gray, July 7, 1972, SSC Exhibit No. 143, 9 SSC
2.3 Hotel registration records, June 16, 1972, for R. Godoy (Virgilio Gonzalez), J. DiAlberto (Frank Sturgis), J. Valdez (Eugenio Martinez), and F. Carter (Bernard Barker), Exhibits 88-91, United States v. Liddy.......................... 87
2.4 United States v. Liddy indictment, September 15, 1972, Count One, paragraphs 1-15 89
2.5 Metropolitan Police Department, Washington, D. C., Supplementary Evidence Report, June 20, 1972,
12, 24-25......

2.6 L. Patrick Gray testimony, 9 SSC
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2.7 John Dean testimony, 3 SSC 942-43  
2.8 Hugh Sloan testimony, 2 SSC 575-76
Sergeant LEEPER In the area of the Watergate complex, the White House area.

Mr. DASH. Was that your position on June 17, 1972?
Sergeant LEEPER. Yes, sir. We were working that area.

Mr. DASH. NOW, Sergeant, is the dress that you are presently wearing at this committee hearing the type of dress that 5-Ot1 usually wear in your vocation?
Sergeant LEEPER. No, sir.

Mr. DASH. What is your usual dress?
Sergeant LEEPER. Well, we serve it from anything from old Army~shirts, golf jackets, golf hats, casual clothes. I had a pair, on the night in question, a pair of blue slacks on, a blue jacket with a university written across the front of it, and a golf cap.

Mr. DASH. And in the police automobile that you use, is this a marked automobile or unmarked?
Sergeant LEEPER. No, sir, it is unmarked.

Mr. DASH. Was that the kind of automobile that you served in on June 17, 1972?
Sergeant LEEPER. Yes, sir.

~~~ Sk. D.&SH. Thank you.
STow, can we first have chart 5. While they are getting the chart, Sergeant, can you tell us if there come a time sometime early in the morning of or of June 17 or late in the evening, whatever time it occurred of June 16, that you received a call to come to the vicinity of the Watergate complex in Washington, D.C.?
Sergeant LEEPER. Yes, sir.

Mr. DASH. What was the nature of that call?
Sergeant LEEPER. \NTell, the call came out about 0152 hours on the morning of the 17th, Saturday, and the call originally came out for any scout car, which would be a marked car vehicle in the Police Department and official in it to respond to the Watergate. 260Q Virginia Avenue, to assist a special officer, the official vehicle would be a sergeant, lieutenant, or a captain's cruiser. These would be official vehicles. No one answered that, and the dispatcher the police dispatcher came over the air and asked if there was any TAC unit in the area.

Senator BAKER. Any what?
Sergeant LEEPER. They refer to us as casual clothes tactical squads and they have other squads.

Senator BAILER. TAC twit.

Mr. DASH. Authority for tactical Emit.
Sergeant LEEPER. Tactical unit. Yes, sir, and at this time I was in cruiser 727, which is an unmarked police vehicle with Officer John Barrett and Officer Carl Shoffler.

Mr. DASH. Where were located when you received that call?
Sergeant DEEPER. We were in the area of about 1x an(1 :SOth. Washington, D.C.

Mr. DASH. How close was it to the Watergate complex?
Sergeant IJEEPERV Approximately a minute and a half, 2 minutes

Mr. DASH. If you can see the chart which is on the easel. anal if not, can Soil go to it, (lo you recognize the photograph that appears on the easel?)

Ser. eant LEEPER. dies! sir, it is of the Waterrate complex.

(81)
Senator BAKER. Just one second, just a second, I do not mean to unduly interrupt counsel, but just so I can keep the continuity in my mind, that man across the street was in the Holvard Johnson?

Sergeant LEEPER. That is correct.

Senator BAKER. He was out on the balcony. I did not see him, Senator. It was just called to my attention by Officer Shoffler.

Senator BAKER. But you knew he was watching you?

Sergeant LEEPER. Yes, sir.

Senator BAKER. How long did he watch?

Sergeant LEEPER. I do not know, sir. I did not even look over. I just

Senator BAKER. You had your guns out?

Sergeant LEEPER. I did not have my gun out but Officer Shoffler had his weapon out.

Senator BA\]CER. And you were on the floor of the DSTC, the Democratic National Committee?

Sergeant LEEPER. Yes, sir.

Senator BAKER. The balcony outside?

Sergeant LEEPER. Well, it is referred to as the terrace.

Senator BAKER. Who was that fellow?

Sergeant LEEPER. It was later found to be James Baldwin.

Senator BAKER. Do you know how long Baldwin watched?

Sergeant LEEPER. I think from the time we pulled up in front here, sir.

Sir. DASH. All right. Then, what did you do? Did you leave the terrace at that time?

Sergeant WEEPERS. Yes, sir, we responded back in the area of the hallway and we met up again with Officer Barrett down to this area, checking the offices that were Olsen as Eve came down the hallway, and we came into this room here through a glass door. Officer Barrett was the first man followed by myself and Officer Shoffler. Officer Barrett responded up to this area here and I started into this little secretarial cubicle here, Officer Shoffler was somewhere in this area and at this point I heard Officer Barrett yell: "Hold it, come out."

Sir. DASH. Where was that voice coming from?

Sergeant LEEPER. Officer Barrett?

Sir. DASH. S-es; s-where was that voice coming from?

Sergeant LEEPER. Right in this area here, Officer Barrett was right in this area. At this time I responded back colt of the cubicle into this cubicle, jumped up on the desk, grasping my weapon and when I looked over this glass partition there were five men standing in front of a desk with their hands either raised above their heads or at least holding lethal weapons, bale surgical gloves.

Sir. DASH. What, if anything, did you see them doing at the time that their hands were up ibell yoti ha\]l vour (>

Sergeant LEEPER. Some of the Gentlemen, sir, ha\]l tried to
remove the loves by using, you knows taking **one hallel anal** trying to throw it oHi With the other.

":Mr. DASH. Di(I)-OIIInOtiCe allv lsin(l of equipment or parnpllernalis in an(l arollll{l where VOU foull(l the men?

ServetlIIItl,EEPEIn \Yes, sir. One of the men ades, Nvas carrvint an a.-v.o l. ban an overllie(rllt bag, semilarae brown baffl with his coat
(iraped os-er it contained variouls **items, cameras**, bulbs, clamps for clampilla the cameras to ttle desk, walkie-tallsies. thinas of this sort.

AK. D.-SH. NOW, jllst goina (lown toxvar(l ttle ct rne.r tlle re from thtt room svhere you apprehenile(l the men, the corner toxvar(l the bottom rgt(l corner, go all the svay (loxn to the large office in the corner there.

Sergeant LEEPER. Right in lhere, sir.

Air DASH NO; the large offilce in the corner, ttle ver~~e(e(t,e, svhose office is that?

Sergeant LEEPER. That;S the office of the chairman at that time of the Democratic Party was I.a~~sTence F. O'Brien.

Slr. D-SH. An(l svas there entrance to that office from or necess to it from xwhere v Otl I oral tile met V OU apprehel(bletl?

Sergeant LEEPER. Yes, sir. As ~~~~ou can see bs the chart, sir, vou ha(l access to tttl offiice.

Slr. DASH. An(l next to that office, to the left, whose office svas that?

Sergeant LEEPER. That is the cleputy chairman, sir, Stanle~~~ L. Gra~~-. Air. DASH. A-OVXEI at that point, what di(l VOU JO\ NSt ttle men he apprehende(l at that point?

Serceante LEEPER. We ordered them out fron1 behind the (desk and lined thenl up along the svall, facina the wall, hancis on the wall, feet spre(a(l apart, an(l at that time I informee(l thelll --vho xve rvere, they were un(ler arrest for burglarv and a(lvise(l ttle ll of their rig)Its and at that tine, I directed Officer Barrett to beain a svstematic search of each man.

Nlr. DASH. Di(l\OU notice anx thinas unuslal about these men sven ~ ou arreste(l thenl, the xvav they svere elresse(l?  

Sergeant LEEPER. They xvere svell (lressetl, sir, in either suits, sport coats and ties.

Air. DASH. Now. clo von knoxv the nanles of those people, (liel they ai~~e their names at that tine to rou?

SergeflrltI,EEPER. Xt tttl time, no, sir.

Air. DASH. Did they give anv nantes to vou?

Sergeant LEEPER. Later, xvhen they were booked in the precinct, taken to hea(l(lquarters, 9301 L .Street, the~~~ gave vIS nanles w)lich later pror ecl to be false names, aliases.

Slr. D-SH. DICI{OU later fin(l Otlt xvho ttle) xvere?

Serceante LEEPER. Yes, sir

Air. DASH. COUI{i}OU name ttle persons WhO VOTl arrested in that location br the names that iater follIn(l Otl WHO they svere to be9

Serceante LEEPER. Frank ,Sttlrgis, Bernal{l L. Barker, Janles AlCord, Euaenio Alartinez, an(l I think it Ivas \Virgilio Gonzlles.

Senator F.Rix. Virgilio Gonzales?

SercealltLEEPR. I beliez e tllat is the SVa\- he prolowlclices his nt mes

Air. DASH. Di(t ROll accoll lpanv therll do~~z-n to the station hollse?
Sergeant EEPER. ~~~ is, sir, xve sent three oE them (IO\VII in a leatrol wago1l, one svas transported, I think Alr. SICorct, rvas trttnsportetl in 8:X scout an(l I trallspoltetl Atr. Barker in the ol(l clothes T'\vlnit, the uxl\llllall;ecl crtliser.

311. Dssl{. tt a lttter tinle (li.1 v ou conle ba( k alltl nlalve all~~searc h of alll roonl il ltle 00-ater;ate co;nr)lex?

aSergealtt EEPER. I c allle 1sac k to the \E'atel!<.lte ( onlplex bltl ttle searcHl xvas lnacle b} thC SIObilC Crille IJIIt. Tt the [inle ~~Ve eOtl{l

(83)
get in touch with them they handled all the searching of the rooms
and all the fingerprinting tmd processing.

Wlr. DASH. What rooms were searched?
Sergeant LEEPER. Well, the Mobile Crime did a search of the
whole complex—sixth floor complex. The conference room, all these
rooms alone here.

Mr. DASH. Were there any other rooms in the hotel or any other
place of the complex that was also searched?
Sergeant LEEPER. Yes, sir. We obtained search warrants at about
2::30 in the afternoon, that would be Saturday afternoon on June 17,
and went into rooms 214 and 314 of the Watergate Hotel.

Mr. DASH. What led you to get such search warrants?
Sergeant LEEPER. Well, we checked the guests, the register, to see
who was registered at the Watergate and I think they also checked
the Howard Johnsons across the street and some of the fictitious
names these gentlemen had used were on the register of the Watergate
Hotel.

Wlr. DASH. Could you say briefly what, if anything, was found in
the search of that hotel?

Sergeant LEEPER. More electrical equipment, more blue surgical
gloves, about $8,200 in $100 bills, all in sequence, all brand new $100
bills; some electronic equipment. I Guess that is it.

Wlr. DASH. Sergeant, could you shed any light—were you present
or do you have any knowledge of any check that was found on any
one of these defendants or notebooks that had the name, E. Howard
Hunt?
Sergeant LEEPER. I was on the search team that went into room 214
of the Watergate Hotel. It was myself and Detective Robert Ijennell
of our Department, Carl Shoffler, an agent from the Washington
field office of the FBI; and also one of the men from Mobile CAne,
Don Cherry, assisted us. At that time, it was called to my attention
that they did find a book with the name

Wlr. DASH. Found what, sir?

Sergeant LEEPER. A small notebook, as you described it, with the
names that you had brought OUt in it.

Air. DASH. The name E. Howard Hunt? Is that the named
Sergeant LEEPER. I believe it said, "E. Hunt, W.H.", on it, sir.

Air. DASH. Are you aware of a(n) check on the person of anV defendant
or anyone in the room any check that was signed by Air. Hunts

Sergeant LEEPER. No, sir, not to my knowledge

Air. DASH. Dial you .10 anything else that evening or that morning
or the following dav with rev(1 to the (lelemants?
Sergeant LEEPER. IVell, I was at the second district headquarters
when we began processing these men for court. I did not do actuall--
nv of the paperwork. Fire wele nsiste[1] by some detectives, and
Officer Barrett stayed on the scene out at the XVater(>nte. He, xvas
trivia to get in tovich With somebo(lv from the Democratic National
Committee and I later, Air. Stanley Cletaa came down. He was brought
to the Stilt[0] with Officer Barrett, at which time, he was shown the
fix-e (lelemants to see if they ha(l tllLV right to be in the build(tin--., be
in that area, the sixth door, at XV hicll tile he stated then Lid not.

Air. DASH. At the time of the arrest, Lid vou notice whether any
of those persons nppre(lle(l[1] were emplo(l- etc or ha(l an- relationship
with the Congditee for the Reselection of the President?
2.1 PAUL LEEPER TESTIMONY. MAY 17, 1973. 1 SSC
96. 105-08

Sergeant LEEPER. No, sir.

Mr. DASH. Did you learn at any time that any of them did?

Sergeant LEEPER. Well, after it hit the wire services and the press started Dickins, it did, yes, sir.

Mr. DASH. YOU learned it from the press?

Sergeant LEEPER. Yes, sir.

Mr. DASH. I have no further questions.

Did you find any money on any of the individuals that were apprehended?

Sergeant LEEPER. Yes, sir, we found quite a bit of money—well, not quite a bit. I would say about $3,600, all in $100 bills, all in the same sequence.

Mr. DASH. Was it $3,600?

Sergeant LEEPER. I could give you a close estimate, like—

Mr. DASH. Would you leave the chart now and go back to the table? Now, would you refer to your records and give us a more specific statement as to the amount of money you found on any of the individuals and also in the hotel room?

Sergeant LEEPER. Also, from the defendant, Edward Joseph Hamilton, which would be Frank Sturgis, was approximately $215 in bills. From the defendant Frank Carter, which would be Bernard Barker, was approximately $230 in bills, two of which were $100 bills, and also Sturgis, two of the $250 he had was in $100 bills.

From the defendant Jean Valdez was $814 in bills, seven of which were $100 bills.

Mr. DASH. Who is Valdez?

Sergeant LEEPER. That would be Martinez, Eugenio Martinez.

Mr. DASH. From Earl Godoy was $230 in bills, his real name would be Virgilio Gonzalez, was $230 in bills, two of which were $100 bills.

From Mr. McCord, using the alias of Edward Joseph Warren, no money was found on him.

Mr. DASH. Are you acquainted with how much money was found in the room, when the room was searched in the hotel, the apartment in Watergate?

Sergeant LEEPER. Yes, sir, there was $3,566.58. There were four packs of brand new $100 bills, eight in a pack, so it would be $3,200 in $100 bills, all in the same sequence.

Mr. DASH. Did you or someone make a record of the serial numbers of those bills?

Sergeant LEEPER. Yes, sir, the Mobile Crime, which was Don Cherry, was on the scene with us.

Air. DASH. Would you provide the committee with a list if we do not already have it of those numbers? It is not necessary to read them at this point in the record.

Sergeant LEEPER. Yes, sir.

[The list of serial numbers on $100 bills requested of the witness follows: ]
2.2 VERNON WALTERS MEMORANDUM, JULY 7, 1972, SSC
EXHIBIT NO. 143,
9 SSC 3853

MEMORANDUM FOR: The Acting Director
Federal Bureau of Investigation

SUBJECT:

Clinton Howard Stunt, Jr.

This memorandum is for your use in connection with our memorandum of 3 July on Subject in response to your request of 30 June 1972 for information as to any other aliases or documentation issued Subject by this Agency.

1. During July and August 1971, Subject was issued two sets of alias documentation in the names of George F. Leonard and Edward Joseph Warren. Details of these documents are available if desired, but no signature or biographical data are available. He was also provided certain other operational support items. We understand that these items were to be used in connection with attempts to ascertain the facts of cases of document leaks. These matters were not in any way connected to Agency operations but were supplied in response to a duly authorized extra-Agency request. This assistance was terminated in July 1971 when Subject’s requests escalated beyond appropriate limits. No further support was extended to Subject after August 1971.

3. This information is being provided in confidence and should not be disseminated outside your Bureau. Please refer any further correspondence on this matter to me.

since July,

Vernon A. Walters
Lieutenant General, USA
Acting Director

(86)
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

holding a Criminal Term

The United States of America

George Gordon Liddy, also known as: Gordon Liddy and
George F. Leonard
Everette Howard Hunt, Jr., also known as: Howard Hunt,

JAMES W. McCORD, JR.,
Edward L. Warren and Edward T
Flamilton

Edward J. Martin
Bernard L. Barker, also known as: Frank or Fran Carter
Eugenic R. Martinez, also known as: Gene or Jene Valdes
Frank A. Sturgis, also known as: Frank Angelo Fiorini, Edward J.
Hamilton, and Joseph DiAlfiero or D'Alberto
Virgilio R. Gonzalez, also known as: Raul or Raoul Godoy or Guboy

The Grand Jury charges:

FIRST COUNT:

Criminal No. 1

Violation: 18 U.S.C.
371, 2511
22 D.C. Code
1801 (b),
23 D.C. Code
543 (a)

(Conspiracy; Interception of Oral and Wire
Communica tions; Second Degree
Burglary; Unlawful
Devices)

responsible for conducting the affairs of the Democratic Party of the United States.

2. At all times material hereto the Democratic National
Committee had its offices and headquarters at 2600 Virginia
Avenue, N.IST., Washington, D.C.

3. At all times material hereto George Gordon Liddy,
also known as Gordon Liddy and George F. Leonard and hereinafter referred to is defendant Liddy, least
employed as counsel for the Finance Committee to Nominating the President located at

1701 Pennsylvania Avenue, N.I., W.Isllitghton, D.C.

S/F ICE,.., C O,

also known as: Edward J. Warren and
Possession Intercepting

1. At all times material hereto the Democratic National
Committee, an unincorporated association, was the organization
2. On or about May 5, 1972, and continuing through about May 28, 1972, Room 419 at the Howard Johnson's Motor Lodge, located at 2601 Virginia Avenue, N.W., Washington, D.C. was rented or leased by the defendant McCord in the name of McCord Associates.

3. On or about May 8, 1972, the defendant Liddy made a telephone call from the District of Columbia to the defendant Barker at Barker Associates, Inc.

4. On or about May 10, 1972, in Rockville, Maryland, the defendant McCord purchased a Receiving System for McCord Associates, Inc., for which he paid $3,500 in cash, a device capable of receiving intercepted wire and oral communications.

5. On or about May 17, 1972, the defendant Barker made two telephone calls from Barker Associates, Inc. to the defendant Liddy at the Finance Committee to Re-Elect the President and two calls to the defendant Hunt within the District of Columbia.

6. On or about May 19, 1972, the defendant Hunt made one telephone call from the District of Columbia to the defendant Barker at Barker Associates, Inc. and one telephone call from the District of Columbia to the defendant Barker at his residence.

7. On or about May 22, 1972, the defendant Barker using the alias of Fran Carter, the defendant Martinez using the alias of G. Valdes, the defendant Sturgis using the alias of Joseph DiAlberti, and the defendant Gonzalez using the alias of Raul Goboy, traveled from Miami, Florida, to Washington, D.C.

8. On May 24, 1972, the defendant Liddy using the aliases of George F. Leonard, the defendant Hunt using the alias of Edward F. Warren, the defendant Barker using the
—6— alias of I Frank Carter, the defendant Martinez
-- using the a alias of Gene Valdes, the defendant Sturgis -- using the alias Joseph
D'Alberti, and the defendant Gonzalez -- using the alias Raul Godoy, registered at the
Watergate Hotel at 2650 Virginia Avenue, N.W., Washington, D.C.

9. On or about May 96>1972?, within the District of Columbia, the
defendants Liddy, Hunt and McCord met.

10. On or about May 27, 1972, within the District of Columbia, the
defendants Liddy, Hunt, and McCord inspected, surveyed, and reconnoitered the
headquarters of Senator George McGovern at 410 First Street, S.E.

11. On or about May 29, 1972, and continuing through June 17, 1972,
Room 723 at the Howard Johnson's Motor Lodge, located at 2601 Virginia
Avenue, N.W. Washington, D.C. was rented and leased by the defendant McCord in the
name of McCord Associates.

12. On or about June 5, 1972, the defendant Hunt made a telephone call from
within the District of Columbia to the defendant Barker at Barker Associates, Inc.

13. On or about June 11-15, 1972, within the District of Columbia, the
defendants Liddy, Hunt and McCord met and the defendant Liddy gave the defendant
McCord about $1,600 in cash.

14. On or about June 12, 1972, in Miami, Florida, the defendants Martinez and
Sturgis purchased surgical gloves.

15. On or about June 13, 1972, and June 15, 1972, in Miami, Florida, the
defendant Martinez purchased film and other photographic equipment
BELOW ARE THE RESULTS OF THE EXAMINATIONS CONDUCTED BY THE IDENTIFICATION SECTION.

The below listed property recovered on Search Warrant by Detective Robert Denell, CID in room #214 of the Watergate Hotel on 6-17-72 and turned over to Technician Larry Muncy of the Mobile Crime Laboratory 6-20-72 at 0815 hrs.

#167

#168

#169

{ J

| #170

#171

\$1 Bo$ 
...X1 
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\| A

\ a 'v; ' -a 
#172

\ --to #173 ....

\, .4s 
\% +
I x #174 
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\ Fly 'a #17
One black with white metal trim "Samsonite" attache case.

(The attache case contained the following:)

One brown and yellow metal "bates" list finder, model K, with "P C Donnie Martinez, Co B. 2nd Tank Battalion, Force Troops, Camp Lejeune, North Carolina, 28542" written inside the top of the finder. (This item is known as a pop-up telephone directory.)

One "1972 Realty Bluebook" with torn out page from desk calendar in same. Calendar page dated Monday, August 23rd and Tuesday August 24th, 1971. On the August 23rd side is written: "2514 N.W. 122 St."

One green with yellow lettering "Expanded Payment Table for Monthly Mortgage Loans" with business card of "E. Rolando Martinez" attached to inside front cover.

A black vinyl address book with "L6M Mortgage Co., 6500 W.4th Ave Suite 6, Hialeah, Florida, 822-7520" imprinted on same. In the "Q" section of she book is a diagram of what appears to be a hotel lobby.

Black leather business card holder containing business cards of "a. Rolando Martinez" and other subjects.

U.S. Airmail Postage stamp holder with six 11 cent Airmail stamps & six 2 cent stamps in same.

A envelope from "Real Estate Dire..ories" addressed to: "Judd Realty of Miami", containing real estate listings of the Miami area that are for sale.

Envelope containing legal seperat-ion papers of Eugenio Rolando Martinez and Jean Marie Moleski DeGregorio Martinez. "Case 729254- J.W.Kehoe" (papers had not been signed but was to appear before Judge J.W. Kehoe of Dade County, Fla., June 27, 1972)
TO:

2. COMPLAINTS: 9:51 AM:
Democratic National Committee

4. OFFENSE

ROPE LITA. I PDICE DF- ^ E
WASHINGTON, D. C. it

Page 24  SUPPLEMENTARY EVIDENCE REPORT

a. DATE OF THIS REPORT
6/20/72
3. LOCATION OF OFFENSE

Burglary II 6/17/72 | 12830 316-832

BELOW ARE THE RESULTS OF THE EXAMINATIONS CONDUCTED BY THE IDENTIFICATION SECTION
FROM THE TOP DRAPER OF DRESSER AT LEFT OF DOOR FROM ROOM 214

#262 A check in / Carter, IN and signed by Frank Carter.

#263

#264

receipt for the Watergate Hotel for room 214 in name of F. 6/16, OUT 6/19, Firm Ameritas, 955 SW First, Miami, Fla.

A check in receipt for the Watergate Hotel for room 214 in name on J. valdezX IN 6/16, OUT 6/19, Firm Ameritas, 955 Sir First, Miami, Fla. and signed.

A black or dark blue small book with "Addresses Telephones" in yellow lettering on front and on the first page "Bernard L. Barker, 5229 BAN 4th Street, Miami, Fla. 33126,- Office Barker Associated Inc. 2301 NW 7 St., Suites F-G. Miami, Fla. 33125", book contains various names, addresses and telephone numbers.

IH

\#265 A torn out piece of white lined paper headed "Addresses" with name 0 % x "Carole Frohman, 865-0255".

|\#266 A black plastic folder containing (7) seven business cards in name of ! ~ Bernard L. Barker, G.R.I, Realtor.

|\~2 2 A business card from E. Rolando Martinez, Associate of Barker Associates Gil Inc., Realtors.

\#268 WA Sears Easy Payment Account Card 845 42313 76571 5 in name of Mr. Bernard L. Barker, 5229 NW 4th St., Miami, Fla. 33126.

1 \#269, A social security card #213-07-0844 in name of Bernard Leon Barker

j >!#270 A-Florida Operators License f1B62609217097709A in the name of Bernard ~~~. 81 "Leop Barker

-|\#271 >AwSears Credit Card #45 91613 78290 4 in name of Mr. Bernard L. Barker.
An American Express Credit Card, number 047 252 328 1 800 AX in the name of Bernard L. Barker, Barker Associates Inc.

A standard Chevron National Travel Credit Card, number 110 319 250 4 in the name of Bernard L. Barker.

A Texaco Travel Credit Card, #19 414 3802 8 in the name of B L Barker.

A Shell Credit Card, number 984 135 004 in name of B L Barker.

Signature of Rtw—Fe—inS Ollicial S~~tu of Totechnol AsaiSnarJ

(93)
<table>
<thead>
<tr>
<th>Date of Offense</th>
<th>Location of Offense</th>
<th>Date of Offense</th>
<th>UCS No.</th>
<th>C.C.R. No.</th>
</tr>
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<tbody>
<tr>
<td>6/17/72</td>
<td>Watergate/2600 Va. Ave.</td>
<td>6/17/72</td>
<td>12830</td>
<td></td>
</tr>
</tbody>
</table>

Burglary II

Below are the results of the examinations conducted by the Identification Section:


2. An Avis Map of Washington, DC and vicinity.

FROM THE TOP OF THE DRESSER, ROOM 214

A Hertz Map of Baltimore, Washington and surrounding area.

FROM THE TOP OF THE COFFEE TABLE, ROOM 214

A piece of yellow lined paper with "Carlo Neil-front Office Manager, 338-3914-called 6/17/72-received last 6 month-unk-R".
assist him in his inquiry. I asked Mr. Dean if he would be reporting directly to the President or through Mr. Haldeman or Mr. Ehrlichman. He informed me that he would be reporting directly to the President.

At this meeting with Mr. Dean there was no discussion of whom we were going to interview or where our leads might take the investigation. We did discuss the scheduling of White House interviews through Mr. Dean and his sitting in on the interviews as counsel to the President.

On Thursday, June 29, 1972, after being briefed by Mr. Charles W. Bates, Assistant Director, General Investigative Divisions regarding the latest developments in the Watergate Case and undoubtedly as a result of information developed at that briefing I telephoned Director Helms of the CIA. I told him of our thinking that we may be poking into a CIA operation and asked if he could confirm or deny this. He said he had been meeting on this every day with his men, that they knew the people, that they could not figure it out but that there was no CIA involvement.

I met again with Mr. Dean at 6:30 p.m. the same day to again discuss the scheduling of interviews of White House staff personnel and to arrange the scheduling of these interviews directly through the Washington field office rather than through FBI headquarters. At this meeting I also discussed with him our very early theories of the case; namely, that the episode was either a CIA covert operation of some sort simply because some of the people involved had been CIA people in the past, or a CIA money chain, or a political money chain, or a pure political operation, or a Cuban right wing operation, or a combination of any of these. I also told Mr. Dean that we were not zeroing in on any one theory at this time, or excluding any, but that we just could not see any clear reason for this burglary and attempted intercept of communications operation.

I believe that it was at this meeting on June 22 that I told him of our discovery of a bank account in the name of Bernard Barker who was arrested in the Watergate burglary and the fact that a $25,000 check associated with Mr. Kenneth Dahlberg and four checks drawn on a Mexican bank payable to Manuel Ogarrio, in the total amount of $89,000, were deposited in the Barker account. I do not have a clear memory of telling him about my telephone call earlier in the day to Director Helms regarding the question of CIA involvement. It is likely that I would have discussed the Helms call with him in connection with our discussion of the theories of the case, since Mr. Helms had informed me that there was no CIA involvement.

On Friday, June 23, 1972, Mr. Bates met with me again to brief me on recent developments. I telephoned Mr. Dean following my meeting with Mr. Bates. I am quite certain that this call again involved the Barker bank account and the Ogarrio and Dahlberg checks. Either in this call or in the meeting of the preceding evening Mr. Dean first raised with me the idea that if we persisted in our efforts to investigate this Mexican money chain we could uncover or become involved in CIA operations I remember telling Mr. Dean in one of these early telephone calls or meetings that the FBI was going to pursue all leads aggressively unless we were told by the CIA that there was a CIA interest or involvement in this case.
I believe that it was on June 21 that I first met with Grav in his office in the late morning regarding the FT31 investigation. That meeting, he told me he fully realized the sensitivity of the investigation and that he had placed his most trusted senior people in charge of the investigation. I told Grav that I had been asked to be kept informed about the investigation. Sir. Grav told me that he had been visiting a number of rural offices and would be doing so in the future. Thus, if I needed any information I should call Mr. Stark Felt in his absence. I might note at this point that indeed Grav was frequently absent from the city during the course of the investigation and this irritated Ehrlichman greatly when he asked me to get information from Grad and Grav was out of the city on several occasions, in fact, Ehrlichman instructed me to tell Grav to return to the city and mind the store. I passed this message to Grav, but I cannot recall what prompted Ehrlichman to have me do so at this time.

During my meeting with Gray on June 21 he also told me a man by the name of Mr. Bates was heading the investigation. I do not know Mr. Bates, and when I reported this back to Ehrlichman and he asked me who Bates was, I told him I did not know Bates. I can recall on several occasions Ehrlichman asking me if I thought that Gray lines what he was doing and if he had the investigation under control. I responded that he seemed to be relying on men in whom he had full trust.

To the best of my recollection, it was during this June 21 meeting with Gray that he informed me that the FBI had uncovered a number of major banking transactions that had transpired in the account of one of the arrested Cubans—Mr. Earlier. He informed me that they had traced a $90,000 check to a Mr. Kenneth Dahlberg and four checks totaling $71,000 to a bank in Mexico City.

I do not recall whether I first learned about the Dahlberg check from Mr. Gray or whether I learned about it in a meeting in Atitchell's office by reason of the fact that the FBI was trying to contact Mr. Dahlberg about the matter and Dahlberg had called Mr. Stans. At any rate the fact that the FBI was investigating these matters was of utmost concern to Mr. Stans when he learned of it. Mr. Stans was concerned about the Dahlberg check. The FBI informed me that it was in fact a contribution from Mr. Dwayne Andrews whom I did not know, but I was told that was a loan or personal favor to Mr. Stans' son. Neither Stans nor Withell wanted Mr. Andrews to be embarrassed by disclosure of the contribution. Title concern about the checks money was made a little less clear to me. I was told it was a contribution from a group of Texans who had used an intermediary in Mexico to make the contribution. Although I had not been told, I assumed at that time that they were concerned about the checks money being revealed in a way that would be embarrassing to their customers. I was also required to have any idea how the checks were to be cashed and Mr. Stans reported that he had Riven the checks to T. Slavas and Mr. Stans to cash them. Mr. Stans said he had no idea how the checks were to be cashed and he surmised that he had obviously used a check cashing service.

Mr. Stans also told me that he had checked with KR10an to find out how his money had ended up (i.e.) ill Mr. Riven the checks to T. Slavas and Mr. Stans to cash them. He said he had no idea how his money had ended up and Mr. Stans reported that he had Riven the checks to T. Slavas and Mr. Stans to cash them. He said he had no idea how his money had ended up.
told—and I do not recall specifically who told me this—that this money had absolutely nothing to do with the Watergate; it was unrelated and it was merely a coincidence of fact that Liddy had use{I Barker to cash the checks and Liddy had returned the monev to Sloan. I was told that the investigation of this matter which appeared to be connected with Watergate but wasn’t, was unfounded and would merely result in an unnecessary embarrassment to the contributors. Xccordinalv Mitchell and Stans both asked me to see if there svas anything the White House could do to prevent this unnecessary embarrassment. I, in turn related these facts to both Haldeman and Ehrlichman. On June 24, at the request of Ehrlichman and Haldeman I event to see 3Ir. Gray at this office in the early evening to discuss the Dahlberg and Mexican checks and determine ho v the FBI vvas proceeding with these matters. A1r. Gray told me that they were pursuing it by seeking to interview the persons lvho had drawn the checks.

It was dunng my meeting with ASr. Gray on June 22 that we also taked about his theories of the case as it was beginning to unfold. I remember avell that he drew a diagram for me showing his theories. It that time Mr. Gras had the following theories: It seas a setup job by a double agent; it avas a CIA operation because of the number of former CLX people involved; or it nvas someone in the reelection committee who was responsible. Gray also had some other theories which he diseossed, but I do not recall them now, but I do remember that those I have mentioned vere his primary theories.

Before the meeting ended, I recall that Gray and I again had a brief discussion of the problems of an investigation in the White House. Gray expressed his awareness of the Potential problems of sneh an investigation and also told me that if I needed any information I should call either Stark Felt or himself. Gray a] o informed me that he was going to meet with the CI t to discuss their possible inz-olvement and he would let me kno v the outcome of that meeting.

On June 23 I reported m,v conversation with (bras of the preceding evening to Ehrlichman and Halcream. We discussed the Dahlberg and the Mexican checks and the fact that the FBI was looking for answers regarding these checks. I had the impression that either Ehrlichman or Haldeman might have had a conversation lvith someone else about this matter but this was mere speculation on my pal at that time.

Within the first days of my ins-ok-ement in the col-erup a pattern had developed where I Novas carrvine messages from Mitchell Stans, and Atardian to Ehrlichman and Haldeman—and viee veLEa—about hoxv each quarter xvas handling the covertlp and relevant information as to what svas occurring I ivas also reporting to them all the information I avas receiving about the ease from the Justice Department and the FBI. I checked with Haldeman and Ehrlichman before I dial anvtllint . One of the few sets of early documents evidencing this m-orldsint, relationship with Elaldemall and Ehrlichman relates to responding to Larry O Brien’s letter of June :>4 to the President re(luestin-- the anointment of a special lroseclltor. I have submitted these doetlinents to the committee

[The documents refelle[l to were marked exhibit No. :3W1W.*]
Mr. SLOAN. I know Texas, but whether it was just restricted to Texas, I am not sure.

Senator ERVIN. YOU do not know from your Olson knowledge, of course, whether they came from fund raising or whether they came from correspondence?

Mr. SLOAN. AS I recall, all the checks were individual checks The cash funds—I might explain. There was a listing in the briefcase, the total amount which equaled the total amount in the briefcase. Individual names were associated with each of those items.

Senator ERVIN. there any checks brought at that time in addition to these four Mexican checks?

Mr. SLOAN. Oh, Yes.

Senator ERVIN. I thought that the rest was in cash. Was I mistaken in that?

Mr. SLOAN. Yes, sir. I think a large proportion of it was in personal checks from contributors.

Senator ERVIN. I would like to hand you a check that purports to be drawn on the First Bank and Trust Co. of Boca Raton, a cashier’s check, to the order of Kenneth H. Dahlberg.* I hand that to you and ask if you can identify that?

Mr. SLOAN. Yes, sir; that appears to be accurate.

Senator ERVIN. When did that check reach the office of the Committee To Re-Elect the President?

Mr. SLOAN. I did not know when Secretary Stans received it. I believe he turned it over to me sometime in the week following April 5.

Senator Ervin. This check was not dated, this cashier’s check was not dated until April 10, 1972, 3 days after the new law went into effect.

Mr. SLOAN. Secretary Stans, in giving that check to me, told me it represented pre-April 7 funds.

Senator ERVIN. The committee proceeded upon the advice of Mr. Liddy to the effect that if somebody promised them money before April 7, or they had agreed to make a disbursement before April 7, that that did not have to be reported—is that so?

Mr. SLOAN. I believe that is correct, Senator.

Senator ERVIN. Atow, what happened to these four Mexican checks?

Mr. SLOAN. Senator, excuse me. In response to that other question, presumably, Mr. Liddy gave his advice to Secretary Stans. He did not specifically give that advice to me. It was represented that way to me by Secretary Stans

Senator ERVIN. In other words, [r. Stans told you that W1r. Dahlberg’s check had been received somewhere under some circumstances by somebody before April 7, and, therefore, even though it had not reached the committee or and person authorized to receive funds on behalf of the committee, that it was received before April 7? Mr. SLOAN. IVr understanding was that Mr. Kenneth Dahlberg who was an authorized representative of the committee, had received it from Afr. Davae–ne Andreas. As to the exact circumstance of that arrangement, I do not know

Senator ERVIN. Were not the four Mexican checks and the Dahlberg check deposited in a bank in Miami, Fla.?
That is what I understood happened to them, Senator. It was certainly not under my instructions.

Senator ERVIN. Can you explain to the committee why the checks were transmitted from Washington to Miami and deposited in a bank in Miami to the credit of Bernard L. Barker?

Mr. SLOAN. I have no idea, Senator.

Senator ERVIN. Would you not infer from those circumstances that somebody that had something to do with the checks did not want anybody to know about receiving the checks and wanted to hide them?

Mr. SLOAN. Senator, my understanding when I received them was a judgment had been made that they were pre-April 7 contributions and, therefore, were not required to be reported. I did turn them over to Mr. Liddy to have them converted to cash. He handled them from there. Why he gave them to Mr. Barker, I have no idea.

Senator ERVIN. Well, even though they did not have to be reported, can you inform us why, instead of being put in the safe in the committee office, why they were sent down to Florida?

Mr. SLOAN. I do not know why they went to Florida, Senator. The reason for the conversion of those checks to cash was to attempt to comply with the spirit of the old law of distributing an individual's contribution in $3,000 increments among pre-April 7 committees. But as those bank accounts had been closed out, the only way to do this was by converting it to cash and counting that cash as a transfer as cash on hand in the Media Committee To Re-Elect the President. It was reported in that figure.

Senator ERRING. I am a little mystified. How could it comply with the old law with reference to the receipt of $3,000 or less in cash by having $114,000 deposited in the bank account of Bernard L. Barker in Miami, Fla.?

Mr. SLOAN. Senator, I do not know any circumstances surrounding the deposit of the checks in Mr. Barker's account. That was not my intent in turning those checks over to Mr. Liddy.

Senator ERVIN. Who instructed you to turn them over to Mr. Liddy?

Mr. SLOAN. I believe I took them to Mr. Liddy in response to the conversation of Secretary Stans. He asked me, do we have any problem in handling these? I told him I did not know; I would check with counsel. His recommended way of handling this was a diversion to cash. He offered at that time to handle that transaction for me. It took him until mid-May to return those funds to me in cash form, minus roughly $2,600 expenditure.

Senator ERVIN. I hate to make comparisons, but I would have to say on that, Mr. Liddy in one respect was like the Lord, he moves in mysterious ways his wonders to perform. [Laughter.]

Nor, as a matter of fact, do you not know that some of the funds that were drawn out, that represented proceeds of these checks which were drawn out of the Miami bank on Stir. Barker, were found in the possession of some of the people who were caught in the burglary at the Watergate?

Mr. SLOAN. I have since learned that; yes, sir.

Senator ERVIN. How long was it after the break-in before you learned that?

Mr. SLOAN. I believe not that specific reference, but the fact that these men had been found with $100 bills in their possession came out
3. At approximately 8:00 a.m. on the morning of the arrests, Henry Petersen, the Assistant Attorney General in charge of the Criminal Division of the Justice Department, telephoned Attorney General Richard Kleindienst at home to tell him of the arrests at the DNC headquarters.

................................. Page 3.1 Henry Petersen testimony, 9 SSC 3611-12....102

3.2 Richard Kleindienst testimony, 9 SSC 356G...... 104
Sen. ERVINE. The committee will come to order.

Counsel will call the first witness.

Mr. DASH. Assistant Attorney General, I would like to call the first witness.

Senator ERVINE. Will you stand up, Assistant Attorney General.

Mr. DASH. Assistant Attorney General, do you swear that the evidence you shall give to the Senate Select Committee on Presidential Campaign Activities shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PETERSEN. I do.

Senator ERVINE. You might state your name and occupation and residence for the record.

TESTIMONY OF HENRY E. PETERSEN, ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, U.S. DEPARTMENT OF JUSTICE

Mr. PETERSEN. My name is Henry E. Petersen. I am Assistant Attorney General in the Criminal Division, U.S. Department of Justice. I reside at 916 Daleview Place, Silver Spring, Md.

Senator ERVINE. Counsel will interrogate the witness.

Mr. DASH. Mr. Petersen, how long have you been Assistant Attorney General in charge of the Criminal Division, Chief of the Criminal Division?

Mr. PETERSEN. Approximately 19 years.

Mr. DASH. Prior to that appointment, Mr. Petersen, what position did you hold in the Department of Justice?

Mr. PETERSEN. Immediately prior to that I was Deputy Assistant Attorney General for the period October 1971 to January 1972. Prior to that I was Deputy Assistant Attorney General in the Criminal Division.

Mr. DASH. When did you first join the Department of Justice, Criminal Division?

Mr. PETERSEN. I first joined the Department of Justice in 1941. I joined the Criminal Division in, I think it was 1941.

Mr. DASH. How and when did you first learn of the break-in of the Democratic National Committee headquarters at the Watergate?

Mr. PETERSEN. Approximately 8:00 o'clock in the morning while I was at the breakfast table. I received a call from the U.S. Attorney in the District of Columbia who advised me that five people whose identities were not certain were arrested at Democratic National Committee headquarters and that time. I immediately advised the Attorney General at his home.

Mr. DASH. Did you follow that call up on that call?

Mr. PETERSEN. At that point I called the Attorney General at his home and told him about it, primarily because I did not know what the security arrangements were at the Republican National Committee headquarters. To Re-Elect the President, whatever political office they had, and

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if indeed persons had intentions of trying to demolish the Democratic headquarters I think the same might be in of little, for the Republican headquarters and I thought he ought to be forewarned.

Mr. DASH. Well, how soon did an investigation under the sponsorship of the Department of Justice begin in this case?

Mr. PETERSEN. Investigation was underway at that time, Mr. Titus' staff had already been alerted and he had assistants working on the matter at that point with the Metropolitan Police Department and the FBI who were just coming into it.

Mr. DASH. Now, what role as Chief of the Criminal Division did you play with regard to the U.S. Attorney's Office investigation?

Mr. PETERSEN. A general supervisory role, Mr. Dash. One of the early questions I had to decide was the degree of supervision that should be involved and since we knew at the close of Saturday, June 18, that what we had thought to be explosive devices were electronic listening devices, and that an individual named E. Howard Hunt was possibly implicated as a result of the fact that some of his cheeks or some information relating to him had been found at the scene, that there were immense political repercussions possible. And I decided at a very early stage that that investigation ought to be as isolated from the political element as it could possibly be. And I suggested that Mr. Titus appoint as principal assistant, Earl Silbert, to conduct the investigation in his office and report to Mr. Titus and to me on a daily basis, oral reports on a daily basis.

Mr. DASH. What was your relationship with the Federal Bureau of Investigation during the investigation? Did you get any kind of reporting from the FBI?

Mr. PETERSEN. Well, the FBI, of course, reported—their reports to the prosecutors Mr. Silbert and company, were more immediate than their reports to me. Their reports to me had to wait the normal process of bureaucratic the preparation of the reports and the submission through normal channels, whereas the prosecutor on the scene was vetting the witness statements almost immediately but the reports here coming over to me rather slowly at first, very slowly. As a matter of fact, when the publicity developed, with the coopelation of Inspector Pialdavin I did not have statements in my office. I had to call the Bureau and ask them to send it over. They sent a whole package of reports at that time.

Mr. DASH. Was this slow reporting to you or did the prosecutors, the U.S. Attorney's Office, have that report?

Sir. PETERSEN. Shell, they had the 30a, yes. It was just.

Mr. DASH. Mr. Ernst hoav it came up to ~ office as Chief of the Criminal Division.

Mr. PETERSEN. That is correct. I was hearing about it from Tr. Silbert.

31X. T)sSTw. Noxy shortly aften the hreak-in. do Vooid recall receivin r a telephone cail from Btr. Itleindienst echo ons at the Burning Tree Country Club?

Fir. PE1F.RSEN-. 311. Tuleindienst and I commodoated three times on Satirrelavl Tmlle 11>. The first call I placed apponsimatively at c. o'clock in the niornin r. Tlle second call I lvas about to place when—indeed, if I had not heal cl his testimony or had discussed it with him. I lvoilld have said I placed the second call Inlt he tells me he did. but in anx
TESTIMONY OF RICHARD G. KEINDIENST, FORMER ATTORNEY GENERAL

Mr. ILEINDIENST. Mr. Chairman, my name is Richard G. Ileindienst. My address is 8464 Portland Place, McLean, Ma.

I do not have a prepared statement. Mr. Chairman, I am here voluntarily to provide to you, the members of the committee, and the counsel, whatever information that I have which you deem to be relevant to your investigation.

Mr. DASH. Mr. Chairman, Mr. David Dorsen, assistant chief counsel, will open the questions.

Mr. DORSEN. Mr. Kleindienst, am I correct that you are presently engaged in the private practice of law?

Mr. KEINDIENST. Yes, sir. After I left the Department of Justice I opened up an office in Washington, D.C., and I am a private practitioner by myself.

Mr. DORSEN. And you resigned as Attorney General as of April 30, 1973?

Mr. KEINDIENST. I believe that it was April 30; yes, sir. Effective upon the qualification and appointment of my successor.

Mr. DORSEN. Could you please summarize for us briefly your background, especially with respect to your positions with the U.S. Government?

Mr. ILEINDIENST. I have only had two positions with the U.S. Government. That was the position of Deputy Attorney General of the United States, a position that I believe that I was—commenced around February 1969, and the other position that I have had with the U.S. Government is the Attorney General of the United States, a position that I commenced on or about June 8, 1972.

Mr. DORSEN. When for the first time did you learn that there was electronic surveillance of the Democratic National Committee headquarters at the Watergate?

Mr. ILEINDIENST. I learned it for the first time after June 17 when the individuals who were at the headquarters were arrested. I don't know whether I learned of the electronic surveillance on Saturday, June 17, or sometime in the early part of the next week.

Mr. DORSEN. But on June 17 you were notified of the fact that there had been a break-ins.

Mr. KLEINDIENST. At approximately 8 o'clock in the morning as Assistant Attorney General Henry Petersen of the Criminal Division of the Department of Justice called me at my home and indicated to me that there had been a break-in at the Democratic national headquarters at the Watergate Hotel. All the information that he had at that time was that there was a break-in and I believe he said to me it looks like it might have been a bombing case.

The next knowledge of any kind that I had with respect to it came, oh, approximately 31/2 hours after that when I met with Atty. Gordon Liddy and 3 Mr. Powell Moore in a section of lockers at the Burnin Tree Club in McLean, Va.

Mr. DORSEN. How did that come about, Mr. Ileindienst?

Mr. ILEINDIENST. The reason I was at the Burning Tree Club, they had their nillitlai tmllleb-tmllleb golf tournament in August I was a participant. I think I was scheduled to tee off for the Saturday round.

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4. On the morning of June 17, 1972 Gordon Liddy telephoned Jeb Magruder, Chief of Staff to John Mitchell at CRP, at the Beverly Hills Hotel in California. Magruder returned Liddy's call from a pay phone. Liddy advised Magruder of the arrests at the DNC headquarters. Shortly thereafter, Magruder met with John Mitchell, the Campaign Director of CRP, and Fred LaRue, Mitchell's Special Assistant at CRP, at the hotel. There was discussion regarding somebody's contacting Attorney General Richard Kleindienst concerning the arrests at the DNC headquarters. Later that day, Liddy and Powell Moore, an official at CRP, met with Attorney General Kleindienst at the Burning Tree Club near Washington, D. C. Liddy told Kleindienst that Mitchell had asked him to give Kleindienst a report on the break-in at the DNC headquarters and that some of the persons arrested might be employed by either the White House or CRP. Kleindienst called Henry Petersen and instructed him not to give special treatment to those arrested at the Watergate. Kleindienst told Liddy to leave the premises.

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4.1 Jeb Magruder testimony, 2 SSC 798............106

4.2 Fred LaRue testimony, 6 SSC 2284-85........107

4.3 Fred LaRue testimony, 6 SSC 2330............109

4.4 Richard Kleindienst testimony, 9 SSC 3560-62 110
4.5  John Mitchell testimony, 4 SSC 1662........113

4.6  Robert Mardian testimony, 6 SSC 2352-53 ....114

(IQB)
as I recall I only had one copy of these documents. As I recall, he did come over and look over the documents and indicate to me the lack of substance to the documents.

Mr. DASH. Now, in fact, Atty. Magruder, 3Ir. Liddy, 3Ir. Hunt, and othels did go into another break-in of the Democratic National Committee headquarters in the early morning hours of June 17, 1972. Where were you when this occurred?

Mr. MAGRUDER. I was in Los Angeles, Calif.

Mr. DASH. Were you aware that this break-in was to take place?

Mr. MAGRUDER. With whom were you in California?

Mr. DASH. 3Ir. GR-ER. I was with fir. Mitchell, Mr. LaRue, Atr. Porter, Atr. Atardian; and Eve had a number of political activities in California that weekend.

>Atty. DASH. A5That took place in Los Angeles when you first learned about the break-in?

Vr. WIAGR-ER. Well, I was at breakfast at the Beverly Hills Hotel. There were a number of us, probably 8 or go o- ... us at breakfast; I received a call from Mr. Liddy and he indicated to me I should fil to a secure phone, and I indicated to him there was no way I can get to a secure phone at this time. He indicated there had been a problem the night before. I said well, what kind of a problem 01' something of that type, and he indicated that our security chief had been arrested at the Watergate, and I said you mean Mr. McCord, and he said yes. I think I blanched to say the least, and said, I M7ill call J-OU back immediately on a pay phone to get more detail," and I did that. I Event to a pay phone and called him back, and he gave me more detail which Ivas simply that the five people were apprehended at the Watergate, and that Mr. McCord was among the five.

Mr. DASEI. Now, did J OR report. that bachi to anybody ?

Mr. MAGRUDER. Yes, I fil St talked with Mr. LaRue and indicated the problem, and Mr. LaRue then talked to Mr. Mitchell, and then Aljr. Mitchell and 3Ir. LaRue and I discussed it attain together. AsTe lone v that Mr. Marjian who novas thele vas a closer friend of 3Ir. Liddv's than ant of us, and Atf. Mitchell asked Mr. Marjian to call Ak. Liddy) and ask him to see the Attorney General the current Attorney General. Mr. If leindienst, and see if thvel was any possibility that Mr. McCord could be released from jail.

Mr. D. will. Do you know what happened as a lestllt of that call ?

Mr. McCord vas not released ?

Mr. DASH. Do you call Nil. Reisell or 3Ir. Odle from California'?

Mr. MAGRUDER. Yes.' We had a number of conversations that day. We xvere trying to come up with a statement that Mr. Mitchell COUHl make if lle was asked in a press conference, and later release that statement. I discussed with Atir. Iveisner the lle(=cl to talk certain files from my office, bare revere cancelllecl about the lle(=cl, in front our OWE standpoint because of Mr. ArtCCold= Fire could not utilize-stall'd walv

WIG . WicCord was ins opted in the situation and Eve thought that mavle-
Mr. LARUE. Yes, sir, I raised the question and speculated with Mr. Magruder on several occasions as to how this came about.

Mr. DASH. Well, then, is it not true that you did not talk to him until March or April but that you discussed this actually during the months of June, July, or August 1972?

Mr. LARUE. After the break-in, yes, sir.

Mr. DASH. And what did Mr. Magruder say to you when you discussed this with him about his role in his participation in the break-in?

Mr. LARUE. Mr. Magruder's conversations with me were reëncted in his testimony here. He told me virtually—told me the same thing that he testified to before this committee as to his role in the break-in.

Mr. DASH. In other words, he made a complete confession to you?

Mr. LARUE. Yes, sir.

Mr. DASH. Do you know when was the first time he did that? Approximately? I do not want to push you to a date.

Mr. LARUE. I have no specific recollection of dates, Mr. Dash, but I would say in the period of a week or 10 days after the break-in.

Mr. DASH. And did Mr. Magruder tell you about a phone call that he received from Mr. Colson concerning the so-called Liddy plan?

Mr. LARUE. Yes, sir.

Mr. DASH. Could you tell us what he told you about that phone call?

Mr. LARUE. As I recall, Mr. Dash, this conversation occurred as a result of speculation that Magruder and I were having on who may be involved or who may have had knowledge of the Watergate break-in. He told me he had a call from Mr. Colson, sometime in March or April, in which Mr. Colson had asked Mr. Magruder why they could not get an approval on the Liddy budget.

Mr. DASH. Did he tell you then or remind you that he understood that you were present at his side, in the room, when he received the phone call from Mr. Colson?

Mr. LARUE. I do not recall any such discussion, no, sir.

Mr. DASH. You know of his testimony before this committee, in which he has testified that you were in the room?

Mr. LARUE. Yes, sir, I am aware of that. Why recollection is as I have just stated.

Mr. DASH. And, could you tell us what he told you about that phone call?

Mr. LARUE. You know of his testimony before the committee, in which he has testified that you were in the room?

Mr. DASH. As I recall, Mr. Dash, we were having breakfast on—Saturday morning—I less that was the case. Mr. Magruder was paged, went to the telephone. He came back to the table
and said that he had had a rather unusual, strange call from Gordon Liddy, who wanted him to go to some NASA installation or CIA base in Los Angeles, where there was a secure phone, and to use this phone to call back to IVIR. Liddy in Washington.

Mr. DASH. Did Mr. Magruder say anything about what the problem was? Do you recall the words as nearly as possible?

Mr. LARUE. Well, he indicated that Mr. Liddy—he said Mr. Liddy indicated that there was a problem he wanted to discuss and Mr. Alaard, in an aside to me, said that, you know, I think maybe last night was the night they were going into the Democratic National Committee.

Mr. DASH. Did that mean anything to you when he said that?

Mr. LARUE. Specifically, no, but it, in view of the fact that I was aware of this plan that had been discussed in Key Biscayne, it certainly aroused great curiosity or interest on my part, yes, sir.

Mr. DASH. Now, what followed? Mr. Magruder then went ahead and spoke to Mr. Liddy?

Mr. LARUE. I think I told Mr. Magruder that, why didn't he just go and use a pay phone, that that would probably be secure enough for the purposes.

Mr. DASH. What did he do?

Mr. LARK. He called Mr. Liddy back and then came back and told me that Liddy had told him that there had been a break-in at the Democratic National Committee; I think five people had been caught inside, and that one of the people was Mr. BlCord, who was our security man at the reelection committee.

Mr. DASH. Now, was that information relayed to Mr. Mitchell?

Mr. LARUE. Yes; I personally relayed that to Mr. Mitchell.

Mr. DASH. What was Mr. Mitchell's reaction?

Mr. LARUE. I had gotten Mr. Mitchell out of another meeting. We went into an adjoining room. I relayed this information to Mr. Mitchell. He was very surprised. I think as I recall, he made the statement, "That is incredible."

Mr. DASH. Now, did Mr. Mitchell give any instructions to anybody after getting that information?

Mr. LARUE. Not at that time. As I recall, Mr. Mitchell went back into his meeting. Then later on, I think Mr. Magruder and I and Mr. Liddy met and, yes, Mr. Mitchell asked that someone call Mr. Liddy and have him contact Mr. Kleindienst, the Attorney General, and have him get in touch with Chief Wilson and see what details he could find out about this situation.

Mr. DASH. Now, was anything else done to your knowledge, while you were out in California, concerning the break-in?

Mr. LARUE. Well, yes, there were several telephone calls made back and forth from Washington to—I mean, from Los Angeles to NVshim(rton, to our press office here.

Mr. DASH. Anything else?

Mr. L.- RUE. AWell, there were several telephone calls made back and forth from Washington to—I mean, from Los Angeles to NVshim(rton, to our press office here.

Mr. DASH. I take it there was quite a commotion.

Mr. L.- RUE. Yes, sir.

Mr. DASH. A=oxy, you returned. TVhen did you return to Washington from California?
Mr. LaRue. Well, Senator, we were at breakfast. I am sure several people were present at breakfast, but he made the statement to me in an aside, where no one else heard it.

Senator Baker. Did you convey that information to anyone else?

Mr. LaRue. No, sir; I didn’t.

Senator Baker. Did Mr. Magruder make the same or a similar statement to anyone else at that time?

Mr. LaRue. Not that I know of, Senator.

Senator Baker. Did you gain the impression, Mr. LaRue, that others present in California on that occasion also knew that that was the night that they were going to break into the DNC?

Mr. LaRue. No, sir; I did not.

Senator Baker. Were you present when Mr. Mitchell received that information, that in fact there had been an entry into the DNC?

Mr. LaRue. Yes, sir; I gave him the information.

Senator Baker. What was his reaction?

Mr. LaRue. His reaction was one of surprise.

Senator Baker. Can you characterize that a little further?

Mr. LaRue. I testified, I think, to that point yesterday, Senator. Mr. Mitchell did indicate surprise, I think made the statement: “That is incredible.”

Senator Baker. Mr. LaRue, on another point, you indicated that someone said to contact Kleindienst, meaning former Attorney General Eleindienst, I understand, and to ask him to contact Chief Wilson, the Chief of Police for the District of Columbia, about the release of certain people arrested on the morning of June 17.

Mr. LaRue. No, sir; I did not testify to that, Senator. I said that in my recollection of that incident, that Mr. Mitchell asked that a phone call be made to Gordon Liddy and that Mr. Liddy contact Sir. Eleindienst and Mr. Eleindienst contact Chief Wilson to see what details he could get on the break-in.

Senator Baker. OK.

So, the suggestion was from Mitchell to call Liddy, or someone to call Liddy.

Who was to call Liddy?

Mr. LaRue. Senator, I don’t recall who made the telephone call. I did not.

Senator Baker. All right.

For someone to call Liddy or Liddy to call Kleindienst or Eleindienst to call Wilson to find out what went on.

Mr. LaRue. That is collect.

Senator Baker. Why Liddy?

Mr. LaRue. I can’t answer that question, Senator. Mr. Liddy was at that time a person in Washington with whom the conversations were being had.

Senator Baker. Was the call in fact made or do you know, Mr. LaRue?

Mr. LaRue. Yes, the call was made.

Senator Baker. But you don’t recall who made it?

Mr. LaRue. No, I do not recall who made it.

Senator Baker. Was this a report back on the results of that telephone call to Mr. Liddy?

Mr. LaRue. Not that I recall.
TESTIMONY OF RICHARD G. KLEINDIENST, FORMER ATTORNEY GENERAL

Fir. KLEINDIENST. Fir. Chairman, my name is Richard G. Kleindienst. My address is 8464 Portland Place, McLean, Va. I do not have a prepared statement, Mr. Chairman. I am here voluntarily to provide to you, the members of the committee, and the counsel, whatever information that I have and which you deem to be relevant to your investigation.

Mr. DASH. Mr. Chairman, Mr. David Dorsen, assistant chief counsel, will open the questions.

Mr. DORSEN. Mr. Kleindienst, am I correct that you are presently engaged in the private practice of law?

Mr. KLEINDIENST. Yes, sir. After I left the Department of Justice I opened up an office in Washington, D.C., and I am a private practitioner by myself.

Mr. DORSEN. And you resigned as Attorney General as of April 30, 1973?

Mr. KLEINDIENST. I believe that it was April 30; yes, sir. Effective upon the qualification and appointment of my successor.

Mr. DORSEN. Could you please summarize for us briefly your background, especially with respect to your positions with the U.S. Government?

Mr. KLEINDIENST. I have only had two positions with the U.S. Government. That was the position of Deputy Attorney General of the United States, a position that I believe that I commenced around February 1965, and the other position that I have had with the U.S. Government is the Attorney General of the United States, a position that I commenced on or about July 8, 1979.

Mr. DORSEN. When for the first time did you learn that there was electronic surveillance of the Democratic National Committee headquarters at the Watergate?

Mr. KLEINDIENST. I learned it for the first time after June 17 when the individuals who were at the headquarters were arrested. I don't know whether I learned of the electronic surveillance on Saturday, June 17, or sometime in the early part of the next week.

Mr. DORSEN. But on June 17 you were notified of the fact that there had been a break-in?

Mr. KLEINDIENST. At approximately 8 o'clock in the morning, as Assistant Attorney General Henry Petersen of the Criminal Division of the Department of Justice called me at my home and indicated to me that there had been a break-in at the Democratic national headquarters at the Watergate Hotel. All the information that he had at that time was that there was a break-in and I believe he said to me it looks like it might have been a bombing case.

The next knowledge of any kind that I had with respect to it came, oh, approximately 31/2 hours after that when I met with Zk. Gordon Liddy and Fer. Powel Moore in a section of lockers at the Burning Tree Club, which is a golf club in Arlington, Va.

Mr. DORSEN. How did that come about, Mr. Kleindienst?

Mr. KLEINDIENST. The reason I was there I had been a participant. I think I was scheduled to tee off for the Saturday round of (110)
in the afternoon. I was having lunch in the main dining room area of the Burning Tree Club. I looked up and Air. Gordon Liddy, who I recognized, came in with Air. Powell Moore and I immediately recognized him.

Air. DORSEY: Who is Mr. Powell Moore?

Air. KLEINDIEST: Mr. Powell Moore was the Deputy Public Information Officer of the Department of Justice when I was there as the Deputy Attorney General. When Air. Atchekel resigned as Attorney General and went over to the Committee for the Re-Election of the President, Air. Foxwell Moore event with him to the campaign committee. I do not know what his title was at the campaign committee but I knew Powell Moore quite well as a result of our association together at the Department of Justice.

Air. DORSEY: I believe you indicated you recognized Gordon Liddy.

What were the circumstances under which you first met or got to know Air. Liddy?

Air. KLEINDIEST: The only association I ever had with Air. Liddy, except for this particular meeting on Saturday, June 17, was in the year 1969 when I headed, on behalf of the executive branch, a task force that was looking into and devising a program of action with respect to the marijuana traffic from the country of Mexico into the United States. I believe that Air. Biddy at that time was an officer or employed by the Treasury Department and he was one of the representatives from the Treasury Department in that task force. There were representatives from six or seven Departments of the Government. That would have been in the late spring of 1969 and the summer of 1969. To the best of my recollection I never saw Gordon Liddy after that time in the intervening years until that Saturday morning on June 17. I have not seen him since.

Air. DORSEY: What was the nature of the experience that the Justice Department had with Air. Liddy in connection with his role in Operation Intercept?

Air. KLEINDIEST: I had no experience with him because he was under the jurisdiction of the Secretary of the Treasury. He had one assignment, as I recall, with respect to going from town to town along the United States-Mexican border to inform the business community there were quite concerned about so-called Operation Intercept. My recollection, which is not very precise, is that the manner in which Air. Liddy was giving information with respect to our program was unsatisfactory and I believe that based upon information that I got, I recommended to the Secretary of the Treasury or his immediate superior, that Air. Liddy be called back from that assignment and not to continue any further with it.

Air. DORSEY: Do you have any other recollection about any possible problems with Air. Liddy or why his performance was considered unsatisfactory?

Air. KLEINDIEST: Directing your attention to the locker room of the Burning Tree Country Club, what happened when you saw Air. Atchekel and Air. Liddy there?

Air. KLEINDIEST: That I remember with some precision is the fact that Air. Liddy, after he came into the entralleemav of the dining area and saw me, in a Father furtive manner made n
motion to me like this, indicating come ilele. I got up ollt of my chair and went over these. He was very agitated and seemed to be quite upset. He said that I have to talk to you in private. AWhere I was stand- int, was not a very private place, there must ha--e been 6) 0 0 men who were eating or standing around. Right to the left of where he was there; was a little locker room complex at the club. I looked in there and no one was iill there so I said, "Gentlemen, come in here, I think motion to me like this, indicating come ilele. I got up ollt of my chair and went over these. He was very agitated and seemed to be quite upset. He said that I have to talk to you in private. AWhere I was stand- int, was not a very private place, there must ha--e been 6) 0 0 men who were eating or standing around. Right to the left of where he was there; was a little locker room complex at the club. I looked in there and no one was iill there so I said, "Gentlemen, come in here, I think
Stir. MITCHELL [continuing]. Senator, that if you avoid have, I know you are reading from one of these minicharts but some of the things they do not have up there is that there is an 8:1.5 a.m. morning meeting in the White House.

Senator TALZrADGE. You should have ample opportunity to state whatever you avout to, Mr. Mitchell, if that chart is different from your views do not hesitate to say so, ve avant the facts, only the facts.

Af. MITCHELL. I cannot see it from here and it does not matte any difference anyway, because I have got a directory here but what I woud point out is that during this period which I have—which I have testified to earlier today, until I left the committee as the campaign director, there was a meeting at 8:1.5 a.m. in the White House every morning. This was the regular staff meeting that involved legislative liaison Dr. Kissinger, General Haig, et cetera. So, ashen I say when you ask me when did I first talk to these people about the Watergate, of course, it was a continuing subject matter basically in the concept of the political problems that presented because by the, I guess the, 20th or certainly the 21st, the Democrats had threatened their lawsuit, they filed it, I think, on the 22d and we had had a verbal press battle over the circumstances from then on constantly day in and day out about the matter.

Senator TALzrAwE. Did you talk to Mr. Colson about the same time ?

Mr. MrrcHELL. I am sure that I would because he would have attended those meetings.

Senator TALzrADGE. Did you direct Robert Mardian to telephone Liddy on June 17 and ask him to try to persuade Mr. lileindienst, then the Acting Attorney General, to arrange for Mr. McCord to be released from bail as Mr. Maeruder has testified ?

Mr. MITCHELL. No, sir, I am sure, I assure you, that would not be the case. There was some conversation that somebody might call up the Acting Attorney General to find out what the hell happened but I noticed in Mr. Magruder's testimony he said that I selected Mardian because Mardian was a great friend of Liddy's and if there is anybody who revere on the opposite ends of the stick it would have been Mardian and Liddy.

Senator TALzrAwE. Would you say then that Sir. Mar,tmder committed perjury before this committee ?

Mr. MITchELL AVell. I cannot characterize anvthing as periurv. Senator. That does not happen to be n fact, what you have just said. and I have just denied it and I am sure the other people who lvere present voile also deny it.

Senator TALzrADs.E. You are n good lalvver, Sir. Mitchell. testifving under oath to a lie is commonly referred to as perjury is it not?

Mr. MITcHeLL AVell. yes; but you also have to have intents, I think, along with it under certain circumstances and I am sure that some of these conversations have got warbled and mixed up in the intervening year and a half or so. I would not avant to characterize anvbody—

Senator TALzrArJGE. What you are saying is intentions mi, ht be Food but his facts are xvronvn is that correct ?

Mr. MITCHELL. Could vet v lvell be that the recollection lvas not quite accurate. There are manly of other circumstances some of which I have testified to and some of which I presume I avid in connection with mv
Mr. HA3ILTON-. Well, That is your best recollection as to whether

Mr. WIARDIAN-. That is mV best recollection. I am trvino to be fair,
however. ANThen you ask about meetings and I have heard all types of
meetings took place in Air. Mitchell's office and other places. MTih re-
spect to Wtr. Mitchell's office, any time anybody valkecl in the room, as
I understand it, his secretary valould be: a it and that was a meetings.
Sometimes, you would wals in to see that somebody else vas there and
you would walk out and you attended a meeting. I hate to characterize
a formal meeting where he sat clown and admitted that he had approved
a black advance budvet. That is my best recollection that he was prey
ent and that I discussed it.

Senator ERGO-. If counsel Tvould excuse me for interjecting this
remark at this time, I don't linosv any way that ary human being can
testify as to a past event except by giving his best recollection.

Mr. SERBIAN. That you.

Mr. HAMILTON-. Mr. Mardian, while in California. did you receive
an assignment from Mr. Mitchell regarding the Watergate matter?

Mr. SERBIAN. Could you be more specific?

Mr. HAMILTON-. All right.

Mr. Mitchell assign you to deal with the legal matters that
might arise in connection viith the break-in ?

Mr. MARDIAN-. Yes.

Mr. HAMILTON-. Mr. Mardian, while in California, did you make
several telephone calls to Sir. Liddy ?

Mr. GUARDIAN-. I believe that my records sho v that—which I have
turned over to the committee and these are records of calls that I turned
in to the Committee To Re-Elect the President—that I tallied to Air.
Liddy on three occasions two occasions—three occasions. The records
sho v three and there were three, but one of the ones that the record
shows vvas not a call to Wtr. Liddy, as I recall.

Mr. HA3Hilton-. Do you remember when these calls took place—on
Saturday or Sunday ?

Mr. AtARDIAN-. The first time I talked to Air. Liddy, I believe, was
on Saturday and that was not a call from me to him but a call from
him to me, as I recall. It is possible I may have returned the call, but—
that is my best recollection.

Mr. HA3Hilton-. Did you also talk to Air. Liddy on Sunday ?

Mr. WIARDIAN-. I talked to Wtr. Liddy on Sunday twice. as I recall.

Mr. HA3Hilton-. Do you remember the best recollection you have
of the substance of these three telephone calls?

Mr. AtARDIAN-. The fil'St telephone call v as a——as I recall—was an
urgent demand 031 the part of ALL. skiddy that I return to Washington.
I had indicated in that call, as I understallcl it, that Air. Alarauncler
vas Joints to return that he did not avant Air. Alarauncler to returns he
invanted me to return Fie 1x2x->0VX reluctant to—not only reluctant he
refused to use the telephone to discuss anvthinC about ATatervate. He
Lid, however, make some clerolratorv remarks about Air. Atas<vnder.

That is all I recall about the fil$1 tel–utzholie call.

Mr. HA3Hilton-. At010Bl yell. (rO on to the second and the third, please?)

Mr. AlORDLON-. I had told Air. Liddv about the plans that I heard,
that Air. Waazrill/el avas asino to retillll. I ×ollifed ennmrlineate XVoif
Air. Nite]ell, and I vill let him klioxy.

(114)
WIr. AIARDIAN. AVell, that was the first telephone call.

The second telephone call, as I recall was when I called to tell him that I was not going to return and that WIr. Lagruder had left—had returned.

WIr. H.X MILTON . End what was the final telephone call?

WIr. 3Lagrruder. The final telephone call was with respect to a call I not from Powell Nloore. Powell Moore called me on Sunday. I previously testified that these conversations, I testified originally that they were Sunday. I was told that they were on Saturday. I am not sure. I have now, checkin(r the records of the calls, that these calls tools place on Sunday.

Powell Wloore called me to tell me of an occurrence the previous day. He said that he wanted me to know, for WIr. Mitchell to knows that Mr. Liddy had told him in his presence that he had received a call from Err. Mitchell, that WIr. Mitchell had instructed him to go see Mr. Eleindienst and to have Mr. Eleindienst get the Watergate burglars released from jail. He told me that he did not believe that these instructions came from WIr. IIThichell.

He told Mr. Giddy that he should not contact WIr. Eleindienst; that when he realized that he was, in fact, going to contact WIr. Kleindienst, he went with him, that WIr. Liddy made contact with Mr. Rleindienst at the Burning Tree Country Club and that in order to advise Mr. Eleindienst that he was not to pay any attention to Mr. Rliddy, he said he stood behind Mr. Liddy so that hair. Liddy could not see him, but that Mr. Kleindienst could, and shook his head as Cogently as he could so that Sir. Eleindienst would now that what he Divas telling him was an untrue.

He told me that Mr. Eleindienst, in effect, had told Mr. Liddy to go to hell, and as I understood it, vent on playing golf.

I then called Mr. Eleindienst. I think I told Mr. Mitchell about it. Mr. Mitchell was amazed. I believe I told—I then called Mr. Eleindienst to tell him that Mr. Mitchell had air given no such instructions and Mr. Eleindienst told me, I believe, that he was satisfied that he had not air instructions and in effect, said, keep that—he used an adjective—away from me.

I then called Mr. Biddy and reprimanded him: told him that Mr. Mitchell had air no instructions and that he had clone a -erV. committed a very embarrassing error on the part of the Attorney General.

Err. HA3HILTON . Arr. Atonchian, I ant to read to volt a portion of Mr. Alagruer's testimony that is found at page 1910 of the record:

I've known that mr. Atarclian, the close friend of Mr. Liddy's, for 30 years. He was asked Mr. Eleindienst to call Mr. Liddy and ask him to see the Attorney General, the current Attorney General, Mr. Kleindienst, and see if there was any possibility that Mr. Watergate could be released.

Afr. AIARDIAN~ can you suggest any reason why Mr. Alagruer would fail to testify as such a phone call on your part?

Afr. AtARDIAN VXE I honestly—I don't think Mr. Atardian водо. intentionallv falselv testify. The subject of the phone call was Mr. Watergate could be released. Mr. Liddy's list was milch classified. dry-- LiA's P possibilité could be released.

Powell Moore told, was that, as I recall, that John Mitchell had called
5. In the late afternoon of June 17, 1972, Secret Service Agent Boggs telephoned John Ehrlichman, Assistant to the President, and told him that one of the persons arrested at the DNC headquarters had in his possession a document referring to Howard Hunt, who apparently was a White House employee. Later that day, Ehrlichman telephoned Ronald Ziegler, the President's press secretary, who was with the Presidential party in Florida. Ehrlichman told Ziegler the substance of his telephone conversation with Agent Boggs. Ehrlichman also telephoned Charles Colson, Special Counsel to the President, and discussed Hunt's White House employment status.

Page 5.1 John Ehrlichman testimony, 6 SSC 2580....... 118
Senator BAKER. When did you first learn of the break-in?
Mr. EHRLICHIAN. On the day following the break-in, when I received this telephone call toward dusk, late in the afternoon.

Senator BAKER. From whom?
Mr. EHRLICHIAN. From Mr. Boggs of the Secret Service.

Senator BAKER. And I know this is somewhat repetitious, but tell us again, for the sake of sequence, what Mr. Boggs told you?
Mr. EHRLICHIAN. Briefly, he said that he had had a report from the Metropolitan Police Department about this incident because some of the people who had been picked up, or one of them, had in his possession the name of someone who apparently was a White House employee. And that was Howard Hunt.

Senator BAKER. What was your reaction to that?
Mr. EHRLICHIAN. I asked him a little bit about the circumstances, then it had happened, how many people were involved, whether anybody from the White House was directly involved, this kind of thing, and thanked him very much.

Senator BAKER. What did he say?
Mr. EHRLICHIAN. He said that as far as he knew, that was the only connection with the White House, just the possession of this fellow's name, and he told me that five people had been caught red-handed burglarizing the Democratic National Committee headquarters.

Senator BAKER. Did he tell you the names of the five people?
Mr. EHRLICHIAN. He may have, but it didn't mean anything to me.

Senator BAKER. What did you do with the information?
Mr. EHRLICHIAN. I made a phone—I made two phone calls. I called Ron Ziegler, the press secretary who was with the President in Florida, and told him about that telephone call because I thought he might be getting some inquiries or would want to make some inquiries.

Senator BAKER. Did anyone else call you on June 17?
Mr. EHRLICHIAN. I believe so. Senator Caulfield testified here that he called me, and he may have. I don't have a specific recollection of the phone call, but if he did, it was after the call from Mr. Boggs.

Senator BAKER. Did anyone else call you on June 17?
Mr. EHRLICHIAN. I believe so.

Senator BAKER. So the sum total of your information was a call from Air. Boggs of the Secret Service and the sum total of your activity was to call Mr. Ziegler and Mr. Colson?
Mr. EHRLICHIAN. Right.

Senator BAKER. Did you read the newspaper accounts of the break-in?
Mr. EHRLICHIAN. Yes, sir.
it, I have answered the questions.

Q. Can you tell us the names of those reporters, if you can remember, With whom you talked on this Subject?

A. Well, it came up in an interview that I had with Norman Kempster of UPI.

How do you spell his name, please?

I had trio interviews besides the one with Gill, and I assume it came up in the Kempster one. The other one would have been with Jerry Schector.

That is spelled Jerry Schector, of Time Magazine.

When did you first learn, Mr. Colson, of the alleged break-in of the Democratic National Committee Headquarters?

A. I first heard about it on Saturday afternoon, June 17.

Q. Under what circumstances?

A. I received a call from John Ehrlickman. I was home. It was about -- it was late afternoon. He simply asked me if I had seen -- did. I know where Howard Hunt was. I think that...
is the way the question was asked And I said no. and he asked me how long it had been since I had seen Howard Hunt. Waite a long time, several months. And I asked him why he asked.

He said, "Well, there is a report of a break-in at the
daterga•e, and one of the people arrested had something in'
this possession with Howard Hunt's name on it."

I thislk he then asked if I knew Doug Caddy, and I said
no; that I had heard the name, but I didn't know him. And that was the sum and substance of the conversation.

Q. You remembered on June 17th that you had heard the
name Douglas Caddy?

Yes, that is correct.

This was without talking to your secretary?

That is correct. The name was a familiar name to me, but I could not place where.

You could not put it in context?

No.

B What time was the call that you received from
John Ehrlichman on June 17th, if you can tell us, to the best of your ability?

A. Oh, I would say around five.

Q. All right.

As Five in the afternoon or maybe six o'clock.

(120)
6. During the evening of June 17, 1972 Assistant Attorney General Petersen telephoned Attorney General Kleindienst and told him that documentation relating to a White House consultant had been found at the scene of the break-in at the DNC headquarters.

Page 6.1 Henry Petersen testimony, 9 SSC 3612-13. 122
if indeed persons had intentions of trying to demolish the Democratic
headquarters I thoufrlll the same mit,lt be in ofinz for tile itctublican
headquarters and I thought he ought to be forewarned.

Mr. DASH. Well, how SOOII did an investigation under the sponsor
ship of the Department of Justice begin in this case 2

Mr. PETERSEN. Investigation xwas underway at that time. Mr. Ttitus'
staff had already been alerted and he had assistants working 011 the
matter at that point with the Aletropolitall Police Department and the
\'BI who are just coming into it.

Mr. DASH. Now, what role as Chief of the Criminal Division did you
play with reward to the U.S. Attorney's Office investigation 2

Mr. PETERSEN. A general supervisory role, iStr. Dash. One of the
early questions I had to decide divas the degree of supervision that
should be involved and since we knew at the close of Saturday, June
17, that what eve had- tslool—ht to be explosive devices were electronic
listening devices, and that an individual named E. Howard Hunt was
possibly implicated as a result of the fact that some of his checks or
some information relating to him had been found at the scene, that
there were immense political repercussions possible. And I decided at
a very early stage that that investigation ought to be as isolated from
the political element as it could possibly be. And I su.r-.suggested that Air.
Titus appoint as principal assistant, Earl Silbert. to conduct the in-
vestigation in his office and report to Fir. Titus and to myself on a
daily basis, oral reports on a daily basis.

Mr. DASH. What was your relationship with the Federal Bureau of
Investigation during the investigations Did you get an,11 kind of re-
portin~~ from the FBI?

Mr. PETERSEN. Well, the FBI, of course, reported—their reports to
the prosecutors, Mr. Silbert and company, were more immediate than
their reports to me. Their reports to me had to wait the normal process
of bureaucraacv the preparation of the reports and the submission
through normal channels, whereas the prosecutor on the scene was
,etin— the witness statements almost immediately but the reports
were coming over to me rather slowly at filst, very sionvly. As a matter
of fact, when the publicity developed, with the cooperation of Inspector
P;aldlvin I did not have statements in my office. I had to call the Bureau
and ask them to send it over. They sent a whole packave of reports at
that time.

Mr. DASH. Was this sloav reporting to VOII or did the proseClltOrS.
the U.S. Attornev's Office, have that report?

Mr. PETERSEN. Well, they had the, III. titus. I \vaS hearing about it from Arr.
Mr. DASH. Whilst it came up to VOIi office as (thief of the Crimi
nal Division.

Mr. PETERSEN. That is correct. I lvaS hearing about it from Arr.
ilbert.

Mr. DASH. Volso shortly after the break-ill. do voll recall receivill~
a telephone call from Air. ElVleindiellst cello Has at the Bilrinnnt, Tree

Conntv Club?

Art-. PETERSEN Air. Tvleindiellst and I communicated three times on
Saturday. lllle 17. The first call I )laced arproximateV at tS o'eloelQ
in the morning The second call I )lvas about to place lvhell—indeed.
if I hold not heal d his testimollV or had discussed it with him. I lvollfd
have said I y)laced the second call lnt he tells me he dids but in an~.
event since I do not recall. I am sure it is true. The third call I com-

municated to him and he was making a speech at the tituler-lilton
Hotel and I had to run him down through the security service down
there. He had to speak very gaardedly. XYhat I was tittyng to report
to him Disas that documentation relating to a White House consultant
had been found at thr Reene. I thought it was important that he have
that information.

Itr. DASH. Did he tell you about a meeting he had or an encounter,
really, at the Burning Tree Country Club with Air. Liddy shortly
after the break-in?
Air. PETEISES. Yes; recently. The second call, whether I made it or
he made it, I remember predominately because he said, Henry, I want
these people treated the same as everybody else. I conveyed to him at
that point the information about the electronic equipment and I guess
I thought it a little odd that he should make that statement because I
did not know any other oval to treat them. But I do not recall him
telling me that Liddy Ivas there. If he did, I simply do not remember it.
A:Er. DASSI. AVhat were your relationships with P.Jr. JoM Dean at the

5jWhite House during this period of time ?
ivlr. PET.ESE\;. Good. Good. John Dean, I guess, Ivas kind of an un
official liaison with the Justice Department since he had been there.
We knew him. He worked in the Deputy Attorney General's office.
He was in communication with us frequently v ith respect to inter-
pretations of the Corrupt Practices Ant. 30 we had frequent dealings.

Relationships lvere good.

5j. DASH. Dill he inform you that he vas in charge in any way or
J iaison beta een the Wllite House and any investigation.
SLIM. PETEIDSEN-. Not at that stage, Air. Dasll.

I suppose the practice of discussing this matter with John Dean
arose the fil'St instance out of the request of Air. Silbert and the FBI,
rather than of their complaints that the White House was dragging its
feet.
for. 1) VSH. Do you Iznolv about when this tools place ?

Air. PETERSEN. This divas earl v in the in x estitia on. People Iere to be
intelsielved and nposilmlenils Mere not beins kept or being delayed
and they would call Upon me to expedite them and I would call John
Dean and I have to say lvenol-e I called him he novas frall;il helpful.

Air. DASH. Do you recall a meeting on or about Tane 20, 19/ 2, in WIN'.
Ilenidienst-v office, where Air. Dean v as and at which Ali. Dean made
some statements to your according to his testimony that this investiga-
tion should go very ligil, in fact it might involve the White House;
ill fact he testified he didn't linoav ho v far it might co.
Air. PETERSEN. I remember the circumstances I don't remember it as
Air. I all testified to it. I v. as called up to Air. llendienst's office. Ztr.
I can alas, already there. They asked for a status report and I Cave-e
them a genes al status report Oil the nature of the investigation. We had
some discussions I thinly commonplace discussion. AIV (^vsod, tyllat has
hut palled, cello is doing this and what type of a situation is this. tnd
I told hint that, I remember the lwords fiery distinctly I said, "John,
I don't know who I am talking about but whoever is responsible for
this we must deal with. I think that the President can do and that is to
instill the Attorney General publicly to run an

(123)
7. On June 18, 1972 H. R. Haldeman, Chief of Staff to President Nixon, who was at Key Biscayne, Florida with the Presidential party, spoke by telephone with Jeb Magruder, who was in California. Haldeman directed Magruder to return to Washington, D. C. to meet with Counsel to the President John Dean, Haldeman's Special Assistant Gordon Strachan, and FCRP Treasurer Hugh Sloan to learn what had happened and determine the source of the money found in the possession of the persons arrested at the DNC headquarters. By the following day, Magruder had returned to Washington.

Page 7

7.1 Jeb Magruder testimony, 2 SSC 799............ 126
7.2 H. R. Haldeman testimony, 8 SSC 3039>........ 127
since this break-in was done in a rather nmatenrisll vaye that
possiblv these was some double-agent activity going on hete, and
eve were honestly concerned about our own files.
  I did ask Sir. Reisner to remove certain files—nlv advertising file,
the budget file, our strategy file, and the Gemstone Ale. Tilen I
talked with him and 3tr. Odle, aild Sir. Odle took the Gemstone file
home.
  Mr. DASH. Did y ou talk to anybody else from California ?
Mr. MAGRUDER. Shell, yes, I talked to Powell Moore, as I
recall. I cannot r ecall any other specifically
  3tr. DASH. Did you call Nor. Strachan ?
Or. MAGRtDER. Oh, yes, I called 3tr. Strachan that evening.
Mr. DASH. What did you tell Mr. Strachan ?
  Nlr. MAGRUDER. I told himself course, he knew no more than
we knew. He knew that they had been apprehended, and we had a
problem and just discussed in a sense that we had a problem, and we
did not quite know what to do about it. At that time, we had heard
that there was some money at that time found on the individuals, and
we had hoped that it was money that had been found at the
Democratic National Committee, but unfortunately, it was our
money. So we, in effect, just discussed the problem. XVe had no
answers, obviously, at that time.
  Mr. DASH. Did you receive a call from Mr. Haldeman ?
Sir. Of GRADER. Yes. The next morning on Sunday, I received a
call from Sir. Haldeman. He asked me what had happened. Again, I
told him basically
  3tr. DASH. From where was he calling ?
Mr. MAGRUDER. lley Biscayne, Fla.
He just asked me the basic background of the break-in and what
had happened. I just told him what had happened. He indicated that I
should get back to Washington immediately, since no one in any
position of authority was at the committee, and to talk with Nlr. Dean
and Mr. Strachan and Sir. Sloan and others oil 3Iondav to try to find
out what actually had happened and whose money it was and so on.
  Mr. DASH. Now, you did return to Washington ?
Mr. MAGRIJDER. Yes, I did.
  Mr. DASH. Xnd would you tell us briefly, but as specifically as
you can, what you did as soon as you returned to Washington and
who you met with ?
  Mr. 3fAGRsDER. TVell, on Monday, I met with Sir. Dean, Alr.
Strachan, Mr. Sloan, Mr. Liddy. Sir. Lidd) and I did not really have
too much to say to each other. He said he had goofed, and I accepted
that on face value. There really was not much to discuss at that time.
  I determined from Mr. Sloan that the money was our money, not
someone else's money.
  Mr. Dean and I discussed the problem in terms of what we were
going to do as to Sir. Strachan and I.
  Mr. D ASH. Did you have a meeting oil that evening, the evening
of June 19, when you came back to WashilletonX in MI-. Mitchell s
apartment ?
  Mr. MACR--:1)ER. Yes. 3fr. Mitchell fle v back that Molldav with
MI . LnRue and Mr. Mardian. We met in his apartment with Fir.
Dean. That would have been Mr. Mitchell, MI-. LaRue, Mr. Dean,
Mr. Blardian and mxself; and the general discussion again was,
what were we going to do about the problem? It was again, we had
very little
(126)
Mr. DASH. NOSE, Mr. Haldeman, when and how did you learn of the break-in on June 17, 1972?

Mr. HALDEMAN. That seems to be the crucial question and I have to give I guess the most incredible possible answer. I don't know, Mr. Dash. I simply don't remember how I learned about it or precisely when or from whom. But let me explain that at that time, that weekend, I was in Key Biscayne. The President was out at Walker's Cay and I was at the Key Biscayne Hotel and I am sure that some time during that weekend somebody told me that the Democratic National Committee had been broken into. I am not sure who or when.

Mr. DASH. Now what did you do when you learned that, when or whoever told you?

Mr. HALDEMAN. Nothing.

Mr. DASH. Nothing?

Mr. HALDEMAN. No.

Mr. DASH. While you were at Key Biscayne, did you have any information that somebody connected with the Committee To Re-Elect the President was involved?

Mr. HALDEMAN. I think I did and I think that came in a phone conversation with Jeb Magruder on the 18th, on Sunday, which it has always been my impression was placed by him to me, but I understand he says it was placed by me to him and I am not sure which is which. But there was—the point of that phone conversation, the purpose of it was to review a statement that the committee was planning to release, and it was releasing it in conjunction with the earlier publicized, or assumed about to be publicized, fact that Mr. McCord, who did have a connection with the committee, had been one of those arrested at the scene of the break-in.

Mr. DASH. What came through your mind when you learned that Mr. McCord—did you know, by the way, who Mr. McCord was?

Mr. HALDEMAN. I don't believe I did. He probably told me at that time who he was.

Mr. DASH. I take it you did learn that he was the security chief of the Committee To Re-Elect the President?

Mr. HALDEMAN. Yes.

Mr. DASH. Did it occur to you that this might be an embarrassing matter for the campaign?

Mr. HALDEMAN. Yes.

Mr. DASH. Then did you get back to Washington after the break-in?

Mr. HALDEMAN. I think on the evening of—on Monday evening, which would be the 20th.

Mr. DASH. Is that when you had a meeting with Mr. Dean? Did Mr. Dean report to you then about what he had learned about the break-in?

Mr. HALDEMAN. I am not—I don't believe so. I am not sure that I had a meeting with Mr. Dean at that point. I believe we probably got back late Monday evening and that I went home.

Mr. DASH. When did you meet with Mr. Dean after you got back?

Mr. HALDEMAN. I think, and I have got sort of a capsule of my record here that is subject to correction by the details, but I think there was a meeting the morning of the 20th, in which I was present with Mr. Mitchell and Mr. Ehrlichman, and that Dean was, Mr. Dean was, in part of that meeting and Attorney General Steinhardt was there part of that meeting.
8. On June 18, 1972 John Ehrlichman spoke by telephone with H. R. Haldeman. They discussed the break-in at the DNC headquarters, the involvement of James McCord, and the fact of Hunt's name being involved.

8.1 John Ehrlichman testimony,........... 6
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(129)
Senator B. SEER. Did you gain additional information from the newspaper accounts?

AIR. EHRlich: Yes.

Senator B. SEER. Was that information? Mr. EHRlich: Well, I learned, for instance, that one of the people apprehended was an employee of the Re-Election Committee and I don't think that Mr. BOggS had told me that the previous evening.

Endow, I may have seen it on the news, come to think of it, that night. I may have watched the television news. Senator BAKER. Did you talk to the President on the 17th? AIR. EHRlich: A-0, I didn't, not that I can recall. Senator BAKER. Did you talk to Mr. Haldeman on the 8th? Mr. EHRlich: I think I talked to him on the following day.

Senator B. SEER. Let's limit it to the 17th for the moment. Sir. E'RLICRMX$: A11 right. Senator BAKER. Did you talk to Mr. Dean?

AIR. EHRlich: No.

Senator B. SEER. Mr. Mitchell?

AIR. EHRlich: I don't believe so. I have heard testimony here that I did. I can't recall a conversation with Mr. Mitchell. Senator BAKER. There you concerned about it?

AIR. EHRlich: Not particularly.

Senator B. SEER. All right. Move on, then, to the 18th.

AIR. EHRlich: The 18th was Sunday. I believe I talked to Mr. Haldeman on the telephone about this. I think that the purpose of our call was really something else, some other business. And we discussed the fact of the break-in, the fact of Hunt's name being involved and McCord being involved, and so forth. He told me something about the statement which the Committee To Re-Elect people were putting out that day or the next day, I forget which. But I do recall we discussed the public statement that was going to be made on it.

On the 19th, which was Monday.

Senator BAKER. Plait a minute; just a second. Still on the 18th in your call to Mr. Haldeman, was Haleman the President's Chief of Sta?

AIR. EHRlich: Yes, sir.

Senator BAKER. Was there any conversation between you and Mr. Haldeman about how incredible or how dangerous this was? Was there any other than a calm, ordinary exchange of information?

AIR. EHRlich: Ok. EHRlichH^~rss-. No; I think both of us wondered why in the world anybody wanted to break in there. That Ivas the depths of the Democrats fortunes. I don't think anybody believed that anybody in that particular office knew anything that was going to be made on it.

Senator B. SEER. Did I Ask Air. Hillelclen-lb if he lad disasissed this IVith the President?

AIR. EnRLIclzr.v$. L'lo; I didn't.
9. At noon on June 18, 1972 Gordon Strachan telephoned Haldeman's principal staff assistant, Lawrence Higby. Higby told Strachan that Haldeman had spoken with Jeb Magruder about the break-in and that John Ehrlichman was handling the entire matter.

9.1 Gordon Strachan testimony, 6 SSC 2457............................................... 132

9.2 H. R. Haldeman testimony, 8 SSC 3019.... 133

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Mr. STELCH. NO, I did not.

Mr. DASH. Did you later learn from Mr. Magruder anything about this event?

Mr. STELCH. Shell. I called him that afternoon and then tried to call him again that evening, and did not reach him. Placed a third call on Sunday about noon, Washington time, and asked him if he knew anything about this since I had rather expected a phone call from Mr. Haldeman, and he said "Don't worry about it. I have been on the phone this morning with Bob, and you needn't know anything about it."

Mr. DASH. &11 right. What did you do after that?

Wtr. STRACH. I called Mr. Hiffly, because I didn't really believe that Magruder had talked to Mr. Haldeman, Haldeman was down in ev Scavne. Mr. HighV told me yes, in fact Magruder had talked with Mr. Haldeman and Mr. Ehrlichman was handling the entire matter.

Mr. DASH. &11 right. Noxx, at that point were you concerned about any particular thing?

Mr. SI~CH. Pardon?

Mr. DASH. At that point having learned that Mr. Haldeman nova had spoken to Sir. Magruder and was informed, did a concern come into your mind?

Mr. STRACHAN. Yes, I expected over the entire weekend Mr. Haldeman to call me and ask me what I knew, if I knew anything why I had not reported it to him, the usual very tough questions he would ask.

Mr. DASH. Did you begin at that time to suspect any problem that Mr. Haldeman may have with regard to this?

Mr. STRACHAN. It was either one of the latter two, either he knew or he didn't expect me to report to him.

Mr. DASH. Did you arrive at any one conclusion?

Mr. STRACHAN. It was either one of the latter two, either he knew or he didn't expect me to report to him.

Mr. DASH. What did you do after you learned that he had heard about it, what did you do yourself?

Mr. STRACHAN. I didn't do anything. The White House lows indicate that I was in the XVhite House for a minute Sunday, I don't know what that was for.

The next day, Monday

Mr. DASH. Monday was June 19, 1972?

Mr. DASH. All ri.oht.

Mr. STRACHAN. I began going through my files, Mr. Haldeman's files, to see if there were anv indications of any information that would be in any way related to this act.

Mr. DASH. AVell, did you come to any conclusion as to whether there was anything in the files that would be in any way related?

Mr. STRACHAN. Yes. I pulled out several documents, most parti

31r. DASH. And that was the one that referred to the sophisticated intelligence plan?

Afr. STRACHAN. That is correct.

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and your activities as chief of staff did not limit itself to just the administrative functions. As a matter of fact, even in Mr. Ehrlichman's role you would, from time to time, be asked by the President and would make expressions with regard to policy, would you not?

Mr. HALDEMAN. Not to any great extent on policy, Mr. Dash. I would on procedure or the question of whether everything that should be available was available to the President in a policy decision matter, but not an opinion as to whether this was the policy we should pursue. Would that be true?

Mr. DASH. Would you be asked from time to time by the President concerning your views on various policy issues?

Mr. HALDEMAN. I am sure from time to time, but not as a regular process, and I would not want to imply that I was a part of the policy-making process in terms of substance. I was in terms of procedure.

Mr. DASH. You spent quite a bit of time with the President in your working day; did you not?

Mr. HALDEMAN. Yes, I did.

Mr. DASH. As a matter of fact, you traveled with the President, and spent more time with the President than perhaps anyone else other than Mr. Ehrlichman, would that be true?

Mr. DASH. Could you tell us what your direct staff did that aided you in carrying out your administrative functions?

Mr. HALDEMAN. My direct personal staff consisted of one or two, depending on the period of time, one or two administrative assistants, and several secretaries, and that was it. The administrative staff in the White House was supervised by the staff secretary, and he had responsibility for the operations of the mechanics of the White House, the support units and that sort of thing. Then as Mr. Butterfield has described to you, as my deputy, he had responsibility for a number of specific areas of White House operations. I don't know if you want me to get into details on that or not.

Mr. DASH. You mentioned Gordon Strachan. What was Gordon Strachan's position with you?

Mr. HALDEMAN. He was a staff assistant to me.

Mr. DASH. When did he become a staff assistant to you?

Mr. HALDEMAN. Probably in 1970.

Mr. DASH. Was also what was for Clay's role with you?

Mr. HALDEMAN. He also was staff assistant or administrative assistant.

Mr. DASH. Could you distinguish between the two roles, Mr. Strachan's role and Mr. Highby's role?

Mr. HALDEMAN. Yes. Mr. Highby had been in that position with me during the campaign, in fact he had been with me in private business before I joined the campaign, and—

Mr. DASH. Was this the advertising business you testified to?

Mr. HALDEMAN. Yes, sir, yes. He was my principal assistant, if you want to describe it that way, and was thoroughly familiar with all of the operations of my office, backed me up, handled phone calls and correspondence for me, oversaw the operation of my office...and handled contact for me with a similar administrative assistant in the White House.
10. At 7:32 a.m. on June 19, 1972 Attorney General Kleindienst telephoned the Acting Director of the FBI L. Patrick Gray in Palm Springs, California, and stated that Kleindienst wished to be briefed on the investigation of the break-in at the DNC headquarters. Kleindienst told Gray that the President wanted to talk to Kleindienst about it that day or possibly the next day.

June 19, 1972 (received from L. Patrick Gray)

10.1 L. Patrick Gray notes of telephone conversation,
The notes which follow were furnished to the House Judiciary Committee staff by L. Patrick Gray on April 30, 1974. Mr. Gray identified the bracketed portion as referring to a conversation which Mr. Gray had with Attorney General Kleindienst about a conversation that Kleindienst was expecting to have with the President about Watergate. Mr. Gray stated that he told Mr. Kleindienst that W. Mark Felt, Acting Associate Director of the FBI, would be available later that day to brief the Attorney General on the status of the FBI's Watergate investigation.

Certain words and phrases which are difficult to read in Mr. Gray's handwritten notes were clarified by Mr. Gray and are included in the typed copy.
The proposed amendment to the U.S. Const. guaranteeing equal rights to both sexes reached the halfway mark in its progress toward ratification today when Ky. became the 19th state to approve it. A total of 38 states must ratify the amendment before it becomes part of the Constitution.

Two states have rejected ratification.

---

Mon 6-19-72 FBI Op connected me with WIF; twice.

Finally told him to have WMF call me direct.

He called just shortly after I left to go to Mass -

2 Sometime today or possibly tomorrow RAY is going to want to talk to me. Is there anyone there who can come to brief me today this Pm? You WMF.

---

6-19-72 7:55 AM TCT Way Palm Springs

10:00 Ad.

9:00 AM: Opening C o Any

9:30 EM: AG Younger.

Farris Lucas 9:50LN 10:00 AM

Break

---

Mon 6-22-72 8:00 AM TCF WMF

We do not have too much this AM

* I have a Memo. to HRII & to AG.

Reed's memo

Approx 12:00 AM 6/17/72 5 arrested

---

Indistinct document retyped by
House Judiciary Committee staff

LPG

---

* by ?

Had in their possess. burglary tools & eavesdropping eq.

Opened panel.

* All charged w/ burglary.

 Held in lieu of $50,000 bail

in Cond. $10,000.

Dollars on them.

Background.

Chk of E. Howard Hunt $633.

Employed by CIA to 4/70.

We conducted an invev. for W.L. in 1971.

for a sensitive post some 9 mo ago.

Caddie advised YOGI he rec'd a

call at 3 Am from a person he refuses to

identify? (137)

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Disclosure
Indistinct document retyped by House Judiciary Committee staff

ARE • E I AN
IT SOLIDLY FOCI Inv. of
YES stat. is continuing

identify
2511
Circ 119

Title 18
interception of Communications
No. Do not send.

What do you think of our conducting a sweep of Demo llq for other devices. Not yet; can h d for 24 or 48 hrs but it is a normal investigation technique.

On the front page there this Aft.

A Collateral piece on page 7 “Experts Heap Scorn on Bungled Caper at Demo. - Art I. llq.”

Our Lab says this is sophisticated equipment

Recovered bullet from Wallace; can make no positive ident. on this bullet - probably from

(Page three of original three)

US Ago Tlg to G. J.

Discuss wt
20K the cancellation

of the Domestic taps

& Get his assurance

Do to live FBI

written instructions

Carol just handed
P 1 armed on Case D

S. Ct. outlawed wiretap of Domestic Subversives.

(1) Prior jud approval required for type of surveillance

(2) Where Govt illegally eavesdrops, it must turn over Evi to def

(3) Indiv rt. of privacy need no longer yield to Govt's rt-to-PresentasKlopPort

(4) In '67 S Ct found E electronic E W!° ct per violated 4th A but said permissible in for threats - EN took position that this was applicable to domestic threats

- Case has 464° i, t
- Citation as to how to handle t. e addressing

8 Domestic

of the memo; most 16 w. b., 1 & brief him on facts;

Taps

give him my views re the overall approach to

? - ans to wj case - no holds barred.

WMF not sure of Exact no.

hup 119 Tit IS USC

Interception & Disclosure Prohibited

Mfr Distrib & Possession Of these devices

Conf location -

Immuni ty

Prohibition of Use as Evi

Authorization of Use of Wiretap

" of Disclose

Indistinct document retyped by House Judiciary Committee staff

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18 Procedure

Indistinct document retyped by House Judiciary Committee staff
11. In the morning or early afternoon of June 19, 1972 Ehrlichman told John Dean to look into the question of White House involvement in the break-in at the DNC and to determine Howard Hunt's White House employment status. Dean has testified that he then spoke to Charles Colson regarding Colson's knowledge of the break-in and Hunt's status and that Colson denied knowledge of the event, but expressed concern over the contents of Hunt's safe. Dean has also testified that he spoke to Gordon Liddy, who advised of his and Magruder's involvement in the planning and execution of the break-in. Thereafter Ehrlichman received a report from Dean that Dean had spoken to Liddy and to law enforcement officials, that law enforcement officials were aware that the matter went beyond the five persons who were apprehended, that Liddy was involved, and that there was a further direct involvement of the CRP.
I returned from this 4-day trip to the Far East on the morning of June 18. When I landed in San Francisco, after 20 hours of flying, I called my assistant, Fred Fielding, to check in and tell him that I was going to spend an additional day in San Francisco to get some sleep before I returned to Washington and, accordingly, I would not be in the office until Tuesday. It was at this time that I first learned from Fred Fielding that the break-in at the DA-C headquarters had been reported to me. Fielding told me that he thought I should return home immediately as there might be a problem and that he would fill me in when I got home. I recall that at first I resisted, but Fred Fielding, who was explicit at that time, told me I should come back so that he could fill me in.

Accordingly, I flew back to Washington and arrived on Sunday evening. I had a brief conversation with Mr. Fielding and he informed me that he had learned from Jack Caulfield that Al C. McCord from the reelection committee was among those arrested in the Democratic National Committee headquarters on Saturday and also that one of the Cubans arrested had a check that was made out to Hoxward Hunt to some country club. I recall that my immediate reaction was that Chuck Colson was probably involved. I was very exhausted at this point so I told Mr. Fielding that I couldn't do anything at that time and I went to bed without doing a thing.

On Monday morning, June 19, I arrived at my office about 9:1a, my normal arrival time at the office. While reading the newspaper accounts of the incident, I received a call from Jack Caulfield who repeated what Mr. St. Fielding had told me on Sunday evening. Mr. Caulfield informed me that he had received the information from Al C. Bogus of the Secret Service. I next received a call from Al C. Magruder and, as best I can recall, Magruder said something to the effect that this might create some problems and I should look into it. He also stated that this was Liddy's fault and he volunteered a few harsh epithets regarding Liddy. I also recall Magruder mentioning something about how the committee was going to handle the matter publicly but I cannot remember specifically what he stated regarding this. I told Magruder that I had just arrived back in the country and did not know any of the facts surrounding the incident, but I avoided looking into it.

I next received a call from Ehrlichman, who instructed me to find out what I could and report back to him. I advised Ehrlichman of my call from Magruder and told him I probably should talk to Liddy—he agreed. I recall that Ehrlichman told me to find out what Colson's involvement was in the matter and he also suggested I speak with Mr. Kleindienst to see what the Justice Department knew about it. I told him I would report back to him after I talked with Liddy.

I next received a call from Gordon Strachan who said he wanted to meet with me. I informed him that I could slot be able to meet with him until early in the afternoon. He said he would drop by my office after lunch.

I next talked with Chuck Colson on the phone. I asked him what he knew about the incident and he vehemently protested that he linear nothing and had no involvement in the matter whatsoever. Colson advised me that Ehrlichman had spoken to him earlier rewarding Mr. Hunt, earlier during that weekend and Colson said that he should get together with Ehrlichman as soon as possible. I recall asking Colson if I-Hunt still worked for him and again he became very de-
fensive and stated that he was merely on his payroll as a consultant because Ehrlichman had so requested. He asked me to determine if Hunt was still on his payroll and I said I would check Colson also and expressed concern over the contents of Hunt's safe. Several weeks later—probably 4 or 5—I learned from Paul O'Brien, who was a representative of the reelection committee, that he had learned from Mr. Hunt's attorney, Mr. Bittman, that Hunt and Colson spoke on the telephone over the weekend of June 11—18, and that Hunt had told Colson to get the materials out of his—Hunt's—office safe.

Mr. Hugh Sloan called me to tell me he was unworried. At that time I knew of no reason why Mr. Sloan should be worried so I told him not to worry. He told me that he would like to meet with me and I told him that I was the best to find out what had happened and requested we meet in a few days. I do not recall the precise date we did meet.

I next contacted Liddy and asked him to meet with me. He said he should come to my office. As he came into the office I was on my way out. I suggested we take a walk. It was shortly before noon and we walked down 17th street toward the Corcoran Gallery.

I will try to reconstruct the conversation to the best of my memory. While I cannot recall every detail, I do indeed recall the major items we discussed.

Mr. Liddy told me that the men who had been arrested in the D.C. were his men and he expressed concern about them. I asked him why he had men in the D.C. and he told me that Magruder had pushed him into doing it. He told me that he had not wanted to do it, but Magruder had complained about the fact that they were not getting good information from a bug they had placed in the D.C. sometime earlier. He then explained something about the steel structure of the Watergate Office Building that was inhibiting transmission of the bug and that they had gone into the building to correct this problem. He said that he had reported to Magruder that during the earlier entry of the D.C. offices they had seen documents—which I believe he told me were either Government documents or classified documents—and Magruder had told him to make copies of those documents.

Liddy was very apologetic for the fact that they had been caught and that Mr. WicCord was involved. He told me that he had used Mr. WicCord only because Magruder had cut his budget so badly. I asked him why one of the men had a check from Mr. Holch and he told me that these men were friends of Hunt and Hunt had put them in touch with them. I do not recall if they discussed any further involvement of Hunt, other than Hunt putting them in touch with the Cubans. I asked him if anyone from the White House was involved and he told me no.

As the conversation ended he again expressed his apology and his concern about the men in jail. I told him that I could not help and he said he understood. He also told me that he was a soldier and would never tail. He said if anyone Ravished to shoot him on the street he was ready. As we parted I said I would be unable to discuss this with him further.

He said he would stand and I returned to my office.

After redlining my office I arranged a meeting with Mr. Liddy at his office for mid-late neon STford I vAd aclIwI callle to ma office shortly a riter r had met N ith T IdI! St.I le half totl nle that he hail been
instructed by Haldeman to go through all of Wh. Haldeman's files over the weekend and remove and destroy damaging materials. Ike told me that this material included such matters as memorandums front the reelection committee, documents relating to wiretap information from the DNC, notes of meetings with Haldeman, and a document which reflected that Haldeman had instructed Anglin to transfer his intelligence gathering from Senator Aluskie to Senator McGovern.

Strachan told me his files were completely clean.

I spoke with Sir. Isleindienst and he told me that both the FBI and the D.C. Metropolitan Police were investigating, and he assumed that the FBI would take full jurisdiction of the case shortly. He also alluded to his encounter with Liddy at Burning Tree Country Club, but did not explain this in full until I later met with him. I do not have a record of when I met with Sir. Eleindienst, but it was either on Monday, the 19th, or the next day. I will describe that meeting shortly.

I met with Ehrlichman in the mid-afternoon and reported in full my conversation with Liddy. I also told Ehrlichman about the earlier meetings I had attended in Mitchell's office in late January and early February and my subsequent conversation with Haldeman. He told me he wanted to meet later with Colson and told me to attend. Ehrlichman also requested that I keep him advised and find out from the Justice Department on what was going on. I did not mention my conversation with Strachan because I assumed that Ehrlichman was aware of this from Haldeman himself.

Later that afternoon I attended a second meeting in Ehrlichman's office with Colson. I recall Ehrlichman asking where Hunt was. I said I had no idea and Colson made a similar statement. At that point, before the meeting had started, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this immediately. Shortly after I made the call, however, I realized that no one in the White House should give such an instruction and raised it with Ehrlichman. As I recall, Ehrlichman said that he was not a lawyer from Justice, so why not? I said that I did not think it was very wise. At this point, Colson chimed in that he also thought it unwise and Ehrlichman agreed. I immediately called Liddy again to retract the request but he informed me that he had already passed the message and it might be too late to retract.

Following this brief telephone skirmish rewarding Hunt's travel plans, the meeting turned to Hunt's status at the White House. I had learned from Fred Fielding, who I had asked to check (and he had not drawn a check from his White House consultantship since late August of 1973), that Hunt was still a White House consultant to Colson. After discussions of this by Colson, IJ[10 at this point was disowning Hunt SIS a member of his staff? Ehrlichman called me and requested that he bring Hunt's personnel records to Ehrlichman's office. Before I knew this, I arrived at Colson's staff meeting and he thought it imperative that someone get the contents of Hunt's safe. Colson stated that if I/Albertichman agreed. I immediately called Liddy again to retract the request but he informed me that he had already passed the message and it might be too late to retract.

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Q And what did you tell Mr. Ehrlichman?

Well, I reported to Mr. Ehrlichman everything that Liddy had told me and I recall recounting back to him, trying to put all the pieces I had available at that point together, by telling him about the meetings which had occurred in the Attorney General's Office in January and February of '72.

Q Those were the meetings at which Liddy presented his intelligence programs? A That's correct.

Q Did Mr. Ehrlichman again mention that he was going to meet with Mr. Colson later that afternoon?

A He did. He mentioned that Mr. Colson was seeking a meeting and that he wanted me to be present in that meeting when it took place.

Q Did Mr. Ehrlichman also mention to you, on June 19th, at some time, that you ought to contact the Justice Department to find out what was going on in the investigation? Yes, he did. And what did you do about that, if anything? I called Mr. Kleindienst and had a conversation with Mr. Kleindienst and I later saw Mr. Kleindienst.

Q Now, during these first few conversations with Mr. Ehrlichman, after the Watergate break-in, did he instruct you to conduct an investigation and to determine whether anyone in the White House was responsible or had knowledge of the
Watergate break-in? Give you a specific instruction to conduct a Watergate investigation?

A I wouldn't say it was an instruction to conduct an investigation. He just told me to keep my eyes and ears open and learn what I could.

Q Did Mr. Ehrlichman, or anyone else in the White House, ever give you a specific instruction to conduct an investigation into this matter, telling you that it was your responsibility to make a determination of the facts and determine whether anyone in the White House was involved or responsible?

A Well, I wouldn't say that it was really until late August, when it was reported that I had conducted such an investigation, that there ever became any semblence of such an investigation and, after that, when it had been put on the public record that I had conducted an investigation, I began to pretend like I had conducted an investigation.

But I am unaware of ever being instructed to do an investigation, because I would have proceeded much differently if I was investigating. I was merely sort of catch as catch can.

Q Was this -- did it naturally fall to you, as counsel to the President, as a person who had had formal liaison with the Justice Department, and the informal contacts there, to be the person at the White House most aware of what was going on?
A Well, with things like this, what would generally happen is that after Mr. Haldeman and Mr. Ehrlichman
would either lose interest or get consumed in something else, it would fall to me to be the man to follow up and
continue the liaison and keep them abreast of what I was learning.

Q Are you speaking now about legal matters and Justice Department matters, generally?

A No, I can't say that generally, no, because, for example, antitrust areas were something I very
seldom got into.

Q I mean you are not speaking simply of Watergate?
A No, I'sn not. I'm thinking of other instances where things were rather active for a while and they die off.

I'm thinking of the Lithuanian defector problem, where everyone had their hands in it for a while and then, when it fell to the daily job of keeping abreast of what was happening, when it wasn't in the headlines, that was my job.

I'm thinking of the Calley case, where there was a great flurry of activity, and when it got down to, you know, following daily what indeed was happening to Mr. Calley, that was my office. That's the way things generally happened there.

Q Naw, on June 19th, did you also have a meeting with Cordon S trahan?

- !, A Yes, I did.
for the action of the President of the United States, that such plans are carefully researched and evaluated. Would that be a fair assumption?

Senator BARER. Air. Chairman, that is not the way we are going to conserve time. I think what we are going to discuss this particular entry and he said that he knew that it was legal and justified for national security. Did he mention to you that he had received any kind of an contrary advice at any other time?

Mr. EHRlichMAN. Well, that question makes an assumption not in evidence, Mr. Dash, that the President said it was legal. I don't believe I have ever testified to that. Maybe some other witness has, but I don't know where you got that idea. I couldn't answer the question with that assumption in it.

Mr. DASH. I thought that was your testimony. I asked you the question earlier whether or not in March you talked to the President and the President said that he believed it was legal and justified for national security and I thought you answered in the affirmative.

Mr. EHRlichMAN. Well, I certainly would not want to give you the impression that the President had given me a legal opinion on this at that time. I believe that he felt it was important, and it was necessary, that in the context of the massive thefts, the turnover to the Russian Embassy and all the context of that operation that he certainly could not criticize the men who took on this in good faith believing that they were responding to the urgency of the circumstances.

Mr. DASH. All right. The testimony you do leave with the committee is that your own personal evaluation of its legality was a recent one after advice of counsel?

Mr. EHRlichMAN. Well. I certainly could not want to leave that impression either, Air. Dash, and I would simply stand on my actual answers.

Mr. DASH. Well, the record will show.

Now, von testified that you met and in fact your recollection is that your own personal evaluation as to its legality was a recent one after advice of counsel?

Mr. EHRlichMAN. Yes; I believe he was, and I believe that it was basically to determine between us the inquiries which I felt he ought to make in order to try to determine what had taken place.
Mr. DASH. Did he not at that time report to you that he had spoken to Mr. Liddy 2

Mr. ESCHMAN. He made no report at that time to you as to any of the investigations he had made during the day of the 19th 2

Mr. DASH. Did he not at that time report to you that he had spoken to Mr. Liddy 2

Mr. ESCHMAN. I have the impression that Ak. Dean hadn't been at ivory very long at that time, and that he Novas just getting started.

lit. IASEI. All right.

Now, at 4 p.m., xvillat was the purpose of the meeting with ink. Dean, Mr. (Lawson, I&. Jolson, and

Mr. L'ASH. And isn't that X hen Mr. Rehrli was brought up to check the record 2 Would Mr. Rehrli have the record of that ?

Mr. ESCHMAN. Mr. Rehrli was the staff secretary and would have to be involved in any discussion of that kind. There was another subject or tVIO discussed at the time but as I recall, that was the precipitating question.

Mr. DASH. Well, aside from Mr. Hunt on Ale payroll, wasn't the focus at that meeting on the question of Hunt himself ? Hunt's status at the White House and also the question that Mr. Hunt had a safe in the NWhite House and that the safe outlir to be opened ?

Mr. ESCHMAN. I don't know. I think it must have been either that evening or the next morning.

Mr. DASH. Now, what was the Concern and who brought up the concern of what the contents of bIr. Hunt's safe would show 8

Mr. ESCHMAN. I don't recall, Mr. Dash. Somebody at the meeting.

And actually that safe xwas opened at that time on the evening of the 19th?

Mr. ESCHMAN. I don't know. I think it must have been either that evening or the next morning.

Mr. DASH. Now, on June 20, 1972, you met at 9 o'clock with Mr. Haldeman and Mr. Mitchell joined by Mr. Dean at 9:45, joined by Attorney General Silleidienst at 9:55, and then at 10:30 you had a meeting with the President.

Was that also a followup to find out what was going on in terms of Watergate?

Mr. ESCHMAN. I think this was the process of trying to get everybody together who might know anything, to trv and get a picture of what the investigation was going to be, whether these might be other people involved just what the—to trV and get the campaign director and the head of the Dep:trtment of Justice and everybody together in one place to ask questions.
Senator BAKER. Did you ask him if it had been brought to his attention of—if the President knew about it?

Att. EHLICHTMAN. A-0; I am quite sure I didn’t. That is not something that I would ordinarily put that way to Haldeman.

Senator BAKER. A-0, did you put it in any way to Haldeman?

Att. EHLICHTMAN. A-0; I didn’t believe so.

My assumption is that next of that kind gets to the President forthwith.

Senator BAKER. Well, did you ask what the President thought about it if you assumed that?

Att. EHLICHTMAN. No.

Senator BAKER. All right, sir; go ahead.

Sir. EHLICHTMAN. I don’t think I did anything else with relation to that subject matter on that Sunday. At least, I can’t recall anything.

On Mondays I had a meeting with John Dean in midday and we discussed this, really, in terms of two aspects. One is the White House involvement question, and I asked him to see if he could get that solved in short order—that is, was Hunt a White House employee or not, what was his status and so forth? Because that was still lingering as an open question.

Second, it was obvious that this was going to be a campaign issue and I was concerned about knowing everything—that I could know, that when Ron Zietler and the Presidential party got back to town, we should be in a position to sit down and talk about its implications in terms of its being a political issue.

Senator BAKER. Mr. Ehrlichman, it occurs to me, and I may be entirely wrong, but it occurs to me that if someone on my staff, even remotely on my staff, were charged with breaking and entering into the Democratic National Committee headquarters or someone was even associated with it in a newspaper column, that I would be determined to find out if that happened.

Now, was there this air of urgency in the White House on your part or Haldeman’s part or Dean’s part? Is it not coming through that way? It sounds like a routine staff operation. But this wasn’t a routine staff operation.

Att. EHLICHTMAN. Point 1, he wasn’t on my staff, but that is beside the point.

I think there was a sense of the political implications of this thing. It was a dumb, shocking, unredeemable kind of thing for people connected with the Committee To Pec-Elect to have done to the Democrats. There isn’t any way of glossing it.

And certainly, the Democrats swore to exploit this if they possibly could. The fact that there might be a White House connection was really the central problem in this as far as I was concerned.

Senator BAKER. When did you first learn that this was orchestrated by people who were connected with the CRP?

Sir. EHLICHTMAN. Tt was in it right from the first minute, and I am sure I learned of that connection on the evening news 01: some way, so that I knew light from the first day that these were, literally, a, CRP employee involved in this thilia.

Senator BAKER. If I may, I don’t find out that it was more than just a CRP employee?
Mr. ERIHLICHMAN. I do not think that I—well, and, of course, Boggs’ call said Hunt—Hunt, with a White House designation on the slip or the card or whatever it was. So there was that warning light on right from that moment.

I do not think I knew about Liddy and his involvement until after Dean reported back late on the 19th or early on the 20th, something like that time.

Senator BARER. What did Mr. Dean report to you?

Mr. ERIHLICHMAN. He reported to me that he had—I should go back to what I asked him to do and I guess I pretty much finished with that. I expressed my concern on these two fronts. And when he came back, he said he had talked to Liddy and that he had also talked to the people at the Justice Department or the police department, or somewhere, and had a feel for this thing. And he said, the Justice Department or the law enforcement people, anyway, were aware that this matter went beyond just the five felons who were caught and that Liddy was involved and it was just a matter of time before he would be picked up, and that there was a further direct involvement of the CRP in this.

Senator BARER. All right. That was on what, the 19th of June?

Mr. ERIHLICHMAN. I believe it was either the close of business on the 18th or the next day.

Senator BARER. Stop at that point. Mr. Ehrlichman. let us explore as the saying goes in this committee, that point in time. Let us see what you did with that information.

At that point, John Dean, who was counsel to the President, indicated to me that Liddy was involved, that others at the CRP were involved, and it would be just a matter of time before others were picked up and implicated, and broadly implied, based on your testimony just now, that the CRP was deeply involved in this situation.

what did you do with that information? Did you pick up the telephone and call the President, did you call Haldeman? AVAhat did you do with it?

Mr. ERIHLICHMAN. I think by that time the President and the travel in—party were on their way back. I believe that this meeting that was held on Tuesday morning was held at my instance and it involved Mr.Attiehell, the Attorney General, Mr. Haldeman, and me, and John Dean. And this was for the purpose of gathering as much information as possible at the top levels, and seeing what ought to proceed from that, what next step ought to be taken from that point forward.

Senator BAKER. Take the one part of my question that I put in several parts. Did any of you call the President or convey to the President the information that Liddy and others involved with the CRP were going to be involved and identified with the break-in to the Democratic national headquarters?

Mr. ERIHLICHMAN. I did not, Senator. I am not sure whether this was imparted to the President by anybody else.

Senator BAKER. Well, Mr. Ehrlichman, to pursue that point just a step further, did you then know or have Lou since learned that as of June 15, 1972, someone slid impart that inform into the President—that is, that Liddy, 31cCord, Hunt, and others at the CRP were involved in the break-in?

Mr. ERIHLICHMAN. I do not know that of my own knowledge.
12. On June 19, 1972 the President telephoned Charles Colson from Florida and spoke with him for approximately one hour ending shortly before noon. The break-in at the DNC headquarters was discussed.

12.1 Meetings and conversations between the President and Charles Colson, June 19, 1972 (received from White House)..........................

12.2 Charles Colson draft statement prepared for delivery to the SSC, September 1973. 1, 6-8 (received from SAC).......................

(1BB)

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3.

..........................157
### June 1, 1972

**AM 8:37**  
Cabinet. Meeting in the Cabinet room.  
Mr. Colson attended.

**PM 3:00**  
President placed a long distance call  
to Mr. Colson (Key Biscayne)

**6:39**  
President placed a long distance call  
to Mr. Colson (Key Biscayne)

---

### June 19, 1972

**AM 10:49**  
President placed a long distance call  
to Mr. Colson (Key Biscayne)

**PM 2:17**  
President placed local call to Mr. Colson

**2:20**  
President met with Mr. Colson in the  
Presidential EOB of rice

**8:01**  
President placed local call to Mr. Colson

**11:33**  
President placed local call to lair. Colson

---

### June 20, 1972

**PM 2:30**  
President met with Mr. Colson in the

---

**12:05 AM**  
President placed local call to lair. Colson
I appreciate the opportunity to present this statement to you, Committee. I shall first attempt to recount my recollection of events surrounding the Watergate Affair.

I will also attempt, if I may, to give the Committee some insight into the mood and atmosphere which existed in the White House during the prior years. I have proceeded in this manner not only that it may be seen but that it may be seen why 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, July 20, 1972. I then assumed it was in no way related to the Democratic Committee.

OL:LU LX 6-07 LN Y = off, dL: a fL: D. C. e = ine

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which I believe took place in my office --

John Dean told me that Dr. flung had 'been
ordered out of town' or words to
that effect. I exploded, I said some-
ting to the effect that "that is the
dumbest thing I have ever heard; that
could make the White House a party to
a fugitive from justice charge." Mr.
Dean then went to a telephone. I do not
know who he called nor do I know who
issued the original instructions to which

Mr. Dean referred. Mr. Dean did tell
me later that it was my reaction that
caused him to countermand the origina
order.

7. The President called me from Florida the
morning of June 19. As I recall, he asked
me what I knew about what was going on.
In those and in subsequent conversations, he
seems quite obviously angered and incredulous
that anyone even remotely involved with the
Presidential caufai~s apparatus could have
engaged in such conduct. As I recall my initial conversations with Edith the Press dent, I merely explained that I had no idea what had happened. I do recall several discussions with the President during that and ensuing weeks in which he expressed great annoyance at the way in which the Committee for the Re-election was being managed. He complained bitterly that he had himself not been able to devote any time to campaign matters or organization and that he believed it was overstaffed and overpaid. We expressed his long-held belief that it was inadvisable to staff a campaign organization with people primarily concerned with their salaries; he said people should partigrate in a campaign because they believe in their causes. He said that the Committee had too much money to spend, that such Watergate was an example of the kind of misguided enterprise that results from too much money. He told me on more than one occasion that he had ordered Or. Scalded
to have the staff at the Committee re-
duced, to insure that no one was being
paid more than they had made in prim
employment and to get the management
of the campaign and the Committee under
tight control.

On Tuesday, June 20, 1972, the Washington star carried
a banner headline, "Colson Aide-Barker Tied." It was imme-
visibly to me that the press would attempt to tie the Water-
gate into the finite House on the basis of Hunt's former associa-
tion with me. Accordingly, I immediately dictated a memo for the file detailing all contacts of any kind that I could
recall having had with Hunt during the year 1972. A copy of

tenet credo was provided to your st Clef during cur~~Lc'edn..'^~vrr

ay 30

Although ILoners that I had had no involvement in the
Watergate, I believed that it might become important to have an

2 C t e re c ord .

One of these mentions is in the m2l..0ranci-.;T2S a

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13. On June 19, 1972 Howard Hunt went to the Executive Office Building and reviewed the contents of his safe. He determined that the contents included cables Hunt had fabricated indicating a relationship between the Kennedy Administration and the assassination of Vietnamese President Diem, materials relating to Gemstone, James McCord's electronic equipment, and other material. Hunt thereupon informed Charles Colson's secretary, Joan Hall, that Hunt's safe contained sensitive materials.
At this early time of your employment at the White House, Mr. Hunt, did you have access to state Department cables covering the period of the Diem assassination?

Mr. HUNT. I did.

Mr. DASH. Why did you have access to them?

Mr. HUNT. Because I had requested such access and it had been granted me.

Mr. DASH. Now, in the review of these cables, did you notice any irregularity of sequence?

Mr. HUNT. I did.

Mr. DASH. In what period did the gap in sequence occur?

Mr. HUNT. The period immediately leading up to the assassination of the Premier of South Vietnam.

Mr. DASH. Did you show the cables to Mr. Colson and offer an interpretation of them?

Mr. HUNT. I showed him copies of those chronological cables, yes, sir.

Mr. DASH. Ad what interpretation, if any, did you give him concerning the cables?

Mr. HUNT. I told him that the construction I placed upon the absence of certain cables was that they had been abstracted from the files maintained by the Department of state in chronological fashion and that while there was every reason to believe, on the basis of an accumulated evidence of the cable documentation, that the Kennedy administration was implicitly, if not explicitly, responsible for the assassination of Diem and his brother-in-law, that there was no hard evidence such as a cable emanating from the White House or a reply coming from Saigon, the Saigon Embassy.

Mr. DASH. What was Mr. Colson's reaction to your statement and the showing of the cable to him? Did he agree that the cables were sufficient evidence to show any relationship between the Kennedy administration and the assassination of Diem?

Mr. HUNT. He did.

Mr. DASH. Did he ask you to do anything?

Mr. HUNT. He suggested that I might be able to improve upon the record. To create, to fabricate cables that could substitute for the missing chronological cables.

Mr. DASH. Did you in fact fabricate cables for the purpose of indicating the relationship of the Kennedy administration and the assassination of Diem?

Mr. HUNT. I did.

Mr. DASH. Did you show these fabricated cables to Mr. Colson?

Mr. HUNT. I did.

Mr. DASH. What was his response to the fabricated cables?

Mr. HUNT. He indicated to me that he would probably be getting in touch with a member of the media, to whom he would show the cables.

Mr. DASH. And were you in fact put in touch with a member of the media?

Mr. HUNT. I was.

Mr. DASH. Who was that?

Mr. HUNT. Mr. William Lambert of Life magazine.
Mr. DASH. Did you take my money out of the safe?

Mr. HEIST. Yes, sir, I did.

Mr. DASH. How much?

Mr. HEIST. I took out $10,000.

Mr. DASH. Where did you get that money?

Mr. HEIST. That was contingency money that had been provided me by Mr. Liddy.

Mr. DASH. Contingency just in case there was this kind of trouble?

Mr. HEIST. Yes, sir; in case there was a mishap.

Mr. DASH. What did you do with that money?

Mr. HEIST. I took it during the course of the early morning to Mr. Caddy's apartment and gave it to him on behalf of the five men who had been arrested.

Mr. DASH. Did you make an analysis or review of the contents of your safe at that time or a later time?

Mr. HEIST. No, sir; not at that time.

Mr. DASH. Cohen did you, if you did?

Mr. HEIST. No, sir. Excuse me.

Mr. DASH. Mr. Hunt, this might help you. Do you recall returning to our office at the EOB and looking through the contents of your safe?

Mr. HEIST. Yes, sir.

Mr. DASH. And do you recall that that was on or about June 19?

Mr. HEIST. Yes, sir.

Mr. DASH. Just by category.

Mr. HEIST. There were the fabricated Vietnamese cables that I had shown to Mr. Colson, Mr. Conein, and Mr. Lambert. There was material relating to Gemstone; there were transcripts of my conversations with Mr. Clifton De Motte, for example. There was a very substantial amount of material, part of which was shown to me at the time of discovery by the U.S. attorney—perhaps I am not being responsive.

Mr. DASH. Yes, you are being responsive. Did it also include the briefcase which included Mr. McCord's electronic equipment?

Mr. HEIST. Yes, sir. That was there.

Mr. DASH. Nonv, did you inform anyone on that day of the contents of your safe?

Mr. HEIST. I did.

Mr. DASH. Who was that?

Mr. HEIST. Mr. Colson's secretary.

Mr. DASH. What is her name?

Mr. HEIST. Her name was Mrs. Joan Hall.
Zlr. DAswr. Did you characterize or say anything about the contents? Mr. HASN'T. Yes, sir; I did.

Mr. D\SH. AN'hat did you say?

Mr. HUNT. Before I deft the Kite House for the last time. I stopped by Mr. Colson's office, clot to see him but simply to inform Mrs. Hall, whom I linesv held the combination to m'V safe, that it contained sensi
tire material. I simply said to hel, '4I'just avant yoll to l;nonv that that safe is loaded.'

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14. During the afternoon of June 19, 1972 John Ehrlichman, Charles Colson, John Dean, Bruce A. Kehrli, Staff Assistant to H. R. Haldeman, and Ken Clawson, White House Deputy Director of Communications, met in Ehrlichman's office and discussed Howard Hunt's White House employment status. Colson stated that Hunt should have been terminated as a White House consultant as of March 31, 1972. Kehrli was asked to and did bring Hunt's employment records to Ehrlichman's office. These records did not indicate that Hunt's consultant status had been terminated. By memorandum dated June 19, 1972 Colson transmitted to Dean documents relating to Hunt's status.

(By memorandum dated March 27, 1972 to Charles Colson, Hunt had requested assistance in changing the annuity benefit option he had selected upon retirement from the CIA. By memorandum dated March 30, 1972 to Kehrli, Richard Howard, Staff Assistant to Charles Colson, had inquired respecting Hunt's situation. At the top of the original of the Howard memorandum, there is a handwritten note: "Noble - Please let me know on this w/o giving out any info. on the name of the fellow we're trying to help. B." At the bottom of that memorandum there is a handwritten note "OK - Drop as of April 1, 1972 BAK." On May 5, 1972 Hunt had written a letter on White House stationery to CIA General Counsel Lawrence Houston, renewing his request respecting his benefit Option and stating that he had discussed the matter with the White House legal staff.)

14.1 John Ehrlichman log, June 19, 1972 (received age (165)
14.2 John lean testimony, 3 SSC 934


14.4 John Ehrlichman testimony, 6 S.C 2612.

14.5 Charles Colson draft statement prepared for delivery to the SSC, September 1973, 1, 2-4 (received from SSC).

14.6 Memorandum from E. Howard Hunt to Charles Colson.

14.7 List of Presidential assistants and their staffs (received from White House).

14.8 Copy of memorandum from Richard Howard to Bruce Kehrli, March 30, 1972, with Cox-Buzhardt correspondence regarding the memorandum (received from Watergate Special Prosecution Force).

14.9 Original of memorandum from Richard Howard to Bruce Kehrli, March 30, 1972, with handwritten notations (received from White House).

14.10 Letter from E. Howard Hunt to Lawrence Houston, May 5, 1972 (received from CIA).

14.11 Jeb Magruder testimony, 2 SSC 791-93.

Pages

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ASSTANTS AND THEIR STAFFS

HOUSE....................................180

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9AY, JuE lo, 1972

3:00 HRES office
X:30 Cabinet meeting
P President, Secretaries Richard Ivn, tiofi, t.on tisR l)
12:10 Dr. Ed David
1:10 P President
2:20 Tennis with Cole, Hallin, Harper
4:00 Roosevelt Room - p. r. group
7:00 Black tie dinner with Nrs. Shouse followed by

-We'l Tx2 o'evenin
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3:15
10:30
12:00
l z :A5
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,. 10'
4:00
5:13
8:30

UES DAY, Jt
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s Coo
8:15 5 •
9:00
9:15
10:30
1 2:00
2:25
2:35
4:00
5:00
6:00
Roosevelt Room
Dave Young, AValt Klinnich
John Dean
Lunch ivn bess with Dr. William W.-lish (bOPR.)
At. 'K1 e r.di ens t
Ambassador Williati Middendorf
_ _ Colson, Dean, K.ehrli. Xen CIE!~vson
Mark Ev..ns, Clarence Arata, Cong. Ken Gray,
John StaLler (Pres., J/C Board of Trade), Sallyanne P2yton
(DC A. ena)
Motion Picture Association - "Butterflies are Free"
J119: 20, 1972
HRH office
Roosevelt Room
HRtI, Mitchell
Joined by John Dean
Joinme'o'y AG Kleindienst
Present
William Lane (per John Connally)
Lunch at the Roy Willins - JDE office
Car fit west basement
Senator Gt if.in, Tozn Korolocosa Ed Morgan
Senator Dennett, Tozn Korologos
Social Security - MacG.egor, Cook, Korologosa Cole,
Evans, Weiroerger, O'Neill
Hair Clt
Jim Ganlon (L.Yail S'reet Joanl21)

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instructed by Haldeman to go through all of Mr. Haldeman's files over the weekend and remove and destroy damaging materials. Ike told me that this material included such matters as memorandums from the reelection committee, documents relating to wiretap information from the DNC, notes of meetings with Haldeman, and a document which reflected that Haldeman had instructed 31ac,ruder to transfer his intelligence gathering from Senator Muskie to Senator McGovern.

Strachan told me his files were completely clean.

I spoke with Mr. Kleindienst and he told me that both the FBI and the D.C. Metropolitan Police were investigating, and he assumed that the FBI would take full jurisdiction of the case shortly. He also alluded to his encounter with Liddy at Burning Tree Country Club, but did not explain this in full until I later met with him. I do not have a record of when I met with Mr. Kleindienst, but it was either on Monday, the 19th, or the next day. I will describe that meeting shortly.

I met with Ehrlichman in the mid-afternoon and reported in full my conversation with Liddy. I also told Ehrlichman about the earlier meetings I had attended in Mitchell's office in late January and early February and my subsequent conversation with Haldeman. He told me he wanted to meet later with Colson and told me to attend. Ehrlichman also requested that I keep him advised and find out from the Justice Department on what was going on. I did not mention my conversation with Strachan because I assumed that Ehrlichman was aware of this from Haldeman himself.

Later that afternoon I attended a second meeting in Ehrlichman's office with Colson. I recall Ehrlichman asking where Hunt was. I said I had no idea and Colson made a similar statement. At that point before the meeting had started, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this without even thinking. Shortly after I made the call, however, I realized that no one in the White House should give such an instruction and raised the matter. A brief discussion ensued between Ehrlichman and myself. As I recall, Ehrlichman said that he was not a furtive from justice, so why not. I said that I did not think it was wise. At this point, Colson chimed in that he also thought it was unwise and Ehrlichman agreed. I immediately called Liddy again to retract the request but he informed me that he had already passed the message and it might be too late to retract.

Following this brief telephone skirmish rewarding Hunt's travel plans, the meeting turned to Hunt's status at the White House. I had learned from Fred Fielding, who I had asked to check on it, that Hunt had not drawn a check from his White House consultancy since late March of 1979. But as far as I knew, the records indicated that Hunt was still a White House consultant to Colson. After discussions of this by Colson, who at this point was dissowning Hunt as a member of his stat Ehrlichman called Mr. Rusk to Ehrlichman's office. Before I could arrive, Colson raised the matter of Hunt's safe. Colson said it was imperative that someone get the contents of Hunt's safe. COISOII snaesected. and Ehrlichman conenred, that I take custod of the contents of the safe.
AN'hen Kehrli arrived he was quizzed by Ehrlichman and Colson on
Hunt's status at the White House. Colson had artllirigig that Hunt
should have been removed from the White House st's of Alarch 31, 1972.
Afr. Kehrli's records, however, did not so indicate. I have submitted to
the committee memorandums that Colson forwarded to me on June
19, presenting his argument. This was later resolved between Colson
and Kehrli, pursuant to Colson's argument. I always assumed that this
required some alteration of the records, but I do not know this for a
fact.
[The documents referred to were marked exhibit No. 3ii5.*]

After following this discussion, Ehrlichman asked Kehrli
where Hunt's office was located and how the contents of his safe could
be removed. Kehrli explained that he would have to open the
safe. Colson said it must be done immediately and Ehrlichman
instructed Kehrli to have me present when the safe was opened and
that I should receive the contents of the safe. Kehrli said he would call
me when he had made the arrangements and he then left Ehrlichman's
office. Ehrlichman told me to report to him on the contents of Mr.
Hunt's safe and the meeting ended.

Kehrli called my office after I had departed. He talked with Fred
Fielding and asked him to come with him to open Mr. Hunt's safe. I
do not recall mentioning this to Fielding before I departed and I do
not know what Kehrli told Fielding, but Kehrli was aware from the
earlier meeting with Ehrlichman that I was to receive the contents of
the safe.

After departing the office, I believe I went to Mr. Mitchell's apart
ment. I do not recall who asked me to come to Mitchell's apartment,
and it may have been the evening of the 90th rather than June 19.
I recall that when I arrived, Mitchell, Aradian, and Atacruber
were there and I gathered were discussing matters before I arrived.
I recall listenilg, but can only recall discussions of how to handle the
matter from a public relations standpoint. I have no other recollection
of the meeting.

It was on June 20 or 21 that Strachan and Mr. Richard Howard
came to my office. Strachan informed me that Haldeman had author-
zized an expenditure by Colson of some funds, but the entire amount
had been expended and he was turning over the remainder to me to hold. I told Mr. Strachan that I would hold the funds and would
be accountable for them. I placed the cash, $10,000, in my safe. I
informed L. Atty. Fielding of my office of the fact that the cash was in
my safe and where it had come from. I felt I should inform Fielding
because I wanted someone to know how the money was in my safe
if anything should happen to me.

The cash remained in my safe untouched until October 15th, 1973.
I removed a packet of bills amounting to $18,000 and placed my
necessity check for that amount with the remaining cash. I removed
the $18,000 after I had failed to make arrangements to lay for the
anticipate expenses of my wedding. and my hollowed. I subse-
sequently expended the cash over a several month period of time as my
line--money was cut short and the full amount I had anticipated was
not necessary; thus, I used part of the cash for normal daily expendi-

*See p. 1157.
MEMORANDUM FOR:
FROM:
SUBJECT:

June 19, 1972

JOHN DEAN W/

CHARLES COLSON

Howard Hunt

Dick Howard just discovered the attached in his chron file; this is a copy and Bruce Kohri is looking for the original. I think it can be fairly and clearly said that his services here terminated on March 31, 1972. There is also attached a report of a conversation which Joan Hall had with Howard Hunt approximately 6 or 8 weeks ago.
ME140RANDUM FOR BRUCE –

March 30, 1972

We would like to accommodate Howard Hunt on the attached and would like to do it right away and then totally drop him as a consultant so that 1701 can pick him up and use hZ.

Howard has been very ef®ective for us, but his most logical place now is consulting 1701. Tote attached could be a major problem and we would like to do everything we can to accomplish this and help him in this way. Please let me know.

W. Richard Howard

A TRUE COPY

(171)
MEMORANDUM

MEMORANDUM FOR:  
FROM:  
SUBJECT:  

THE WHITE HOUSE  
WASHINGTON  

June 19, 1972  
CHARLES COLSON  
JOAN HALSEY

Discussion with Howard Hunt  
For the record, approximately 6 or 8 weeks ago in a casual conversation, I asked Howard Hunt why he had not turned in any time sheets. He  
replied, "That is being taken care of elsewhere." I did not inquire any further and the subject was dropped. (Note: I had initialed his time sheets each  
month and was merely curious why I had not received one.)
Air. E/Libraryian. I take it, Senator, and here I am speculating

---speculating Here's an episode with Air. AtcCord, which comes
cut through Air. AtcCord back through Caufield to Dean. Now how
does John Dean justify having sent Air. Caufield to talk to AtcCord
I don't know whether that is the explanation or not, but it certain-
was suggested to me as I watched Air. Dean at this table spinning this
tale.

Senator GURNEY. Let us go to another area --which involved you and
Air. Dean and that is the papers that were taken from Elunt's safe
after it was opened by Dean's people. Some of these papers as you
know, were very sensitive. Some were contained in a briefcase of Brir.
Hunt's. The testimony of course, here is that Dean had a conversation
with you about this and you made some suggestions about disposing
of the papers that were in the briefcase. My recollection is that you
advised Air. Dean to deep-six these papers. Could you care to tell us
about this meeting?

Air. E/libraryian. That was a meeting, if I heard the testimony
correctly, which was also attended by other people and should be
susceptible of determination from independent witnesses. To correct
an assumption in your question, Senator, I did not know the contents
of Air. Hunt's safe except in the most general terms. I was told, and
I can't say who told me--probably Brir. Dean—that there were a pistol
And a tape recorder and a number of documents, some of which had
nothing to do with Watergate but were very politically sensitive.
Now, that was the general description. I had no occasion to look at
them, I never saw them except as a few of them were sealed in an
envelope and handed to Pat Grav.

The conversation has to be weighed, the probability of such a con-
versation where I said, run out and throw this in the river, has to be
weighed against what I actually did, which I think the witnesses who
were in the meeting on the 19th will tell you that I did.

We had had a meeting for two purposes on the 19th, which included
Mr. Colson, Mr. Izhirli, staff secretary, and Iven Clawson on the White
House staff. The meeting was for, as I say, two purposes one, to try
to determine what the facts were about Howard Hunt's employment
status, which was very murky at that point in time, because of some
lack of documents or some confusion of documents, and things of that
sort.

The other purpose was to talk about what to do about this safe which
had been found on the premises, and apparently had things in it that
related to Howard Hunt, who Ivas then, if not arrested, at least a prime
suspect.

The instructions which we agreed upon at that meetincr were that a
number of people should be present at the opening of that safe. IWe
knew we had to have something from the GS v because they had to
open the safe. Pout in addition to that, I specified to Air. Izhirli, being
present, that Air. Dean be present and take custody. Then I think Air.
Izhirli said that a Secret Service agent be present under the cir-
cumstances, because we averc breaking into 3 safe in the White House.
find that was the arrangement that was agreed upon when we brose
top on the 19th.

The purpose in doing that was twofold. One, this Ivas a Final of

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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 proceedings to date; it is clear you are seeking to determine not only what happened, but why and how these things could have happened.

AS TO THE FACTS:

I first heard there had been a burglary at the Democratic National Committee headquarters on the night of June 17, 1972. I thought it unlikely there would be any addition to all of this.

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statistics. It was not until late that afternoon that I learned
that more might be involved. John Ehrlichman called to inquire
as to Hoax7a-7d Hunt’s whereabouts. I explained that I had not seen,
Hunt in a couple of months, but that I believed that he was
working at the Committee for the Reelection of the President.
Ehrlichman informed me that one of those arrested had had
something in his possession with Howard Hunt’s name on it. He
also asked me if I knew Douglas Caddy. I told him I knew only
Ehrlichman explained that he was simply trying to
detects Ile the facts.

On Mondays June 19, I attended various tr.eetinos smith
Mr. Ehrlichman and Mr. John Dean. We were endeavoring to
determine what tar. Hunt ’ s status was ar.d ashed his service at
the White House had been terminated. I do not recall the exact
sequence of the meetings or the persons in attendance that
day. I do recall specifically the following points:
1. lie determined that my assistant Prichasd

Howard, had on March 30, 1972, advised
-the Staff Secretary to terminate Hlnt's
consultant relationship with the White House. A copy of Mr. Hor72rd's memo was provided to your staff when I met with them for a preliminary interview on play 3 of this year.

We determined that Hunt's terraination had not been handled routinely. At the time that he left the White House in March, Hunt asked whether he could change the survivors benefit election which he had requested for his retirement from the CIA a year earlier. Hunt's memo requesting the change had been submitted as an enclosure to the termination memo of March 30. This request was apparently sent by the Staff Secretary to the White House personnel or Civil Service office. When the decision was made on the request, the file was apparently returned to the Staff Secretary. The Staff Secretary apparently failed to...

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take steps to formally process Hunt's
termination) such as the cancellation
of his White House pass, the surrender
of documents, etc.

3. We learned -- to my surprise -- that Mr.
Hunt still maintained a safe in an office
in the Executive Office Building. I suggested to Dean that he take custody of
the safe. I was certain in my own mind
that there would be an investigation if
the facts established that Hunt had had
any connection with the Watergate break-in. It was my view that the White House
counsel had a responsibility to secure
the safe and any other evidence. Contrary to Mr. Dean's testimony (TR 2169),
I had had no communications from Hunt
over that weekend; no one suggested that
I remove anything from the safe. I
never saw the safe nor was I aware of
the contents of the safe. As a matter of fact, it was not until late July,

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MEMORANDUM FOR:

FROM:

SUBJECT:

March 27, 1972

CHARLES COLSON

HOWARD HUNT

Securing Survivorship Benefits

When I retired from CIA on May 1, 1970, I was given the usual option of receiving full annuity without post mortem benefits to my survivors, or a reduced annuity with survivorship benefits. I elected the former, unaware that the choice would later be held irrevocable.

About a year later I requested the CIA General Counsel to assist me in changing to the survivorship provision. His negative response

Now that I have acquired a duodenal ulcer for the third time, I am close to uninsurable -- or at prohibitively high-risk rates -- with consequent prejudice to my family's future. As an alternative, it occurs to me that I might be re-hired, briefly, by the Executive Branch, to retire again in a few days so that I could elect reduced annuity with survivorship benefits.

To effect this will entail a certain amount of paperwork. However, I am requesting White House assistance in restoring the opportunity to provide for my family beyond the limitations of my private insurance coverage.
March 27, 1972

SUBJECT: Securing Survivorship Benefits

MEMORANDUM FOR: CHARLES COLEON

FROM: HOWARD HUNT

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About a year later I requested the CIA General Counsel to assist me in changing to the survivorship provision. His negative response is attached.

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To effect this will entail a certain amount of paper work. However, I am requesting White House assistance in restoring the opportunity to provide for my family beyond the limitations of my private insurance coverage.
Charles V. Colson  
Commissioned: Special Counsel to the President  

STAFF ASSISTANTS  

W. Richard Howard  
Commissioned: Special Assistant  
Other Service:  
Patriclc E. O’Donnell  
11/3/69 - 3/10/73  
5/2/71 - 1/20/73  
1/21/73 - 3/10/73  
3/11/73 - Present  
(Fr-. Baroody)  
6/1/71 - 2/10/73  

William F. Rhatican  - Other Service  
2/1/71 - 5/5/71  
5/6/71 - 2/3/73  
2/4/73 - 7/25/73  
6/7/71 - 3/10/73  
3/11/73 - 4/27/73  
3/13/73 - 1/2/74  
3/14/73 - Present  
(Mr. Baroody)  
3/18/72 - 9/16/72  
6/19/72 - 11/11/72  
5/28/72 - 3/10/73  
3/11/73 - 4/9/73  
3/11/73 - Present  
(i4r. Baroody)  
7/1/72 - 3/10/73  
3/11/73 - Present  
(iOr. Baroody)  

SECRETARIES  

(180)  

OFFICE OF CHARLES V. COLSON  

141 WHITE HOUSE SZEF LIST  

Other Service:  
S. steven Rarakekas  
John G. Carlson  
Howard A. Cohen  
James M. Schurz  
Michael P. Balzano  
Kathleen W. Balsdon  
Lleatellyn Evans  
Joan Hall  
Patricia I. Balsdon  
Polly Ilo Im  

SECRETARIES  

(180)
6/15/70 - 8/11/70
8/9/71 - 1/4/73
11/21/69 - 1/27/73
5/3 0/7 w - 6/3 0/7 2
Dear Mr. Cox:

This is in response to your letter of August 27 requesting the copy of a W. Richard Howard memorandum of March 30, 1972 to Bruce Kehrl and of August 29 requesting the pass approval form for E. Howard Hunt.

As I mentioned to you in a recent telephone conversation, the fact that a particular document is in the physical custody of a current employee of the White House does not alter the fact that such documents are Presidential Papers, of which the authority to control is exclusively a matter for Presidential decision. Accordingly, requests for such documents, whether originating with the office of the Special Prosecutor or the Grand Jury, should be addressed to me in order that the request be considered by the President.

Both documents you requested are enclosed.

& Fred B. Buzzard
Special Counsel to the President

Honorable Archibald Cox
Special Prosecutor

\5r
tate Special Prosecution Force

17D-K Street, N. W.

Washington, D. C. 20000,
J. Fred Buzhardt, Esq., Counsel to the President
The White House
Washington, D.C.

Dear Mr. Buzhardt:

Re: Memorandum from W. Richard Howard to Bruce Kehrli — 3/30/73

During the course of W. Richard Howard’s appearance before the grand jury on August 14, 1973, he was directed by the grand jury foreman to produce the original carbon copy of a March 30, 1973 memorandum which he wrote to Bruce Kehrli concerning E. Howard Hunt. I am informed that Mr. Howard’s attorney, John Jude O’Donnell, has been advised by you that you are prepared to furnish this document to the grand jury on receipt of a letter from this Office confirming that the grand jury did in fact make such a request of Mr. Howard. As you will recall, the ribbon original of this document was furnished to the grand jury by you on July 19, 1973.

Please advise us if you desire any further information.

Very truly yours,

Archibald Cox
Special Prosecutor

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go-L-sgA
Dear Larry:

With reference to your letter of May 6, 1971 concerning a change in my annuity survivors' benefits, The White House legal staff has examined the Civil Retirement Act of 1902, Certain Employees, with particular reference to Sections 133 and 271(b) of the Act. In their opinion, the Director has the authority to recall me to duty, then permit me to revert to a retired status at which time I could elect reduced annuity with survivorship benefits.

In short, it would appear shU were the Director willing, he could recall me for, say, a day or a week, after which, I could opt for survivorship benefits.

May I ask that you re-examine my situation in light of the foregoing, and, if it squares with your interpretation of the pertinent Sections of the Act, lay the matter before Mr. Helars Zor - his decision?

Sincerely,

Howard Xunt
Consul of the President

Mr. Lawrence A. Houston,

General Counsel
Central Intelligence Agency
Washington, D. C. 20505
Mr. DASH. Did you have a telephone conversation with Mr. Strachan concerning that meeting,?

Mr. LAGRADER. Yes, I indicated the general content of that meeting.

Mr. DASH. And did that include Mr. Mitchell's suggestions concerning the Las Vegas mission?

Mr. LAGRADER. I cannot recall specifically that point, but I would assume that I probably discussed the Las Vegas missions that we had discussed.

Mr. DASH. And that would include the Democratic National Committee headquarters and Mr. O'Brien?

Mr. LAGRADER. Yes.

Mr. DASH. Did you discuss the meeting with anybody else at either the committee or the White House?

Mr. LAGRADER. I cannot recall discussing it with anyone else.

Mr. DASH. Was there any special role that Mr. LaRue had in the Committee for the Re-Election of the President?

Mr. LAGRADER. Mr. LaRue was an adviser of Mr. Mitchell's. He was a close friend of Mr. Mitchell's. He had become a close friend of mine. He was someone who worked with all of us. We all felt he had an astute political judgment, and we worked very closely with Mr. LaRue on literally all matters that concerned the committee.

Mr. DASH. Did there come a time after the second meeting that you had some difficulty with Mr. Liddy, and Ak.

Mr. LAGRADER. Yes.

Mr. DASH. And you tell us about that?

Mr. LAGRADER. In approximately mid-February, I had requested certain things from Mr. Liddy, I think related to his legal work as general counsel, and they had failed to come forth with. I met him, 11111 into him on the third floor of our building on a day when I asked him whether he would be more cooperative in providing the materials that we needed quickly. He indicated some dissatisfaction with me at that time.

I went to Mr. Liddy and said, among other things, you should come up here and discuss this Las Vegas mission with me at that time.

Mr. JAGGER. What was the difficulty that did occur, and what was the altercation?

Mr. LAGRADER. It was the difficulty that did occur, and what was the altercation? It was a little nilo, a little nonspecific.

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and he asked me to remove it and indicated that if I did not, serious
consequences could occur.

At. DASH. Was he more specific than serious consequences?

At. ALGERDER. Well, he indicated that he would kill me. But I avant
to make it clear that I did not, I do not regard that and I do not nonv
re need that as a specific threat. It was simply Mr. Liddy’s mannerism.
I think he was indicating to me that he did not care for his relationship
with me. That I was all.

At. DASH. Adhere, actually, did this particular meeting with you
and fair. Liddy occur?

At. 3LADRDER. The altercation or the meeting 2

At. Desk. The altercation.

At. ALGERDER. In the lobby of the third floor, the reception area of
the committee

At. DASH. And thereafter, there was a meeting with Mr. Liddy,
and Air. LaRue came up ?

Mr. ALGERDER. Yes.

At. DASH. Where did that happen ?

Mr. W[AGR~ER. In my office.

At. DASH. What happened at that time ?

Mr. W[AGR~ER. Well, at first we agreed, Mr. Liddy and I, that he
would terminate from the committee all activities. Then we discussed
the intelligence gathering, and he indicated at one point that possibly
Mr. Hunt could become involved directly in this area, or that I could
cease any consideration of that. At that time, as I recall, Mr. LaRue
indicated that it was best if we retained Mr. Liddy, at least in
that area. But he I was not overly specific. He just thought it was best
that we keep things cool and not get too excited about the situation.

What we then agreed to was to terminate him from our committee
as general counsel but retain him in the area of intelligence gathering

Mr. DASH. Well, at the time Mr. LaRue I was anxious to have
you keep Mr. Liddy in the intelligence gathering, if Air. LaRue know
what Mr. Liddy was planning to do ?

Mr. N[AGR~ER. I think in—a again, Mr. LaRue sat in on many of our
meeting and he and I had and are still — or, very close friends, and we
discussed I am sure in general terms, Mr. Liddy’s proposal. I could
not recall a specific time, sitting down with Mr. LaRue—though, tellin
him exactly what Mr. Liddy’s proposal avera.

Mr. DASH. BV the alas, did you know at that time that Mr. Hunt
was working with Mr. Liddy ?

Mr. 3LADRDER. At that time—I think by that time, I had been
encouraged by cell staff members at the White House to be sure
that Mr. Hunt was not employed by us directly but employed by
AIR. TIDDY. So I think I was aware at that time that he was.

Mr. D. ssli. AFat staff members at the AMlile House made such
encollavemellt?

Mr. At.(,R-ER. Arr. Hoxvard—Richard Howard.

Mr. T.Asir, A07ho is Arr. Richard Howard?

Mr. Ar.LV/R7/TDEtt. He novas Air. Colson’s assistant.

Mr. I\$11. Airth. if anythin ra did he say to volIP What kind of
encollilla,remelt did he rive voll?

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He indicated that Air. Hunt had completed his assignments at the White House, and since we were now engaged in intelligence activities, he thought I would find Air. Hunt very available. I only met Air. Hunt once, so I was not really quite sure in what terms he would be valuable. So I indicated to Air. Hunt that he should refer Air. Hunt to Mr. Liddy and that Mr. Liddy would employ him. I did not have a clear understanding at that time that he and Mr. Liddy had worked together before.

Mr. DASH. Nonv, also concerning that altercation you had with Mr. Liddy and your decision to terminate his employment, did you receive any communication from any other person from the White House concerning Mr. Liddy?

Air. MAGRUDER. Yes, evidently Mr. Liddy, after he left me, went and saw Air. Dean and then Mr. Strachan. I received a call from Air. Dean encouraging me not to become personally concerned about Mr. Liddy, that I should not let my personal animosity and his get in the way of the project. And then I went over to the AShite House and was working with Air. Strachan on normal campaign matters, and he brought up the same subject and, as we walked back to the committee—it was a Friday afternoon, I recall, and it was raining—he indicated that although he had the same personal difficulties with Air. Liddy, that probably Mr. Liddy was quite professional in this intelligence gathering, and we should retain him in this area.

Air. DASH. Did Air. Egil Krogh ever talk to you concerning either Air. Liddy or Air. Hunts?

Air. MAGRUDER. Air. Krogh did talk to me about Mr. Liddy, and mentioned to me a number of times we should keep tight control over him but he was very evasive.

Air. DASH. Did you know at any time of Air. McCord's participation in Air. Liddy's plan?

Air. MAGRUDER. Air. Krogh did talk to me about Mr. Liddy, and mentioned to me a number of times we should keep tight control over him but he was very evasive.

Air. DASH. After the February 4 meeting in Air. Mitchell's office, when the plan was not still approved, did there come a time when anyone else at the White House urged you to get the Liddy plan approved?

Air. MAGRUDER. Yes, Mr. Charles Colson called me one evening and asked me, in a sense, would I get off the stick and get the budget approved for Air. Liddy's plans, that we needed information, particularly on Mr. O'Brien. He did not mention that I want to make clear, anything relating to wiretapping or espionage at that time.

Or. DASH. But in that discussion, did you bet the impression yourself that he knew what the Liddy plan was?

Air. MAGRUDER. Again I want to be clear. I knew Air. Hunt was a close friend of Mr. Colson's. He had been referred to me earlier by Mr. Colson. I did make the assumption that he did know but he did not say that he did know but he did not say that he was aware of the specifics and never did say that to me at that time.

Air. DASH. Would Air. Colson be one of those persons who would be in line of communication to whatever Mr. Strachan was communicatill(e) to the White House?

Arr. MAGRUDER. I think Mr. Strachan worked closely with Air. Olson. Lent his line of communication was through Mr. Haldeman.
15. At the meeting specified in the preceding paragraph, John Ehrlichman instructed that Howard Hunt's EOB safe should be opened in the presence of John Dean, Bruce Kehrli and a Secret Service Agent, and that Dean should take possession of the contents. Charles Colson said that this should be done immediately. On the evening of June 19, 1972 at Kehrli's request, Hunt's safe was forcibly opened in the presence of a Secret Service Agent and a GSA representative. Kehrli and Fred Fielding, Dean's assistant, arrived shortly thereafter.

15.1 John Ehrlichman testimony, 6 SSC 2612-13 190

15.2 John Dean testimony, 3 SSC 934 192

15.3 Bruce Kehrli deposition, Democratic National Committee v. McCord, May 15, 1973, 6-9 193

15.4 Fred Fielding deposition, Democratic National Committee v. McCord, May 15, 1973, 7-9 197

15.5 Charles Colson draft statement prepared for delivery to the SSC, September 1973, 1, 4 (received from SSC) 200

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tar. EIIRLICHSAX. I take it, Senator, and here I am speculating, rankly speculating. Here’s an episode with Or. AtcCord, which comes cut through Or. AtcCord bac’s through Caulfield to Dean. Nonv how does Jollll Dean justify having sent Air. Caulfield to talk to Air. AtcCord? I don’t know whether that is the explanation or not, but it certainlv; as suggested to me as I watched Air. Dean at this table spinning this tale.

Senator GIJB?:EY. Let us to another area which involved you and Mr. Dean and that is the papers that were taken from Hunt’s safe after it was opened by people. Some of these panels, as you know, were very sensitive. Some were contained in a briefcase of Air. Hunt’s. The testimony, of course, here is that Dean had a conversation with you about this and f ou made some suggestions about disposing of the papers that were in the briefcase. Any recollection is that you advised Air. Dean to deep-six these papers. ANould J-OU care to tel us about this meeting?

tar. EHRlichBrAN-. That was a meeting, if I heard the testimony correctly which was also attended by other people and should be susceptible of determination from independent witnesses. To correct an assumption in your question, Senator, I did not know the contents of Air. Hunt’s safe except in the most general terms. I was told, and I can’t say who told me—probably Sir. Dean—that there was a pistol and a tape recorder and a number of documents, some of which had nothing to do with Watergate but were very politically sensitive. Nonv, that was the general description. I had no occasion to look at them, I never saw them except as a few of them were sealed in an envelope and handed to Pat Gray.

The conversation has to be weighed, the probability of such a conversation where I said, run out and throw this in the river, has to be weighed against what I actually did, which I think the witnesses who were in the meeting on the 19th will tell you that I did.

We had had a meeting for two purposes on the 19th, which included Sir. Colson, Or. Iielrlri, staff secretary, and Iven Cla~vson on the Elite House staff. The meeting was for, as I saw, two purposes—one, to try to determine what the facts were about Howard Hunt’s employment status, which was very murky at that point in time, because of some lack of documents or some confusion of documents, and things of that sort.

The other purpose was to talk about what to do about this safe which had been found on the premises, and apparently had things in it that related to Howard Hunt, who was then, if not arrested, at least a prime suspect.

The instructions which we agreed upon at that meeting were that a member of people should be present at the opening of that safe. We knew we had to have something from the GS because they had to open the safe. But in addition to that, I specified to Sir. Iehrli being present, that Air. Dean be present and take custody. Then I thinly At. Iehrli suggested that a Secret Serv-ice agent be present under the circumstances, because we were breaking into a safe in the White House. And that was the arrangement that we agreed upon when we broke up on the 19th.

Sty plrzose in doing that was twofold. One this was a kind of extraordinary procedure and I thought there ought to be people who
could, one, later on tell what had happened; two, I was concerned about the custody of these documents, the chain of evidence, the perfectibility of proof if the time came and there were documents in there that bore on Mr. Hunt's liability.

So that was done, and it was done, I believe, that same day or that evening.

Senator GURNEY. Yes.

Mr. EHRICHMAN. NOW, it seems to me that it would have been folly for me at some later time, then, to suggest that the briefcase be thrown into the floodtide of the Potomac or that these papers be thrown in the river, or something of this kind.

ArOW, there was in this story also the suggestion of shredding. I don't think in my life that I have suggested to anybody that a document be shredded. Shredding is just not something that I have ever resorted to under any circumstances, nor proposed to anybody under any circumstances. Is I said, use have a great disposal system at the White House. If you really want to get rid of a document, you put it in a burn bag and you seal it up and it is never opened again, and it goes into a furnace and that is the end of it.

Senator GURNEY. But to get back to this second meeting when John Dean comes to you and tells you, these have got some pretty sensitive papers here, and as he alleges, oil say, tells deep-six this briefcase. What's your testimony on that?

Mr. EHRICHMAN. I did not. I have no recollection of that kind of a conversation.

Senator GURNEY. Did you make any other suggestion to him that he dispose of these papers in any other way?

Mr. EHRICHMAN. We discussed what to do about some papers which he told me about in the safe which really should not be leaked. It ain't, we have to come back to our FBI problem, and he was clearly concerned and when he explained it to me, I shared his concern that if these documents were simply wholesaled to the Washington field of some FBI, we would be reading about it in Time magazine in a very short order.

Senator GURNEY. Now you are talking about the ones that revere their alar and aTrsive

ar. EHRICHMAN. And so Sir, Dean came up with this idea, turning them over to Pat Gray personally, and I certainly concurred in it. I thought that was an ideal solution to the problem.

Senator.:URN-EY. Did that come up in this meeting when supposedly the deep-six conversation came up?

or. FllnIllelloxs. A57 ell, I Matlateled that that meeting was supposed to have been the meeting which I was interested in. It really should not be leaked. It was, we have to come back to our FBI problem. and he was clearly concerned and when he explained it to me, I shared his concern that if these documents were simply wholesaled to the Washington field of some FBI, we would be reading about it in Time magazine in a very short order.

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instructed by Haldeman to go through all of Air. Haldeman's files over the weekend and remove and destroy damaging materials. He told me that this material included such matters as memorandums from the reelection committee, documents relating to wiretap information from the DSC, notes of meetings with Haldeman, and a document which reflected that Haldeman had instructed Magruder to transfer his intelligence gathering from Senator Blaske to Senator McGovern. Strachan told me his files were completely clean.

I spoke with Mr. Itleindienst and he told me that both the FBI and the D.C. Metropolitan Police were investigating, and he assumed that the FBI would take full jurisdiction of the case shortly. He also alluded to his encounter with Liddy at Burning Tree Country Club, but did not explain this in full until I later met with him. I do not have a record of when I met with Mr. Itleindienst, but it was either on Monday, the 19th, or the next day. I will describe that meeting shortly.

I met with Ehrlichman in the mid-afternoon and reported in full my conversation with Liddy. I also told Ehrlichman about the earlier meetings I had attended in Mitchell's office in late January and early February and my subsequent conversation with Haldeman. He told me he wanted to meet later with Colson and told me to attend. Ehrlichman also requested that I keep him advised and find out from the Justice Department on what was going on. I did not mention my conversation with Strachan because I assumed that Ehrlichman was aware of this from Haldeman himself.

Later that afternoon I attended a second meeting in Ehrlichman's office with Colson. I recall Ehrlichman asking where Hunt was. I said I had no idea and Colson made a similar statement. At that point before the meeting had started, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this. Without even thinking. Shortly after I made the call, however, I realized that no one in the White House should give such an instruction and raised the matter. A brief discussion ensued between Ehrlichman and myself. As I recall, Ehrlichman said that he was not a fugitive from justice, so why not. I said that I did not think it was very wise. At this point, Colson chimed in that he also thought it unwise and Ehrlichman agreed. I immediately called Liddy again to retract the request but he informed me that he had already passed the message and it might be too late to retract.

Following this brief telephone skirmish rewarding Hunt's travel plans, the meeting turned to Hunt's status at the White House. I had learned from Fred Fielding, who I had asked to check on it, that Hunt had not drawn a check from his White House consultancy since late March of 1979. But as far as I knew, the records indicated that Hunt was still a White House consultant to Colson. After discussions of this by Colson, who at this point was disowning Hunt as a member of his staff, Ehrlichman called Atty. Bruce Ivehhli and requested that he bring Hunt's personnel records up to Ehrlichman's office. Before Ivehhli arrived, Colson raised the matter of Hunt's safe. Ifson without getting specific, said it was imperative that someone get the contents of Hunt's safe. Colson suggested, and Ehrlichman concurred, that I take custody of the contents of the safe.
Q And you desire to proceed without an attorney?
A That is right.

Q What are your duties at the White House, Mr. Kehrli?
A Basically administrative. My title is Special Assistant to the President. My position is one of a staff secretary which is kind of the operations officer for the White House on a day-to-day basis.

It involves making sure that papers that the President sees, official papers, are staffed correctly; handling the paper flow to the President such as official documents, bills, proclamations, things of this nature. Handling the administration of the White House staff in terms of payroll, office space, things of this nature.

Q How long have you held this position?
A Since January 1, 1972.

Q Who do you report to in this capacity?
A Well, I did report to Bob Haldeman. I now report to General Haig.

Q Let me direct your attention to June 19th of 1972. You had an occasion at that time to go to an office in the Old Executive Office Building isn't that correct?

Q Yes, that is correct.

Q Is that Room 338?
A Yes, it is.

Q That was the office of Howard Hunt?

A Yes.

Q What caused you to go to that office, Mr. Kehrli?

A I was requested by John Dean to go to that office.

Q When did he make that request to you?

A In the afternoon at about 2:00 o'clock, I think I am not sure of the correct time. Early afternoon on that day.

Q Would you relate that conversation to us, what took place?

A He just asked me to go the office and see if there were any materials or papers left and clean them out. I went up to the office. I checked to find only stationery and other things of that nature in the desk but found a safe in the office.

I had put the stationery in a large box and had it removed to a room in EOB, Executive Office Building. I had the safe taken to that same area.

Q Did you do this by yourself?

A No, I did that with GSA personnel.

Q Do you recall who they were?

A No, I don't.
Q What time was this you removed this, about 2:30 in the afternoon? Is that correct?

A It was probably around -- immediately after my discussions with Or. Dean.

Q What happened when you took the safe to the Old Executive Office Building?

A We were in the Old Executive Office Building. We took it to the fifth floor. I then checked with the GSA representative and with the Secret Service representative to see if they had a combination for the safe.

What did you find out? That they did not. Was it a GSA safe? It was. And they did not have the combination? No, which is not unusual. Then what took place? Then I asked them to open the safe and to give me a call because John Dean had said he wanted to be there when the safe was opened and I waited. I got a call, let's see at about -- it was early evening, from one of the -- I think it was the FBI agent.

When the safe was opened they had a Secret Service agent there and the fellow actually opened the safe. They had people
to protect themselves against any problems, things missing out of the safe.

Q- Do you know who the Secret Service agent was?

A Baker, as I remember.

He called and said, "We have opened the safe. There is a gun in the safe. You better come up and take a look at it."

So at that point I tried to reach Mr. Dean. I was unable to reach him and reached Mr. Fielding and we went up. We both arrived. It took me a couple of hours to track down Fielding and we went up there I think around 7:30 or 8:00 o'clock. At that point -

Q Were you there before he was?

A No.

Q You got there at the same time?

A Approximately the same time. I think we may have seen each other coming down the hall toward the safe. I don't really remember at this point but it was approximately the same time.

From there the GSA or the fellow who opened the safe and the Secret Service agent left. We took the material out of the safe, put it in a couple of boxes that we had there, called GSA people to come up and take it from there to my office because that was the most secure area there in
NWas t...e~o a dep...ty at th34 point? NOR the~e was no;.

Q zo you were tJhe second in cormand at tiz3t 30it-;

YeSw

Q Wern you hired by *wtr. Dean?
A Yest sir. t\Jell, iwas hired by Mr. Doan. ze ss the snF wha int2rvieved ma and offered xthe position.

Qnad you krillow Mr. Dean pr4 to Otis.

A I had not. 

QL-et's addres3 your attention wJuse 19, 1972. On that occas--on, you had the occasion wgo to ttr. Hen'*s office;

A That is not correct. To thv De3t of my knowledge, I hav2 nnv2r been in ttr. Eunt's office. June 19@ ~, Just so Iam sur2, that was Monday?

Yes, it would have been Monday, tht 13th.

A I just wanted to mak.e sure. on June ths l1th, the evenir.g of Juna the 19th, I hnd cecasion to go wthe fifF'n flook Os the OwExecutive Offt-e 8ui~ing to a room. TaMzust not sure cg tne room nu--bzr. I; t.vas nn-h Dt~~. Sun4'~ sfi-2. It 4a G5S sto-roroom.

Q

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A I am sure it was a GSA office.

Q: Did the GSA office exist?
A: Yes, to the best of my knowledge.

Q: Would you tell us what happened when you arrived there.
A: When I arrived there, Mr. Bruce Kehrli, who was at that time a staff secretary at the White House office, was present. A GSA representative, I believe, was in the hallway and, to the best of my recollection, there was a Secret Service agent present. There was a safe in that room which had just been drilled by a team of people from one of the safe companies.

Q: Do you know who they were?
A: No. Do you know who the Secret Service man was? No, I don't. The only person you knew was Mr. Kehrli? And the GSA representative. You know his name?

Yes.

Q: Was that?
A: Yes.
Sir. Charles Rotch~o~d,>I eiSeve.

arrived in tho room, the sace was ao e~~ r oDet?

T:1: sal-e It~d b-en dr_1led 2n~. tv~s c?^> aDr-o~ ~~, ~;

+ 'J'~ ......O#),e$?

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Fred Fielding Deposition, May 15, 1973

an inch. One of the drawers was open approximately an inch.

Q The team had already left that drilled the safe; is that correct?

A Yes.

Q Approximately what time was this?

A I would say it was approximately 7:30. 7:30 to 8:00 o'clock in the evening.

Q What caused you to go to that room in the Old Executive Office Building?

I was in my office working sometime around 7:00 o'clock. I got a phone call from Mr. Kehrli who was trying to reach Mr. Dean. Mr. Dean was not in the office at the time. I tried to reach him and couldn't. Mr. Kehrli advised me that they had Mr. Hunt's safe in this room, 522, and it had been drilled and that Mr. Dean had asked that he be present when the safe was opened. I then tried to find Dean and could not, and I knew that Mr. Kehrli had come in from his home upon advice that the safe was open, so I said, 'Shell, if Mr. Dean wants somebody to be up there, I'll come up there.' That's how I ended up in Room 522.

Q The safe was then open, I assume, when you were there?

A Yes. By way of background, it is a misunderstanding, and I didn't know this at the
time, that the Secret Service

retyped from indistinct
original

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Oseni-nc Statement of Charles W. Colson  
Before Senate Committee on Presidential Activities 

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

I will also attempt, if I may, to Rive this Committee some insight into the mood and atmosphere which existed in the TVhite House during the Wixor. vears. I have Tollol7ad your proceedings to date; it is clear that you are seeking to de_e.:mine not only What in fact happened, but why and norv these things could have happened. 

AS TO l-IE FACTS: 

I first heard that there had been a burglary at the Democratic Wation21 CcTalitSee h2adqu3rters on the radio. T t :a- S.-ur>iar, Juice 17, 979 I thoLlz,h~; it was no mor_ thao an o--;dintLv burial xi ~ one mcl-e add;~ioil -o the Do C. crime 

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This document contains an excerpt from a speech by Charles W. Colson, discussing the Watergate Affair. He acknowledges the opportunity to present an open statement to the Senate Committee on Presidential Activities, and provides his recollection and insights into the mood and atmosphere surrounding the events. He notes the committee's interest in determining not only what happened, but also why and how these events could have occurred. The excerpt includes the initial report of the burglary at the Democratic National Committee headquarters and reflects on the atmosphere in the White House during the Nixon years. The document is significant for its historical context and the insights provided into the Watergate scandal.
take steps to formally process
Hunt's termination, such as the
cancellation of his White House
pass, the surrender of documents,
etc.

3. We learned -- to my surprise -- that Mr.
Hunt still maintained a safe in an
office in the Executive Office
Building. I suggested to Dean that he
take custody of the safe. I was
certain in my own mind that there
would be an investigation if the
facts established that Hunt had had
any connection with the Watergate
breakin. It was my views that the
ignite House counsel had a
responsibility to secure the safe
and any other evidence. Contrary to
Mr. Dean's testimony (TR 2169), I had
had no communications from Hunt
over that weekend; no one suggested
that I remove anything from the safe.
I never saw the safe nor was I aware
of the contents of the safe. As a
matter of fact, it was not until late
June, after publicat-ivn of a
Scripps-lioward
16. Immediately before the meeting specified in paragraph 14, John Dean asked Gordon Liddy to advise Howard Hunt that he should leave the country. Liddy contacted Hunt and told him that "they" wanted Hunt to get out of town. Dean states that he took this action on instructions from Ehrlichman, and that Dean retracted his instruction shortly after

he gave it. Ehrlichman has denied that he gave such instructions.

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16.1 John Dean testimony, 3 SSC 934 204
16.2 E. Howard Hunt testimony, SSC Executive Session, July 26, 1973, 210-12 205
16.3 E. Howard Hunt testimony, 9 SSC 3690 208
16.4 John Ehrlichman testimony, 7 SSC 2718-19 209
16.5 Transcript of tape recorded conversation between Ken Clawson and John Ehrlichman, March or April 1973, SSC Exhibit No. 108, 7 SSC 3009 211
16.6 Transcript of tape recorded conversation between Charles-Colson and John Ehrlichman, April 17, 1973, SSC Exhibit No. 109, 7 SSC 3010-11 212

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instructed by Haldeman to go through all of his files over the weekend and remove and destroy damaging materials. Ike told me that this material included such matters as memorandums from the reelection committee, documents relating to wiretap information from the DNC, notes of meetings with Haldeman and a document which reflected that Haldeman had instructed Magruder to transfer his intelligence gathering from Senator Muskie to Senator McGovern.

Strachan told me his files were completely clean.

I spoke with Mr. Ehrlichman and he told me that both the FBI and the D.C. Metropolitan Police were investigating, and he assumed that the FBI would take full jurisdiction of the case shortly. He also alluded to his encounter with Liddy at Burning Tree Country Club, but did not explain this in full until I later met with him. I do not have a record of when I met with Mr. Kleindienst, but it was either on Monday, the 19th, or the next day. I will describe that meeting shortly.

I met with Ehrlichman in the mid-afternoon and reported in full my conversation with Liddy. I also told Ehrlichman about the earlier meetings I had attended in Allitehell's office in late January and early February and my subsequent conversation with Haldeman. He told me he wanted to meet later with Colson and told me to attend. Ehrlichman also requested that I keep him advised and find out from the Justice Department on what was going on. I did not mention my conversation with Strachan because I assumed that Ehrlichman was aware of this from Haldeman himself.

Later that afternoon I attended a second meeting in Ehrlichman's office with Colson. I recall Ehrlichman asking where Hunt was. I said I had no idea and Colson made a similar statement. At that point before the meeting had started, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this, without even thinking. Shortly after I made the call, however, I realized that no one in the White House should give such an instruction and raised the matter. A brief discussion ensued between Ehrlichman and myself.

As I recall, Ehrlichman said that he was not a fugitive from justice, so why not. I said that I did not think it was very wise. At this point, Colson chimed in that he also thought it was unwise and Ehrlichman agreed. I immediately called Biddy again to retract the request but he informed me that he had already passed the message and it might be too late to retract.

Following this brief telephone skirmish regarding Hunt's travel plans, the meeting turned to Hunt's status at the White House. I had learned from Fred Fielding, who I had asked to check on it, that Hunt had not drawn a check from his White House consultantship since late March of 1972. Pout as far as I knew, the records indicated that Hunt was still a White House consultant to Colson. After discussions of this by Colson, who at this point was disowning Hunt as a member of his staff, Ehrlichman called Sir. Bruce Lehrerli and requested that he bring Hunt's Personnel records up to Ehrlichman's office. Before Lehrerli arrived, Colson raised the matter of Hunt's safe. Colson, without getting specific, said it was imperative that someone (ret the contents of Hunt's safe. Colson suggested, and Ehrlichman concurred, that I take custody of the contents of the safe.
were apprehended inside the offices of the Democratic National Committee -

Mr. Hunt. Yes, sir.

Mr. Lackritz. - could you please describe from that point on what your reaction was, and what you did after that?

Mr. Bittman. You want to go through the whole thing again?

Mr. Lackritz. Off the record.

(Discussion off the record.)

Mr. Lackritz. Back on the record.

Mr. Hunt. After the men were apprehended and I had gone over to the Howard Johnson Motel, I then went to the White House and took out $10,000 from the cash box. I put $1,500 in my own pocket, took $8,500, and after making a call from my Mullen Company office to Mrs. Barker in Miami to advise her of the situation, and to suggest she get in touch with Mrs.Caddy; I then went to Mr. Caddy's apartment and gave him $8,500. After he had secured an attorney named Rafferty, after many hours of telephoning members of his firm that might, or might not be available, I departed for my home.

I'm trying to keep it in the money context. On Monday, the 19th, I was told by Mr. Liddy that they wanted me to get out of town.

Mr. Lackritz. Now, Monday the 19th, when did you see Mr. Liddy?

Mr. Hunt. It was, I gather, around 11, 11:30 in the
morning. He called me and asked me to meet him down at the corner
by the USIA Building, which is about 19th and Pennsylvania
Avenue.

It was very mysterious, we walked, and he talked; and he said,
"We want you to get out of town right away", and I expressed
surprise at that.

I said, "Well

__ purpose, where do you want me
to go", and he said, "Well -- I said, "What excuse would I have
for going". He said, "Well, your wife is in Europe, why don't
you go over and visit her for a while, spend the rest of the
summer over there, it's a free vacation".

I said, "Well, I still have two children here in the United
States", so we went on in that vain [sic] and it had been decided.
He wasn't specific as to who had instructed him to get in touch
with me, but he said, "All expenses will be paid, everything will
be taken care of"; and I said, "What I need right now is an
attorney, you know, he has been out to visit me; I communicated
with him telephonically over the weekend."

I went home in due course and began packing, and within
a period of 45 minutes -

Mr. Lackritz. Before you get into that, when you met with
Mr. Liddy on the street corner he said "they wanted you to get
out of town", who were "they"?

Mr. Hunt. I assumed it to be the Mitchell, Magruder, Dean
group, whom I identified as the principals.
1. What is the
Mr. Lackritz: You identified these individuals that you just named as being Mr. Liddy’s principals?

Mr. Hunt. Yes.

Mr. Lackritz. I see. Did you ask Mr. Liddy specifically who "they" were?

Mr. Hunt. No, I did not at that time. We, both of us, were in a pretty emotional state at that point, and he felt it was imperative, he was relaying instructions to me to get out of town. I resisted that instruction, I wanted legal representation.

He overcame my reluctance and I said, "All right, I've got a pretext for going up to New York over night - in fact I did have a conference slated for the following day in New York. So, I went up to New York and telephoned my wife in London the following day -- oh, it was after I got home that Mr. Liddy rescinded the order. I was just about packed, though I had no intention of going abroad; I didn't actually take my passport out of the drawer.

I said, "Well, I'm very concerned over the mental processes, or the rationale of people who tell me to get out of town, nothing else will do; and suddenly, 45 minutes later, the order is rescinded."

I said, "What I'm going to do, you persuaded me that there may be a reason for me to get out of town." I said, "I've already told my employer I'm going out of town, so I'm in
Mr. DASH. NOTNT) did you hear from Mr. Licldy during this period of time?

Mr. HUNT. That period of time?

Mr. DASH. What, if anything did he tell you?

Mr. HUNT. Toward midday on the 19th, I trot n telephone call from him at my Mullen Co. office saving that he needed urgently to meet me. We met at the corner of the ITSI-t building, which I believe is at 11th and Pennsylvania X-e. We met, walked around the blocks Dulin r the course of the conversation, he told me that it was necessary for me to get out of towns that "they" wanted me to get out of town.

Mr. DASH. Did he indicate Echo "they" Ivere?

Mr. HUNT. Blot at that time.

Mr. DASH. Then, was it a fact that that pacticular order was rescinded?

Mr. HUNT. He told me that it was.

Mr. DASH. O~V. in fact, you did leave Washington, did JON not?

Mr. HUNT. I did.

Mr. DASH. And did you ultimately go to California? _ WIr.

Mr. HUNT. I did.

Mr. DASH. At that time, did you make arrangements to obtain Counsel?

Mr. HUNT. I obtained local counsel in California, but not ax ashington counsel.

Mr. DASH. Well, in California, who did you meet, what California counsel?

Mr. HUNT. I Incas staying at the home of an attorney an old friend named Morton B. Jackson. Mr. Diddv appeared out there unannounced on June 21. I reiterated my request to him that he or somevody obtain counsel for me in the wasLington area. Mr. Liddv rave nle 81000 and said, this ves-ill help with Jaclcson.

I thereupon Gave the 81,000 in cash to WIr. Jackson. retaining him as m) counsel on the Unrest coast.

Mr. DASH. And did Mr. Jackson lefer vou to and l5-ashillerton layover?

Mr. HUNT. In due course, he did.

Mr. D sell Yes. and what lawyer was that?

Mr. HUNT. He referred me some time later to two attorneys. neither of whom were known to, I belies-e, either Mr. Jackson or ma self. Simply through an alphabetical process I decided to reiates, to inqllile of Ail-. Bittman avhetller or not he nould I)e interested in repleseltlltle nle.

WIr. DASH. And did you retain WIr. William Bittman?

Mr. HUNT. I did.

Mr. D isle. And when did you first meet Mr. Bittman in Al ashinlron?

Mr. HUNT. (n the night of J~lY :3.

Mr. DASH. What lvas your lndelstaIdillc. Mr. Hllat, concerning legal fees and stlppOlt of your familx that you avoid receiver AOflwat eneral uncelstandincr did you hale?

..HF5-T. -tt the time Sir. I,liddv appeared at the home of Atr. Jac"son on Anne 2l. I raised the (question with him, as I had xv[.]
officer but our office also works 18 hours a day. I have a lot of very loyal, hard-working, dedicated people on my staff but they don't work in a vacuum. Every one of them knows what the other one is doing, and in our office we don't keep secrets from each other. And when something of importance arises that they think I, as a U.S. Senator from Georgia, ought to know, they don't conceal it. They bring it to me and inform me, and I can act on it intelligently and not in the dark.

Mr. Chairman, I yield the floor.

Senator ERVIN. Senator Gurney.

Senator GURNEY. Thank you, Mr. Chairman.

On June 19, Mr. Ehrlichman, you had a meeting, I believe, with Mr. Colson and Mr. Dean. And there has been testimony here that there was some discussion at that meeting about instructions to Mr. Hunt to leave the country. Can you shed some light on this?

Mr. EHRlichman. I believe I can, Senator. There were two other people at that meeting also, Atr. Kehrli, the staff secretary and 3Ir. Clawson. I think the first time I heard this story about getting Hunt out of the country, and I take it that is what you are referring to, was sometime this year, either late in March or early in April, when Mr. Dean in my office told me I had said that. He said very dramatically,

I went over to that telephone over there to the corner of your office and I picked it up and called somebody and sent Hunt out of the country and you remember that just a half hour later we decided that we shouldn't do that and I went back and called it off.

Senator GURNEY. This is after you and Dean had your confrontation.

Mr. EHRlichman. And after I had been informed that he had apparently given this story to the prosecutor. And each of them, IZehrli and Clawson said, no. Clawson said first "What do you want me to remember?" or something to that effect, and I said, "I want you to remember everythine that happened four square because this is something I am drawinfl a plan on."

And he said "It didn't happen as far as I can recall."

But anyway I got to Sir. Colson and he said, "That didn't happen in your office. That happened in mv office." And he said, "I had a conversation with John I)ean about that and T told John T)ean 'For zood
ness sakes, if you try to send Hunt out of the country turn it off.

It is a dumb idea.' And he did."

Senator GURNEY. How did Colson know that Dean had tried to tell Hunt to get out of the country or told him to get out of the country?

Mr. EHRlichIAN. Because Colson said, 'He tried to peddle that story to me.'

Senator GURNEY. When did he try to peddle that story?

Mr. EHRlichIAN. COLson. When he tried to peddle that story is that Dean was apparently saltiing the mine a little bit. He was getting around and susur-esting events to different people. He did the same thing with Mr. Haldeman, I understand, and these—

Senator GURNEY. On the Hunt again?

Mr. EHRlichIAN. NO; this was on something else. And I can't remember what it was but I just remember Haldeman saying, "Well, that happened, you know he was in here peddling one of these stories to me."

Senator GURNEY. This is all during the period of Starch and Vpril, somewhere in there.

Mr. EHRlichIAN. This was after the Camp David attempt by Mr. Dean to collect his thoughts.

Senator GURNEY. I see.

Mr. EHRlichIAN. And so, anyway, Colson told me this, and that concluded the matter as far as I was concerned in corroborating my absence of any recollection of such a thing having happened. But apparently there was a pattern through those seeks of Dean trying to assert these sort of antics to the landmark across the landscape.

Senator GURNEY. Did you go back to Dean after that and say: 'I checked this story on you and it never happened. Why are you telling me this?'

Mr. EHRlichIAN. NO; by that time Mr. Dean and I were not communicating with one another.

Senator GURNEY. What other things did he try to peddle to you?

Mr. EHRlichIAN. Other than this particular tale to Mr. Colson and me and the one about Mr. Haldeman which I am sorry to say I can't recall. The deep-six business of the disposal of the document was also given to the prosecutors and came back to me the same wave. That he did not try to plant on me that I can recall.

Senator GURNEY. Why would he plant the Hunt story, I mean what purpose svould that serve?

Mr. EHRlichIAN. COLson. I confess, I don't know except—well, this is really remote, but I do understand that in fact Mr. Dean did make the CALL to have Hunt leave the country, and like some other episode that we discussed the other day he has tried apparently to tie events of that kind to someone else's authority.

DFo v, I don't know the date of the actual call but I have heard and, as I say this is really secondllalld, that Hunt mt such a call, either to it from Dean or ore Dean s sav-so and it s a little bit like the AtCord-Caulfield situation, he is twina it back to me.

Senator GURNEY. Is far as vould are concerned you never gave him that instruction?

Mr. EHRlichIAN. Correct.

Senator (;(Tr~N-El-. At this Tulle 19 meeting or an} other meetingf

Sir. EIRlICIIAt.AN. That is corrects
Conversation with E. N. Clawson
C. Clawson.
E. Ehrlichman.

E. You called me?
C. No I didn’t call you.
E. I’m sorry. I got a message at home to call you. I’ll be jiggered. Is that Isen Clawson.
C. Unless it was Jim Clawson.
E. Couldn’t have been. Isn’t that strange. Gee I hope I didn’t wake you up.
C. I’m out of it with this damn cold.
E. Oh, that’s too bad. While I have you could I ask you something. I’m awfully sorry to bother you.
You may recall a meeting in my office which I think you sort of convened to talk about a press report during the Watergate aftermath, when it broke, a press report about Hunt’s safe being in the White House. and you and Chuck and Bruce Rehrli came up here and met with Dean and me to talk about what you knew what our response should be and so forth. Do you remember that?
C. Vaguely. I remember better an earlier meeting in which the question was should we give out Hunt’s dates of employment and what Charley’s role was in hiring him.
E. Yeah. I’ve, this focuses particularly on what we ought to do about the contents of the safe, what we ought to say to the press, what use ought to do about Hunt and so forth. Do you have any present recollection of that?
C. A vague memory, yeah, but I don’t recall any of the details of it.
E. Shell, it’s interesting because Dean who as you know has talked to the U.S. Attorney at great length, cites some comments of mine in that meeting as evidence of corrupt attitude on my part and I’m looking for anybody who can help me to recall what took place there.
C. That’s helluva note, John.
E. I agree.
C. If you want me to be forthwith and straightforward with you, I’ll recollect anything you want me to.
E. Novell, no, let me, let me tell you what my problem is and then you can . . . I’ve got to tell what I recall and what I don’t recall. He alleges that I said two things at that meeting. One that we ought to deep six the contents of the safe, quote, unquote. And, two, that we ought to get Hunt to leave the country.
Oh, I could . . . listen, John, if anything like that. If either one of those two things were said that would be vivid in my mind. I would think so. I would think so.
And that’s objectively.
Now, in point of fact, Dean phoned Liddy and asked Liddy to have Hunt leave the country. That’s new news to me. Yeah, but you see this . . . and what he’s doing is saying well I was just being a good German and carrying out orders.
No, I would have absolutely no trouble in remembering either one of those two things had that been said.
Vell, OR. I would just remember that
Yeah, that’s a fairly dramatic event OK, thank you very much. Awfully sorry to have bothered you. I just don’t understand.
If there’s anything I can do in this thing, please let me . . . I will. I will.
Thank you, John.

(211)
Conversation with Chuck Colson, April 17, 1973. C.
Ehrlichman.

E. HeUo.
Hello, Air. Colson's office.
Yes, this is John Ehrlichman Hi,
Mr. Ehrlichman.
Air. Colson in?
Yes, just a minute please. C.

E. Eli.
C. Hi. John. I'll be over about 11 if that's convenient. E. Fine, that's very good.
C. To quick questions, though. One thing I should tell you is that our great find last night really started accelerating Something coming out this morning & Dean involved. Now I notice the LA Times has it this morning but the people that Shapiro has been getting information from, you know, the town is buzzing with, is alive with the story, so I don't think we have a helluva lot of time.
E. All right.
C. I just thought I'd let you know that. E. I appreciate it.
C. Did he, when he went over there, was he given any immunity? E. Not yet.
What they've done, apparently. C.
They shouldn't give it to him.
E. I know it. What they said to him is that unless he turns up corroborated evidence against Haldeman and me.
C. Is that who he's trying to make?
E. Sure.
C. Who, Dean is? E.
Unless he does that he doesn't get immunity. Now my grapevine tells me that you are going to be summoned over there today. Oh, really?
Yep. And that they're going to ask you about a meeting in my office which Dean has highlighted as the central gemstone in the case against me and so just in case you get hauled over there before 11 o'clock, maybe I'd better tell you about it. It was a meeting that Schri, Clawson, you, Dean and I had here.
I wasn't there. In my office.
I was not there. Dean tried this one out on me Friday night, and I said the only thing I can ever recall, John, is I once told you I thought it was a stupid, god-damn thing for Eunut to be unavailable.
Well, that's the meeting where supposedly I ordered him to ted Iunut to leave the country.
Never heard that. And I will SO state under oath.
Or that I admonished everyone that we ought to figure out some way to deep six the contents Of Bunt's safe.
No. -No way. I was the one who said go get Eunut's safe and be sure it's preserved for the FBJ.
Right.
A. and AB it's stupid to get another country. But that was in my office not
I can handle that one easily. But you were
not in a meeting here?
That's the way. Off.
A11 right ? E. All right.
C. Than_s.

E. c. E. OI[ C. All
right ? E. All right.
C. Than_s.

A. and AB it's stupid to get another country. But that was in my office not
I can handle that one easily. But you were
not in a meeting here?
That's the way. Off.
A11 right ? E. All right.
Thank you, I'll see you at 11

here but we'll talk about that butnmol In,med to do to protect each others dank Fair enough.
Let get it clearly understood that son of a bitch doesn't get i-nunits.

IVeIl I'm doing my best. No, I want to nail him I'll take
immunity first.

(213)
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

JOHN N. MITCHELL, HARRY R. Haldeman, JOHN D. EHRLICHEAN,
CHARLES W. COLSON, ROBERT C. MOLDRIDIAN, KENNETH W. PARKINSON,
and GORDON STRACIAN,

Defendants.

INDICTMENT

The Grand Jury charges:

 perjury and false declarations.

Introduction

1. On or about June 17, 1972, Bernard L. Barker,
Virgilio R. Gonzalez, Eugenio R. Martinez, James W.
McCord, Jr. and Frank L. Sturgis were arrested in the
offices of the Democratic National Committee, located in
the Watergate office building, Washington, D. C., while
attempting to photograph documents and repair a
surreptitious electronic listening device which had
previously been placed in those offices unlawfully.

2. At all times material herein, the United States
Attorney's Office for the District of Columbia and the
Federal Bureau of Investigation were parts of the
Department of Justice, a department and agency of the United States, and the Central Intelligence Agency was an agency of the United States.

3. Beginning on or about June 17, 1972, and continuing up to and including the date of the filing of this (214)
of Columbia, both prior to and subsequent to
the return of the indictment on September
15, 1972.

(f) The conspirators would make and cause to
be made offers of leniency, executive clemency
and other benefits to E. Howard Hunt, Jr., G.
Gordon Liddy, James W. McCord, Jr., and Jeb S.
Magruder.

(g) The conspirators would attempt to
obtain CIA financial assistance for persons who
were subjects of the investigation referred to
in paragraph three (3)
above.

(h) The conspirators would obtain information from the FBI
and the Department of Justice concerning the progress of the
investigation referred to in paragraph three (3) above. 18. In
furtherance of the conspiracy, and to effect the objects thereof,
the following overt acts, among others, were committed in the
District of Columbia and elsewhere:

OVERT ACTS

1. On or about June 17, 1972, JOHN N. MITCHELL met with ROBERT C.
MARDIAN in or about Beverly Hills, California, and requested
MARDIAN to tell G. Gordon Liddy to seek the assistance of Richard
G. Kleindienst, then Attorney General of the United States, in
obtaining the release of one or more of the persons arrested in
connection with the Watergate break-in.
2. On or about June 18, 1972, in the District of Columbia, GORDON STRACHAN destroyed documents on the instructions of HARRY R. HALDEMAN.

3. On or about June 19, 1972, JOHN D. EHRLICHMAN met with John W. Dean, III, at the White House in the District of Columbia, at which time EHRLICHMAN directed Dean to tell G. Gordon Liddy that E. Howard Hunt, Jr., should leave the United States.

4. On or about June 19, 1972, CHARLES W. COLSON and JOHN D. EHRLICHMAN met with John W. Dean, III, at the White House in the District of Columbia, at which time EHRLICHMAN directed Dean to take possession of the contents of E. Howard Hunt, Jr.'s safe in the Executive Office Building.

5. On or about June 19, 1972, ROBERT C. MARDIAN and JOHN N. MITCHELL met with Jeb S. Magruder at MITCHELL's apartment in the District of Columbia, at which time MITCHELL suggested that Magruder destroy documents from Magruder's files.

6. On or about June 20, 1972, G. Gordon Liddy met with Fred C. LaRue and ROBERT C. MARDIAN at LaRue's apartment in the District of Columbia, at which time Liddy told LaRue and MARDIAN that certain "commitments" had been made to and for the benefit of Liddy and other persons involved in the Watergate break-in.

7. On or about June 24, 1972, JOHN N. MITCHELL and ROBERT C. MARDIAN met with John W. Dean, III, at 1701 Pennsylvania Avenue in the District of Columbia, at which time MITCHELL and MARDIAN suggested to Dean that the CIA be requested to provide covert funds for the assistance of the persons involved in the Watergate break-in.
Q In what context did that interest express itself?

A He said a friend of his had developed a device, which, as he described it, was very, very sophisticated in the realm of electronic surveillance. He said it could be attached to a piece of furniture, that it was voice actuated so that the batteries or whatever power source it had would be preserved and that it was in vulnerable to an electronic sweep and suggested that maybe some of our clients would be interested in knowing about the existence of this device. If they were, he said he could introduce them to the individual who had developed it. I checked and none of our clients had any interest in it.

Q Did he ever show you one of these devices?

A No.

Q Did he ever show you any kind of electronic equipment?

A No.

Q When was the first time after June 17, 1972, when you saw Mr. Hunt?

A The following Monday morning when I got to work.

Q Was he already there?

A Yes.

Q What time did you get to work that morning?

A I can't recall specifically. 9:00, 9:15.
Q Prior to this conversation with Mr. Gregory on that Wednesday, had you had any indication of any of the kinds of work that fir. Hunt was doing?

A Only that he was involved in the campaign.

Q You had no indication then that his work may have involved bugging, wiretapping and the like?

A No.

Q On Monday, the 19th, when you saw Mr. Hunt, did you have any discussion with him then concerning the problem that Tom Gregory was having?

A No.

Q Did you raise the question with him?

A No.

Q Did you have the opportunity on that Monday to discuss that problem with him?

A I suppose I did, but, that not being the principal item of concern that day, I didn't think to bring it up.

Q The principal item that day was the newspaper reports, the stories about the Watergate break-in?
A That's correct, plus the fact that there were two FBI agents that came to the office to see Mr. Hunt. That kind of cleared everything else away.

Q What time did those FBI agents get there?

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A Around noon.

Q Prior to noon, you talked to Mr. Hunt, but he did not want to discuss anything; is that correct?

A That's correct.

Q You did not take that opportunity at that time to discuss Mr. Gregory's problem?

A That's correct.

Q What did Mr. Hunt do at the office that morning?

A I don't know. I had a very busy morning, which was why I couldn't take the time to probe with him further and spent the morning in my own office working on my own problems.

Q Did Mr. Hunt remain at the office all day?

A No. As I left for lunch, he joined me on the elevator saying that he was going out to his optometrist to get his glasses and that he might not be back that afternoon, the optometrist shop being in Rockville. When I got back from lunch, the FBI agents were there and Howard was not.

Did you go to lunch with Mr. Hunt?

no.

You simply left the building together; is that correct?

~ Yes, that's correct. The FBI was looking for him.
Q: Nslhat did he say?

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(219)
A Ele said, "I have no reason to talk to them. I don't have to talk to them, I think was his exact phrase."

Did he again leave the office that afternoon?
Yes, he did.

Thereafter, did you receive any telephone calls from

A Yes. Gordon Liddy called.

Q About what time did Mr. Liddy call?
A I would guess this would be in the late afternoon. 3:30 or 4:00 o'clock.

Q On what telephone did Mr. Liddy call?
A He called through the regular switchboard. That is, through the regular phone system.

Q How busy was Mr. Hunt's private telephone that afternoon while he wasn't there?

A

Q
I do not know.

What did Mr. Liddy want to do? Did he want to talk

A

Q
A Yes.

Q Did he ask to speak to you after he found out that
Did you speak with Mr.
Liddy?

Mr. Hunt was not present?

(220 )

...to Mr. Hunt?

A Yes.
A I believe so. Again, that would have been handled by the secretary.

Q What was the nature of the conversation?

A He wanted to know where Howard was.

Q What did you tell him?

A I told him that as far as I knew Howard was at home that he had left the office telling me that he had planned to leave town until the concern about the Watergate had blown over and that he was going home to pack.

Q Did that satisfy Mr. Liddy?

A Mr. Liddy said, "Will you get in touch with him and tell him that the signals have changed and he's to stay put." I called Mr. Hunt's home and gave him that message, whereupon he commented, "I wish they'd make up their minds."

You called him at home and he was at home at that time?

That's right.

Approximately what time was that?

That would be in the afternoon immediately after the call from Gordon.

Q Give us that time.

A 3:30 or 4:00 'clock.

Q Did you have any further conversation that day or that night with Mr. Hunt or Mr. Liddy?
On the evening of June 19, 1972 John Mitchell met at his apartment in Washington, D. C. with John Dean, Jeb Magruder, Robert Mardian and Fred LaRue and discussed the break-in at the DNC headquarters.

Page
17.1 John Mitchell testimony, 4 SSC 1622......224
17.2 Jeb Magruder testimony, 2 SSC 799-800 225
17.3 Robert Mardian testimony, 6 SSC 2355 227
17.4 Fred LaRue testimony, 6 SSC 2303-04 228

(223 )
being because I have never quite got to the bottom of it, svas after Atr. Arardian and Atr. LaRue had met with Atr. Liddy and Atr. Liddj provided them with quite an extensive story on Mr. Liddy's activities.

Mr. DASH. Will you tell us briefly what that extensive story included?

Mr. MITCHELL. Mr. Mitchell, it included the fact that he was involved with other individuals in the Watergate activity, that he had also made surveillance of McGovern headquarters, I believe it was, and that he had previously, as part of what has since become known as the Plumbers group, acted extensively in certain areas while he was at the White House in connection with the Ellsberg matter, in the Dita Beard matter and a few of the other little gems.

Mr. DASH. When you say the Ellsberg matter what specifically are you referring to?

Mr. MITCHELL. Well, I am referring to, well, it certainly wasn't the prosecution.

Mr. DASH. No.

Mr. MITCHELL. Obviously it had to do with the surreptitious entry of the doctor's office in California.

Mr. DASH. And when you refer to the Dita Bearcl matter what specifically did you learn through Atr. LaRue and Or. Alardian?

Mr. MITCHELL. Well, if my recollection is correct he was assisting in spiriting her out of wherever they spirited her out of, either New York or Marsha Ston.

Mr. DASH. Do you recall the purpose of that meeting, the discussion that took place there?

Mr. MITCHELL. I recall that eve had been at elina all day and, of course, we had very little information about what the current status of the entry of the Democratic National Committee, and Eve met at the apartment to discuss it. They were, of course, clamoring for a response from the committee because of Mr. McCord's involvement, et cetera, and Eve had quite a general discussion of the subject matter.

Mr. DASH. Do you recall any discussion of the so-called Gemstone files of the Watergate files that you had in your possession?

Mr. MITCHELL. I did not hear of the Gemstone files as of that meeting and, as of that date. I had not heard that anybody there at that particular meeting knew of that or had any connection with it.

Mr. DASH. Did either you or anybody in your presence at that meeting discuss Mr. Liddy having a food fire at his house?

Mr. MITCHELL. Not in my recollection was there any discussion of destruction of documents at that meeting.

Arr. DASH. Are you aware of the testimony of Atr. AtaoTeelee that he did not the idea to destroy the documents and he did in fact burn the (Senkstone documents?

Mr. MITCHELL. Not in my recollection was there any discussion of the destruction of documents at that meeting.
since this break-in was done in a rather amateurish essay that possibly there was some double-aSale activity roinr on hele, and we were honesty coned ned about our oxvn files.

I did ask Alr. Reisner to remove certain files—my adverstising file, the budget file, our strateD file and the gemstone Ale. Then I talked Title hint and 3tl. Odle, an(t Alr. Odle tool; the Gemstone file home.

Alr. DASH. Did yotl talk to anybody else from California ?

Alr. MAGRUDER. Yell. yes, I tallied to Powell Aloore, as I recall. I cannot recall any other specifically

Alr. DASH. Did you call Alr. Strachan ?

Alr. ALAGRtrDER. Oh. yes, I called Alr. Strachan that evening.

3Ir. DASH. What did you tell Stir. Strachan ?

Alr. MAGRUDER. I told him—of course, he knew no more than Eve knew. He knew that they had been apprehended, and we had a problem and just discussed in a sense that we had a problem, and we did not quite know what to do about it. At that time, Eve had heard that there was some money at that time found on the individuals, and we had hoped that it was money that had been found at the Democratic National Committee, but unfortunately, it was our money So Eve, in effectse just discussed the problem. We had no answers, obviously, at that time.

Or. DASH. Did you receive a call from 3rr. Haldeman ?

3rr. 3I.vGrtrDER. Yes. The next morning on Sunday-, I received a call from WIr. Haldeman. He asked me what had happened. Tgain, I told him basically—

Alr. DASH. From where was he calling ?

WIr. 3lAGRIJDER. Key Biscayne, Fl.a.

He just asked me the basic background of the break-in and what had happened. I just told him what had happened. He indicated that I should get back to Washington immediately since no one in any position of authority lvas at the committee and to tall; with Alr. Dean and Alr. Strachan and 3Ir. Sloan and others on 3londav to try to find out what actually had happened and whose money it was and so on.

3Ir. DASH. Now, you did return to Washington ?

Alr. llAcrsIrDER. Yes, I did.

WIr. DASH. And would you tell us briefly, but as specificall) as you can, what 5 ou did as soon as y ou returned to Washington and who you met with ?

Fir. ALAGRIJDER. Well. on Mondav, I met with Alr. Dean, Alr. Strachan, 3Ir. Sloan, Alr. Liddy. Alr. Biddy and I did not really have too much to say to each other. He said he had roofed, and I accepted that on face valise. There really was not much to discuss at that time.
I determined from Ail. Sloan that the money was our money not someone else's money.

Air. Dean and I discussed the problem in terms of what Eve were going to do as to Fir. Strachan and I.

Sir. DASH. Did you have a meeting on that evening the evening of June 14, when you came back to Alashville, in Sir. Mitchell's apartment?

3tl-. At voRt.mER. Yes Wk. 3tithebell flesv back that Monday with 311. TJaRlle and Atr. Arardian. Firre met in his apartment with Atr. Dean. Til.Lt svollld have been 3rr. Xlitchel}, Atr. LaRue Ott. Dean, Atr. Alardinll and mxself; and the general disenssioll again divas what were Eve ,,oin.r to do about the problem? It divas again, Eve had very little
information. We did not, of course, know what type of investigation would then be held. And we talked about types of alternative solutions.

One solution was recommended in which I was to, of course, destroy the Gemstone file. So I called my office and—

Sir. DASH. That solution came up as a result of that meeting.

Wtr. MAGRUDER. Well, I think yes, it was generally concluded that

that file should be immediately destroyed.

Atr. FDASH. Noxv, as to Sir. Dean's participation, by the way, in these meetings, was Sir. Dean operating on his own, or what was your understanding of Atr. Dean's role at these meetings?

Atr. 3IAGR-ER. 3Ir. Dean was the person who had worked with us on many of these legal matters. He had brought Atr. Liddy to the meeting. He was a close associate of ours through Mr. Mitchell, and, of course, all of us knew Sir. Dean very well. And he was one person from the White House who worked with us very closely. It was very natural for Mr. Dean in this situation to be part of our meetings at this point in time because of his association and of his background.

Sir. DASH. And would he, from your understanding, be representing any White House interest at these meetings?

Atr. MAGRUDER. I think you would really have to ask Mr. Dean that question.

Sir. DASH. Now, did you instruct Mr. Reisner to destroy any other files?

Atr. MAGRUDER. As I recall, I asked Sir. Reisner to cull through my files, pull out any sensitive material that could be embarrassing to us. There was the suit that was placed against us by the Democratic National Committee that asked for immediate disclosure. As I recall, we all indicated that we should remove and documents that could be damaging, whether they related at all to the MJTatergate or not.

Sir. DASH. Sir. Sloan has testified before the committee, Sir. Magruder, that shortly after your return and after the break-in, that you asked him to perjure himself concerning the amount of money that ear. Sloan had given Mr. Liddy. Could you state your own recollection of that discussion Keith Sir. Sloan?

Atr. MAGRUDER. Tell, the first discussion—we had two meetings on Monday. The first meeting was when I determined from him that the money was our money and we discussed that in his office. And he came up to my office, and in attempting to allay his concerns or to help him in some sense, crime Some advice, I think, we talked about what he would do about the money.

Cry ullderstanding the new election law indicated that he would be personally liable for cash funds that were not reported. These vele slot reported funds. So I indicated at that meeting that I though I had a problem and might have to do something about it. He said, you mean comAmit ihelmul? I said, thou nli rilt have to do somehing orr like that to solve j'0111' Jlobiell and vein bone newt. xvax doing that in the ood faith to Arr. Sloan to assist him at that tinge.

Novellbel election, I tillolIrilt that Or. LiddV tillolikl lucre received
I am very much gratified by this information. I think the information will enable the committee to expedite its investigation, and I think it was a very wise decision on the part of the President.

Senator BAiR. Arr. Chairman, may I join in expressing my great delight at the decision of the President communicated to you by Secretary Shultz. I want to commend you as well as the members of the committee for handling this matter in a way that permitted this accord and this agreement to take place. The committee, I believe, forebore from trying to create a legal confrontation that might have jeopardized the possibility of negotiating a settlement to this controversy. It would appear that the White House has shown its spirit of cooperation and response.

I have nothing but commendation for the committee, especially for the chairman and for the President, in negotiating a rather delicate situation involving the most fundamental concept, that is, the doctrine of separation of powers, in a way that avoided a confrontation and will apparently give this committee access to relevant parts of extremely important information bearing on critical features of this inquiry.

Thank you.

Senator ERVIN. I would like to take this occasion to add these words. I do not believe that any investigating committee in the history of the Congress has been able, as we have been thus far, to investigate such highly controversial matters as we have been investigating with such unanimity of agreement among the committee members as to the steps to be taken, and with more wonderful cooperation on the part of all the members of the committee.

Counsel may resume the interrogation of the witness.

Mr. H=ZILLTON. Blr. Alardian. Then we broke for lunch or were discussing the meeting in Blr. Atitchell’s apartment on the evening of June 19, and I would like to return to that in my questioning.

Who was present at that meeting?

Mr. ALARDIAN. Based upon my reconstructed recollection, I would say Blr. Mitchel, Mr. Magruder. Blr. Dean and, I believe, there was one PR person present from the office of public information. I am not sure of that.

Mr. HA3TILTON. Was Blr. LaRae at that meeting?

Sir. BIAXIAL. 3Br. LaRae.

Blr. HAMILTON. No v, is there a possibility that the PR person, the press spokesman, actually met the party at the airport and did not return to Blr. Atitchell’s apartment?

Mr. MARSHAL. It is possible because I do not have a very clear recollection of that meeting.

Mr. HAMILTON. Would you give US, to the best of 5 our recollection, the topics that were discussed at this meetings
Arr. AIABLAN. The only two things I recall of that meeting is that there was a need for a statement from the office of public information for Afr. Mitchell. I do not recall discussing it or participating in it. I do not recall what the essence was. I recall discussing the need for obtaining the resources of a law firm, because I believe it was announced that day, or we were informed that night, that a lawsuit was going to be filed the next morning by the Democratic National Committee against the Committee To Recollect the President. End my best recollection is that there was a discussion as to who else should retain.
Mr. LARGE. As I recall, Afr. Thompson, it would be, that would be, on Tuesday or Wednesday.

Afr. THOMPSON. All right, the 30th was on a Thursday The following Tuesday or Wednesday. All right. What did you do when you returned? Did you resume your duties at the Committee To Reselect, did you go into the office the first day you returned, did you take a little more time off? Ap.art did you do?

Afr. LARGE. No, I resumed my duties.

Mr. THoAXPSON-. All right. Do you recall when the first time you saw Magruder was after you returned?

Afr. LARGE. I would assume certainly that day.

Afr. TErO3IPSON. Let me ask you this. In discussing the matter with Alavruder, is it your understanding either from what he told you or from your own independent recollection that this telephone call came before or after March 30?

Afr. LARGE. I cannot relate it to that timeframe but any particular timeframe, but since the call allegedly involved the approval of the Liddy budget I would assume that it came after or

Afr. TIhourPsoDi. If Eve are following logic and it did have to do with the Liddy budget it would be before?

Mr. LARGE. It would be prior; yes, prior to the Key Biscayne meeting. yes, sir.

Mr. THOMPSON. All right. Did Magruder tell you whether or not he remembered that it had come before?

Afr. LARGE. I do not recall that kind of discussion. Mr. Thompson.

Mr. THoUtPsoDf. It is not exactly a completely unrelated sequence of events. It looks like in reconstructing this matter if there was outside pressure that perhaps caused him to no down to they Biscay--

Afr. L.sRlTE [conferring with counsel]. Afr. Thompson. I think my testimons before, to Mr. Dash, I was that my recollection of this conversation occurred after—that this conversation occurred after the June 17 bre a l<--

Afr. TIhourPsoDi. The conversation with Magruder when you were tallying alzolf the phone call?

Afr. LARt-E. Yes, sir. In relating to speculation as to who may have been ins-ols-ed and who maV have had knoed7e of the break-in, and Aia.7rlllder related this phone call indicating that Wtr. Colson had been concerned about Arr. Igidd~'s budget being approved and I do not recall any discussion on the time period when the call was made.

Afr. Tiroz|Pso-. Yoll do slot know whether it came before or a^er Ata rell .30?


ar. TTroarrsox. This meeting of .rthe If. there is a conflict of testim110110 on this yoint. Arr. Afithell and 31[. Tcally have both testified that these xvas no disenssioll, as far as they can remembers of the destruction of any records 01-1llri1lfr avlvrllflr. Atagrfllder has testified and son 11e ve testified that spell s disellssioll di(l talve plnee. NoxV, the four of vote lvere thele. IhlS art. Ataldiall. jet us tall; about that ill n little mole detail. Jjdl v0111 arrive these to tether?
Mr. LARUE. As I recall, Moe did not.
Mr. THOMPSON. Do you recall who arrived first, when you arrived?
Mr. LARUE. I went to the apartment with Mr. Mitchell from the plane. My best recollection is that Mr. Mardian and his wife got off at their apartment, which was a couple of blocks before you get to the Watergate, and so to reconstruct the sequence of events, I would say I arrived with fair. Mitchell and then later in the evening the other participants arrived, and I could not specifically say in what order and what time period.
Mr. THOMPSON. Do you know who arrived last?
Mr. LARUE. No, sir, I do not.
Mr. THOMPSON. Was there any substantive discussion about what you were to do and the problem that you had before all the participants arrived?
Mr. LARUE. Mr. Thompson, I have a very hazy recollection of that meeting. In fact, were it not for the thing that sticks in my mind, the statement about "you might have a good fire," if it were not for that, I do not think I could recall any details of that meeting at all.
Mr. THOMPSON. Do you recall who was present when that statement was made?
Mr. LARUE. No, sir. I do not.
Mr. THOMPSON. I realize this is a difficult thing for you to have to go back to do, Mr. LaRue, but these are matters of course, we have to clear up if we can.
Mr. LARUE. Yes, sir, I am sure that is correct.
Mr. THOMPSON. Tell right. And Liddy had told you what with regard to who had gotten him involved and who was pushing him?
Mr. LARUE. I don't recall any specific statements or conversations by Liddy of who got him involved. As I recall Liddy's reasoning for the second entry of the break-in, in which they got caught, was that he had been getting pressure from Magruder to improve the surveillance, they weren't getting proper coverage under electronic surveillance.
Mr. LARUE. That is to the best of my recollection, yes.
Mr. THOMPSON. Did he mention Mr. Mitchell to you?
Mr. LARUE. No, sir. not that I recall.
Mr. THOMPSON. Are there have had testimony from Mr. AlcCord that Liddy! r was telling him that Mr. Mitchell had approved it—I mean that Mitchell was telling Liddy that Liddy was telling Alc Cord that Mitchell was involved and had approved the project, but Liddy did not tell you that?
Mr. LARUE. Not that I can recall, no, sir.
Mr. THOMPSON. All right.
18. On June 19, 1972 Ronald Ziegler, the President's press secretary, described the break-in at the DNC headquarters as "a third-rate burglary attempt."

Washington Post, June 20, 1972, A1, A4...
Wies! to BazgSging l~-iSaSre

By Bob Vossehald

L. ne 5. S. Suchinda

An additional, a stamped, unmailed envelope containing Hult's personal check for $67 and a bill for the same amount from the Leesylvania Country Club in Rockville were also found among the suspects' belongings, sources said.

Hunt worked for the Central Intelligence Agency from 1943 to 1970. All five suspects in what Democratic Party chairman Lawrence F. O'Brien has called an "incredible act of political espionage" have had links to the CIA.

The Washington-based unit develops lists of radicals

and draws Up contingency plans for censorship of the news media and U.S. mail.

Further developments yesterdav:

• It was reported that one of the five suspects, Eugenio U. Martinez, contacted University of Alabama officials two weeks ago seeking housing for about 3,000 Young Republicans during the Republican National conventions.

• Former CIA employee and F131 agent James TV. bicora Jr., a suspect, who worked for the Republican National conventions, had anything to do with the bizarre bugling incident.

• O'Brien said his party might take civil court action against the suspects because the party's First Amendment rights and civil rights were violated.

The White House personnel office...
confirmed yesterday that Hunt is a consultant to Colson and has an office in the old Executive Office Building. Colson said to speciaUzU’ In delicate assignments for the President.

See BUG, A4, Col. 1

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White Hezlsle Consultant T~e.d To Sust3ecst On Bugging Case

BUG. From al- public relations staff across the street.

In February 1971, The man, a real estate agent and secretary, who has been an A-Vashington Post that Colson was in the anti-

Clawson, now deputy director general yesterday told the reporter, wrote dress book of Eugenio Martínez in February 1971, in The News, a real estate agent and notary pubUc who has been ac AVashington Post that Colsontive In the anti-

Hunt was asked by a - also taken by police was a reporter yesterday why two of savinos - account book that the

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(233)

phone and other communLeahon.

All five suspects, welldressed, wearing rubber surgical Loves and armed only with tear gas pens, were ar

rested about 2:30 a.m. Saturday by D.C.

police inside the sloth floor 29-office suite of the Democratic headquarters in the Watergate, 2500 Virginia Ave. MU.

Though the alleged bugging attempt at f1rst appeared to be very 

sophisticated and prefessional, experts in the field of wiretapping- have since

said it was amateurish. 

Capt. Richard L. Franz of the Navy reserves acknowledged that McCord was a member of the Office of Emergency Preparedness special analysis division, a 13member reserve unit that meets monthly at 604 17th St. Nw, across from the Executive-Office Building. 

Franz said he could not discuss the work of the unit. However, other sources in the unit said that one of its

functions is to develop a list of radicals and contingency plans for censorship of the news media and U.S mail in event of war.
McCord dropped out of the unit about four months ago. He is a lieutenant colonel in the Air Force reserves.

Meanwhile, the International Association of Chiefs of Police reported yesterday that they paid McCord about $750 in March for teaching a five-day course in security at an association conference.

Robert F. Bennett, president of the public relations firm at which Hunt works, said yesterday that the firm also has an affiliate, called Interprogress, that is attempting to increase American trade with Communist countries.

Hunt worked for the White House a total of 33 days in 1971 and another 24 days so far this year, according to White House spokesman Clawson.

Hunt was brought into the White House by Colson because of his CIA expertise, Clawson said. He said Colson met Hunt in 196B at the Brown University Club.
Former Attorney General John N. Mitchell, head of the Nixon campaign committee, said in a prepared statement released Sunday that President's committee is expe-
riencing its own security problems.

Pressed for elaboration on Republican security problems, DeVan L. Shumway, director of public relations for the committee, declined to give details yesterday. He said investigations are under way, but refused to disclose who was conducting them.

Shumway said that one of the things that led the committee to suspect a deterioration of security was an Associated Press story last week that disclosed quotes from a closed-door meeting between Mitchell and a senior committee staff member.

The story alleging that the Republicans were "taping" on Sen. McGovern, was not true, Shumway said.

Shumway said that as of yesterday morning, McCord I was no longer on the committee payroll. In response to a reporter's question, Shumway said that McCord had been hired through the committee's personnel office, whose director is Robert Odle. Shumway said he would not make Odle available to a reporter. Because he is not a public figure, "Odle referred a reporter's questions to Shumway.

Shumway said that McCord was dismissed by Odle because of the allegations stemming from the "delicate situation." He said that it had been Odle's responsibility to make the original check of McCord's qualifications, and to make the decision to hire.

McCord had been working out of the committee's security office on the third floor. Shumway said. I assume he was in the office on a daily basis," he said.

As security chief, McCord was responsible for setting up the committee's internal security system and "would have the knowledge of whether we were under electronic surveillance," Shumway said.

Meanwhile, security precautions at Republican committee headquarters have been tightened as a result of the Watergate bugging attempt, Shumway said. He demurred when asked for details of the new precautions.

Lichten you get into the area if political campaigns these clans, you can't discuss such rhino (security in depth," Shumway said.

Joseph A. Rafferty Jr., a counsel for the five-suspects said last night that he would file a motion in D.C. Superior Court today seeking to reduce the bail of his clients.

Rafferty said he is seeking to have the men released to the custody of a court-appointed local person. The reduction, he said, would be in line with information about the suspects verified by bail bondsmen yesterday.

In New York, where he was campaigning for today's primary. Sen. McGovern said that the incident his the legacy of years of wiretapping and snooping and invasion of privacy, "in which the government has been involved.

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19. On June 20, 1972 at 9:00 a.m. H. R. Haldeman, John Ehrlichman and John Mitchell met to discuss the break-in at the DNC headquarters. John Dean joined the meeting at 9:45 a.m. Attorney General Kleindienst joined the meeting at 9:55 a.m. Later that day, Haldeman met with the President for one hour and nineteen minutes (11:26 a.m. to 12:45 p.m.) and the subjects discussed included Watergate. Haldeman's notes of the meeting reflect that that portion of their discussion dealt with checking an EOB office for bugs, a "counter-attack," "PR offensive to top this," and the need to "be on the attack -- for diversion." When a tape recording of the conversation was produced on November 26, 1973 in response to a subpoena by the Watergate Special Prosecutor, the recording contained an eighteen and one-half minute buzzing sound that obliterated the portion of the conversation reflected in the foregoing segment of Haldeman's notes.

19.1 H. R. Haldeman calendar, June 20, 1972 (received from SSC) .z 237

19.2 John Ehrlichman log, June 20, 1972 (received

19.3 John Mitchell log, June 20, 1972 (received from
SSC) . 239

19.4 H. R. Haldeman testimony, 8 SSC 3039-40.: 240

19.5 John Ehrlichman testimony, 7 SSC 2822 242

19.6 President Nixon's daily diary, June 20, 1972,
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19.7 Meetings and conversations between the President
and H. R. Haldeman, June 20, 1972 (received
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H. R. Halde2nan handwritten notes of meeting,
June 20, 1972, Exhibit 61, In re Grand Jury,
J. Fred Buzhardt testimony, In re Grand Jury,
Misc. 47-73, January 18, 1974, 2499-2500 249

19.10 Report to Chief Judge John sirica from Advisory Panel on the White House tapes, January 15, 1974 251


(236)
19.2 | JOHN ESSICH | BUCK JURE | 1972

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2:20
4:00
7:00
8:30

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P. student
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4:00
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5:15
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i)EL . e Young, Walt vui. munch
8:30

n = vge-lar = lar3 = (HOSE) E

John Statler (Pres., DC Board of Trade), Sallyanne Payton

(Next Arena)
A4tion Pictur2 Association - “Dutterflies aL d. Free”

UESDAY JUNE 20, 1972

8:00
9:30
9:45
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12:00
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6:00

RRH office

R eos event R oom

HRH, Mitchell
Joined by Joni Deall
Joined by AG Kleindienst

Pre vial set
William Lane (Ser John Con-tally)

Lunch XVth Roy Wilkin - JDE office

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Sr. ---In/cell--- Tuesday, 11 x 2, 1922

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AC talked with Mrs. Mich [1]

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Mr. DASH. NOW, WITH M. Haldeman, when and how did you learn of the break-in on June 17, 1972?

Mr. HALDEMAN. THAT SEEMS TO BE THE CRUCIAL QUESTION AND I HAVE TO GIVE THE MOST INCREDIBLE POSSIBLE ANSWER. I DON'T KNOW, MR. DASH. I SIMPLY DON'T REMEMBER HOW I LEARNED ABOUT IT OR PRECISELY WHEN OR FROM WHOM. BUT LET ME EXPLAIN THAT AT THAT TIME, THAT WEEKEND, I WAS IN IVEY BISCAYNE. THE PRESIDENT WAS OUT AT WALKERS CAY AND I WAS AT THE KEY BISCAYNE HOTEL AND I AM SURE THAT SOME TIME DURING THAT WEEKEND SOMEBODY TOLD ME THAT THE DEMOCRATIC NATIONAL COMMITTEE HAD BEEN BROKEN INTO. I AM NOT SURE WHO OR WHEN.

Mr. DASH. NOW, WHAT DID YOU DO WHEN YOU LEARNED THAT, WHEN OR WHOEVER TOLD YOU?

Mr. HALDEMAN. NOTHING.

Mr. DASH. NOTHING?

Mr. HALDEMAN. NO.

Mr. DASH. WHILE YOU WERE AT KEY BISCAYNE, DID YOU HAVE ANY INFORMATION THAT SOMEBODY CONNECTED WITH THE COMMITTEE TO RE-ELECT THE PRESIDENT WAS INVOLVED?

Mr. HALDEMAN. I THINK I DID AND I THINK THAT CAME IN A PHONE CONVERSATION WITH JEB MAGRUDER ON THE 18TH, ON SUNDAY, WHICH IT HAS ALWAYS BEEN MY IMPRESSION WAS PLACED BY HIM TO ME, BUT I UNDERSTAND HE SAYS IT WAS PLACED BY ME TO HIM AND I AM NOT SURE WHICH IS WHICH. TOUT THERE WAS—THE POINT OF THAT PHONE CONVERSATION, THE PURPOSE OF IT WAS TO REVIEW A STATEMENT THAT THE COMMITTEE WAS PLANNING TO RELEASE, AND IT WAS RELEASING IT IN CONJUNCTION WITH THE EARLIER PUBLICIZED, OR ASSUMED ABOUT TO BE PUBLICIZED, FACT THAT J [R. MCCORD, WHO DID HAVE A CONNECTION WITH THE COMMITTEE, HAD BEEN ONE OF THOSE ARRESTED AT THE SCENE OF THE BREAK-IN.

Mr. DASH. WHAT CAME THROUGH YOUR MIND WHEN YOU LEARNED THAT McCORD—DID YOU KNOWS BY THE WAY, WHO MR. MCCORD WAS?

Mr. HALDEMAN. I DON'T BELIEVE I DID. HE PROBABLY TOLD ME AT THAT TIME WHO HE WAS.

Mr. DASH. I TAKE IT YOU DID LEARN THAT HE WAS THE SECURITY CHIEF OF THE COMMITTEE TO RE-ELECT THE PRESIDENT.

Mr. HALDEMAN. YES.

Mr. DASH. DID IT OCCUR TO YOU THAT THIS MIGHT BE AN EMBARRASSING MATTER FOR THE CAMPAIGNS?

Mr. HALDEMAN. YES.

Mr. DASH. WHEN DID YOU GET BACK TO WASHINGTON AFTER THE BREAK-IN?

Mr. HALDEMAN. I THINK ON THE EVENING OF—ON MONDAY EVENING, WHICH WOULD BE THE 19TH.

Mr. DASH. IS THAT WHEN YOU HAD A MEETING WITH MR. DEAN? DID MR. DEAN REPORT TO YOU THEN ABOUT WHAT HE HAD LEARNED ABOUT THE BREAK-IN?

Mr. HALDEMAN. I AM NOT—I DON'T BELIEVE SO. I AM NOT SURE THAT I HAD A MEETING WITH MR. DEAN AT THAT POINT. I BELIEVE EVE PROBABLY GOT BACK LATE MONDAY EVENING AND THAT I EVENT HOME.

Mr. DASH. WHEN DID YOU MEET WITH MR. DEAN AFTER YOU GOT BACK?

Mr. HALDEMAN. I THINK IT WAS A MEETING—I THINK IT WAS A MEETING WHERE I HAD A CAPSULE OF MY REMOVALSHAKE THAT IS SUBJECT TO CORRECTION BY THE COMMITTEE. BUT I THINK THERE WAS A MEETING THE MORNING OF THE 20TH, IN WHICH I WAS PRESENT WITH MR. MITCHELL AND MR. ECHOLS, AND THAT DEAN WAS, MR. DEAN WAS, IN PART OF THAT MEETING AND ATTORNEY GENERAL EISENBERG WAS THERE. PART OF THAT MEETING.
Mr. DASH. At that meeting do you recall that there was general discussion as to what happened, what information was current concerning the break-in and the relationship with the committee?

Mr. HALDEIILAN. I have no specific recollection of the contents of that meeting but I am sure, that given the time situation, that it must have been in regard to the Watergate break-in.

Mr. DASH. Now, it is true, if you look at your record that during that period right after you get back there are about two or three meetings on different days.

Mr. HALDEIILAN. Yes.

Mr. DASH. I think you met with him on the both, on the 23d, and on the 26th. Does your record show that?

Mr. HALDEIILAN. I show—there is an example non- of my- log of June 20 that does not show a meeting with those people that I have identified, that I have got in my summary here as a result of information from other sources. What m) log shows is a meeting in John Ehrlichman's office which is all my secretary would know. she didn't know who was in the meeting.

Mr. DASH. Right.

Mr. HALDEIILAN. I am sorry then you were going—

Mr. DASH. I was saying do you have a record of a meeting with Mr. Dean on the 23d and again on the 26th after the meeting with him on the 20th?

Mr. HALDEIILAN. Not in my log. No.

Mr. DASH. Yes.

Mr. HALDEIILAN. I don't show me I don't believe.

Mr. DASH. Do you have it in the Summary that you have received from other sources?

Mr. HALDEIILAN. No; that doesn't show a meeting with Dean, either. I think I talked with Dean on the phone that day that morning. I don't believe I met with him but I am not sure.

Mr. ASH. You indicated in your earlier testimony that Mr. Dean did give you a report of what happened and told you at that time that he had told 5 others earlier about telling you after one of the meetings.

Colltr VOt; place in an one of those meetings when he told you?

Afr. HALDEIILAN. I am sure I did. Ho told me to check?

Mr. DASH. Did the President either communicate with you or did you have a meeting with the President prior. shortly prior, to June 2, 1972?

Mr. HALDEIILAN. Yes.

Mr. ASH. So you are pretty sure you can find such a meeting?

Do you recall prior to that meeting a 011 June 23, the President having a discussion with you concerning the investigation that would be on

*toinX With regard to the BionTateiTate break-in and a concern he had that such an investigation by the FBI might include the work of the special investigating unit in the White House and also the CIA?
Mr. Desk. Did he not at that time report to you that he had spoken to Mr. Liddy?

Mr. Dean. I have the impression that Mr. Dean hadn't been at work very long at that time, and that he was just getting settled.

Mr. Dash. Now, at 4 p.m., what was the purpose of the meeting with Mr. Dean, Mr. Clawson, Mr. Colson, and Mr. Ehrlichman?

Mr. Ehrlichman. The principal purpose, as I recall, was to answer inquiries which, I guess, Mr. Clawson was getting or the press people were getting, about Mr. Hunt's White House status, and other comments about whether he was still an employee of the White House, if not when he had terminated and under what circumstances, and so forth.

Mr. Dash. Isn't that when Mr. Ehrlich was brought up to check the record? Would Mr. Ehrlich have the record of that?

Mr. Ehrlichman. Mr. Ehrlich was the stay secretary and would have to be involved in any discussion of that kind. There was another subject or two discussed at the time but as I recall, that was the precipitating question.

Mr. Desk. Well, aside from Mr. Hunt on the payroll, wasn't the focus at that meeting on the question of Mr. Hunt himself? Mr. Hunt's status at the White House and also the question that Mr. Hunt had a safe in the White House and that the safe ought to be opened?

Mr. Ehrlichman. Yes, it was, as I previously testified.

Mr. Dash. Yes.

And actually that safe was opened at that time or the evening of the 19th?

Mr. Ehrlichman. I don't know. I think it must have been either that evening or the next morning.

Mr. Dash. Now, what was the concern and who brought up the concern of what the contents of Mr. Hunt's safe would show?

Mr. Ehrlichman. I don't recall, Mr. Dash. Somebody at the meeting.

I think the way it came up was not so much a personal concern as it was an inquiry by the investigation—either the Metropolitan Police and/or the FBI, as to whether Hunt had any belongings in the White House.

Mr. Dash. Now, on June 20, 1972, you met at 9 o'clock with Mr. Haldeman and Mr. Mitchell joined by Mr. Dean at 9:40, joined by Attorney General Kleindienst at 9:46, and then at 10:30 you had a meeting with the President.

Was that also a followup to find out what was going on in terms of Watergate?

Mr. Ehrlichman. I think this was the process of trying to get everybody together who might know anything to try and get a picture of what the investigation was going to be, whether there might be other people involved, just what the—try and get the campaign director and the head of the Department of Justice and everybody together in one place to ask questions.
The President had breakfast.

The President met with his Deputy Assistant, Alexander P. Butterfield.

The President went to his office in the EOB.

The President met with his Assistant, John D. Erlichman.

The President talked with his Deputy Assistant, Edward L. Horgan.

The President met with his Assistant, H. R. Halderan.

The President talked with his daughter, Tricia.

The President telephoned Senator Margaret Chase Smith (R-Maine). The call was not completed.

The President talked with Senator Smith.

The President met with his Deputy Assistant, Maj. Gen. Alexander M. Haig, Jr.

The President talked with Senate Minority Leader Hugh Scott (R-Pennsylvania).

The President talked long distance with Joseph Trerotola, vice president of the International Brotherhood of Teamsters, in New York City.

The President talked with his Counsel, Clark MacGregor.

The President talked with his Special Counsel, Charles N. Colson.

The President met with Mr. Colson.

The President telephoned Staff Assistant Stephen B. Buus.

The President talked with Beverly J. Maye, Mr. Bull's secretary.

The President talked with his Special Assistant, Patrick Buchanan.

The President met with Mr. Haldeman.

The President went to the Barber Shop.
The President met with Mr. Buterfield.

The President returned to the second floor Residence.

The President talked with John N. Mitchell, CarolDagg Direc for the Committee for the Reelection of the President.

The President and the First Lady had dinner in the Yellows Oval Room.

The President returned to his office in the E(3/4).

The President talked with Mr. Ealdeman.

The President talked with Mr. Colon.

The President talked with Or. Haldeman.

The President returned to the second floor Residence.

The President talked with Mr. Colon.

(244)
June 17, 1972 - June 3, 1973

June 17, 1972
AM 10:58 11:02 President placed long distance call to EiCalde man

June 18, 1972
- "1fDlU46._
PM 12:01 12:19 President placed a local call to Haldeman

June 19, 1972
AM 9:22
9:59
11:50
PM 7:26
7:48
8:52

June 20, 1972
AM 11:26
11:26
PM 1:25
4:35
5:25
7:59
8:42
8:50

June 21, 1972
AM 9:30 10:38 President met svith Haldeman - Oval Office
President placed local call to Haldeman
President received local call from Haldeman

President met svith Haldeman - EOB
President met Haldeman - EOB
President met Haldeman - Oval Office

Butterfield 10:16
C of 10:13 - 10:38
PM 1:21
3:11

Ziegler Z:12 - 3:11

v loc:xSS

(245)
Around Aug 3-4+:

ck on a weekend at Walkers
if good weather - to get sun etc.

hold higher ed. to Fri.

Gov SD expressed concern re his election
P. wants ltr to him

Dear Gov

Mrs N told me of yr very warm welcome on what was undrsthly very sad day for people of SD She tld me of concrn you expressed (re tourists) -

Mrs N and I have alwy had spec plac in our hrs for SD b/c her parnts were marred al Leeds SD sherjeAy b0eXe they Latermoved to Ely Nev, her b is thp lac e.

be sure EOB office is thoroly ckd re bugs
 at all times - etc.

what is our counter-attack?

PR offensive to top this - hit the opposition w/ their activitics pt. out libertarians have created public [unreadable] do they justify this less than stealing Pentagon papers, Anderson file etc?

i we shld bc on the attack - for diversion

what is sched on SFR SALT hearings?

D
go to Calif on Fri - w/ PN -

Julie come out later
PN not to thc shower

Indistinct document retyped by
House Judiciary Committee staff
Ceq tL eS D-

7 -fs-Ce 2

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Mr. Ehrlichman met with him; the log shows at 10:25 till 11:20. Then there was an interval when no one met with the President. Mr. Haldeman came in at 11:26 until 12:45 and you can hear between the conversations, you can hear -- the first one is nothing wrong with Mr. Ehrlichman's conversation. Then you can hear noises for three minutes and some seconds and then you can tell when Mr. Haldeman comes in. From the moment he enters -- and we have been stop watching these things -- there is three minutes and 40 seconds until this signal comes in, continuous for 18 minutes and 15 seconds according to my timing and then the conversation picks back up and continues.

"The Court: What conversation continued after 18 minutes?

"Mr. Buzhardt: Between the President and Mr. Haldeman.

"The Court: It would indicate Mr. Haldeman was there talking to the President?

"Mr. Buzhardt: Yes.
"The Court: Then there is a lapse?

"Mr. Buzhardt: Yes. Then the circumstances is [sic] even a little worse than that, Your Honor.

"The Court: I don't know how it could get much worse.

"Mr. Garment: Just wait.

"Mr. Buzhardt: As you know, Your Honor, the notes were subpoenaed too. We found Mr. Haldemants notes of this meeting. They consist of two legal pads of paper. On the first page the notes start at the beginning and come to the end and they reflect directions or instructions of the President given during the part of the first three minutes and 40 seconds of that conversation. Lif [sic] the page and at the cop of the page the first two-thirds of the page the notes reflect that the discussion was about Watergate. The first thing my recollection is something about making sure the EOB office was not bugged and went on from there.

When you get past the Watergate type notes, or that could reasonably be concurrent, you know, on that subject, I think the first one after is about a Senate Foreign Relations Committee hearing on SALT. I think that is where the tape picks up.

"Mr. Ben-Veniste: May I ask a question?
In response to your request we have made a comprehensive technical study of the White House tape of June 20, 1972, with special attention to a section of buzzing sounds that lasts approximately 18.5 minutes. Paragraphs that follow summarize our findings and indicate the kinds of tests and evidence on which we base the findings.

Magnetic signatures that we have measured directly on the tape show that the buzzing sounds were put on the tape in the process of erasing and re-recording at least five, and perhaps as many as nine, separate and contiguous segments. Hand operation or keyboard controls on the U'ner 5000 recorder was involved in starting and again in stopping the recording of each segment. The magnetic signatures observed on the tape shots conclusively that the 18.5-minute section could not have been produced by any single, continuous operation.

Further, whether the footpedal was used or not, the recording controls must have been operated by hand in making each segment.
The erasing and recording operations that produced the buzzing section were done directly on the tape we received for study. We have found that this tape is 1814.5 feet long, which lies within a normal range for tapes sold as 1800 feet in length. We have examined the entire tape for physical splices and have found none. Other tests that we have made thus-far are consistent with the assumption that the tape is an original and not a re-recording.

A Uher 5000 recorder, almost surely the one designated as Government Exhibit #60, was used in producing the 18.5-minute section. Support for this conclusion includes recorder operating characteristics that we measured and found to correspond to signal characteristics observed on the evidence tape.

The buzzing sounds themselves originated in noise picked up from the electrical power line to which the recorder was connected. Measurements of the frequency spectrum of the buzz showed that made up of a 60 cycles per second fundamental tone, plus a large number of harmonic tones at multiples of 60. Especially strong are the third harmonic at 180 and the fifth harmonic at 300 cycles per second. As many as forty harmonics are present in the buzz and create
its raucous quality. Variations in the strength of the

buzz, which during most of the 18.5-minute section is either

"loud" or "soft," probably arose from several causes including

variations in the noise on the power line, erratic functioning

of the recorder, and changes in the position of the operator's

hand while running the recorder. The variations do not appear

to be caused by normal machine operations.

Can speech sounds be detected under the buzzing? I think so. At three locations in the 18.5-minute section, we

have observed a fragment of speech-like sound lasting less

than one second. Each of the fragments lies exactly at a place

on the tape that was missed by the erase head during the

series of operations in which the several segments of erasure

and buzz were put on the tape. Further, the frequency spectra

of the sounds in these fragments bear a reasonable resemblance

to the spectra of speech sounds.

Can the speech be recovered? We think not. I know of

no technique that could recover intelligible speech from the

buzz section. Even the fragments that we have observed are

so heavily obscured that we cannot tell what was said.

The attached diagram illustrates the sequence of sound

events in the 18.5-minute section. Also illustrated is a
sequence of Uher operations "erase-record one and "erase-record offs that are consistent with signatures that we measured on the evidence tape. The five segments that can be identified unequivocally are labeled "1" through "5."

In addition, the diagram shows four segments of uncertain ending.

In developing the technical evidence on which we have based the findings reported here, we have used laboratory facilities, measuring instruments, and techniques of several kinds, including: digital computers located in three different laboratories, specialized instruments for measuring frequency spectra and waveforms, techniques for "developing" magnetic marks that can be seen and measured directly on the tape, techniques for measuring the performance characteristics of recorders and voice-operated switches, and statistical methods for analyzing experimental results.

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In summary we have reached complete agreement on the following conclusions:

1. The erasing and recording operations that produced the buzz section were done directly on the evidence tape.

2. The Uher 5000 recorder designated Government Exhibit #60 probably produced the entire buzz section.

3. The erasures and buzz recordings were done in at least five, and perhaps as many as nine, separate and contiguous segments.

4. Erasure and recording of each segment required hand operation of keyboard controls on the Uher 5000 machine.

5. Erased portions of the tape probably contained speech originally.

6. Recovery of the speech is not possible by any method known to us.

7. The evidence tape, in so far as we have determined, is an original and not a copy.

(255)
Respectfully submitted,

Richard H. Bolt

Franklin S. Cooper

James L. Flanagan

John G. (Jay) McTinight

Thomas G. Stockham, Jr.

Mark R. Weiss
Pursuant to the special court procedures issued on October 30, 1973, the President of the United States through his counsel submits herewith an analysis and an index of the subpoenaed materials, and particularized claims of executive privilege where applicable.

All materials subpoenaed are primarily identified in the subpoena as related to one of a series of specified conversations, one of which was a telephone conversation and the remainder of which were conducted in personal meetings. For each conversation, the subpoena demands production of "1. All tapes and other electronic and/or mechanical recordings or reproductions, and any memoranda, papers, transcripts or other writings, relating to" the specified conversation.

This submission treats each conversation covered by the subpoena separately, in the order of the subparagraphs of Paragraph 1 of the subpoena. (The materials covered by Paragraphs 2 and 3 of the subpoena were voluntarily provided by the President to the Special Prosecutor for the Grand Jury’s use when the subpoena was issued.)
(d) Particularized Claim of Executive Privilege

The conversation on the tape recording of the meeting between H. R. Haldeman and the President consisted of advice to the President by a senior advisor on official decisions then pending before the President. None of the conversation recorded relates to Watergate. The President believes that the conversation is subject in its entirety to a claim of Executive Privilege in order to protect the confidentiality of advice given to the President. There is nothing in this conversation "concerning possible criminal conduct or discussions of possible criminal conduct" as to testimony concerning which the President announced he would not invoke Executive Privilege on May 22, 1973.

This particularized claim of Executive Privilege should be sustained as to Item I.B.1. and this tape recording should not be submitted by the Court to the Grand Jury.

(2) Memorandum (Notes of H. R. Haldeman)

A file search has disclosed handwritten notes of H. R. Haldeman, which from the identifying markings and the content indicate the notes were made by H. R. Haldeman during the meeting with the President on June 20, 1972, between 11:26 a.m. and 12:45 p.m. The notes are on two pages of paper from a yellow legal pad. These notes are being submitted as Item I.B.2. covered by the subpoena.

(a) Analysis

The notes to be submitted to the Court as Item I.B.2. reflect that the President gave instructions to Mr. Haldeman to take certain actions of a public relations character which related to the Watergate incident.

(b) Index

None necessary.
By Mrs. Volner:

Q. Now, you then listened to the Erlichman [sic] portion of the tape and you first heard the Haldeman portion on October 1st at the White House?

A. That is right. That was when I was ending the Erlichman [sic] one.

Q. I am sorry?

A. That was when I was ending the Erlichman [sic] one and wanting to be sure that I had.

Q. And you said you listened to just a few minutes of Haldeman?

A. That is right.

Q. At what point did you stop listening to Haldeman?

A. Well, I started to stop listening to Haldeman when they started talking about scheduling matters, about going to a state where Pat Nixon's mother and father had lived, were married before they moved to Ely, Nevada, where she was born.

And there was something about tourism. I don't know whether some Governor had called and asked. I don't remember. And that is the last I heard on that tape. And that is the time that through some error on my part some way in turning around to reach one of my phones, which buzzes and buzzes and buzzes,
I pushed the record button down. Now, whether I held my foot on the pedal or whether the button stuck down I couldn't tell you. I thought it was something like 4 1/2 to 5 minutes and I so told the President as soon as I could go in to see him.

Q You told the President exactly what?

A That I was afraid that I had caused a gap in the Haldeman tape and he said, there is no problem because that is not a subpoenaed tape.

Q You told him that on October 1st?

A That is right.

Q And did you have any other conversation with the President on October 1st?

A I haven't the slightest idea.

Q Did you listen to the portion that you bad, as you testified, perhaps erased?

A No. The last word I heard on the Haldeman was Ely, Nevada, or Ely, and the next thing when I pushed the button back I got as far as Ely again and that is when there is this shrill noise.

Q And what follows the shrill noise?

A What follows the shrill noise is again something --

This is what I listened to on Saturday or Friday, whichever day.

What follows is something about Democratic Convention or seating of delegates or -- I didn't try to take it

Q Was there anything concerning the --

Indistinct document retyped by
House Judiciary Committee staff

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20. On June 20, 1972 Gordon Strachan met with H. R. Haldeman and showed him a copy of a Political Matters Memorandum Strachan had sent to Haldeman prior to April 4, 1972 concerning approval of a "sophisticated intelligence system with a budget of $300,000." Haldeman acknowledged to Strachan that he had read the political intelligence item in the memorandum. Strachan also showed Haldeman political intelligence reports referring to "Sedan Chair II" which had been attached to the memorandum. Haldeman said he had not previously read the attachment, and proceeded to read it. According to Strachan, Haldeman directed him to destroy all of the documents. Haldeman has testified that he could not recall giving Strachan any such instruction.

20.1 Gordon Strachan testimony,
20.2 H. R. Haldeman testimony, 8 SSC 3096-97 (261)
that would strike me as far more sensitive a matter to send through the normal messenger channels than some file which other witnesses have indicated was not patently illegal on its face.

Mr. DASH. In other words, what you are saying is that you never did see the Gemstone file, Mr. Magruder never invited you over to see it, and that prior to March 30, you had no knowledge of any so-called Liddy intelligence plan?

Mr. STRACHAN. That is correct.

Mr. DASH. Now, did that change, at least after March 30?

If it did, could you tell us how it changed?

Mr. STRACHAN. Yes; I was aware that Mr. Magruder would be going down to Key Biscayne to review several campaign decisions that had accumulated during Mr. Mitchell's working on the ITT problem. He called me up in an apparently fairly brief telephone conversation and reviewed the 30 or so pending campaign decisions. I took notes on that telephone conversation and prepared shortly thereafter a political matters memorandum for Mr. Haldeman, summarizing that telephone conversation as well as other information.

Mr. DASH. And what did that include? I mean did it include a Liddy intelligence plan?

Mr. STRACHAN. Yes; Mr. Magruder told me that a sophisticated political intelligence gathering system had been approved and I reported that to Mr. Haldeman.

Mr. DASH. Were you aware that that was one of the items for decision that went down to Key Biscayne with Mr. Magruder?

Mr. STRACHAN. No; I was not.

Mr. DASH. So that it was after he came back that he reported that to you?

Mr. STRACHAN. That is correct.

Mr. DASH. Can you recall approximately when he made that report to you?

Mr. STRACHAN. Well, it was shortly thereafter, I would guess either Friday, March 31, maybe Saturday. Why secretary recalls having typed the memorandum on Friday.

Mr. DASH. But did you do it with regard to this plan?

Mr. STRACHAN. Yes; that was one of the 30 items that Mr. Mitchell had in fact approved a sophisticated intelligence plan?

Mr. STRACHAN. Well, I concluded that $300,000 had approved it. I believe that when Mr. Magruder was through the decisions and the vsax I would usually report it to 33r. Haldeman would be that Mr. Magruder reports that Sir. Mitchell has approved the following matters, and I would put a colon, and then I would list the items.

Wlr. Dssl. But did you do it with regard to this plan?

Mr. STRACHAN. Yes; that was one of the 30 items that Mr. Mitchell had in the last three zeros, because usually the figures that I was dealing with were very, very large.

Mr. DASH. Novw., you say that you then prepared a political matters memorandum for Mr. Haldeman, and you included this approved

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sophisticated intelligence plan, that $300,000 budget, in that political matters memorandum.

Do you recall the number of that memorandum?

Mr. STILCHAN. Yes; it was Political matters memoranda No. 8.

Mr. DASH. How many political matters memorandums did you write after that, if you can recall approximately?

Mr. STRACHAN. Well, through the campaign and toward the end of the campaign, they got a little further apart, but I wrote 28.

Mr. DASH. Did you receive any information or indication that Mr. Haldeman, in fact, read the political matters memorandum No. 18 with specific reference to the sophisticated intelligence plan with a budget of $300,000?

Mr. STRACHAN. Yes; it was Mr. Haldeman's practice when he would read such a memorandum to make notes and check off those paragraphs which he had indicated and then he would write it up in the upper right-hand corner "To Strachan," in this case indicating the memorandum should be returned directly to me, and I would go through his memorandums after he had read them, and this particular one I reread, and noted his checking off of all the paragraphs that I had prepared for him.

Mr. DASH. What is another comment besides that particular one?

Mr. STRACHAN. Besides the paragraph that you are concerned about there was simply a blank check.

Mr. DASH. Did there come a time shortly afterwards when you were asked to do anything about that particular matter?

Mr. STRACHAN. I am sorry.

Mr. DASH. Did there come a time shortly afterward when you were asked to write either any other paper or memorandum or take any further action with regard to that particular matter?

Mr. STRACHAN. I am sorry I do not understand the

Mr. DASH. What happened afterward concerning that particular matter? Did that just stop in your file or did Mr. Haldeman take any further action on it to whom I knew?

Mr. STRACHAN. Tell, after the memorandum came back out Air.

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Haldeman Ivas Coins to meet with Mr. Mitchell on April 4.

Mr. DASH. How did you learn about that?

Mr. STRACHAN. How did you learn about that?

Mr. DASH. Would this be similar to an extension phone where some body could be asked to get on an extension phone and just listen in?

Mr. STRACHAN. It would be different from an extension phone because you could not detect the fact, that it was picked up, and there was no xonw that the person listening on the phone could make any noise either by talking or by a secretary taping to indicate that there was someone else on the phone.

Arr. DASH. How was it intended to yo that you were to pick up the line?
Mr. STRACHAN. Did you later learn from Mr. Magruder anything about this event?

Mr. STRACHAN. AVell, I called him that afternoon and then tried to call him again that evening, and did not reach him. Placed a third call on Sunday about noon, Washington time, and asked him if he knew anything about this since I had rather expected a phone call from 31r. Haldeman, and he said 'Don't B orry about it, I have been on the phone this morning with Bob, and you needn't kno v anything about it.'

Mr. DASH. All right. B'hat did you do after that?

Mr. STRACHAN. I called Mr. Higby, because I didn't really believe that Magruder had talked to Mr. Haldeman. Haldeman was down in Sew Biscayne. Sir. Highb told me yes, in fact Magruder had talked with Mr. Haldeman and Mr. Ehrlichman was handling the entire matter.

Mr. DASH All right. Nonv, at that point were you concerned about any particular thing?

Fair. STRACHAN-. Pardon?

31r. DASH. That point having learned that Mr. Haldeman now had spoken to 31r. Magruder and was informed, did a concern come into your mind?

Mr. STRACHAD<-. Yes, I expected over the entire weekend Mr. Halde man to call me and ask me what I knead if I knew anything why I had not reported it to him, the usual very tough questions he would ask.

Mr. DASH. Did you begin at that time to suspect any problem that Mr. Haldeman may have with regard to this?

Mr. STRACHE&. Well, you have to draw one of three conclusions: Either he knew about it ahead of time; either he didn't except me to report to him, or he had received a report and had calmed down.

Mr. DASH. Did you arrive at any one conclusion a

Mr. STRACHAN. It was either one of the latter two, either he knew or he didn't expect me to report to him.

Mr. DASH. What did you do after you learned that he had heard about it, what did you do yourself

Mr. STRACHAN. I didn't do anything. The White House logs indicate that I was in the White House for a minute Sunday, I don't know what that was for.

The next day, Monday

Mr. DASH. Monday divas June 19,1972?

Mr. STRACHAN. That is correct.

Mr. DASH. All right.

Mr. STR. &CH.&N. I began going through my files, Mr. Haldeman's files, to see if there were any indications of any information that would be in any lvay related to this act.

Mr. DASH. Well, did you come to any conclusion as to whether there nvas anything in the files that would be In any way related?

Mr. STRACHAN. Yes. I pulled out several documents, most partic ularly the political matters memorandum No. 18.

Mr. DASH. And that nvas the one that referred to the sophisticated intelligence plan?
Mr. DASH. Did you also pull out that memorandum or these little notes that you had taken concerning the communication that you had from Mr. Haldeman to contact Mr. Liddy about his capabilities being switched from Muskie to McGovern?

Mr. STRACHAN. Well, I pulled that document out but I did not take that up to Mr. Haldeman.

Mr. DASH. All right.

Now what did you believe at that time when you took the document out?

Did you believe that a break-in at the Democratic National Committee headquarters was in fact related to this plan?

Mr. STRACHAN. I didn't know for sure, but I had pretty strong suspicions.

Mr. DASH. Did you meet with Mr. Haldeman shortly after you pulled that file out?

Mr. STOCKS. Yes, I did.

Mr. DASH. Could you tell us when?

Mr. STRACHAN. I believe it was the morning of June 20. He had returned from Florida, I had given a note to Mr. Higby that I thought I should see Mr. Haldeman. Mr. Haldeman summoned me to his office, and I walked in with the political matters memorandum.

Mr. DASH. I think you had indicated that you were somewhat concerned about Mr. Haldeman's reaction to you about not being informed. Were you still concerned when you met with Mr. Haldeman on June 20?

Mr. STRACHAN. Yes, I was scared to death. I thought I would be fired at that point for not having figured that out.

Mr. DASH. Were you fired or did he berate you?

Mr. STRACHAN. No, he did not berate me. He said almost jokingly, "Well, what do we know about the events over the weekend?" And I was quite nervous and retreated to sort of legal protective terms and I said, "Well, sir, this is what can be imputed to you through me, your agent," and opened the political matters memorandum to the paragraph on intelligence, showed it to him. He acknowledged his check and that he had read that, and said that he had not read the tab, which had been attached, turned, began reading it, said, maybe I should have been reading these, these are quite interesting, and read the tab.

Mr. DASH. What tab was that?

Mr. STRACHAN. That was Sedan Chair H.

Mr. DASH. Then what, if anything, did you tell him or did he tell you after he had gone through this memorandum again?

Mr. STRACHAN. He told me, "Well, make sure our files are clean."

Sir. DASH. What did that mean to you?

Mr. STRACHAN. Well, I went down and shredded that document and others related.

Mr. DASH. Now, did you do that on your own initiative as such, or did you feel that you were making sure that you were following Mr. Haldeman's instruction that you should make sure the files are clean?

Mr. STRACHAN. No, I believe I was following his orders.

Mr. DASH. And you shredded all of No. 18, the political matters memorandum No. 18?

Mr. DASH. What about the memorandum that you had made on the communication with regard to Mr. Liddy?
I have more—mostly bits and pieces of information I would like to ask you about to sort of fill in.

On this business with Mr. Strachan, cleaning up the files, and his later shredding. I think he testified, as I recall, that later on during an airplane trip on Air Force One he brought up this question with you. Do you recall that?

Mr. HALDEMAN. No, sir. As I said, I don’t recall a report from him. I don’t recall requesting him to do—to clean up the files nor do I recall a report that he had done so.

Senator GARNET. Did you ever discuss with Mr. Mitchell anything about the break-in or the coverup of Watergate? And now I am—of course, I know you did late this year, in March, but I am talking about earlier after the break-in, or during 1972?

Mr. BERN. After the break-in I am sure there were discussions there there were discussions regarding the break-in and the ongoing developments in the Watergate case and I am certain that Mr. Mitchell was in some of those discussions. So the answer regarding the break-in would be yes.

Senator GARNER. I should have phrased my question a little better. Did you ever discuss any matters with him that indicated to you that there was a coverup, is what I really intended to ask.

Mr. HALDEMAN. No, sir; I attempted in my statement to try to draw a distinction between what now is termed coverup, which I feel is a loose term, that is not maybe defined in each person’s mind the same as in each other person’s, and it has so generally come to mean the illegal acts that have been made forth here, that when you say coverup, if by coverup you mean any of the illegal actions that were or have been alleged to have been taken, then my answer would be very clearly no.

Senator GARNET. I did intend that. I did intend to refine it to include the illegal actions.

Mr. Magruder worked for you as a staff man in the White House; did he not?

Mr. HALDEMAN. He did for a short period of time. He came in to the White House as a special assistant under my direct responsibility as a project man and continued in that role for approximately 4 months, I believe, at which time he moved over to Herb Klein’s office as Deputy Director of Communications, which was a post he held for a year, over a year I believe, before he went to the reelection committee.

Senator GURNEY. Were you at all close to him during this period of time in the White House? Were you close personal friends, see a lot of each other?

Mr. HALDEMAN. No. He was a member of my staff. During the time he was a member of my staff and I saw him fairly frequently on a business basis but I had no social relationship with him.

Senator GURNEY. Did he do any reporting to you when he was in his capacity of the Committee To Re-Elect the President as deputy campaign director?

Mr. HALDEMAN. Some, yes; but he primarily reported to Mr. Mitchell and I dealt primarily with Mr. Mitchell on matters relating to the reelection committee.

Senator GURNEY. Again in any conversations that you had with Mr. Magruder in the year 1972, did you discuss any of the illegal aspects of the coverup of Watergate?
21. Following his meeting with H.R. Haldeman, Gordon Strachan shredded the Political Matters Memorandum regarding a sophisticated intelligence gathering system that he had shown Haldeman. Strachan also shredded other related documents, including a memorandum regarding Gordon Liddy, an April 4, 1972 talking paper prepared by Strachan for a meeting between Haldeman and John Mitchell, a memorandum from Jeb Magruder to Mitchell regarding Donald Segretti, and Segretti's telephone number. After Strachan destroyed these documents, he told John Dean what documents he had destroyed. On July 1, 1972 Strachan, Haldeman and Lawrence Higby were part of a Presidential party aboard Air Force One. Strachan has testified that during the flight he reported to Haldeman that the job had been accomplished, and Haldeman told him to reduce the number of copies made of future Political Matters Memoranda from three to two. Haldeman has testified that he does not recall receiving such a report.
that Mr. Mitchell and Wlr. Dean svere shocked by Liddy’s plan; Mr. Magruder's staff man, Gordon Liddy, was apparently quite humiliated, and nothing was as approved. In other words, if those meetings were routinely reported to Mr. Haldeman, as evidence of Mr. Magruder's administrative ability and judgments the January and February meetings would not very likely inspire the confidence of Mr. Haldeman or the President.

YetMr. Magruder testified that “as he recalled” he returned to his office after both these embarrassing meetings and routinely called Wlr. Haldeman’s staff assistant, meS and told me about his blunder, presumably so that I could inform Mr. Haldeman. That testimony is difficult to reconcile with good sense. Presumably, Mr. Magruder knew that 3lr. Dean would report on the meetings to Mr. Haldeman—as Wlr. Dean has testified he did—why would 3lr. Magruder want two people reporting the same disaster to Mr. Haldeman?

It is true, howver, that Mr. Magruder called me after he returned from the Starch 30, 19Z9, meeting at Key Biscayne with Mr. Mitchell and 3lr. LaRue and reported on about 30 major campaign decisions. Each of these decisions was briefly described in that rather short phone conversation. During this call, he told me, and I am repeating his words rather precisely: “A sophisticated political intelligence-gathering system has been approved with a budget of 300.” Unfortunately he neither gave me, nor did I ask for any further details about the subject. -

Soon thereafter I wrote one of my regular apolitical matters” memos for 3lr. Haldeman. This particular memo for early April was 8 to 10 pages long with more than a dozen tabs or attachments, but it contained only one three-line paragraph on political intelligence. That paragraph read almost verbatim as 3lr. Magruder had indicated to me over the phone. I wrote in the memo to Mr. Haldeman—Again this is almost a quote:

Magruder reports that 1701 now has a sophisticated political intelligence gathering system with a budget of 300. A sample of the type of information they are developing is attached at tab “H.”

At tab “H”, I enclosed a political intelligence report which had been sent to me from the committee. It was entitled Sedan Chair II. This report and two others somewhat like it that I had received began with a statement such as, “A confidential source reveals” or “a reliable source confidentially reports.” This was followed by a summary of some political information.

In April 1972, I was mainly interested in reporting to Mr. Haldeman on those 30 campaign decisions and other relevant political items. I did not give much thought to what Mr. Magruder meant by “sophisticated political intelligence-gathering system.” Nor did I give much thought to the real identity of Sedan Chair II, but I remember that the information dealt with Senator Humphrey’s Pennsylvania organization.

However, on June 17, 197-7, and afterwards as the news began to unfold...

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Mr. DASEI. Did you also pull out that memorandum or these little notes that you had taken concerning the communication that you had from Mr. Haldeman to Mr. Liddy about his capabilities being switched from Muskie to McGovern?

Mr. STRACHAN. Well, I pulled that document out but I did not take that up to Mr. Haldeman.

Mr. DASH. All right.

Now, what did you believe at that time when you took the document out?

Did you believe that a break-in at the Democratic National Committee headquarters was in fact related to this plan?

Mr. STRACHAN. I didn’t know for sure, but I had pretty strong suspicions.

Mr. DASH. Did you meet with Mr. Haldeman shortly after you pulled that file out?

Mr. STRACHAN. Yes, I did.

Mr. DASEI. Could you tell us when?

Mr. STRACHAN. I believe it was the morning of June 20. He had returned from Florida. I had given a note to Mr. Higby that I thought I should see Mr. Haldeman. Mr. Haldeman summoned me to his office, and I walked in with the political matters memorandum.

Mr. DASH. I think you had indicated that you were somewhat concerned about Mr. Haldeman’s reaction to you about not being informed. Were you still concerned when you met with Mr. Haldeman on June 20?

Mr. STRACHAN. Yes, I was scared to death. I thought I would be fired at that point for not having figured that out.

Mr. DASH. Were you fired or did he berate you?

Mr. STRACHAN. No, he did not berate me. He said almost jokingly, “Well, what do we know about the events over the weekend?” And I was quite nervous and retreated to sort of legal protective terms and I said, “Well, sir, this is what can be imputed to you through me, your agent,” and opened the political matters memorandum to the paragraph on intelligence, showed it to him. He acknowledged his check and that he had read that, and said that he had not read the tab, which had been attached, turned, began reading it, said, maybe I should have been reading these, these are quite interesting, and read the tab.

Mr. DASH. What tab was that?

Mr. STRACHAN. That was Sedan Chair II.

Mr. DASEI. Then what, if anything did you tell him or did he tell you after he had gone through this memorandum again?

Mr. STRACHAN. He told me, “Well, make sure our files are clean.”

Mr. DASH. What did that mean to you?

Mr. STRACHAN. Well, I went down and shredded that document and others related.

Mr. DASH. Now, did you do that on your own initiative as such, or did you feel that you were making Sure that you were following Mr. Haldeman’s instruction that you should make sure the files are clean?

Mr. STRACHAN. That is correct.

Mr. DASH. What about the memorandum that you had made on the communication Edith regard to Mr. Liddy?

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Wlr. STT\AcrrAs. Yes, I shredded that also.
Sir. D:\SII. Adhere there any other documents that you shredded?
WIT*: STRACITAN-. Yes, I did go through and make sure our files were
clean. I shredded the tallila's paper between Sir. Haldeman and 3Ir.
Mitchell on April 43 I shredded a reference to Sir. SegTetti. I shredded
Afr. Segretti's telephone number.

\l\le. DAslr. What reference was that to 3Ir. SeOonetti?
3Ir. STR\AcCHAN-. Well, there had been a dispute between whether or
not Afr. Segretti should continue out in the field functioning some-
what independent. Afr. Magruder wrote a memorandum to Wlr.
Mitchell entitled Splatter of Potential Embarrassment” in which she
described this individual in the field and how that individual should
be under the direction of Sir. Liddy. 3Ir. Mitchell had a copy of that
and 3Ir. Haldeman had a copy of that. and 3Ir. Haldeman had told
me to call up Afr. Segretti and to tell him to expect a call and his di-
rections from 3Ir. Liddy. I shredded that memorandum also.

Afr. DASH. Are there any other documents that you shredded?
Sir. STR\AcCHAN-. Well, we gave the committee a list.

\l\le. DASH. You may have stated, but did that include the balk-
ning paper that you had prepared for 3Ir. Haldeman for his meeting with
Afr. Mitchell on April 4?
Wlr. STR\AcCHAN-. Yes, I think I said that that was one of the items.
3Ir. DASH. Nonv, after you shredded these papers on the 20th of
June 1972, did you inform anybody that you had done this?
Mr. ST\Ac\F\As-. Yes, I went over to John Dean's office and gave him
a list orally of the documents that I had shredded and told him that
those had been Afr. Haldeman's instructions.

Wlr. I)ASH. Why did you inform John Dean?

Wlr. ST\Ac\F\As-. A\leil, John Dean was you know-, the counsel to
the President and the man who would presumably be handling this
problem.

Afr. DASH. Did VOII inform anybody else?

3Ir. D\Aslr. Nonv, have you since had an opportunity to go through
the A\The House records to look at the various memorandums that
you have prepared in the past?

Afr. STR\Ac\I\AN-. Yes, I have tone back into an Executive Office Build-
inC otlice, room 1522, to go through the files.

Wlr. DASH. And did these files still have the political matters memo-
rall\Itum that you had prepared for Afr. Haldeman?

AIR. STI\Ac\CHAN-. Well, they contained all political matters memo-
rall\Itums except No. 18.

Bfr. DASH. IS was missing?
Sir. S\\Ac\J\IN-. That is right.

3Ir. D\Aslr. SO VOII reaffirmed the fact that you had destroyed 18?
Afr. STR\AcNCEIAN-. NVell, I did not forget that.

3Ir. D\Asrr. No. It had not been replaced, anyway?

3Ir. D\As\l-t. NVov, later, did you ever inform Afr. Haldeman that you
wanted to make sure that the files xvere clean 01’ that you had destroyed,
in fact, the particular files that you xvere worried about?

Mr. STR\Ac\l\lrr-. Yes. On July 1, I xvas invited to To out with the

Presidential party 011 Sir Force line. Title xvere croinet into a series of
discussions out there XVill Err. AlacGregol- and Atc. Alalek regarding
the campaign. I had done a political matters memo for the preceding 2 weeks and I joined Mr. Haldeman and Mr. Higby on that flight. At that time, I reviewed both the most recent political matters memorandum and the fact that I had in fact made sure the files were clean.

Mr. DASH. What was Mr. Haldeman’s reaction, if anything, when you told him that you had destroyed No. 18?

Mr. STRACHAN. I do not think he said anything. I just reported it as a matter of fact and we went on to something else.

Mr. DASH. And to your recollection, he accepted that as a matter of fact?

Mr. STRACHAN. Well, I would remember if he had told me that was a very stupid thing to do.

Mr. DASH. Now, was there any discussion as to how many copies of these memorandums in the future should be made?

Mr. STRACHAN. Yes, he asked me how many copies of the political matters memorandum had been prepared and I told him three, and he told me at that time to cut the number down to two.

Mr. DASH. Who received these copies? There were two, one for him and one for who?

Mr. STRACHAN. Well, one for Mr. Haldeman and one for me.

Mr. DASH. And after this event, and after, of course, the break-in at Watergate, what was your relationship with the Committee To Re-Elect the President? Did it continue, and did you continue as liaison?

Mr. STRACHAN. Yes, it did. I had talked with Mr. Atalek on the trip out to California and he talked to Mr. MacGregor about how good I thought Bob Reisner was as an administrative assistant and the decision was made to move Bob Reisner to become Clark MacGregor’s administrative assistant and I continued to work very, very closely with Mr. Reisner.

Mr. DASH. Did you have any responsibilities to report to Mr. Haldeman concerning the Watergate affair?

Mr. STRACHAN. None.

Mr. DASH. I take it that after the break-in, the so-called Watergate affair became an important matter of concern in the campaign?

Mr. STRACHAN. Well, everybody followed it rather closely.

Mr. DASH. And I take it various meetings were held, and I think that we’ve had considerable testimony from a number of witnesses concerning the meetings just after the break-in through June, the latter part of July and August. Were you aware of those meetings?

Mr. STRACHAN. No, not really. I certainly never attended any. I don’t think I was specifically aware that they were having all these meetings on what has turned out to be the Watergate matter.

Mr. DASH. Were you aware of an interchange of information, let me say between Mr. Dean, Mr. Haldeman, Mr. Ehrlichman, Mr. Wardian, Mr. LaRue, and then on the other side, Mr. Haldeman and Mr. Haldeman would rely on Mr. Dean’s report and it was not necessary for you to be that messenger of the information. So it happened after-

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fensive and stated that he was merely on his payroll as a consultant because Ehrlichman had so requested. He asked me to determine if Hunt was still on his payroll and I said I would check. Colson also expressed concern over the contents of Hunt's safe. Several weeks later—probably 4 or 5 weeks after I learned from Paul O'Brien, who was representing the reelection committee, that he had learned from Mr. Hunt's attorney Mr. William Bittman, that Hunt and Colson spoke on the telephone over the weekend of June 17-18, and that Hunt had told Colson to get the materials out of his—Hunt's—office safe.

Mr. Hugh Sloan called me to tell me he was worried. At that time I knew of no reason why Mr. Sloan should be worried so I told him not to worry. He told me that he would like to meet with me and I told him that I was trying to find out what had happened and requested we meet in a few days. I do not recall the precise date we did meet.

I next contacted Middy and asked him to meet with me. He said he would come to my office. As he came into the office I asked him to take a walk. It was shortly before noon Ed and I walked down 17th Street toward the Corcoran Gallery.

I will try to reconstruct the conversation to the best of my memory. Awhile I cannot recall every detail, I do indeed recall the major items we discussed.

Mr. Liddy told me that the men who had been arrested in the DISC were his men and he expressed concern about them. I asked him why he had men in the DISC and he told me that Magruder had pushed him into doing it. He told me that he had not wanted to do it, but Magruder had complained about the fact that the intelligence good information from a bug they had placed in the DISC sometime earlier. He then explained something about the steel structure of the Watergate Office Building that was inhibiting transmission of the bug and that they had gone into the building to correct this problem. He said that he had reported to Magruder that during the earlier entry of the D51C offices they had seen documents—which I believe he told me were either Government documents or classified documents—and Magruder had told him to make copies of those documents.

Liddy was very apologetic for the fact that they had been caught and that Mr. AtcCord was involved. He told me that he had used AtcCord only because Magruder had cut his budget so little. I asked him why one of the men had a check from Mr. Howard Hunt and he told me that these men were friends of Hunt and Hunt and Hunt had put him in touch with them. I do not recall Middy discussing any further involvement of Hunt, other than Hunt's putting him in touch with the Cubans. I asked him if anyone from the White House was involved and he told me no.

As the conversation ended he again expressed his apology and his concern about the men in jail. I told him I couldn't help and he said he understood. He also told me that he was a soldier and sworn never to

After returning to my office I arranged a meeting with Mr. Shriver in his office for m5-2/2/73.

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instructed by Haldeman to go through all of Air. Haldeman's files over the weekend and remove and destroy damaging materials. Lie told me that this material included such matters as memorandums from the reelecting committee, documents relating to wiretap information from the DSC, notes of meetings with Haldeman, and a document which reflected that Haldeman had instructed Magruder to transfer his intelligence gathering from Senator Muskie to Senator AlcGovern.

Sto achan told me his files were completely clean.

I spoke with Mr. Kleindienst and he told me that both the FBI and the D.C. Metropolitan Police were investigating, and he assumed that the FBI would take full jurisdiction of the case shortly. He also abraded to his encounter with Liddy at Burning Tree Country Club, but Ed not explain this in full until I later met with him. I do not have a record of when I met with Ahr. Kleindienst, but it was either on Mondays the 19th, or the next day. I avill describe that meeting shortly.

I met with Ehrlichman in the mid-afternoon and reported in full my conversation with Liddy. I also told Ehrlichman about the earlier meetings I had attended in Mitchell's office in late January and early February and my subsequent conversation with Haldeman. He told me ha wanted to meet later with Colson and told me to attend. Ehrlichman also requested that I keep him advised and find out from the Justice Department on what was going on. I did not mention my conversation with Strachan because I assumed that Ehrlichman eras aware of this from Haldeman himself.

Later that afternoon I attended a second meeting in Ehrlichman's office with Colson. I recall Ehrlichman asking where Hunt was. I said I had no idea and Colson made a similar statement. At that point before the meeting had started, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this, without even thinking. Shortly after I made the call, however I realized that no one in the White House should give such an instruction. I raised the matter. A brief discussion ensued between Ehrlichman and myself. As I recall, Ehrlichman said that he was not a fugitive from justice, so why not. I said that I did not think it was wise, and Colson chimed in that he also thought it unwise and agreed. I immediately called Liddy again to retract the request but he informed me that he had already passed the message and it might be too late to retract.

Following this brief telephone skirmish regarding Hunt's travel plans, the meeting turned to Hunt's status at the White House. I had learned from Fred Fieldings who I had asked to check on it, that Hunt had not drawn a check from his White House consultantship since late Starch of 19v2. But as far as I knew, the records indicated that Hunt was still a White House consultant to Colson. After discussions of this hv Colson, who at this point was unclesus, of Hunt as a member of his staff. Ehrlichman called Ahr. Bruce Kohli and requested that he bring Hunt's personnel records 11p to Ehrlichman's office. Before Kohli arrived Colson raised the matter of Hunt's safe. Colson, without getting fiscific, said it was imperative that someone take the nontells of Hunt's safe. Colsonurstuffed and Ehrlichman concurred, that I take custody of the contents of the safe.

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I have more—mostly bits and pieces of information I would like to ask you about to sort of fill in.

On this business with Mr. Strachan, cleaning up the files, and his later shredding, I think he testified, as I recall, that later on during an airplane trip on Air Force One he brought up this question with you. Do you recall that?

Mr. HALDEMAN. No, sir. As I said, I don't recap a report from him.

I don't recall requesting him to do—to clean up the files nor do I recall that he had done so.

Senator GURNEY. Did you ever discuss with Mr. Mitchell anything about the break-in or the coverup of Watergate? And now I am—of course, I know you did late this year, in March, but I am tallying about earlier. after the break-in, or during 1972?

Mr. HALDEMAN. After the break-in I am sure there were discussions—there were discussions regarding the break-in and the ongoing developments in the Watergate case and I am certain that Mr. Mitchell was in some of those discussions. So the answer regarding the break-in would be yes.

Senator GurNEY. I should have phrased my question a little better. Did you ever discuss any matters with him that indicated to you that there was a coverup, is what I really intended to ask.

Mr. HALDEMAN. No, sir; I attempted in my statement to try to draw a distinction between what now is termed coverup, which I feel is a loose term, that is not maybe defined in each person's mind the same as in each other person's, and it has so generally come to mean the illegal acts that have been made forth here, that when you say coverup, if by coverup you mean any of the illegal actions that were or have been alleged to have been taken, then my answer would be very clearly no.

Senator GURNEY. I did intend that. I did intend to refine it to include the illegal actions.

Mr. Magruder worked for you as a staff man in the White House; did he not?

Mr. HALDEMAN. He did for a short period of time. He came in to the White House as a special assistant under my direct responsibility as a project man and continued in that role for approximately 4 months, I believe, at which time he moved over to Herb Klein's office as Deputy Director of Communications, which was a post he held for a year, over a year I believe, before he went to the reelection committee.

Senator GURNEY. Were you at all close to him during this period of time in the White House? Were you close personal friends, see a lot of each other?

Mr. HALDEMAN. No. He was a member of my staff. During the time he was a member of my staff and I saw him fairly frequently on a business basis but I had no social relationship with him.

Senator GURNEY. Did he do any reporting to you when he was in his capacity of the Committee To Re-Elect the President as deputy campaign director?

Mr. HALDEMAN. Some, yes; but he primarily reported to Brr. Blitchell and I dealt primarily with Mr. Mitchell on matters relating to the reelection committee.

Senator GURNEY. Again in any conversations that you had with Mr. Magruder in the year 1972, did you discuss any of the illegal aspects of the coverup of Watergate?

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22. On June 20 or 21, 1972 Robert Mardian and Fred LaRue met in
LaRue's apartment with Gordon Liddy. Liddy told LaRue and Mardian
that he and Howard Hunt had developed the plans for entries into the
DNC and the McGovern presidential campaign offices; that he, Hunt and
others involved in the Watergate break-in had been previously involved
in operations of the White House, specifically an entry into the
offices of Daniel Ellsberg's psychiatrist; that Hunt had acted to
make ITT lobbyist Dita Beard unavailable as a witness at the Senate
Judiciary Committee hearing on the nomination of Richard Kleindienst
to be Attorney General; and that he had shredded all new, serialized
$100 bills in his possession and other evidence relating to the
Watergate break-in. Later that day Mardian and LaRue met with John
Mitchell and apprised him of their meeting with Liddy. Mitchell was
told of Liddy's and Hunt's prior surreptitious entry into the office
of Daniel Ellsberg's psychiatrist and of Hunt's earlier activities
involving Dita Beard.
Mr. LARUE. It would be the following Monday. It would be, I think, the 15th of June.

Mr. DASH. All right. On that Monday in the evening did you attend a meeting in Mr. Mitchell’s Washington apartment at the Watergate?

Mr. LARGE. Yes, sir.

Mr. DASH. Who was at this meeting?

Mr. LARUE. Mr. Mitchell was at the meeting. I was at the meeting. Mr. 3illard came to the meeting. Mr. Dean. and Mr. Alayntder.

Mr. DASH. Non-, could you tell us generally what the meeting was about and what discussion took place?

Mr. LARUE. Mr. Dash, I have no specific recollection of any of the discussions other than I would assume, and I am sure from the participants, that the discussion centered on the Watergate incident. The only specific incident that I recall was a discussion by 3illard of some sensitive files which he had, about my understanding relating to this incident, and that he was seeking advice about what to do about those files.

Mr. DASH. Now, did the term or the name “Gemstone” used at that time? Did he refer to it?

Mr. LARUE. If it was used, I do not recall it, no sir. It wouldn’t have meant anything to me, anyway.

Mr. DASH. Had you ever heard of that term “Gemstone”?

Mr. LARUE. Not at that time, no sir.

Mr. DASH. Is there a possibility it was used at that time?

Mr. LARUE. There is a possibility, but as I say, it wouldn’t have meant anything to me.

Mr. DASH. You say Mr. 3illard asked what he should do about these sensitive files?

Mr. LARUE. Yes, sir.

Mr. DASH. Did he get a response to that?

Mr. LARUE. As I remember, there was a response from Mr. Mitchell that it might be good if Mr. 3illard had a fire.

Mr. DASH. That said that?

Mr. LARUE. As near as I can recall, Mr. Mitchell said that.

Mr. DASH. Does it say that it might be good if he had a good fire in his house?

Mr. LARUE. Yes.

Mr. DASH. Do you recall in any discussion of the politically sensitive files that the information they involved was electronic surveillance?

Mr. LARUE. As I recall, there was no reference to files pertinent to electronic surveillance, yes, sir.

Arr. DASH. Is it true that at this meeting on June 19, where a discussion was had about these files and the recommendations that it would be good if Mr. 3illard had a good fire in his house? Is this true?

Mr. LARUE. Yes, sir; that is true.
Arr. L.W/U.E. Yes, sir.

all. D.ssr. (?)ollkl you tell tIS who -ens thet e ?
Mr. LARYE. Yes, that is correct.

This discussion centered around Blr. Liddy's knowledge and involvement in the break-in.

Mr. DASH. You say centered around his involvement. Could you be a little more specific? AElat did Air. Liddy say he was to tell you what had occurred?

Mr. LARGE. I don't know that he was there for that purpose, but this is what evolved.

Mr. DASH. Who set up the meeting?

Mr. LARGE. Air. ARARDIAN set up the meeting.

Mr. DASH. What did you understand, since it was in your apartment, that the meeting was to be about?

Mr. LARGE. Air. ARARDIAN came to me on that day and wanted to borrow my apartment, that he had a meeting set up with Gordon Liddy. I told him that would be fine. I gave him the keys to my apartment, and I think at that time, he said, you might as well join me.

Mr. DASH. By the way, is your apartment located?

Mr. LARGE. At that time, I was in Watergate West.

Mr. DASH. Now, you learn that, especially from what Air. ARARDIAN had told you on his telephone call with Air. LIDDY, that Air. Liddy had been one of those who was involved in the break-in?

Mr. LARGE. No, Mr. DASH, I do not think that was dimmed at that time.

Mr. DASH. Well, you said that Air. ARARDIAN went back and said there was trouble, there was a break-in, that that was the day they were into Democratic national headquarters when Air. LIDDY was on the phone. Air. LIDDY came back, didn't you say that Air. Liddy had told Air. ARARDIAN about the break-in?

Mr. LARGE. Yes; but I don't think that at that time, Air. Liddy had indicated any involvement of himself at that operation.

Mr. DASH. Did he mention Air. MCCORD?

Mr. LARGE. He did mention Air. MCCORD, yes, sir.

Mr. DASH. Could you tell us what he did say about his involvements on June 20?

Mr. LARGE. Yes, sir.

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Mr. DASH. Could you tell us what he did say about his involvements on June 20?

Mr. LARGE. Yes, sir.
L. THRESE 311. Liddy miltionstol tlat he hael on othel occasions
been in-sut-ed in incidents or ocfrations for the AN~llite LitOlae. and lle
sleerifically.} &lentililec tile attelal{(ted bltian 64-11, -- of the Olttce of tile psy-
chiatrist of Afr. Elliflet. - He specifically mentioned another incident.
in t-
<ilnl Air: Slant used a disarawe. I think—til Sh xvas in Denor. Colo. 7
> enter the room alld ilave a conversation xvitl Afr.S.
Beard.

Afr. D THRESE Do you recall any other incidents that he talsld about?

Afr. LARKIE I don't recall an-- rLO. sir.

Wit. DASH. Do you recall Afr. Liddly tellnigl vou or afr. Afarcien
about his shootint, out the li,ghts around the AlcGovern leadquarters
Afr. LARKIE Yes, I do recall that.

3tw. Dshir. That <-was durinuz an unsuccessful attempt to break into
31cGovern leadquarters ?

3Erf. LARKIE un unsuccessful attempt to. He had slott oft some lifths,
"I think, in an alle-- or somevlace around AlcGovern leadquarters.
Afr. DASH. Do you recall 5.lr. Liddy discussinfr at that time lhether
or not there xvas any possibility-- ile mizrht cret cautfrt or misfr. get found
out ?

Afr. L&R.-- Afr. Liddy assured us that he had conducted this opera
troll ill such a maniler that it cottiId IOE be traced to him. that we should
not have any fears that any slhsequent invesigation sloulld lead to
him.

Afr. DASH. III other XVOLI ds. Ise xvas xsvilling to le ru>bed Odt ?

ar. L. lxlBE. Yes, sir.

Am. T-ssslr. I tal;e it not(ocly tool; hial (11) 011 IIs offer?

Afr. L. lxlBE. 5'ot tlat I. noxxf of. 110. sir.

Afr. DASH. NO-. the naeetinf +v-as betxveen VOI; Alaliali, allcl Btr.

Licciv in your ar)aratnelt ?

ar. L. VFSUE. Yes, sir.

Afr. D. SH. NOV. it. it was ihis IneetillgY tllat VOI; ilac XVeal Iarl. Licelell
in tvhich ttes revelatiolls came fr0oll Afr. Licleiv. Al-as tllis info1m-.i-
tion reported to BIr. 1shittel 9

ar. L. XP--5E. Zres, it xvas.

Afr. I. SSH. Do VOII recall svluen it XV:is, hv etxoll ?

Afr. L. vF-E. rple best of IIIV recoleclroll XV:ISIII be tle same ela--
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Dshir. AIIIat xvas wr-: Atlitchell's leactiolv lshell he liard 1vhat
0 otl huild to saw.

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of]t arrolli -vlll-<lt ile =V;IS tellilll-- VOII l-lulr tM lere.ile-<lt at tile 1delll--eratic
5'atoll ill Chotnalill(ab he:wcixlll'1htls, 01- an- of tle rile • rilel' activities)

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Senator TAL3tAD1E: Did VOot know anything about the break-in prior to that time? Did you—no— that Liddv and his associates were point to break; into the ANICate gate and commit burglary?

Witness LARFE: No, sir.

Senator T.

Senator TAL3tAD1E. You did not know at that time that he had shredded a number of documents?

Witness LARFE. Yes, sir.

Senator TAL3tAD1E. Did you know the nature of those documents?

Witness LARFE. He indicated that they were documents relating to the break-in, yes, sir.

Senator TAL3tAD1E. And were they in the files of the Committee To Re-Elect the President?

Witness LARFE. Yes, sir.

Senator TAL3tAD1E. Did AIr. Atitchell know about those documents?

Witness LARFE. To my knowledge, no, sir.

Senator TAL3tAD1E. I believe you met with Mr. Liddv on June 90.

Witness LARFE. Yes, sir.

Senator TAL3tAD1E. And you discussed various things. Did you discuss various things?

Witness LARFE. Yes, sir.

Senator TAL3tAD1E. What was Mr. Atardian's reaction to this?

Witness LARFE. I think Mr. Atardian was—shared the same opinion I did. He was rather shocked by the revelations of what had been known as the Flatbush House hearings and I do not think he shared an enthusiasm that the investigation would eventually lead to Mr. Liddv.

Senator TAL3tAD1E. Did Mr. Liddv tell you at that time about the Watergateitur case ?

Witness LARFE. I do not know who was in that office of the Intelligence Committee that was involved in the case. I do not know who was in that office.

Senator TAL3tAD1E. Did Mr. Liddv tell you at that time about the Watergateitur case with the Intelligence Committee? 
attempting to determine the amount of money that had been given to Mr. Liddy, and when I determined this amount of money I think I reported that to Mr. Mitchell.

Senator MONTOROA. But you are speaking of the period after June

Mr. LARUE. After the break-in, yes, sir.

Senator MONTOROA. Did you have any discussion with Mr. Stitched between January 17 or let us put it a little further, between April 1 and June 17 with respect to any disbursements to Mr. Liddy by Mr.

Mr. LARK No, sir.

Senator MONTOROA. You did not.

Did you—you but you did know that these disbursements were being made by Mr. Sloan to Mr. Liddy?

Mr. LARK. No, sir, I did not.

Senator VINSON. Senator, may I interrupt. What period are you telling about?

Mr. LARK. Senator, I can only assume that we had probably a wide discussion or a discussion of the numerous problems that I've encountered because of the Watergate break-in. I think I stated precisely that I had a very hazy recollection of that meeting and specifically can only recall the discussion of the documents which Mr. Magruder had and the reference to the fact that he ought to have the fire.

Senator MONTOROA. Was it a meeting of self-confession on the part of those present?

Mr. LARK. No, sir.

Senator MONTOROA. To what part had played in this and what they knew?

Mr. LARK. No, sir.

Senator MONTOROA. Then what was it then? I understand that at this meeting you presented the information which Mr. Liddy had already told part their had played in this and what they knew?

Mr. LARK. No, sir.

Senator MONTOROA. As of Tuesday evening, the dots after this meeting.

Mr. LARK. That happened at the meeting with Mr. Liddy that another meeting was arranged at four o'clock, is that correct? This event at four o'clock.

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Mr. LAE;irsEL. The only meeting, Senator, that occurred that I had,
that I can recall with Atr. LiddV would be 011 June ol in MV apartment.
This tvas not, to mar knoTvichh—this meeting tvas not set up dis-
cussed at the June 19 meeting
Senator BION-TOYA. All right.

Noxv, on June 90, after you people met, what T,vas discussed and avhat
lan evolved from this particular meeting ?

Mr. LAE;irsEL. Senator, could you be more specific about Tvhich meet
illg you are tallcing about? Are you talking about the meeting with
Liddy or the meeting that lhardian and I had with 31r, Alitehell 2

Senator WION-TOY-A. The meeting with—between you or among you—
3lardian and Biddy ?

Mr. L. RUE. On June, 20. Well, the topic discussion avas Wfr. Liddv's
involvement in the Watergate breaks-in. I don't knoTv of any—sve 6-
cussed no plan of action.

Senator WION-TOY-A. Well, did you report any of t.he results of this
meeting to Bfr. Mitchell?
Blr. L&R-. Yes, sir.

Senator WION-TOY-A. How soon after?
Mr. LARGE. As I recall, that same day.

Senator AION-TOY-A. Immediately. Do you recall that Fir. Mitchell on
that same evening at the hour of 6:08. I believe. called the President?

btr. LARK Senator, I do not recall 3Ir. Mitchell calling the Presi
dent. That is a possibility. I do not recall it, no. sir.

Senator WION-TOY-A. Shell, I refer you now to the chart here, on the
evening of June 20, at the hour of 6 :0S, it shoTvs a telephone call to
the President. ATonv, Tvere you aware of this call ?

Sir. IwAR5E. i!=o. Senator, I cannot recall the call. Is that a call
to the President or from the President ?

Senator WION-TOY-A. It was a call to the President Mom Atr. Mitchell.

Sir. L. LvRuz~ I cannot recall the call, no, sir.

Senator BION-TOTA. How late were you with Wfr. Mitchell this
particular evenino ?

ATr. L. TRUE. Senator. to the best of my recollection, probably until
10 o'cLock.

'Senator WION-TOY-A. ATonv, ATr. LaRue, during the course of these
meetings there Tvas no manifestation, or at least VOu hare not related
it, no manifestation of surprise on the part of any of you, you severely
merely trying to plan for the future because you l—new by then that
people in the CRP were involved. Hoav did you arrive at this
conclusion ?

Atr. ALARM That people in the CRP were involved ?

Senator AION-TOY-A. Yes.

Atr. T. vRtE. Well. obsiously the first fact, Senator. that Atr. BrecC ord
had been arrested in the DDITC, Atr. LiddV's acollnt of his ins-ols-ement
to or . Atr.ardian and 1: my conversations with Atr. AtarClucr.

Senator BIONTOYA. NOV, did Atr. Araynder relate to 30313 subsequent
to the.—immediately subsequent to the first call in California as to
Arr. }.iddv s ins-olve'nent in this particulararthin—9

3t1'. T\-Rsw. No. sir, not at that time, as I recall. Tllere eras no
collision off by Lick the ins-oh-emerlt.

XSen Itll AtON-TOY \ Dial loll, before yoll left California, Snow of this particular involvement?
Mr. SERBIAN. I think I would have recalled such a discussion had it taken place in my presence.

Mr. TESILTON. Tell, are you aware of any testimony by Mr. LaRue and Mr. Magruder that you left the meeting before destruction of the Gemstone file?

Mr. --RDL\N. I don't think anybody asked that question and I don't think anybody asked Sir. LaRue when I arrived. Maybe they did. I don't l-now.

Mr. HA\LTON. But you know of no statement by 3Iagrruder or LaRue here or otherwise that you were not present at this meeting when the destruction of the Gemstone file took place?

Wlr. 3dL&. Well, I haven't talked to them.

Mr. HA\LTON. Mr. Atardian, did you, in the several days follo~g June 19, have an occasion to interview Sir. Liddy '?

Mr. IW[A-IAN. Yes.

Blr. Hs97\LTON. And who else was present in this interview?

3lr. bL\RL-sOf. Mr. Fred LaRue.

Air. HA\LTONI. Sr. LaRue testified at page 4595 that this meeting nvas on June 20. Do you concur in that testimony?

Sir. L\RD\NL. No. And I might state that there is doubt in my mind as to the date of that meeting. I originally, in response to questions put to me by the U.S. attorneys Wed the date of that meetinff as the 21st or 22d. They told me that the meeting took place on the 20th Fe finally settled on the 20th or 21st, and I believe I told your committee that it was the 20th or 21st. In checking my records I would have to say that the meeting took place on the morning of—and again I could be mista;en, the morning of June 91.

Wlr. HA\LTON. On the worksheet that has been turned over to your committee, I note that I got a call from Gordon Liddy and it coincides with my earliest recollection that I did not meet with Ak. Liddy at least on the first day of my return. I am not saying that that is abso- lute, I am just—my earliest recollection was the 21st or 92d, and I thi I have testified that it could be the 20th or 21st but I would have to say that it was the 21st.

Atr. 3A\LTON-. Is it your recollection that this meeting took place on the morning of the fist?

Wlr. AtARDI\X. This is purely a surmise based upon that call. It looks to be the first call that I noted. and my recollection is lie said he avas leaving that day for Los Angeles.

Blr. HA\LTON. I notice in your diary that there are numerous meet ings scheduled on June 81st, one at 8; one at 8:30; one at 9:30; one at 10; one at 11; and one at 12, that appears to have been canceled. Atrold this heavy load on the morning of the 81st suggest to you that perhaps the meeting took place on the Both ?

Atr. ALWDrAN-. That crossmark does not indicate a caneellation, I thinlz you svill find that crossmarlc on every Alondav, WednesdnJr, and Friday, which xvas the time I was supposed to exercise, which I did. Iot.

I note that the meeting—there is one, for instance, with a gentle man at eS :3n and then another one at 11() o'clock. I do not thinly I met vith th:lt. g,elltemall twice on that dav. One appeals to be :i rescledudul-
inn, nod the fact that I have it noted in mar book does not mean that
I kept the appointment.

I am tr>-int, to rive )OU the best. mar best recollection.

Atr. AtARDIAN. AVell, my recollection differs with that of Atr. LaRue.

Again, Str. LaRue could be right. 31v recollection vas that Atr. EQ-
Rue told me Atr. Middy wanted to talk to me. I do 108 recall whether
it wvas Ak. LaRue that told me this or Blr. Liddy to come to my office.
Mr. Lidd) was reluctant to come to my office. He ivanted to meet
some place else, and eve met in Atr. LaPLtie's apartment. I believe that,
more than anything else, nvas the basis for mv belief that it avas Blr.
LaRue that arranged for the meeting and indicated vice could meet in
his apartment.

WIr. HA3tlLTON-. Atr. 3Iardian, I wondered in yovr own words if vou
svould, in some detail, tell us what occurred at this meeting and tell
115 what information Sir. fJidd,, imparted to you ?

Mr. 3tAltDIA,S. Why recollection is pretty l isid. I may forget some of
the items that he disclosed to me, but I lvill trv not to.

We arrived, Air. LaRue and I arrived at his apartment and soon
thereafter, 3Ir. Liddv came into the room. The first thintr he asked
Mr. LaRue was whether or not he had a radio. Mr. LaRle indicated a
radio which lvas in the corner of the listing room. Blr. Lidds went over
and turned the radio on and asked me to sit by the radio in n chair, and
he sat in a couch, as I recall, that nvas next to an end table that the
radio vason.

He apologized to me bV saving somethino to the effect that it is
not that I do not trust Toils bat this conversation cannot be recorcled.
My inference from that lvtlS he thought I hnA some lEind of a device
on me, possibly something in the room, I do not know

And attain, I am going to have to say that I do not recall the se
quence of events in which he related these things to me. Malt I do recall
that he said that he wanted to hire me as his laavver, as his personal
attorney I told him that I was acting as attorney for the committee
and that I could not relieve n—self of that responisibility to represent
him. He then said it lvas imperative that he be able to talks to me in
confidence and that under no circumstances collld I disclose what
he told me.

I told him that since he lvas an employee of the committee and I
xvas acting as attorneV for the committee, he could talk to me as a
client to .1-vaxxer and that I lvould maintain his confidence. LlIt that
I would have to be at libettv to disclose what he told me to 3tr.
3litchell. At first, I believe he clenltlrec, and I told him that xvas
the only basis on which I could talk to him.

One of the things that he tolxv me xvas that he had n message from
her. Hlnt, that 31t. Hunt felt that it m-as the committee's olulig:ltion
to provide bail noneV to ret his men otll of jail. At that time, these
people xvere incarceratd in the District of (~olanlbia Jail.

I lvas interested in fit~t-lim~, out lvllat had occrlrec acli I interro
•rated hint lIS to the events of the es-enilfr of .Jallllarv 16s .Tine 16.

the nlorritnf oil the lath. Sled he related to me ~V]lIt lIad occurred
about the 1)re:tl;-in, told nle that then had planllecl, as I recall. to
1)leacl into the Atcn(()es-eln hett[l]ttailel-s that sanwe nisllt.

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About the arrest of the five people, Mr. AtcCord and the others, their flight, he indicated to me that there was nothing to fear, because the only person that could identify Mr. Liddy was Ab. McCoy and Mr. AtcCord would not divulge his identity, that the Cuban-Americans were old soldiers who had worked in the CIA with Mr. Hunt since the Bay of Pigs, and that they would never under any circumstances disclose Mr. Hunt's identity, and that the committee had nothing to fear in that regard.

I told him that, based upon what he had related to me, the events of that evening one of which included, as I recall, his sitting on the shoulders of one of the men at a distance—I don't recall, some 300 feet or 350 yards—shooting out a light behind the Democratic Committee headquarters. I pointed out to him that a person that he was that intimate with would certainly be able to identify him, pointed out that he had spent, that he had told us he had spent some time in the room with these people in their hotel room, they had eaten, that his fingerprints would be all over the place. He kept insisting that there was no chance that he would be identified.

I tried to convince him he would be identified. that his best bet was to turn himself up rather than try to wait for them to arrest him.

He discounted this possibility. I told him, after some discussion, indicate that it was possible that he could be arrested, but I inquired of him as to the—because of the news accounts of the almost and the apparent bungled effort, the possibility that someone in the group had had it in mind that they would be arrested, to embarrass the Committee To Re-Elect the President. He discounted this completely by saying that this group had been operating together for some considerable period of time, that they were all real 'pros,' that they had engaged in numerous jobs. End when I asked him what kind of jobs, he said, 'we pulled two right under your nose.'

I inquired as to what he meant by that and he said that they had invaded the office of the psychiatrist of Dr. Ellsberg and that they were the ones who got Dita Beard out of town.

I expressed my strong displeasure with respect to— I pointed out that the avocet thing that had happened in the hearings was that Dita Beard disappeared.

I asked him because of the Ellsberg breach— have they obtained anything? He told me that they had obtained nothing that they had searched all the files and couldn't find his record.

I asked him on whose authority he was operating and I wish to be very careful here, because I don't know that he used the name of the President, but the words he did use were clearly meant to imply that he was acting on the express authority of the President of the United States with the assistance of the Central Intelligence Agency.

I made some notes of—oh, I asked him what information they had obtained. He told me that the purpose of making this entry that this entry was not of his own, that neither he nor Mr. Hunt thought it was as a flood of ideas that they had obtained nothing from the burh that they had found—nothing in the place. Ele told me that the only thing they had ascertained from that barn was the fact that someone at the Democratic National committee was tallying to somebody at the—was talliving, to the —or a person at the Committee To Re-
22. ROBERT RUDIAI TESTI-+-AOEIY JULY 19 1973 e SSC 2357-63

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Elect the President, that although he and Wtr. Hunt iverre against
the entry, that Wtr. AlaoSruder-

Senator BAKER [presidina]. Should you suspend for just a minute,

Ale. Witness?

Anybody who wants to leave the room should do so now so sve don't
have disruption of the vFtiteSsX testimony. And would the officer close
the door, please, for quiet in the witness room.

Would you please proceed?

Wlr. B[2361];. I think I lvas explaining that neither he nor Wlr.

Hunt felt that any additional entries would be fruitful, but that he

had, they had made the entry at the insistence of Sir. Magruder.

I recall again inquiring as to why the stupid adventure. It seems
to me to be the most ridiculous thing I had ever heard of. As a politi-
cian, or as a person that had had political experience, I couldn't un-
derstand what they would hope to bet out of the Democratic national
headquarters before they even had n candidate. much less afterwards
Party headquarters, at least Republican Party headquarters, are very
sterile during this period of time.

He could not answer the question for me other than to say that he

vvas carrying out his orders.

Wlr. HABrJLTON. 3lr. Wlardian, did Wlr. Liddy mention what to of
budget he lvas operating ludder?

Mr. BI2361, I lvas asked a question about the budget this morning,
and I responded both to you and to the chairman, and I stated-

Senator ERVIN. Excuse me, I have to interrupt this. It appears that a
hoax has been perpetrated upon the committee, at least upon the chair-
man of the committee.

I lvas called to the telephone just before the lunch period and I lvas
told before I event to the telephone that Secretary of the Treasrlrv
Shultz vvas calling and wanted to speak to me. I lvent to the telephone
and a voice at the other end of the line informed me that it lvas Secre-
tary of the Treasury Shultz. I am not familiar enough with the voice
of the Secretary to be able to identify it and so I just assumed that the
person at the other end of the line lvas Secretary Shultz, and he made
the statement which I reported to the committee and the ne vs media on
this microphone.

In the meantime. there has been communications between White
House counsel, Att. garment. and the staffs5 and BH%. garment professed
ignorance of any matters of that kind and, as I understand. an investi-
--atom was made, and Secretary Shultz vas contacted and Secretary
Shultz stated that he had no sileh conversation. So I had his office
called and asked that he be placed on the phone, and so I was informed
a felv minutes ago—the reason I put it this away is because I hate to
have my faith shattered in humanitv—but I lvas called to the phone
and I lvas informed that Secretary Shultz lvas indeed on the phone.
I event to the phone and had a conversation with the man lvo really
assured me he lvas the real Secretary Shultz% Flurt{he7} and he in-
formed me that he had had no conversation With [le tod;tv- that acho-
ever did it vvas silehbody else, that the only conversation he held with
me recently l ];, teleFjllone Divas avlien he called me vested: v to tell me
smethilly amltt til2 Al-fite House and the witnesses t'rom the Secret
Service.

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So it is just an awful thing for a very trusting soul like me to find that there are human beings, if you can call them such, who should perpetrate a hoax like this.

Additional information which I received from counsel, and which counsel assures me that he has received by telephone and not in person, and which they believe was received from White House counsel is to the effect that the President has made the request of the committee under advisement and will reach some decision about it early next week. So notwithstanding the fact that my trust in humanity has been grossly abused by someone I am going to—and notwithstanding the fact that some people think the telephone is an instrument of the devil [laughter] I am going to assume that the information which counsel received at one end of a telephone line from somebody at the other end was indeed information conveyed to them by White House counsel and that the recent information is correct.

Senator BILGER. Mr. Chairman, it would be helpful if we could have found a secure telephone [laughter] but in any event, too, I would view with great distaste the apparent hoax that has been perpetrated on the committee. The fact that it was received here on a confidential phone number in the committee room would seem to lend credence at the first blush, and I can fully understand the transaction as it has transpired.

I would say for the record, however, that the thanks I expressed and the admiration I expressed for the accommodation of both parties still stands as an advance payment on what I hope will still happen.

Senator ERGO-. I would add that the commendation I visited upon the committee members still stand and I would like to expand it to include both the majority and the minority staff members. End I trust that nobody in the future will attempt to deceive and mislead a trusting and unsuspicious individual like the chairman of this committee in any such fashion [laughter]. In other words, the counsel sults that we have had some talk about dirty tricks. I think it is a unanimous opinion of this committee that this was a right dirty trifle [laughter].

Err. HABIB-TOON-. Err. Alardian. I believe a minute am we were talking about what Arr. Liddy told you about the budget that he was operating under.

Arr. ATARDIAN-. I think I responded to that earlier this morning—I mentioned the budget matter in a conversation with Mr. Mitchell present in California. It is possible that that subject came up after my discussion with Mr. Liddy because Mr. Liddy told me and it may have been the first time, that he was operating under a budget approved by Mr. Mitchell and the White House during that June 1 meeting if it is the first.

Zfr. H. vezLe Tos-. Whilst to malce the record clear. Arr. Alardian, did Arr. Liddy also say to me that the operations that he had been involved in were ill such as the Ellsberfl burylala and the T3t. Beard incident h ic the approval of the President and the [correct speech? sold if not, please eol rect me.

Cry-. AtArrDv vs-. Us I tokl VOID befog the sta 1.1 CIO11Y 1Yc3.11. I can't SIV that he slid the Presicicllefl of tile United States, halt the words lie used or the word he 11secl avers meant to illll-IV that. I112 that is the impression he left with me.
WIr. HA31ILTON-. That they had been approved by the President, that was Dour impression?
Mr. WIARDIAN. Yes, sir.
Air. H.-DIILTON'. NONV, did Air. Liddy mention to you that he, had shredded any documents ?
fair. ALABSIAS-. Yes, in trying to demonstrate to me that there vas no way of tracing him he told me he had shredded every bit of evidence that could have linked him to this operation as swell as all of the other operations. He told me he had even gone home—he has a habit, he told me, or a hobby, I should say, of collecting soap from the various hotels. rLauffhter.]
He had taken the soap wrappers off and shredded all the soap crappers.
He also told me that during this process he had shredded all of the SILO bills that he had in his possession that Severe new and serialized.
Air. HA3rILvos. Before I move on, have we exhausted the contents of this meeting to the best of 5 our recollection ?
AL-. b-st-. Yes, Wlr. LaRue reminded me of another, he told us quite a bit that morning, and it may seem comical now. It certainly didn't seem comical to us at the time. He did make the statement that the committee could be assured that he would never talk and if they doubted that, as Wlr. LaRue testified, if we would just tell him what corner to stand on he was ready to be assassinated.
Air. HA31ILTON-. What did you do with this information, Air. Mardian ?
Mr. WIARDIAN. I Event immediately—as soon as I could net access to Air. 3itchell I disclosed to him—I may not have disclosed all of this to him but
Air. HABrILTON-. And you think it was the same day that you reported to Wrr. Mitchell ?
Mr. AL\RS7IAN. Yes, my counsel advises me that despite my notes I net lected to tell you a very important part of another aspect of what he told me.
In explaininfll to me that they were a purely professional outfit, he told me that Wlr. Hunt xvas the planner of the Bay of Pigs. the chief planner, as I recall, that he svas extremely popular, I think he said, like a God in the Cuban community of Miami, that this avas an explanation of why these Cuban-Americans avoid follow him to death, and that no one would disclose an stying as far as they were concerned, they avev absolutely loyal, worked vith him for a numberof years, had been lvorl~ing with them in these operations, that—and I don't avish to bring anybody else into it by implication, but he said that the—one of his friends in the Cuban community and one of the leaders was a particular person, I am not sure, and if I use the identification I may be identifying the wrong person, because at staff meetings I heard some of the staff members start mentioning some names and I am not even sure that the person divas of the character that I described but he lvas extremely wealthy, and I told Wlr. Liddy that I did not thint Afir. Mitchell mould approve the use of committee funds to bail out the defendants and he should so advise Wlr. Hunt, and that it seemed to me that if Nk. Hunt had such (rood connections in the Miami community that they should look to that community for the bail money.
Sir. HAMILTON. When you spoke to Mr. Mitchell did you transmit this request for bail money to Sir. Mitchell?

Sir. 3IARDIAN-. Included amount, all of the other matters that I related.

Zlr. H~--rILTo. More specifically, in regard to the bail money, what avas 3Ir. Mitchell's reaction?

Sir. XL&RDIAN-. Mr. Mitchell told me that under no circumstances would bail money be forthcoming, and for me to call Sir. Liddy and tell him. And I did so.

Zlr. H~--~ILTo. Will you tell us the rest of your conversation with Sr. Mitchell? I don't want you to repeat everythinr that vou told 3tr. Liddy, but I would like to know what Mr. Mitchell said to you.

Zk. ZLIPOLO&N-. I can't recall—oh, he asked me if 3Ir. Liddy—I might saw that Alr. Mitchell appeared to be as sincerely shocked as I was when I got this information. He asked me if 3tr. Liddy had disclosed arty other of the activities of this group that had been arrested, 3Ir. H;nt and himself, and I told him that he had not, he had not disclosed any others to me.

Alr. HSII~LLTON-. Did Mr. Mitchell confirm or deny that he had appro~--ed the budget for Mr. Liddy's operation?

3Ir. MABDLKN. I don't think he did.

Mr. HAMILTON. He made no comment in any way as to whether or not he had approved the budget?

Mr. MABDINN-. loot at that time. That discussion took place later.

Mr. HAMILTON. A discussion on whether he had approved the budget took place later?

Mr. MABDIAN. Well, the discussion didn't start out in that vein. It tools place when I confronted 3rr. Magruder. I asked Mr. Magruder in the presence of Mr. Mitchell, I believe the next day? or as soon thereafter as I could, how much money he had given 3Ir. Liddy in addition. I forget the general nature of the entire conversation, I asked him whether he directed Air. Liddy to Go in there. He denied it. I asked him how much money he had gix en 3Ir. Liddy. He said he had authorized Mr. Sloan to aive Mr. Liddy $t0,000. I asked him what he thought the 840,000 was for. It seemed to me a sizable sum of money. Mr. 3Ititchell expressed the same concern and wanted to know, you l- now, how he could have spent $0,000 already because the campaign had just started.

Alr. Magruder lied to Mr. Wlitchell that he had authorized S~0,000 and this seemed but a very small part of that sum. That is how the So50,000 budvet matter came up.

Air. H~--rILTo-. Ott some occasion durinfl that xveels wasn't there a discussion between Mr. Mat ruder and Wfr. Sloan as to the actual amount that had been approved?

Alr. AtARDLss. I was not—I don't recall being present at that discrsssion other than the—it has been testified that I confronted the two of them in Mr. Alitchell's present e. that may •-erv well hare occurred. I don t have a present recollection. Pout after tallyings Faith Alr. Atataruder I then interrogated Mr. Sloan. Mr. Sloan told me that he had been authorized b\v Sir. Magruder to disburse in the neighborhood of $200.000 which shocked me even further. I asked him if he vas sure of the amount. He said he had not calenlated the exact amount but that it xvas his opinion that it lvas in the neighborhood of 82(0,000 that he had already disbursed
Alr. DASH. All right. noxy, Mr. Alitchebell, where and when did you first learn of the break; in of the eclectic National Committee Earl:quarterly that took place on Tulle 17, 1979?

Mr. MITCHELL. Well, I was in California for the weekend on an extensive roll of activities and, to the best of my recollection, Mr. Dash, it Novas on Satul dav mol nill(l. I am not sure steno the individual vvax xvlo told me. Ave mere, I xnas, moving with Governor Reagan from a hotel to a la)lace rvhele there Eras a series of political meetings, to the best of ms recollections rvhele I arrived thele I v-as advised of it. There nvas considerable concern about the matter because I v.-as holding a press conference out there, and Eve did not know what the circumstances were. I believe that by- that time that they had—Afr. AlCord, his name had surfaced or Airs. AlCord had called somebody at the committee about it, and obviously, theere xvas an involvement in the Cornmittee To Re-Flect the President.

Alr. DASH. Alrhat if anything, did 1 do, while 1 was in California?

Mr. MITCHEELL. AN hile in California? I did a number of things. First of all, I continued to carry out the schedule that I had there Chicle xvas quite extensive for 2 days. I asked the people, particularly Alr. Atardian who was there, to get as much information about it as he could. I put out a statement to the effect that, I do not knoxv m-ettler it event out there or after Eve came back to the effect that Eve did not understand this, that Al r. AlCord lvas one of our employees he also had a separate consulting firm, that it was basically an attempt to carry on the extensive schedule that I had avhich, of course, is in the book that you are avell an-are about and, at the same time, trvinr to get information as to what had happened back in the District of Columbia.

Alr. DASH. At that time, out in California, did it ever cross your mind when you read about this that perhaps the giddy plan had been put in operation?

Mr. MITCHEELL. AVell, that had crossed m;y mind but the platters were different and, of course, there vgor a lot of discussion about Cl - and because of the Cuban Americans xho mere involved in it. It wasn't until actually later on that it struck hollle to me that this could have been the same operation that had a genesis back in the earlier conversation.

Alr. DASH. AVell then, after you returned from California, and I understand that svas on June 19, 1979.

Slr. MITCHEELL. Yes, sir, it xfas.

Alr. DASH. AVhen and holy were you briefed as to what actually happened in this matter?

Wy. 3lITClIEELL. WITell, how- lvas I briefed as to what actually llappened?

hair. DASH. Yes.

Mr. MITCHEELL. AVell, that is such a broad statement that I could tell you for the next 6 months I xvas being briefed on it.

Alr. Daser. I mean, let's take the

Alr. AlrTcl-IEELL. Excuse me, Alr. Dash, yyou are asking the questions.

Alr. DAser That is all, right. I think y on lvere al>ollt leacly to give me a shorter ans ver than a longer ans ver.

Alr. AlITcIrELL. AVell lwas giving you a shorter answer to the fact that the first so-called brefillg on rv}lat had happened and von used the word "actually" vvhich l xwill have to Olllit flonl that fol the time
being because I have never quite got to the bottom of it, I was a*er Arr.ウィ ardian and 3tr. LaRue had met with Air. Lidelv and Air. Liddy provided them with quite an extensive Story on Air. Liddy's activities.

Air. DASH. WNTill YOU tell us briefly what that extensive story included?

Arr. MITCHELL. Yell, it included the fact that he Ivas involved with other individuals in the Watergate activity, that he ha(l also made surveillance of Atc;overn headquarters, I believe it Ivas, and that he had previously as part of what has since become known as the Plumbers Croup, acted extensively in certain areas while he was at the White House in connection with the Ellsberg matter, in the Dita Beard matter and a few of the other little harems.

Air. Doses. When you say the Ellsbert, matter what specifically are you referring to?

Air. AIITCEELL M=ell, I am referring to, well, it certainly wasn't the prosecution.

Air. DXSEr. Net

Air. Lurch Obviously it had to do with the surreptitious entry of the doctors office in California.

Arr. DASH. And when you refer to the Dita Beard matter what specifically did you learn through Air. LaRue and Air. 3lardian?

Nor. 3IITCI[ELL]. Airrell, if mv recollection is correct he Eras assisting in spiritine her out of wherever they spirited her out of, either IS'esv York or Washington.

bTr. DASH. Atas there a meeting in Tour apartment on the evening that you arrived in Alrashinflton on Tune ID, attended by fair. LaRue, Air. ATardian, Air. Dean. Air. Alagrllder

3tr. AIITCIIELL. A;laaruder and myself. that is correct.

fir. DASH. Do <.-oli recall the purpose of that meeting.

Air. DASH. Do you recall alit discussion of the so-called either Gemstone files or lviretappingnr files that you had in your possession?

Air. AIITCeELL. No; I had not heard of the (Gemstone files as of that meeting and, as of that date. I had not heard that anvlsodv there at that partictllal meeting linesv of the wiretapping aspects of that or had anv connection with it.

Air. j).tSH. Did either von or anvbody in your presence at that meetinfl discuss Atir. Biddy hnz-infr a (rood fire at his house?

A[r. AIITCTIErT] Not in mv recollection wvas there anv discussion of destruction of *locuments at that meeting.

W[r. Dvs-s-r. Lou are alvare of the testimonv of Air. Atagrllder that he dial get the idea to destroy the documents and he did in fact burn the gemstone documents?
or somethin.r to that eiTeet lout. to mv recollecti(9)ll, there lvas no such discussioll of it.

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I know the individuals I knew his reactions to things, and I have a very strong feeling that during the period of time in which I was in association with him and did talk to him on the telephone, that I just do not believe that he had that information or had that knowledge; otherwise, I think the type of conversations Eve had brought it out.

Or. DASH. Generally, is it fair to say that much of your opinion that you express is based on your faith in the President and your knowledge of the man, rather than any specific statement the President made to you or that

Mr. MITCHELL. Well, I subscribe to the first two. I do have faith in the President and I do think I have knowledge of the man and I do think there were enough discussions in the area, in the general area, to the point where I think the general subject matter would have come out if the President had had knowledge.

Sir. DASH. Well, now, Mr. Mitchell, you did become aware, as you have indicated, somewhere around June 21 or 22, when VOII revere briefed or debriefed by ZIr. LaRue and 3Ir. 3Iarclian about the so-called—-as you described it, the White House horrors of the Biddy operation and the break-in. Did you, yourself as the President's adviser and counselor, tell the President what you knew or what you learned?

Mr. MITCHELL. No, sir, I did not.

Sir. DASH. Any didn't you?

Mr. MITCHELL. Because I did not believe that it was appropriate for him to have that type of knowledge, because I knew the actions that he would take and it would be most detrimental to his political campaign.

Sir. DASH. Could it have been actually helpful or healthy, do you think?

Mr. MITCHELL. That was not my opinion at the particular time. He was not involved; it wasn't a question of deceiving the public as far as Richard Nixon was concerned, and it was the other people that I were involved in connection with these activities, both in the White House horrors and the Watergate. I believed at that particular time, and maybe in retrospect. I was wrong but it occurred to me that the best thing to do was just to keep the lid on through the election.

Sir. DASH. Then it is your testimony that you in fact did not say any thing to the President at that time.

Mr. MITCHELL. s o. sir, I did not.

Sir. DASH. So whether the President had and knowledge of it, it certainly couldn't have come from, his lack of knowledge or lenolvdte, from any statement that you made to him?

Alr. MITCHELL. That is correct, Mr. Dash.

Sir. DASH. Only were you an-able of the fact that actually prior to Alagrttider's testimony 3Ir. Dean rehearsed 3Ir. 3Iayrl(1er for his testimony before the brand jury?
I do not recall that. Dash. if you are tallvinr about
the testirllony that too's place on the
3r. 31. In -tilvSt.
ar. 3ITCTEl lo. Ire -tuntst. the seeoll(l appearance
Att'. D sST]. Tile see'oelll appeal lit'è.
and as to what the circumstances might be vis-a-vis the incumbent who was seeking reelection.

Mr. Tsorotsos. Air. Mitchell, let me ask you about another point. Here is an excerpt from the civil deposition which you gave in the Democratic Party suit against the Committee To Re-Elect the President and I think I am quoting you verbatim in your testimony, when you were asked this question: "Was there ever any discussion at which you were present or about which you heard when you were campaign director concerning having any form of surveillance of the Democratic National Committee headquarters?"

Your answer was: "No, sir, I can't imagine a less productive activity than that."

Is that a correct

Mr. WITCHFEDT. I think the total context, as I remember it, Mr. Thompson, had to do with the discussion of Mr. McCord and the security group. The answer was riven in that context.

Mr. THOMPSON. But this particular question, Was there ever any discussion at which you were present"—and of course, I assume just from reading this question that that would involve any discussion anth anyone. Are you saying that it is not your understanding of it?

Wlr. MITCHELL. My recollection of the testimony that I gave had to do with the so-called security group in the Committee To Re-Elect the President which discussed Mr. AlcCord and the security group. And the answer was in response to that, to my recollection.

Mr. THOMPSON. Of course, as it reads, as I have read it, of course, it is not an accurate response?

Wlr. MITCHELL. No, I say as you read it, but I think if you will look at the total context of the questioning it referred to the security group that involved fair. WicCord which was the subject of the conversation.

Mr. TSorotsos. Where you not asked any other broader questions about any knowledge you might have had of any surveillance activities?

Wlr. MITCHELL. I was asked broader questions with respect to did I ever receive documents that I could identify as coming from electronic surveillance and broad questions like that.

Mr. THOMPSON. DO YOU recall any broader questions concerning conversations that J-OU had?

Wlr. MITCHELL. No, sir, I do not.

Wlr. THOMPSON-. IS it just a case of not havens asld you the right questi0n ?

Air. MITCHELL. I think that that is the case.

Air. T]O3IPSON-. Let me refer to July 19 or ~0 I am not quite sure when it was. Wlr. Mitchell, -ts I undet-stanel it Alardi in and LaRtle debriefed Liddy and found out what he lanesv about the brea3Sin, his involvement, and the involvement of others. and at that time, he related to them some of the A'l'hite House horror stories. I believe THOU characterized them as, the plumbers activities and so forth. I will go back to that in a minutes but as I understand voter testimony this nomination the knowledge you not from that debriefing Ivas really the reason ~vhJ voll in elect, stood by xvllile Ak. Ataerrlitleter xvas pre arillfr a story rvllich, accot(linXr to What v0tlinexv front Lidlv. vvas ;,oint,--to be a false stole to present to the rllallcl jars.
Mr. MITCHELL. Along, Ak. Thompson, with some of the other stories that Ak. Dean brought formal-d to him, the Diem papers and the suspected extracurricular wiretapping, and a fen- of the others.

Wlr. TuozrPso-. OK. That caused you to take that position with re rard to ALa<r.,ruder. And also, I assume that those factors lvere the reasons why you, in eSect, acquiesced, anyway, in the payments to the families of support money and lawyers' fees and that sort- of thing, which I am sure you realize could have been pretty embarrassmentg, to say the least, if not ile ral, at that time. Should that be correct as far as your motivations are concerned?

Wlr. MrrcHEL& That is a correct summary of my motivation and rationale for the actions that I did take.

Sir. TuozrPsos-. Do you recall the date on xvilich Alr. 3lardian and Alr. LaRue related this conversation of Liddy's to ,ou ?

Wlr. Mrrc,2E1L. AVell, he certainly didn t debrief them on the lath, I am sure of that, because they svere in transit. WNr whether it vas the both or 21st, I am not certain.

Wlr. TuozrPso--. Did they talk to you the same day they tallied to him?

Mr. MITCHELL. 3ly recollection is they talLied to me the next day but I am not certain about that, either. But in any event, it avas in the time frame of the 21st or 22d, to the best of mv recollection

Mr. TH03rPos. Can you recall in a little more detail what they said that Liddy had related to them? Yotl have already nentioned the fact that Liddy said that Atacrunder had pushed him in the break-in at the Ellsberg psychiatrists office, I believe, and the Dita Beald situation.

Wlr. MrrcuELL. To the best of my recollection. and, of course, I hare heard these horror stories in different versions from different people over the period of the years, the fact that lle xvas either the one or assisted in spiritin ,her out of toxvn, I believe m-as the discussion at that particular time.

Mr. TH03rPso-. Did he indicate accordin r to theme that the budget for the electronic surveillance operation vllicl led to the brealz-in of the DArC had been approved by the White House?

Wlr. MITCHELL. YOU are testing mv memory pretty hard. I am in clined to thinlv that he did say tllat. but this is a—not that he said it, but that Wlarclian or LaRue reported to me that lle had said it. But thou are testing my memory pretty hard on a substance of Which I have heard dozens and dozens of repetitions of it.

Atr. THOMPSON. Did you ever verify any of these facts with the President ?

Wlr. WITC[T]1L. zr0, sir, I nevel discussed them lvitll the President.

Atr. TuottPdos. Did you ever verify any of them xvith Wlr. Halde nlall ?

Atr. AtlTcilTLL. I never discussed those sl)eetic fattols xvith Atr. H:lIdell:ln until a later date. It x-as at that tine that Or.. 1)eall eras act in r as liaison betxveetl the AX lite House all(I t he collllllittce Title ,esy)ect to these nlatters.

Wlr. Tlfozrto?5-. I did yoll eves tall; directly ~X-i t l l l l l l l l l l asst these nl:tt tle :

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it was then that Atarclian hit him on the back to buck him up and I don't want to take credit for this statement that was reported by me to be made that when the going gets tough the tough get going. It was Senator Atuskie who had said it just a couple of days before it happened.

Senator TALA1ADCE. YOU did not make any such statement, is that correct?

WIr. -AIITcTrwrL. I made the statement and I made it in the context.

Senator TALzrAreCE. You did not quote Senator Aluskie as being the author thereof?

For. W:ITCIEILL. I did indeed in connection with respect to the nature of the tough campaign he had and the one that we were having.

Senator TALBr.\ADGE. Where you sa-int, that for ZIr. Sloan's benefit at that particular time?

WIr. ~AlrrcEIELLL. I was saying it for the total people there who were in a hell of a linocl-down-drae-out donnybrook over what they could not agree on.

Nonv, the sequence is shown bar mv log that after that meeting Mr. Sloan apparently went back to Mr. Stans who had received the information about the Liddv payments the day before, I believe, on June 93. Mr. Stans called me, and Mr. St. ns came up and saw me alone. There Divas not any Jeb Magruder and there was not any Wardian in the meeting that according to Alaffrrlder I asked Guardian to step out so that I could discuss the matter. That would be the last thing in the world I would do oecause Alardian xvas investiCatino the circumstances at the time.

Senator TAL3r~-.E MTas that the first—excuse me.

WIr. MITCHELL. I am going into this because Mr. Stans' credibility with respect to his knowledge of the AATatergate xvas quite severely impurried apparently more severe in the executive committee meeting by Atafrrrder than it xvas later in public testimony

Senator TALzr.-.-DcE. ANas that the first time voll had hlonvledge of the AITatergate breal-in, buying that day, that conversation?

Alr. AlsgELL. On the St?]

Senator T.\L3rADCE. Yes.

Ads. AIITCIIELL. NO, my

Senator TALrADcE. That nvas the first time vou Revere debriefed on it, nvas it not?

ATr. AlTcfifils. LL. No, I had been debriefed, Senator, as I mentioned a little earlier, either on the olst or 9'd.

Senator TALr.-.-DGE. Dial 5 on t et full details of it at that time?

Air. AlTcfEILL. It was coming from Liddv echo was, as I Event throtrl.rrl with Air. Thollrpson. Ivas involving Arafrrnder and said that he rot his approval in the Alrhte House and a lot of things thlt—

TSeXIatOr T\LBr\DaE. Did he say who autllorized the .z}pro;-al in the Al-\llte Mouse?

51 l.-. XlrrT(-ri- r.r.. No. ire did not. s o, he .w.not.

Senator 1' VL3r Vn{:E. The Ad hits Louse lvas defiltlitlev interested in the calllll):\li nn. of eotllese. \was it not 9
ar,. .arl-ε ZIΕ-.f.. Tile (:llllp:lis' -s-l:lt,
Sell\tolf?
ii;ell.rror I Poor xl)<F . Tile calllll)aifrl for reelection.
23. Shortly after Hunt's involvement in the Watergate matter became known, a White House telephone list bearing Howard Hunt's name and phone extension was recalled and the list was re-issued, deleting Hunt.

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Any secretary, Idr's IC and I frequently speculated about the possible involvetn or Flotvard Hunt boil the 1ratertag affair and the possibl--c involvement of the Agency. l was aware that Huat had frequently tr2sm tted sealed envelop:-s via our office -o the Agency lye had receipts for these cnvclo?cs but xvec un2sve.a.e of the contents. Elovvever, Mr.

2 C who had temporarily occupied my post during the illness of my predecessor, 9- / and had been on hand to "break in" my immediate predecessor, 2 L (+who held the post for 30 days), had told me that he had opened one of the pacel-azes one day to see what Huat was sending to the Agency. He said that the envelope x-was addressed to 4. and appeared to contain "gossip" information z0 out an unknown person--h2 assumed that it had something to do with a psychological _--Byof that person. Mrs. 7 subsequently confirrir.ed this information:<--8< L>2X >zZ;:q, X-2j=,S;4 God_+*---> -4t;<gwZ<=,z$--,

Shortly after my assignment at the Executive Office Building, a new telephorrze list xvas issued by the White House and it contained Hurt's name. The Niece.eunata Dews broke and Hunt was irvolved. The White House recalled the shone listings without reason and reissued them---ve noted that Hunt's name had been deleted. As the news of the Watergate and H-un.1s involvement sD ead, we--at a date unkn oevn--decided that it xvaswrot prudent nor necessary to retain the receipts for envelopes xv'nich sue had transmitted from hirn to CI4, and we destroyed these receipts.

Earlier this year information appeared in the press svh ch discussed Hurt zr.d psychological studies. Licking the above information with these news reports I became concerned that the Agency might beco.-ne pub.lc--ly involved in this publicity and that itxvould be an embarrassment which the Ag2ncyr should be aware of and prepared for. I had no knonvIedge of whether or riot Hunt 'nad arranved with lair. Helms or someone else in authority for-- do ma}ce psychological studies or whether Hunt had prevailed upon

- because of some past connection or xvhette. or not (ttv2s dqaing this officially or "free lance. " But I felt st-ongl3Fthat the Agency should be aware of this Hunt -- A- connection, in case it did not already known

I called Dr. Schlessinger and said that T had a confidential matter to discuss with hi.-n and visited him one night about n:30, (I do not reccollect, the tine bu: 'Ir. I fixes it at 2 cay,; I said that I was aware of some infrorrination thv was not first hand but which I had verified and that I l!e 1t had implicate which rn g'nt embarass the Agency and therefore he should be aware of this information so that he could prepare for Public involvement, in case he ivas no' already aware of it. Irelated what I knew about envelopes from tint to the Agency and specifically about the transmittal of information to {a BTC se-r--.ed surprised and unaware of any such link. He ascend me, "Vhat shall I do *= h $ " I said (sornevwhat taken aback at this question) that I 'nouseh he should first tal": to 6- and set his side of the story and that s found it hard to belittle that an individual o. the Agency wottld become

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The following day I had a call from Mr. _23_. Dr. Schlessinger's assistant and a former colleague on the DISC staff, asking for a relieve as I had reported saying that Dr. Schlessinger was very upset and had asked hi-n to look into this right away. He wanted to know if I had any more details. I subsequently remembered another tangent to this subject and stopped in his office the following day (which was apt 3 May according to Arj / timetable) and related it to him. It was that Mrs. had recalled that one day Flunt had come to see and they had talked behind closed doors. After the talk, came out and remarked to her that he was amazed, shocked and bewildered by the things that Hunt told him he was doing. Ele scratched and shook his head, remarked what an interesting job Hunt had, but revealed none of the details of his conversation. The only specific item he mentioned was a film that Hunt was working on for educational TV which involved one of the Nixon daughters. (I confirmed with MOFS this date that this was her recollection of this event.) said that the latter had heard that the Agency was involved in any way involved 2nd that the Agency and Dr. Schlessinger, in particular, owed me a debt of gratitude for coming forward with this information. I remarked again that I would be surprised if the Agency had not already compiled a report on Hunt's involvement with the Agency because I knew that Mr. Hells was probably aware of some of Hunt's activities and might have authorized the use of

- and that because of his (b) and Schlessinger's newsiness of the job they simply had not seen this m3terial or had reason to ask for it. He said that he intended to find out.

23 subsequently told me that had been interviewed and said that he knew nothing of Hunt's activities. I suggested that he be interviewed because not only had he opened at least the one Hunt - envelope, but he may have additional information to report from his personal talks with Hunt.

told me sometime later that Schlessinger was awarding a medal to General Walters for his role in the Watergate affair and remarked again that my report had triggered the revelation of the iceberg. We joked about how the Gerer21s always get the medals!

I do not believe that the subject has come up again until this time.

.21

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24. On June 20, 1972 John Mitchell, the Campaign Director of CRP, issued a prepared press statement. The statement denied any legal, moral or ethical accountability on the part of CRP for the break-in at the DNC headquarters.
Lays Blame
For quint, on
White House'

By Bob Woodward

Democratic National Chairman Lawrence F. O'Brien, apparently seizing on the break-in and attempted burglary of party headquarters here as a majors campaign issue, attempted yesterday to lay responsibility for the incident at the door of the White House.

He said there is "a developing clear line to the White House" and cited what he called the 'potential involvement' of special counsel to the President, Charles Colson.

O'Brien made his remarks as the Democratic National Committee filed a $1 million suit in U.S. District Court here against the Committee for the Re-Election of the President, whose chief security agent was one of five men arrested at the break-in 2:30 a.m. Saturday.

President Nixon's campaign chairman, former Attorney General John N. Mitchell, again deplored the breaking incident, denied any party responsibility for it and called the law suit "another example of sheer demagoguery on the part of the O'Brien."

In other developments yesterday:

- White House consultant and former CIA employee Howard E. Hunt, whose name was found in
two of the suspects address books, was reported to be a "good Fiends of the suspects' first attorney Douglas Caddy.

Federal sources close to the investigation said that a diagram that could have been used in a past or future bugging attempt on Miami Beach headquarters of Sen. George S. McGovern was found among the suspects' belongings.

O'Brien thareed that Wlitchell attempted to make it appear that former CI.R employee James •V. :sleCord Jr, the security agent who was arrested Saturday, had ended his employment with the Nixon committee some months ago.

I-!ntil Monday WlCord was the salaried security chief for

See Blb'G, .A9, CoI. 1
BUG, From At  
the committee.

Mitchell's first statement Sunday on McCord's employment with the committee was that McCord was employed months ago.

"We know that as of the moment of his arrest at gunpoint- just 10 feet from where I now stand, Mr. McCord was the pay of the Committees for the Re-elecUon of the President," O'Brien said.

If John Mitchell's reflex attempt to conceal that fact is any signal of what is to come from the Republican Party and administration, I fear we shall be long in getting at the truth."

O'Brien went on to call the incident a "cheap double-and-dagger intrigue at the national political level. We learned of this bugging attempt only be..." cause it was bungled. How's many other attempts have there been? And just who Divas in 5...  

He said the lawsuit was an attempt to force the issue into examination by the court. A Democratic spokesman said court hearings on the matter could begin in the near future."

"I believe we are about to witness the ultimate test of this administration that se; Pilshb committed itself to a new era of law and order just four years ago," O'Brien said.  

In a prepared statement, Mitchell called O'Brien's suit a "political stunt."

"Thus committee did-not-ai; thorize and does not condone the alleged actions of the five men apprehended Saturday morning. We - abort Such an testify. - go..."  

The Committee-forthe Re-election of the President is not legally -morally-or-ethically ago countable. for actions - taken Without its knowledge and the yond-the-scope of its control, Mitchell said.

In yesterday'sXdition, The Post reported the existence of Hunt's name on the suspects address books and that he functioned at the Dine House as an assistant to Colso.n.  

A White House aide4cz firm that Cols... who is said to handle delicate-assignments for the President, was the man who brought Hunt to the White House.  

Presidential spokesman Ronald Ziegler said yesterday morning, "I talked to Mr. Colson after reading The Washington Post story this morning, and he made it clear that he is in no way involved with this matter"

Later Ziegler told reporters that he was Finished with any comment on the subject.  

Federal agents close to the bugging investigation said two large ballrooms scheduled to be used as Miami headquarters for McGovern during the Democratic Convention were diagrammed in another address book taken by authorities from the suspects' belongings.

The rough diagram, a sketch, shows the Regency and Mediterranean rooms at the Doral Hotel on the Ocean-in Miami.  

- It also denotes the location of two eTorencenxhes from the rooms. The word "May" was written- by the diagram, apparently a reference to the month, the sources said.

Asked about the diagram yesterday, McGovern's convention coordinator, Owen Donley, confirmed that the rooms have been slated for use by McGovern convention staff since January.  

Donley said one room would be used by the news media and the other for staff or delegate caucuses.

-If they wanted to bug the two rooms, it wouldn't bother...
Public rooms in the hotel. We will hold staff caucuses there, but they will be mass meetings. There wouldn't be anything said there that wouldn't be said out on the stream.

Donley said the McGovern campaign staff was exploring various antibugging methods before the Democratic National headquarters incident.

"We didn't suddenly become paranoid. We were paranoid beforehand. That is just part of convention Procedure," Donley said. He indicated that antibugging precautions would be taken at the headquarters in Miami.

Hunt, the White House consultant, has a full-time job in the public relations firm of Robert R Mullen Co., 1700 Pennsylvania Ave. NW, directly across from Nixon's reelection headquarters and the chief White House offices.

Yesterday, Robert E. Bennett, president of the Mullen firm, said that Hunt was a "good friend" of the suspects' first attorney, Caddy. Hunt and Caddy once shared an office at the Mullen firm, according to Bennett. Caddy was not employed there but acted as liaison with General Foods Corp. where he was employed.

In Superior Court here Saturday when the five suspects appeared for arraignment, Caddy was secretive and stayed in the background, bringing in another attorney to represent the five men.

Shortly after 3 am. Saturday, Caddy told a reporter, he received a call from Barker's wife. "She said that her husband told her to call me if he hadn't called her by 3 a.m. that it might mean trouble," Caddy said.

Caddy said he had met Barker once, a year ago, and that they had had a sympathetic conversation.
Barker, who owns a real 000 bond. The other four were estate firm in Miami, has been being held there on $50,000 acUve In anti-Castro activities bond. All are charged with atand is reported to have played tempted burglary 8 n d ata role in the Bay of Pigs in- tempted interception of television of Cuba in 1961. phone and other communicaIn addition to WicCord and tion. Barker, the other three sus-Their attorney, Joseph A. pects are: Frank Sturgis, also Rafferty Jr., filed a motion known as Frank Fiorini an yesterday seeking a reduction American who served in Fidel on the'bond.'- . , t Castro's revolutionary army Meanwhile, yesterday'- Sen. and has since been a leader in Bob Dole, head of the Repubthe anti-Castro movement In Scan National Committee, deMiaml; Virgilio R. Gonzales, a nied as totally false deports locksmith; and Eugenio R. Islar-that the Republicans had urgtlnex, a real estate salesman ed Spanish comlnunity leaders for Barker. . s- and other Republicans Pot to McCord was still being held discuss the bugging incident in D.C. jail yesterday on $30,- with anyone.
25. On June 20, 1972 at 6:08 p.m. the President spoke by telephone with John Mitchell. The President and Mitchell discussed the break-in at the DNC headquarters. According to a dictabelt recording made by the President on June 20, 1972 recollecting the events of that day, Mitchell expressed to the President his regret that he had not kept better control over the people at CRP.

Exhibit 13, In re Grand Jury, Misc. 47-73, 1-2 306

25.1 President Nixon daily diary, June 20, 1972,

25.2 President Nixon remarks before Associated Press Managing Editors Association, November 17, 1973
   9 Presidential Documents 1345-46 ~

25.3 Dictabelt recording of President Nixon's recollections of events of June 20, 1972, and House Judiciary Committee transcript thereof 310

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....... 308
The President had breakfast.

The President went to the Oval Office.

The President met with his Deputy Assistant, Alexander P. Butterfield.

The President went to his office in the EOB.

The President met with his Assistant, John D. Ehrlichman.

The President talked with his Deputy Assistant, Edward L. Morgan.

The President met with his Assistant, H. R. Haldeman.

The President talked with his daughter, Tricia.

The President telephoned Senator Margaret Chase Smith (R-Maine). The call was not completed.

The President talked with Senator Smith.

The President met with his Deputy Assistant, Map. Gen. Alexander M. Haig, Jr.

The President talked with Senate Minority Leader Hugh Scott (R-Pennsylvania).

The President talked long distance with Joseph Trerotola, ice provident of the International Brotherhood of Teamsters, in New York City.

The President talked with his Counsel, Clark MacGregor.

The President talked with his Special Counsel, Charles W. Colson.
The President met with Mr. Colson.

The President telephoned Staff Assistant Stephen B. Bull. He talked with Beverly J. Kaye, Dir. Bull’s secretary.

The President talked with his Special Assistant, Patrick J. Buchanan.

The President met with Mr. Haldeman.

The President went to the Barber Shop.
The President met with Mr. Butterfield.

The President returned to the second floor Residence.

The President talked with John N. Mitchell, Campaign Director for the Committee for the Reelection of the President.

The President and the First Lady had dinner in the Yellow Oval Room.

The President returned to his office in the EOB.

The President talked with Mr. Haldeman.

The President talked with Mr. Colson.

The President talked with Mr. Haldeman.

The President returned to the second floor Residence.

The President talked with Mr. Colson.
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Announcement of Intention To Nominate
Raymond C. Anderson To Be Federal Cochairman.
November 1G, 1973

The President today announced his intention to nominate Raymond C. Anderson, of Maple city, Mich., to be Federal Cochairman of the Upper Great Lakes Regional Commission. He will succeed Thomas F. Schweigert, who became Alternate Federal Member of the Delta are River Basin Commission on September 6, 1973.

From 1969 to 1971, Mr. Anderson served as executive assistant to Michigan Gov. William G. Milliken. He has been retired since 1969 and was also retired from 1964 to 1969. From 1959 to 1964, he served as administrative assistant to then-Congressman Robert P. Griffin, from 1952 to 1958, he was administrative assistant to Senator Charles E. Potter of Michigan, and he was administrative assistant to Congressman Roy O. Woodruff of Michigan from 1937 to 1944 and from 1946 to 1952.

He was born on March 5, 1912, in Grand Rapids, Mich. Mr. Anderson was graduated from Grand Rapids Junior College in 1932. From 1944 to 1946, he served as an officer in the U.S. Navy.

NOTE: The announcement was released at Key Biscayne, Fla.

Flated Press Managing Eclitors Association

The President's Remarks in a Question-and-Answer Session at the Association's Annual Convention in Orlando, Florida. November 17, 1973

When Jack Horner, who has been a correspondent in Washington and other places around the world, retired after 40 years, he once told me that if I thought that the White House Press Corps answered tough questions, he should hear the kind of questions the managing editors asked him. Consequently, I welcome this opportunity tonight to meet with the managing editors of the Nation's newspapers.

The President has a prerogative of asking the first question.

Sir, Quinn [John C. Quinn, Gannett Newspapers, and president, Associated Press Managing Editors Association]
Sir. President, in the prevailing pessimism of the lingering matter we call Watergate, can we keep that republic, sir, and how?

THE PRESIDENT. Well, Mr. Quinn, I would certainly be standing here answering these questions unless I had a firm belief that we could keep the republic, that we must keep it, not only for ourselves, but for the whole world. I recognize that because of mistakes that were made, and I must take responsibility for those mistakes, whether in the campaign or during the course of an administration, that there are those who wonder whether this republic can survive. But I also know that the hopes of the whole world for peace, not only now, but in the years to come, rests in the United States of America. And I can assure you that as long as I am physically able to handle the position to which I was elected, and then reelected last November,
Q. Afr. President, I am George Gill of the Louisville Courier-Journal. Rn'ould you please tell us, sir, when did you personally discover that two of the nine subpoenaed White House tapes did not exist, and why did you apparently delay for a matter of weeks disclosing this matter to the Federal court and to the public?

THE PRESIDENT. Well, the first time that the fact that there were no recordings of the two conversations to which you referred—that they did not exist—came to my attention on approximately September 29 or September 30.

At that time, I was informed only that they might not exist because a search was not made, because seven of the nine recordings requested did exist, and my secretary, listening to them for me and making notes for me, proceeded to go through those seven tapes.

I should point out, incidentally, that the two which did not exist, in which there were no tape recordings of the conversations, were not ones that were requested by the Senate committee, and consequently, we felt that we should go forward with the ones that were requested by both the Senate committee and the others.

When we finally determined that they could not be in existence was on October 26 of this year. And we learned it then when I directed the White House Counsel, Mr. Burnhardt, to question the Secret Service operatives as to what had happened to make sure that there might not be a possibility, due to the fact that the mechanism was not operating properly, that we might find them in some other place.

He questioned them for 2 days and reported on the 27th that he could not find them. He then, having had a date made and he asked for the date sooner with Judge Sirica, he asked for a date on Thursday, you may recall I pointed that out in my press conference on the 26th—Judge Sirica saw him on Tuesday in camera. The White House Counsel reported to Judge Sirica that the two tapes did not exist and gave him the reasons for it.

The judge decided, and I think quite properly, that the reasons for the tape not existing should be made public and those involved should have access to the tapes and those who operated the machines should be questioned so that there would be no question of the White House, somehow around the President, or even the President himself, having destroyed evidence that was important to the Senate committee and not, as I have already pointed out, sul(J)oei... either of these two tapes. Anti sh(c)ate arc on this subject, and I do not W(l)ll to 1)

PRESIDENTIAL DOCUMENTS: RICHARD NIXON, 1973
the end of a day to either make notes or dictate it into a dictabelt.

On that particular day I happened to have dictated a dictabelt, and on the dictabelt for June 20, which I found, I found that I had referred to the conversation to John Mitchell, and I think it is fair to disclose to this audience what was there because it will be disclosed to the court. It has already been offered to the court and eventually I assume will be made public.

It said, first, that I called John Mitchell to cheer him up because I knew he was terribly disheartened by what had happened in the so-called Watergate matter. Second, he expressed chagrin to me that the organization over which he had control could have gotten out of hand in this way. That was what was on that tape.

Now, turning to the one on April 15, I thought I might have a dictabelt of that conversation as well.

Let me tell you first why the telephone conversation was not recorded. Not because of any deliberate attempt to keep the recording from the public, but because the only telephones in the residence of the White House which are recorded—the only telephone, there is only one, is the one that is in the office, the little Lincoln Sitting Room right off the Lincoln Bedroom. The call I made to John Mitchell was made at the end of the day at about 6:30 just before going into dinner from the family quarters, and no telephones in the family quarters were recorded. That is why the recording did not exist.

Turning to April 15, the conversation referred to there was at the end of the process in which Mr. Dean came in to tell me what he had told the U.S. attorneys that day. He said at 9 o'clock at night, Saturday night. There should have been a recording. Everybody thought there probably was a recording. The reason there wasn’t a recording is that the tape machines over the weekend can carry 6 hours of conversation, and usually that is more than enough. But I recall I did not use the EOB of the Executive Office Building office rather than the White Office, over the weekend to that extent.

But that weekend I was at the EOB for a long conversation with Mr. Kissinger on foreign policy matters there for 9 or 10 hours or so, and the tape
Paragraph, I also talked to John Mitchell in -- late in the day and tried to cheer him up a bit. He is terribly chagrined that, uh, the activities of anybody attached to his committee should, uh, have, uh, been handled in such a manner, and he said that he only regretted that he had not policed all the people more effectively on a -- in his own organization --

[42 second silence]
26. On June 21, 1972 shortly after 9:35 a.m. John Ehrlichman told Acting FBI Director Gray that John Dean would be handling an inquiry into Watergate for the White House and that Gray should call Dean and work closely with him. Gray told Ehrlichman that the FBI was handling the case as a "major special with all of our normal procedures in effect." At 10:00 a.m. Gray telephoned Dean and arranged to meet Dean at 11:30 a.m. in Gray's office. At the meeting they discussed the sensitivity of the investigation, and Dean told Gray that Dean would sit in on FBI interviews of White House staff members in his "official capacity as counsel to the President."

26.1 L. Patrick Gray log, June 21, 1972, 1-2 (received from SSC) ............................................. 312

26.2

............................................. 315

26.3 John Dean testimony, 3 SSC 942 "

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FEDERAL BUREAU OF INVESTIGATION

Time | Caller
--- | ---
11:28 | Mr. Langdon
12:57 | Mr. J. Myer's Office
1:35 | Mr. John Enabling
10:20 | Mr. Gray
9:55 | Mr. Gray
1:10 | Mr. Gray
10:15 | Mr. Gray
9:28 | Mr. Gray
10:38 | Mr. Gray
1:51 | Mr. Gray

(AN ANONYMOUS CALL)

Mr. Gray Cut-
Mr. J. Myer's Office
This call will call back later. Set.
Mr. Gray contacted and set.
Spoke to.
Mr. John Enabling
This is John. Call him. Set.
Spoke to.
Mr. Gray
This is Attorney General. Set.
White House - spoke to.
Mr. Gray
This is Mr. Hall.
Set.

Said:
Mr. H. Clatterbuck
Said, saw Mr. Gray
Set.

Bureau Photographer

Mr. Wiley
Mr. White
Said, call Mr. Gray.
Set.

(10:55) Washington, D.C., Mr. Hall.
<table>
<thead>
<tr>
<th>1st</th>
<th>John Smith</th>
<th>&quot;Photographer&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>2nd</td>
<td>Jane Doe</td>
<td>&quot;Assistant&quot;</td>
</tr>
<tr>
<td>3rd</td>
<td>Robert</td>
<td>&quot;Manager&quot;</td>
</tr>
</tbody>
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(Continued on next page)
the time available and I do not believe the committee expects me to launch into such a revie w. Nevertheless, upon the CONCLUSIONS of my statement, I stand ready to answer any questions which the committee or counsel may desire to ask about any aspect of my tenure as Director of the FBI.

I do have, Mr. Chairman, a few preliminary remarks which precede my discussion of the areas believed to be of immediate interest to the committee.

I was appointed Acting Director of the FBI by Attorney General Levieneist on August 3, 1972. I looked upon this appointment as a return to the service of my country similar to that to which I had rendered in the U.S. Navy for nearly 30 years. I looked forward then to many years of additional service to the country in the company of the honorable and dedicated men and women of the FBI.

On May 16, 1972, my personal staff and I moved into the offices formerly occupied by the late J. Edgar Hoover. A month later, on June 17, 1972, the burglary of the headquarters of the Democratic National Committee in the Watergate Hotel occurred.

At the outset, Mr. Chairman, I want to acknowledge that I am fully, totally and completely responsible for the performance of duty of myself and of the men and women of the FBI during the year that I served as their Acting Director. Thev, of course, are not in any way responsible for my performance of duty or for any personal acts or judgments of mine which occurred during the period I served as Acting Director.

At the time of the Watergate break-in I was on the west coast visiting FBI field offices and meeting a commitment to make a commencement address at Pepperdine University Law School in Santa Monica. I returned to Washington on the evening of June 19 and received a phone call from John Ehrlichman the next morning. Mr. Ehrlichman informed me that John Dean would be handling an inquiry into Watergate for the White House, that I should deal directly with John Dean concerning the investigation and that Mr. Dean was calling a call from me. Mr. Ehrlichman and I then discussed the matter of procedural safeguards against leaks and I told him that we were handling this case as a major special with all of our normal procedures in effect. I also indicated to him that we were conducting an aggressive and thorough investigation and would probably be interviewing people at the White House.

I called Mr. Dean upon my return to Washington on the morning of June 20 and arranged to meet with him at 11:30 a.m., in my office on June 21, 1972. At our meeting he discussed with me the sensitivity of the investigation and the need to avoid leaks in a political year. He also informed me that he had the responsibility to handle this inquiry for the White House and would sit in on any interviews of White House staff personnel. Mr. Dean stated that he would be these in his official capacity of counsel to the President.

I know that I specifically asked Mr. Dean on two occasions if he would be making these reports direct to the President. I believe that this was one of those occasions and I believe that the other occurred when we were discussing the transmission of FBI file material to him
I believe that it was on June 21 that I first met with Mr. Grav in his office in the late morning regarding the F13I's investigation. At that meeting he told me that he had full confidence in the FBI's role in the investigation. He informed me that he had placed his most trusted senior people in charge of the investigation. I was told that I had been asked to keep informed about the investigation. At that meeting, Mr. Grav also told me that he had been visiting a number of offices and would continue to do so in the future. Thus, if I needed any information, I should call Mr. Frank Felt in his absence. I might note at this point that indeed Grav was frequently absent from the city during the course of the investigation, which irritated Ehrlichman greatly.

On several occasions, in fact, Ehrlichman instructed me to tell Grav to return to the city and mind the store. I passed this message to Grav, but I cannot recall what prompted Ehrlichman to have me do so at this time.

During my meeting with Mr. Grav on June 21, he also told me a man by the name of Mr. Bates was heading the investigation. I do not know Mr. Bates, and when I reported this back to Ehrlichman and he asked me who Bates was, I told him I did not know Bates. I can recall several occasions Ehrlichman asking me if I thought that Grav lines what he was doing, and if he had the investigation under control. I responded that he seemed to be reliving on someone whom he had full trust.

To the best of my recollection, it was during this June 21 meeting with Grav that he informed me that the FBI had uncovered a number of major banking transactions that had transpired in the account of one of the arrested Cubans—Mr. Thatcher. He informed me that they had traced a $5,000 check to a Mr. Kenneth Dalberg and a smaller check to a bank in Texas city.

I do not recall whether I learned about the Dalberg check from Mr. Grav or whether I learned about it in a meeting with Ehrlichman's office. As the result of the FBI's efforts, the matter was referred to Mr. Stans by Mr. Grav and to Mr. Stans by Mr. Ehrlichman about the nature of the transaction. At the time, the FBI was investigating these matters as part of a larger investigation. Mr. Stans was concerned about the nature of the transaction and the person responsible. He told me that the FBI was investigating the matter and that they had traced the $5,000 check to a Mr. Kenneth Dalberg and another check to a bank in Texas city.

Mr. Stans also explained that he had instructed Mr. Ehrlichman to be embarrasse-Ms by disclosing the large amount of money that had been sent to Mr. Dalberg. Mr. Ehrlichman explained that he had instructed the FBI to keep the matter under wraps. He responded that he seemed to be reliving on something that had occurred in the past.

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27. On or about June 22, 1972 John Ehrlichman met with John Dean and discussed the contents of Howard Hunt's safe and what to do with certain politically sensitive documents.

Page

27.1 John Dean testimony, 3 SSC 937-38 4 3I-S

27.2 John Ehrlichman testimony, 6 SSC 2612-14 320

27.3 John Ehrlichman testimony, 7 SSC 2824-26.----^--323

27.4 Portion of John Dean notes for Camp David report, SSC Exhibit No. 34-43, 3 SSC 1290 3 6

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27. 1 JOHN DEAN TF. SSIMOIVY, JUNE 25, 1973, 3 SSC 937-38

937

Mr. Xen Petersen arlis-od at Ileindienst's oice he ra+=' a'status report of the investiFation. Ileindienst then related ml concern tn Petelsell. Petersen n-as troubled b- the case and tllc implicatiosolls of it. Ileindienst had another aneotin t, co Petersen ancl I— I belie<e the other meetinfiv lvas in his ofEece. so l- etersen an(l I v-ent into Afr. I-leincliellst's bacic ofifice an(l tallused fulther. To tllC best of ml recollection. v- clid not disciUiss specifics, mitller it n-as a rcneral di-cussion.

I told him I llacl no idea ivhele this thinfr mifrllt clld, but I told him I clid not think the Mthite fIonse conld

\[\text{Itvistand a wide-open }\text{ in-es-tigation. The smn and substance of our conversation ras that I ha}(l 110 icleas howv\]

far this matter miyllt rot btt I had reason—XVilli0xt beiner specific—to sus,et the vrost. The ireetinfrnc ended

on tillt note, that I hoped I was svrontt.

l f[O not recall ew-er ret-orin<T this meetinfr to Shrilic7flman. because he had a semevihat strained

relationshipto Ileindienst and I thou:,tct he vould raise havoc that I did not havc an assurance from

Ileindien.st that he lvould take care of e-er-er-thin<-. I dis report. hohever, that I felt Petersen Ivould handle th3

matter fairls- and not pursue a livide-open incluirv into e-er-erthinc the AShite Eloitse Izad ljeen donier for 4 yrars. I made this statement not because of anvthinr Petcrsen specificalls- said, as much as the impression he ras-e me

that Ile realized the r)roblems of a wide-open inveEs-igation of ttle MNlite TLouse in an election year.

Returning noTv to the contents of Atr. Hunt's safe. it mas mid-morning on Tuesda--. ,June "G," when the GS--

men brou<T se-erar cartons to ma ofifice, lvhich contained the contents of Hunt's safe. I ha(l learned earlier

that mornin~:, from Fieldin<-- that the boxes had been secured in Kehrl i's office os-elToht. Fiel din ct also

rejorted that the~ h ad fonna<l a hand.riIl all the safe,--vvhich Itehrli llad cliell rafrecl. a laurre briefease

containing electronic e0quipmenr, and a number of documents, some of ~vhich lvere classi11ed. I told Fieldinfr I

would lixc his assistance latcr that dav in Soiny throughr the material.

Dlitirng the afternoon of the 9()tll. Fieldinfr ancl I l)efran goina throufrh the cartons of iTllmt's materials. I

renenber loolsin~ in the briefease, lvhich contained electronic equipment. I fran<l:s do not. Iololv n-hat it lvas it

contained, btt it contained loo-e n-ires, chapsticks for your lips nith nires cominz out of them rnn nd instillation

sleets for lvalkie-tallies. ts I recall. there were also some antennas in there.

lFe then l)efran sortin(t( t the documellt<s. The tulk of the pal-ers xrene
classified cal les fronl tle S;tate Der)artmenr relatiny to the early yrars of the

m-nr in Itietnam. These ~rere separatecle out from the rest of the papers. The

other ~r~alres I aslirned related to Hunt's ~world at tle Mthito House. ^tlso, tllere ^--erc peleonl lape2s. l xvill attem[t], to ttle best of my recollection. to
clesc(e1)e tle leapers ancl doelInlents that xvere folnlel in the safe. I mllst point ont. hon-erer, tllat I Tzeronallx di(l not 3Ool; at all tle Aoellments. lattelle it lvas a colnlnwcincl etlol-t 1s;Fieklinrr and m+ssel f to cleternlnie ~E-

lwat r-- as in Hlult s safe.

First anlon t his ~-)erson:ll r)alrers xvele eol)ies of llis sitl--missioslts for llis S?er

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colltainingmatelial of a l)ersonall nohtIrc rtlaltillfr to llis wixfe.

Vmoll-- ttle t);l]exers tllat I ascullled rz late-l to llis +X-orlN at tllc Al'Iltite

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1Tullt's assxssmeslt of ttle l)lllnwErers mnit o-)eratiooll and critical of BIr

(318)
Ivroff's handle—of matters; a nttffl7)er of materials relatinf r to Btr. ı:aniel l.lhsbe, s.1ch as nness
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had never acttallly met s2l - tall—ed ı0 ıll l Sk. ı jlls oseo; a )or us sta]>—that is, other cables spliced to s-
other into one callie le }[arl)l/" —lff l invol-ent—ent of persons ill the lieedned administration in the Fall of the
Diem rc., ime us Vietnam: a nenondulll re--ardinusone discuv-sion aboll the bo,us cable xvith Co!;7 on
and St. Atlllism Jambert; sorr e matei 1s relatinv: to all invest iv: a ion ITI fnt had cond rcted i or Co 'on a t
Chalpaulfluidic l sol le matei als relatinv r t :Ile Pentaam Palizers and a paperback X b501o contaillnU, the
plttisled Pentavon Papers.

t'ıpo:n examlnNilly the conte\nt$ of to jIC safe. I recall that Fielclintr f and I cisscussed our conccml. about the
public imp. act some of t]te coccumcnts..mi.zl--e has-e if ifle became pn blic, p Lr. icuttal l3; i in an electioll

Jear. T re(i)lsted that Fieldin,. remove the t)oliticall-- sensiti--e docu-
me,l.s fro-i the others. v h-hic h he ditl. The classified State Departnlent
catales were too bullu' for my 0/1 safe, so I calecr David \OLUl- and
req est estcct that he store them for me i.l | |s office, as I asslimed at that
time tl,so chev lluo)cl probable, be retlinne d to the state Dep坩ment.
I told Youn7 when he carne to pics Ilp the materials that thev had
cos-n from Tulll's s:flc anc i should sncallo store them—all to n7thecr---mcel
I told him --what to do with them. Xcorechinj7177. Tr. -- n-o-- took the
state Dipa tment doctllnents to his office. The larege briefcase m-as
stored in a loc;:e closet in ms ollice suite, and ltle politicall!- selтивive
documents and Hntt's personal [apers were placed in a sac in my
office-- The remailhlll7 materials were left in the cartons on the floor in
m--- of Elce.

I subsequentl-- met v--t ill IChrlchtman to inform hill r the contents of Hunt's safe. I --,ave him a desetivt
of the electronic eligibleotent and tol(l him aboll the bo",ls caole, the Materials relatinv T to ILLis oer<, and the
other politicalll-- sensitive documentos. I remember sveli Ills instructions: ree told me to shred the docunlents
and deep s1x7 the bl ifcase. I as--ked him villat he meant b57 "deep s1x." He leaned bac'; in his chair an(l said:
"You drive across the river 011 yor trav home at l1e7--don't --ou?" I said, ;:es. He said, 'ill-ell. --s-llell vou
cross over

the brid.Ce on lotlr o-av home, jllst toss the briefcase into the river."

I felt *cry much on the spot, so I told him in a jokinfr manner that
I would like to store the materials os-er to him and he c.--ed ta--e care of
them because he also crossed the river on his lva--e home It nith.. Tla
said, no thank7 7-Of. and I left his o.--ce and rettiltled to my office.

after lea\ny F,ilichman's office I tloltygh. abo: t svllat he had told
mc to do and sv.~ • ety trollbled. I raised it xwith 1Fieldtin and he
s ) lared m) feelin7ys till slis svotkl le )x TI incretille p.Ct0ll to cle-trov potential el idence. I illin7. Arr.
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of events.

(319)
27. 2 JOHN ELP, LICHZ4S TESTII6NY, JJLY 25, 1973, 6 SSC 2612-14

2612

Senator GNEY. Let us go to another area which involves you and Mr. Dean and that is the papers that were taken from Hunt's safe after it was opened by Dean's people. Some of these, as you know, were very sensitive. Some were contained in a briefcase of Mr. Hunt's. The testimony, of course, here is that Dean had a conversation with you about this and you made some suggestions about disposing of the papers that were in the briefcase. AN-ould you care to tell us about this meeting?

Mr. ELPH. That was a meeting, if I heard the testimony correctly, which was also attended by other people and should be susceptible of determination from independent witnesses. To correct an assumption in your question, Senator, I did not know the contents of Mr. Hunt's safe except in the most general terms. I was told, and I cannot say more than I was told, probably by Mr. Dean, that there was a pistol and a tape recorder and a number of documents, some of which had nothing to do with Mr. Hunt but were very political sensitiveness. Now, that was the general description. I had no occasion to look at them, I never saw them except as a few of them were sealed in an envelope and handed to Pat Grav.

The conversation has to be weighed, the probability of such a conversation where I said, run out and throw this in the river, has to be weighed against what I actually did, which I think the witnesses who were in the meeting on the 19th will tell you that I did.

We had had a meeting for two purposes on the 19th, which included Mr. Colson, Mr. Isellhi, staff secretary, and Mr. Clason on the AN-house staff. The meeting was for, as I said, two purposes, one, to try to determine what the facts were about Howard Hunt's employment status, which was very murky at that point in time, because of some acl of documents or some confusion of documents, and the other is that there was a pistol and a tape recorder and a number of documents, some of which had nothing to do with Mr. Hunt but were very political sensitiveness. Now, that was the general description. I had no occasion to look at them, I never saw them except as a few of them were sealed in an envelope and handed to Pat Grav.

The other purpose was to talk about what to do about this safe which had been found on the premises, and apparently had stolen in that related to Howard Hunt's illness, and we were then, if not arrested, at least in prime suspect.

The instructions which we gave, we a(>reed upon at that meeting, xve that a number of people should be present at the opening of the safe. We xve had to have something from the GS-t because they had to open the safe. But in addition to that, I specify to 2Fr. 1ehrl. hein, present, that Mr. Dean be present and take notes. Then I told Mr. Zehrli, Dd-t that a Secret Service agent be present under the circumstances, because we were breaking into a safe in the AN-house House.

Kind that Ivas the arran~ement tlat xvas agreed upon xwhen •ve b~n~c

177 on the 18th.

ar] Impose ill cliniZt that was m-ofoflc. One, this ~X-as a kind of extraordinary Irocedure and I thouJht there ought to be people who

(320)
So that was done, and it may have been, I believe, that same day, or that evening.

Senator G-NEE1-. Yes.

Wlr. ETLRICHENAT-. Now, it seems to me that, it was--it was evidently have been folly--for me at some later time. Then, to surmise--wrest the briefcase be thrown into the flextide of the Potomac or that these papers be thrown in the river--or something of this kind.

Novs., the was in this Storv also the suspension of shredder. I don't think, in my life, I have--still have resisted to anybody that a document be shredded. Shredder is just not--something (that I believe) is under certain circumstances, not proposed to anybody under any circumstances. As I said, I have a (great topos form) and then I have--I have never opened again. In this, it's into a--erasure and that is the erasure of it.

Senator. GVEEY-. But to act back to this second meeting, when John Deen comes to see me and tells you, I've got some pretty sensitive papers here, and as I allude, you've seen, deep-six this briefcase. All that's your testimony on that?

Arr. FTLRICHENAT-. I did not. I have no recollection of that kind of a conversation.

Senator GVEEY-. Did you make any other suggestion to him that he dispose of these papers in any other way?

Arr. FTLRICHENAT-. Allow discussion about the shredder in which really should not be leaked. Then, let there be a memorandum to this safe in which really should not be leaked. Then, what was in the shredder, in fact, the shredder, and that he explained it to me. I share his concern that if these documents were given to the Washington field office, we would be lost in Time magazine in--it's, short order.

Senator GVEEY-. But are you talking about the ones that were given over to Graff?

Arr. FTLRICHENAT-. I did come up with this idea, turning them over to Pat (a--a person). Xnc I certainly concurred in it. I did think that was an ideal solution to the problem.

Senator GVEEY-. Did you mean--did you mean that when supposed-to be destroyed six consensations came ul--?

Arr. FTLRICHENAT-. The six. I certainly was--the six. I certainly was--the six. I did not know that meeting was referring to. Senator GVEEY-. I think he it was the--Arr. FTLRICHENAT-. I think, he said it was the first time that we saw it. I did not know--it was the first time that we saw it. I did not know--it was the first time that we saw it.
LSeller Gt7:T-NEY. IVcll. let us -et, then t-that is clear enough. I'e tis fret to the Gr:-v papets...ts I uldet-stand -our testimor.V no:;v; ,3fr. Veall dicr crite those sensitive [iat]ers. If thec were just filed asvasiill the Fl31 rc.,альн files and sonl(Eiatl) frot to floem, SVit', il xvuol1 ie stery embarrassin., to a lot of iople.

Wtr. F.Jlr: LICIIZI5-. That is xvhat he said.

Fienator GE-ntNEY. •that 1 [ap]ended to tllose paljen? Tell S our velsion of the. storv from lwis first tellinft voll that ttle:,e Ivere sensiti-x-e t>papers to xvhet-e lc tells vou somethin, cilt]ierten about them?

Afr. ElIISlLICl(1B:].N-. He aronized for se--real davs about what to clo Ivith tllis stilla'ion. I xvas not inv-olvec1 in a lot or conversations Ivith hinl about it. He lva, a couple of das- durinf this interval l)ecause the river lvas floo.lill,- on account of tfnnes hurricane. His house lvas near the river and so he lvas just out OI the play for a couple of da--s durin^, that particular time. He lvas movinO his furniutre up and pflitin- UD sand*3-- and xwhatnot. '

So l.e c<<-.me bacli from that intcrlude and said he thoufrht he had an idea as 'Q axoxv to solve this problem and tllat svould be to deliver tllese docum.ents in tivo parcels—one parcel to the field office ancl the other parcei to P2t Gra-. I certainlv concurred in that sufraestiol.l. It seemed to nr.e eood lva- as l was for mal--inq STure that the documents did not leal; as lony as Blr. Grav held on to them.'

Senator GUSN-EY. This xvas his suzrvestion to turn them o+-er to Gray ?

3ir. EHRs11C2-lZr-. Yes, sir.

Senator GUES-S zEY. -nd then rvhat happened ?

Afr. EE2RT.IClIZr:-N-. Then, I said that either I n-o.tld file tBlr. Grav to come os-er: but I thillk -what I said to him --ras Afr. Glav -vas conRin- over thar clav for another appointment ancl vby didn't he jilot briniv tllem over v hen Pat Grav lvas there and deliver tllem to him. so tivo of tis could saV that the deliw-erv had been macle and lve Ivould ptll an --, end to tllis eviclellar^- chain. so to speal;::

Senator GURN-EY. I tmnderstand that he did come oz-er zuld he did larina ttle documents and Gray and he and vou Ivere there 'llen, xvhat happened ?

3fr. FTrr.Iclav>. ,lVe m-ere there. He said, "Pnt. I Ivould li'se to eiz-e von these. Thle sense of it svas that these lvere contents of Hunt's safe that lvere politicallv sensitive and that sve just colicl not stand to have them lealicl. I do not limon- svtrettler lle llad tall;ectlo to (:8Tr.aa before 01' IIOt. becallse (5TraV seemed to unclerstand the settinF ancl the premise. so to s)lealv .t11lI lle. tlimed the (locclments o--er to liml allfl .Jolln Dean tllen left

Senator GTRNEA-. Al'ell. I seenl to reewll thele svas some restimollv al)ollt. to (Grav by somolle. eithel Tell or von, t?~at tllese (doculllellts SllOtll(I bxever rep tllle lizzilt of (Grav. o l recall tllat l

Seller GLRN-E1-. Diei *ozz sax nothin- durinC this rvilole nleetin-2

3ir. F.TIRLICElN\t5-. I probablE ellimed in on the sn5z,ect of feal--s. ~VIllCl/l Ivas tllen kind of a—lvaS a tllme tllat l Vas illtinflfl -xirlr Atr. (8rav riallt alon-. tn d as I have testifieel before. I tlo IIOt recall the snecific lanoay e tllat --vas llsce1. Thle sense of the conl-elisation between tllle threc of lls. lvcicll lvas IIOt a lonz uncrlation. Ivvas tllat tllat pilfpose of Pat Crav talvinT cletiverv of these lvas to avoid the leak prole

EVI)Cl/l all of lts lecanonized tlV-at the TTR1 lvasllavin--.

Senator grrrNEA-. A'lell. I seenl to reewll thele svvas some restimollv al)ollt. to (--raV hv solneolle. eithel T)eall or von, t?~at tllese (locclllellts SlOlllllI 1xever reP tllle lizzilt of (la!-:. r)O ! ols recall tllat l

(322)
since the President, in his Atav J speech specifies—all—says he told
ou until Att. Halldeman that lie ws—in cancer reed about the CI & problems
and asked you to see to it that the instipi—lin—did ICH uncover these
things on the Sloth hen sou met IVith the President. did the President
give t-ou such instructions or raise these questions IVith VOI J 2

Att. EERLICHMAN. A-0. Those instructions came through Att. Halde
man and I were Given to me I think the morning of the clay of the meet-
ing C-waich should have been the 9:3d.

Att. DASH. So actually the President's statement on atav q that he
inst ru coed Att. ICh rl shman and Att. HaIdeman an, really s ho a d h ave
been he instructed Att. Halldeman?

Att. <erELICHI< At H-. M-eell, no. because he instructed me to attend the
meeting but he instructed me through Att. Halldeman and a great
many of my requests from the President would come either from the
seam secretary or from 3k. Halldeman or possibly someone else. It
was not always face to face.

ELI. D.sis. Now, Att. Hunt's safe was opened on the evening of
June 15-according to the testimony received and 3k. Dean met SVith
you on June 01. Stfr. Dean has testified that prior to that meeting he
had examined the contents of the sable which were placed in his office
and at this time, did he inform you of the contents of the safe on the,
21st ?

Att. EERLICHMAN-. Well, your questions of course, assumes that 3rr.
Dean knew The contents of the sable. I have heard him test if s both sways
Atay. I am lvron<>, but I thought his testimony was that he did not
know the contents of the safe. but that Att. Fielding had inspected
the contents of the safe.

I recall only one conversation with Att. Dean about the contents of
the safe in any sort of descriptive terms and I am sorry I cannot tell
you whether it was on that occasion or The follow-in", syes, but what
he described for me was simply that there had been paDers, a guns some
electronic equipment of some icing which I have Heard described
variously—as a tape recorder and other kinds of electronic equipments
and that he reported to me that Fielding felt that some on the papers
were ver very politically sensitive.

Now, that was the mill report, and when he crave that to me, whether
it was on the end of the lveec of the lath or some time at the becr- tin7 of
the week of the 96th, I am not able to tell VOI-

ATr. D.ASH. Did he not, when he reported to you about the contents of
the safe, indicate it also included a forlecd cable involving President
Kennedy and the so-called Diem assassination ?

3rr. EERLICHMAN-. A-0, he did not.

Elr. DASHr. Now, Att. Dean leas testified. and whether it V>as on this
day when he repo. ted to VOI on the contents or at a later dat. that when
he told vou all the contents IVith reward to the Officerface. which ap-
parently—had some electronic equipment in it, that "n said or told
him to deep-six the contents.

If your. slid vou tell him to deel-six t.he contours xvllen lie fare you a
less ri pr ion of f he con tents o f it l't? j f e ?

Att. Inier.1,hollauA. Att. I testified in response to Seller.<ron (<mev>-
s question on that. III (Ofili of fat 1. Att. Dast. <r-1<.Att Att. Drewln testified
to liege, ton are well into one of his—one of his press le lhis faith his
testimony I thln. I testified l lee that I told loins to net rif on the
hre fc. he. not the coUettees.

(323)
You read in one of the news analyses the other version.

Just the fact is that I never Grave him any surp^e^etio; or direction to do
citlter one.

Jar. Dxsu. I things Blr. Dean did testify to deelz-six the hifiease
and certainly not take the contents out before he deep-sixed it. B ut
you say 5 ou never (tare him that instruction '2

Afr. Ear~cilr \5-. No, sir.

Wlr. Dash. Do you use the term deep-six?

Afr. EfIRLICE[3] \3] |N-. Do I use it '?

Afr. D-vs. Yes.

Mr. EHrlCH3x5-. Well, I used it quite a bit since it was suggested
to me.

Wlr. DASE[. Prior to that ?

'.Ir. F-HPIBICH3t |N'. Prior to that I do not think that was a familiar
part of my lexicon.

ZIr. DASH. Apparentlv Dean did not seem to understand either what
vow meant and when asked is it his testimony that You mentioned the
fact he toes over the bridge and he could drop it into the mater. Do
you recall that testimony ?

3Ir. EEExEr cIlIzas-. A-0. I recall some testimony—oh, do I recall the
testimony ?

i!>Ir. D use. Yes.

Mr. EHRLIC~rAN-. Yes. I recall hearinfill him say that here.

3Ir. DASH. Xnd do a ou recall having told him that ?

hIr. EHRLIC[3] [xt\AN-. STo; I did not tell him that. I do recall a conver
sation with ZIr. Dean about the river because just at this time Err;
Dean's house avas in the process of being flooded by the Potomac, and
we had quite a bit of discussion about the fact that he xvas alvav from
soal; several davs, sandbagain, his house and moving the furniture,
and so on, and eve xvere discussing that in the context of his having hel'd
this material from the FBI for what he xvas concerned might be con-
sidered to be an inordinate period of time.

Mr. DASH. knd so he man have gotten mixed up in your question
about the house and the river—

Slaughters]

l!-Ir. EEIRLICEB[\&5-. No.

Bfr. DASH [continming-]. With the contents?

Brr. E-ICHI\|AN-. STo. I do not think that Arr. DeZan is at aN mixed
up. I thinlly he Iznorvs exactly what he is trying to do.

Afr. DASH. He is trivinfill to testified.

Nolv. Err. Fielding testified in the depositions in the Democratic
hi tional Committee Stlit on Slav ID. 19, 3. It was BEr. Dean's testimony
before this committee that after he alleged . -

hIr. E-LICErAtAN-. 3Ir. FieldillOr testified that it avas Bfr. Dean's
testimony ?

Ak. D-xstr. No. r.o. I have not finisllle--n lv questions please.

Bar. EEII1LICIG[AN-. Brell. I am already nixecel tip. Could we start
over ?

Bk. DAsiv. Yes. Atr. Dean testifyel aster vow had instructed him to
deep-six or drop the brief(ase ill the seated till Tee went to see Blr.
Fieklillr and repot teal loach to Err. Fieklill r that that xvas the intSt-lic-
tion they were co\'llwele[ about, prillalal tv )ec-lllse too niall-- people
had actili,-- seen what Had collie out of the snfe.

(324)
NOV. 3k. Fieldina has given his deposition in the Democratic National Committee case on ALav 1.- & 1) S. 3, and Ict me real 5 ou Ivhat Atr.

Fielding states in that deposition.

In a q:estion con◄erning the conversation he had with Atr. Dean, his

alibis or not,

I ex--will say it was closer to the 26th than the 27th. I am afraid I cannot really

pinpoint it much more than that. In the course of the conversation that's had.

John indicated that there was a lot of concern about this matter if until 9 o'clock had

discussed it. The one of the issues that he raised was that I would have to turn it over. I am not

sure. It is all evidence, even though obviously, some of it's totally unrelated to the break-in. In the course of that, it was

suggested by Mr. Dean indicated to me that Mr. Ehrlichman had suggested to him

that was in the course of a conversation about a briefcase that be deepen the

break-in.

Now, the Atr. Fielding's deposition recallinC what Mr. Dean told

Now, I just raise that to you on the basis that Mr. Dean testified

that he had been back to tell Mr. Fielding, that you had told him that

and Mr. Fielding, has so deposed that he has.

Mr. EHRlichMAN. Well, Mr. Dash, it is perfectly silly to sn~vesti-

gation lize that. I mean, I think you have to give me credit for un-

understanding the importance of evidence in a case of this kind and r did

understand that and on the 19th made darn sure that that evidence was

preserved in a way that if there were a subsequent trial the evidence

could be identified and placed in evidence carefully.

Bfr. DASH. It is Ivhas Atr. Dean's testimony that he had to so instnct

you that it was the problem. that so manV people had seen it that

it would be inadmissible to do it.

iS:tr. EHRlichMAN. I have no vou asl; Atr. Colson, Atr. Ichelri,

and Atr. Cla von, tvho were all at that meetin--; who it Ivas that estab-

lished the process by which the inteCrits of that eiclenec would be

preserved, and then r)erhaps you Ivill set some intlepen(lent view of it.

bfr. D. vsz. Is it not true that 5 ou dicl seel; to ask Atr. Claxvson acn Atr.

Colson certainly by a telephone call concerniny whether or not --ov; had made such a statement to Atr. Dean x Xmd von has x-e copie--I am

novx referrent to a transcript of a telepllhone call'that von xincl ivith ZEr.

Cla vson which your attorney has proviced under subpoena to iS. There

is no date on this transcript.

Bfr. EI-tRlCHiWli UN-. There is a [late on mine.

Wrr. D vRF+- No date on mine. Mollat date do VOII have a

Bfr. EHRlichMAN--[April 17.

Bfr. DASH. [April 1. (lones appear on the Colson tr inscript. NOIV--.

Mr. E BRR.I.

For some reason thees excisvethe .late from som

CO1\yXo

Atr. D.vslL Nonv. I xwill rearl tllis teler)llone eoll-ersation allct as1; tillat

it he nlsaie part of the reeo[l]. I it xisloolt arld I am read it JiI I EVilll

refer Jrrnllal-[l] to Ivllene 5011 xvex-e asisint- Atr. (laxxvoll to 1°--r..li i)e-nte

a meeting an.I xvillle tle [uestiorl of Hunt'S safe Lad Ieen xisellesed

(325)
Indistinct document retyped by House Judiciary Committee staff

Portion of handwritten notes (John Dean Camp David report)

him tithe office & take the contents. After opening the safe BK & FFF boxed the contents & sent them to BK's office for safe keeping.

They boxes were delivered to my office the next morning.

DEANy in & out #JWD & FFF went through the material. There were three items that I considered very [word unclear].

(1) Electronic Equipment. (2) Pol. [word unclear] memos unrelated to the W/G. (3) the fact that there was a gun & bullets in the heat of concern.

I reported what was found in the safe to JE & Colson. It was suggested that I "deep-six" the material, but I said I was unwilling to do that. I express concern for our tampering with the evidence and that we should merely hold it in my office because no one had requested it. I discussed this with FFF & he agreed [four words struck] said I would be [word unclear] to destroy evidence.

Accordingly the contents we kept in my office.

No [word unclear] was made, but my office is secure so I just left it in boxes, [word unclear] for classified cables which I had stored in a safe.

Indistinct document retyped by House Judiciary Committee staff

(326)
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(327)
On June 22, 1972 FBI agents interviewed Charles Colson in the Executive Office Building (EOB). John Dean was present. When the agents inquired about Howard Hunt's office in the EOB, Dean told them either that he would have to check out whether Hunt had an EOB office or that the request to see Hunt's office would have to be checked out.

28.1 Charles Colson draft statement prepared for delivery to the SSC, September 1973, 1, 10

Page (received from SSC) ................................................................. 330

........ 332

28.2 John Dean testimony, 3 SSC 939-40

28.3 Notes of Charles Colson interview, June 22, 1972, Exhibit No. 34-16, 3 SSC 1160 334

28.4 L. Patrick Gray testimony, SJC, Gray Nomination Hearings, March 7, 1973, 328 335

28.5 L. Patrick Gray testimony, SJC, Gray Nomination Hearings, March 22, 1973, 671 336

(329)
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 read your proceedings to date; it is clear that you are seeking not only what in fact happened, but why and how these things could have happened.

AS TO THE FACTS:

I first learned that there had been a burglary at the Democratic National Committee headquarters on the night of June 17, 1972. Though it was no more than an ordinary burglary --- one above and beyond the De Creme (330)
that their proposals, whatever they were, be considered. "Caere

was no discussion that I can recall of what it was that they

were planning to do other than the fact that I have the distinct

...es,ion that it involved security at the convention and/or
gathering intelligence during the Democratic National Convention."

As I recall, the meeting lasted no more than five
minutes. The event had no significance in my mind insofar as

Watergate was concerned until I learned this year for the first
time what the plan in fact involved and the meetings involving

Mr. Mitchell, Mr. Magruder and others.

On June 21, I suggested to Mr. Dean that I give a
statement to the FBI. I believed if I were to give a formal,

sworn statement as to why I was not involved, the fact of having done so might help to stem the flow of

adverse publicity. I do now the result

or my request, but shortly thereafter, Dean told me to come
to his office for an interview with two FBI agents. I was

questioned in the presence of Mr. Dean.

On August 95, I accompanied by Dean, I have

a deposition to Mr. Silbert for the Grand Jury then investi-
To the best of my recollection it was on June 20 or 21, that Colson told me in a casual conversation in the hall outside his office about an incident that he thought was painfully humorous. He told me that a member of his staff, Ztr. Douglas Hallett, had all office in the same suite with RMr. Hunt, and Hallett was talking with a wire service reporter while Hunt was in the other office. Colson said to me something to the effect: “Can you believe what a story that reporter might have had if Hunt had come walking out of his office while Hallett was being interviewed?”

Colson gave me the impression that this incident had occurred on June 17 or 19, but I do not recall which. However, I do recall Colson telling me that it had occurred, as Colson was very concerned about his relationship with Hunt.

To the best of my recollection the FBI contacted me during the morning of June 22 and requested an interview with Colson. I so informed Colson, and an interview was arranged for that day. Colson said that he wanted me present when he was interviewed and also wanted to meet with me prior to the interview. He was insistent that I be present because he was concerned that the FBI report of the interview might not be accurate and he wanted someone else to attest to his story.

Colson came to my office shortly before the scheduled meeting with the FBI. He said that he did not wish to get into unrelated matters and he said again that he had no information regarding the Watergate. I told him I presumed that the agents would only be interested in his knowledge about the Watergate and his relationship with Hunt.

The agents arrived, identified themselves, and somewhat to my surprise, gave Colson a warning of his rights, which he waived. I believe the committee has access to Mr. Colson’s FBI interview, which was rather brief, Colson imparted very little information to them.

[The document referred to was marked exhibit No. 3F16.]

Mr. DEAN. I did not interject myself into the interview at any time, but did make some rough notes of items covered. In fact, I believe this was the only interview where I made any notes at all. I made these notes because Colson had expressed his concern before the interview regarding someone later being able to attest to his story.

I have submitted to the committee the very rough notes, which have also been transcribed from my handwriting—the rough notes that I hastily jotted down during the interview, and find them very revealing in light of the statement that divas made during the nomination hearings of Sir. Patrick Gray for the FBI directorship, and would like to digress for a moment regarding the comment that was made during those hearings that “Dean probably lied” to the FBI as to whether Hunt had an office in the White House.

DEAN PROBABLY LIED

During the interview of Mr. Colson on June 29, the agents asked him if WMr. Hunt had an office in the W0Thlre House. Colson responded that he thought AMr. Hunt had an office in the EOB, but he did not
know where it was located. This question came up about midway through the interview and Divas not, as I recall, prodded further at that point by the agents, other than a question to me as to whether it would be possible to get the room number. I said yes. At the end of the inter-
view and as the agents were departing, they asked me if they could see—not whether Mr. Hunt had—rather whether they could see Mr. Hunt’s office right then. I told them I v>ould have to check it out and Pet back to them.

Those are the facts as I remember them. and (Colson happened to stop by my office on the day that Gray said I probably lied. I asked Colson for this recollection of the matter and he stated that I had re-
membered it as I had remembered it. At that time I had fort otten that I had made the notes during Colson’s interview, which dearly reflected that Colson had stated during the interview that Hunt had an office in the White House. A few days after Colson’s interview I called the agents and told them I had the materials from Hunt’s office and would yet the material to them shortlv.

I learned after Mr. Gray made his statement during his nomination

hearing that he based his conclusion on a report, written by the agents some 7 months after the incident. When I talked with Gray about the matter during his nomination hearings and he informed me that he did not feel he could retract the statement without creating more problems, I told him that I did not think that the agents involved should be brought into the matter because I was sure that they had honestly reported the matter as they had remembered it. I had dealt with the agents involved on several occasions and felt that they had called it the wrong way. I had remembered it, so I let the matter drop and decided that I would just have to take the rather unpleasant heat and live with it.

Fir. Chairman, this could be a point where I could summarize part of this statement rewarding handling of the FBI interview with the White House and just merely state generally that they follow a very similar pattern.

Senator ERlA.- That would be all right if you could indicate for the committee the pages on which the statements are made that you sum-
marize so Eve can have those pages printed in full in the body of the record.

3tr. DEAN.- All right, sir. I will summarize beginning at the bottom
of pare 6. ‘Itlron ah fifi and merelv note to the committee that the hall(tlaintf) of the FRI interviews at the White House followed the (f)attert that had first been estallished by the interview with: j0r

(7CI)ISOII. I cleared this procedde vital 3rl. F.iiellman. He felt that it was I v>ould have to take the rather unpleasant heat

intel v>ervs.

\(\ne\) previously indie.let the first persons to be interviewed at the White House have insisted that I have present little ller his intelviexx and leoleste(l I rez-ixexx the Ilatit1 Xeiill hii lfi1Fr to his intel vixxx. The Joson illters-ixex--

(333)
# HOW DID HUNT COME TO STAFF?

CC: AS A CONSULTANT. I KNEW HIM. PENTAGON PAPERS NEEDED SOMEONE TO REVIEW. KNEW THAT HE WAS CAPABLE.

# HOW DID YOU KNOW HIM?

CC: SOCIAL.

# ASSOCIATED WITH CIA?

CC: NO.

# POINT THAT WORKED ON DECLASSIFICATION PROJECT – WHO?

CC: DAVID YOUNG.

# STATUS: CC SAID ADVISED IN MARCH THAT HIS OFFICE ADVISED HIM NOT USING HUNT.

# HUNT HAD OFFICE IN WHITE HOUSE.

# DO YOU KNOW A MISS HASTINGS - NO.

# DO YOU KNOW CADEY? - NO.

# DO YOU KNOW ARRESTED INDIVIDUALS - NO.

# ALFRED BALDWIN - NO.

# DID YOU HIRE HUNT FOR SPECIFIC JOB - NO.

# DO YOU KNOW WHO FINANCED HUNT? - ONLY SALARY HERE.

MULLEN & ROOKES.

# WORKED YOUR OFFICE RE LEAKS - NO.
28. 4 B. PATRICK TESTIMONY--SY. MARCH 7.

SJC GRAY VO/La VATIOSE HEARIN--2. S. 328

Senator BYRD. Nineteen sixty-five be the necessity of continuing to meet and talk with Air. Ebslychman after 5 o’clock had the initial (isCussiOs
AVtill him to proceed?
Mr. GRAY. I don’t know, and I am not going to go down that path until I can review my appointment records and relieve my recollection.
I don’t say I met With him 6, S. 12 times, until I know. It may be less.

But I am talluing from recollection.

Senator BYRD. Can you indicate also for the record the content of the discussions that took place in each of those meetings?
Mr. GRAY. To the best of my recollection, yes, I will.

Senator BYRD. The dates and whether or not anyone else was present what you discussed in each instance
Mr. GRAY. Whether it was by telephone, whether it was by meetings.

Senator BYRD. In the material that you supplied for the committee, 3aCe .:)3 there was included a letterhead memo dated July 91, 1979 that you prepared at the request of and sent to John Dean, counsel to the President. On page 10 of that memo, you state:

It was determined from Air. J. Richard Hunt that the personal effects of Everett

H. Huxley and Hunt had been removed from Hunt’s office in the Executive Office Building C and brought to his, Dean’s office. This material much was turned over to the FBI on June 27, 1972, included ancillary equipment for the transceivers and other equipment identical to items known to have been purchased by James

XValter :tcCord, Jr.

At Elia xwere the circumstances involved in Air. Dean turning over the equipment in Air. Hunt’s office 10 days after the break in

Air. GRAY. This came up as a result of agents’ desire to find out whether or not Air. Hunt had an office there. Air. Dean said that alo
xvoulel have to check whether or not Air. Hunt ha(l all office there and avoul(l ascertain that.

Indeed, at this point in time, the Halite House records indicated that Howard Hunt had ceased his employment as of March 29, 1979. M7e had previously ascertained that fact. Later eye severe delivered these materials and an inventory was made of these materials that are delivered to us. Included among those materials were a gml, electronic equipment tying in Hunt with the type of electronic equipment that was possessed by Air. :tcCord, anti top secret materials involving South viettanlll dispatches.

Senator B1’RD. Dill Air. Dean volunteer this evidence?
Mr. GRAY. We really didn’t ask him for it. Air. didn’t ask for a search Warrant because, at that point in time, when eye were talking
With Air. Dean, sve really didn’t know what eye there looking for.

Mr. X7e (ili)’nt ask for a search warrant because lee couldn’t specify

Xvill particulltity what we wanted(. I Ve didn’t knows
Senator BYRD. I noted the FBI interviewed Air. Dean on June 97; is this when the evident xvas turned over?
Mr. GRAY. The evidence, as I recall, xvas turned over on June 96.

Yes, this material xvas furnished to the FBI on the morning of June 96, lid x .

Senator BAIRD. (oI have indicated that there was electronic be--in--echtlipillenol an(l these xvas a .ULI involtel(.)

Mr. GRAY. I xvolld hare to 21{lO the inventory. There Ivas a tivo pa,yc inreil1torv, as I recall. It is an exhibit to our sullmilrs, an(l I

will prof[ill(e th2lt. It is a rather extensive inventory
Mr. GRAY. I AVOID sayin' but it's been on the FBI files. It could have been on the call records, or it could have been on the witness interviews, but I just don't know.

Senator BYRD. Going back to Mr. Dean. When he indicated that he would have to check to see if Mr. Hunt had an office in the Old Executive Office Building, he lied to the agents, didn't he?

Mr. GRAY. I have not said lookin' back now and exhaustively analyzing the minute details of this investigation, I would have to conclude that that probably is correct, yes, sir.

Senator BYRD. Now I think you have to place it in the proper perspective as we looked at it. We did not even consider it. We didn't think about it.

Mr. GRAY. I think you have to realize once again that I am a Chief in an executive department of the Government, that I have to take orders from somebody, that I do not do things out there in the open, that I do not testify to the President or the United States or on the record.

Senator BYRD. I recognize all this.

Mr. GRAY. I think you know that his first duty—I would like, if I may, to let the record show that I have testified that I have testified to the President on the United States ill-conceived.
29.011 or about June 22, 1972 Acting FBI Director L. Patrick Gray met with John Dean. Gray told Dean the FBI had discovered that a $25,000 check drawn by Kenneth Dahlberg and four checks totalling $89,000 drawn on a bank in Mexico City payable to Manuel Ogarrio had been deposited in a Miami, Florida bank account of Bernard Barker, one of the persons arrested on June 17, 1972 at the DNC headquarters in the Watergate. Gray and Dean discussed the FBI's alternative theories of the Watergate case, including the theory that the break-in was a covert operation of the CIA. Either that same day or the following morning Dean reported to Haldeman on his meeting with Gray, and Haldeman in turn transmitted the essence of the report to the President.

29.1 L. Patrick Gray log, June 22, 1972 (received
29.2 L. Patrick Gray testimony, 9 SSC 3451......
29.3 John Dean testimony, 3 SSC 942-43
29.4 Memorandum from C. W. Bates to Charles Bolz,
  June 22, 1972, 1-2 (received from SSC)
29.5 Telegram from FBI Washington Field Office to
  L. Patrick Gray, June 22, 1972, 1-2 (received from SSC)..346
29.6 H. R. Haldeman testimonyj Subcommittee of the Senate Appropriations Committee, Hearings on Purported Attempt to Involve the Central Intelligence Agency in the Watergate and Ellsberg Incidents, Executive Session, May 31, 1973, 360-61 348

29.7 H. R. Haldeman testimony, 8 SSC 3040 350

(337)
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| 7:45 | Mr. Gray  
| 7:45 |  
| 8:50 | Mr. Gray  
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| 9:25 | Mr. I.P. Mohr  
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| 10:20 | Gohar Pantha-cher  
| 10:20 |  
| 10:50 | Mr. Gray  
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| 11:20 | Mr. Gray  
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| 12:00 | Mr. Gray  

Action:

(Place, time) speak to

Saw Mr. Gray

[Note: Mr. Green Flag]

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[Note: speak to Mr. Gray]
assist him in his inquiry. I asked Air. Dean if he svould be reporting
directly to the President or through Air. Taldeman or Air. Chrliclmauln.
He informed me that he •voltld be reporting directly to the Presidents
At this meeting vstith Air. Dean there avas no discussion of _vholn
lve xvere going to interview or where our leads might take the investi-
bation. We did discuss the scheduling of White Hollse internievfs
through Parr. Dean and JiS sitting in on the interviews as counsel to
the President.

On Thuresclaw, June id, 1979, after being briefed bv Blr. Charles W.
Bates, Assistant Director, General Investigative Division, rewarding
the latest developments in the Watergate case and undoubtedlv as a
result of information developed at that briefing, I telephoned Director
Helms of the CI-t. T told him of our thinking that ve mites be polkint
into a CI t operation and asked if he could confirm or deny this. He
said he had been meeting on this every day Smith his men, that they
lncln the peoples ill, they could not figilre it ollt but that there was no
CI t involvemen-

I met again with Wlr. Dean at 6:30 p.m. the same dav to again discuss
the scheduling of intersiexvs of White House staff personnel and to
arrange the scheddlinfr of these interviews directly through the AVash-
ington field office rather than through FBI headquarters. Ot this illeet-
in,- I also discussed with him our very early theories of the case;
namely that the episode was either a CIA covert operation of some
SO8bt simply because some of the people involved had been CI-t people
in the past, or a CI-t money chain, or a Jolitical money chain, or a
pure political operation, or a Cuban right V-tillg operation, or a com-
bination of any of these. I also told Fir. Dean that vve were not Zeroing
in on ans one theory- at this time, 01 exclldin4, ant-, but that. Eve just
cold not see anV clear reason for this burglary and attempted inter-
cept of communications operation.

I believe that it vs-as at this meeting on .IIlne 24 that I told him of
our discoverv of a bank accionilt in the name of Bernard Brilcer, who
avaS Arrested in the AltTentratC burblalas and the fact that a So j...oon
check associated with Kenneth Dahlberi and four checks ciralv on a
Mexican bank payable to Atanrio (-arlio, in the total amount of
SS9,000), wvere deposited in the Barker account. I do not have a clear
menloV of telling him alio8lt mv telephone eall earlier in the clav to
Director Helms revaclin(r the question of Chat ins-olvemetl. It is
likely that I xwould have close. snsecel the Hz Inhs call with hlin . I l conne-
tisiOll with out discussion of the theories of the case, since Air. Helms
had in formed me that there swas 110 CI t invol cement.

On Friday Tulle i.3. 19 8 , Afr. Bntes met. with me again to brief me
011 recent developments. I telltellled Afr. Dean follov in (r my n)eelniln
with Afr. Bates I am quite certain ()It this call again involved the
Brilcer error account and the cháyrio and Dahlbel b checks. Either in
this call or in the meeting of the preceding evening Air. Dean first
raised with Ille the idea that if eve persisted in Oill- efforts to investi-
ate this Atexicall money chain eve could Ilness-er or become involved
in CI-t otetatIIs. I rememl)er telling Air. Dean ill one of these early
telephone calls or meetings that the FBI swas gonty to pursue all leads
air-.feslively unless eve xvere told be the Os th.at there vances ; l CI t
interest or invol • e ment in th is ease.

(339)
I believe the FBI knew about the transactions from an informant who had been in contact with Barclear.

During my meetings with Grav on June 41 he also told me a man named Bates was head of the investigation. I did not know Mr. Bates, and when I reported this back to Frlichman and he asked me who Bates was, I told him I did not know Bates. I recall on several occasions Frlichman asking me if I thought that Grav knew what he was doing and if he had the investigation under control. I responded that he seemed to be reliable under interview.

To the best of my recollection, it was on this June 41 meeting with Grav that he informed me that the FBI had uncovered a number of major bank and insurance transactions that had transpired in the account of one of the arrested Cubans—Mr. Barclear. He informed me that they had traced a $300,000 check to Mr. Dallbel and followed it to a bank in Ateneo city.

I do not recall if the FBI had uncovered the matter of the check from the informant or if I learned about it in a meeting with Mr. Bates. I remember that the FBI was interested in the matter and had called a meeting in the Senate chambers. I do not recall if this meeting was to discuss the matter or if it was to inform me of the investigation. I recall that Mr. Bates informed me that the FBI was interested in the matter and had called the senators to discuss the matter.

Neither Stans nor Dallbel wanted Mr. Stans to be involved in the investigation. Stans explained that he had not been to the Senate chambers and that he had not been involved in the investigation. Stans also explained that he had not been involved in the investigation.

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tokl—and I do not, recall specifically v who told me th is—that this mones-
hal absolutely nthind to clo bth the Altaterfratc; it n-as relaterlated and it • as merely a coincidence of fact that I had had need Billibor to cash the checks and I slyly had refinited the money to Sloan. I was tolel that the inx-estra-tion of this matter which appeared to be connected svith Altaterfratc but v—aust, svvfl unfoulished and n-othing more result-
in an unnescessar:— embarrassment salle to the contributors. accodingly—.,
Mitchell and Stans both asked me to see if there hava anAffillcer the
White Hohte concl to do to jevent tlu8 allneeesall embarrassment. —1. 
ill turn, related these facts to both Thaldeemen and Ehrlichman. On
June 2a, at the regolest of Ehrlichman and Haldeman I sven to see
Blt. (>Tvas at th3 office in the earl——eveninfil to dislot the Dahlebenr and
Mexican checks and detersine hovv trle FBI svas 10ceeding ~Vil3) these
matters. 31: r. Gray told me that they vere pursuing it by seshun to
intervief the persons lvho had draxvn the checks.

It vas during my meetine vvith Afr. Gray on June 2 thlt we also
talked aboll his theories of the case as it avas bet unmiutv to unfold. I
remember swell that he drew a dia(rram for me shonvint his theories. —tt
that time Afr. Gray had the following theories: It vvas a setup job by
a double agent j it svas a CIA operation because of the number of
former e - se people ins-olved; or it was someone in the reelection com-
mittee w ho lvas responsible. Gray also had some other theories which
he diselssed. but I do not recall them noav, bUt I do rememner that
those I hal e mentioned n-ere his primarV theories.

Before the meetine-ended, I recall that Gray and I again had a brief
dissolution of the problems of an in—estifration in the AVhite House.
Gray— exressed di8s awareness of the notential Problems of nell an
ins-esti(>ration ancl also told me that if I needed any vformation I
shollt call entil ent Alark Felt or himself. Gray also instructed lle that
he vvas ro meet with the CI to disenss their possible involve-
ment and he Ivonl cl let me know the outcome of that meeler.

On June an I reported my conversation XVil3 (7wvas— of the precedin-
eveninf) to Ell rlich mall ancl Haldeman. We ci snessed the Dibbl berer
ancl the Mexican checks and tile fact that the FBI —vav 100kint for
answers reyac/inent, these checks. I had the iml?ressisoll that either Ehr-
liehman or Haldlemen mit hte havc flac a conversation X til3 someone
else about this matter but til8 was mere speculatoll on mv pal t at that
time.

Althin the first days of my involvement in the covellip. a -*attern
had develop('rtr vhere I vas carrininf messas. en fom. ':Mitchell. Stans.
and Warcli: in to Ehrlichman ancl Haldemen—ablm —ice versas—faint
lorre each glarter bva3 jlanclin r the covellip) and releex-anit infol mation
as to —what vas occichnt. I vas also reportifl to them all tile infolmna-
tion Tvas as receri—sulf abovv the case from the Hoite Department
and the FBI. I clessed el3 haldemen ancl F. Ehrlichman 11fore I clic an—
tilnies. One of the few sets of eais —sefinfents evidelntly vvas XVilHil (1-
esolution) —with Thaldeemen and F. Ehrlichman relates to redondentXY in
T/Lv's Brief ledger of June '4 to the Presicentil reClleststilf the
ralr (ammell of a special prosecutor. I hava substitutcd these e/lelnt/m3
to tile co-linlitce.

[Tile clocrtments relrefled to xvere nullated e— Jul-at No. :4-1. —]
MEMORANDUM

TO: [Mr. Bolz]  
FROM: C. W. Bates  
SUBJECT: JAMES W. MCCORD, JR., AND OTHERS  
BURGLARY OF DEMOCRATIC PARTY NATIONAL HEADQUARTERS, 6/17/72  
INTERCEPTION OF COMMUNICATIONS

At 4:00 p.m. on 6/21/72, Mr. Felt, SAC Runkel of WFO and I met with Mr. Gray on this case. We brought him up to date on all aspects.

It was agreed that this was most important, that the FBI's reputation was at stake, and that the investigation should be completely impartial, thorough and complete. Several points were discussed and these have already been furnished to the field for handling, such as reinterview with McCuin to identify the Secret Service official, further details regarding the $100 bills.

In answer to our question, Mr. Gray instructed as follows: Hold up any dissemination of this information to Department or White House. Scold up electronic sweep. Hold any interviews of White House personnel.

SAC Runkel broached the theory that this was in furtherance of the White House efforts to locate and identify "leaks." It was admitted this was a theory. Mr. Gray said we should, of course, consider this but not let it influence our complete investigation. I assured him the investigation was going full speed and that I would keep him briefed on any developments.

At Mr. Gray's request, SAC Runkel and I met with him at 9:30 a.m., 6/22/72. He was brought up to date on developments overnight and was informed that all points he raised yesterday were being thoroughly explored. At this meeting he again instructed that the dissemination be held up and that the electronic sweeps be held. I told him that both the CIA and the Metropolitan Police had inquired of WFO about briefings in this matter and that I felt we should brief no one. He agreed.

C. W. Bates  
CONTINUED-OVER
Memorandum to Mr. Bolz
Re: JAMES W. MCCORD, JR., AND OTHERS

At 10:25 a.m., I spoke to Mr. Gray and authorized our making an offer to the Democratic National Committee, the Credentials Committee, and the Republican National Committee for electronic sweep of their facilities. He also authorized a contact with Mr. John Dean of the White House regarding interviews and information needed there. This is being immediately handled by WFO.

While on the phone with him, I advised him of a new development: Subject Barker had tried to cash a cashier's check with the Republic National Bank, Miami, on 4/24/72. This check was drawn on the Boca Raton Bank and was for $25,000. The Republic Bank checked with the Boca Raton Bank and they were advised the check was good and had been obtained by Mr. Kenneth Harry Dahlberg. Our files show Dahlberg was investigated at the request of the White House in December, 1969. He is an industrialist from Minnesota, is a millionaire, and has been active in the Republican Party in the Midwest for a number of years. The White House records disclosed he was not presently connected with the White House.

I talked to Mr. Gray again at 5 p.m. on 6/12/72 after his return to the office. I again went over the latest developments.

At 3:15 pm on 6/12/72 Mr. Gray called me. He said he had just talked to the Deputy Director of CIA in his office and he briefed me on detail regarding the conversation. I again told him I felt the FBI had no choice but to continue our full investigation and obtain all the details. He agreed.

At 6:00 p.m. on 6/12/72 Mr. Gray called me. He said he had just talked with Sandy Smith, a reporter for TIME magazine. Smith told him that TIME had adverse information affecting Mr. Gray but not affecting the FBI; that Gray had refused to permit Agents to check Colson's telephone toll calls and to interview him and that Gray had instructed this investigation be wrapped up in 24-48 hours, the inference being it would be a whitewash by the FBI on Gray's instructions. Mr. Gray told me he told Smith that the question had not arisen regarding Colson's toll calls; that we had checked with Colson to get toll calls made by Hunt; that he had not instructed the case be wrapped up in 48 hours but had instructed that it receive immediate priority attention and that he had indicated he had held up the electronic sweep of the Democratic and Republican headquarters until he had all necessary facts and that the sweep had now been ordered. Mr. Gray instructed that I have all Agents in

THE EIGHT REMAINING PAGES OF THIS MEMORANDUM DO NOT PERTAIN TO PARAGRAPH 29.
It is very difficult to interpret the content of this page due to the quality of the image. The text appears to be a mixture of English and possibly another language, and it is not legible enough to transcribe accurately. The page seems to contain a combination of text and possible tables or charts, but the details are not discernible.
THE EIGHT REMAINING PAGES OF THIS MEMORANDUM DO NOT PERTAIN TO PARAGRAPH 29.

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Mr. Haldeman. I don't believe anyone else was.

Chairman McClellan. Just you and the President?

Mr. Haldeman. Yes, sir.

Chairman McClellan. You say the five points you set out in your statement are the reasons given you by the Presi
dent for the necessity of that meeting.

Mr. Haldeman. Yes, sir. If I can describe the chronology there, it might be helpful.

Chairman McClellan. Start from the moment the President contacted you or began talking to you about a meeting. Start with that and give us your whole version of what happened from the minute you first knew that the President wanted a meeting set up.

Mr. Haldeman. With your permission, could I go back a step prior to that?

Chairman McClellan. We do not want to restrict or limit you in any way. You give us the true story, beginning with when you first knew that the President was interested in and wanted this meeting set up, the reasons why he wanted such a meeting, and what was to be the hoped for result, what was the objective of the meeting, what purpose was it to serve.

Mr. Haldeman. Right.

[Either that morning, the 23rd or the preceding afternoon,]

and I am not sure which, afternoon or evening, John Dean, as I can best recall this, and again it is trying to recall events
of a year ago, John Dean told me that the FBI was concerned
about the question of whether there might be CIA involvement
in some aspects of the Watergate affair, either directly or
indirectly.

In raising this concern of the FBI, I felt that something
needed to be done at that point in time to guide the FBI as to
whether there was involvement and, if so, what, and what prob
lems there might be in that respect. I transmitted this report,
in essence, to the President, I believe on the morning of the
23rd.

Chairman McClellen: That was John Dean who talked to you
the day before?

Mr. Haldeman: Either the day before or that morning. I
am not sure which.

Chairman McClellen: What authority or what responsibility
did John Dean have in the matter at the time he talked to you?
From what authority or motivation was he becoming involved or
was involved at that time?

Mr. Haldeman: John Dean was Counsel to the President.
One of his areas of responsibility was the liaison and contact
between the White House and the Justice Department and the FBI.
In that regard, he was the man at the White House who was main
taining the hour-by-hour contact with the Bureau and other
Justice Department officials in their investigation of the
Watergate matter.
On June 22, 1972 the President held a press conference. He was asked whether he had made an investigation to determine whether there was a direct link between the people who bugged the DNC headquarters and the White House. The President said:

Mr. Ziegler and also Mr. Mitchell, speaking for the campaign committee, have responded to questions on this in great detail. They have stated my position and have also stated the facts accurately.

This kind of activity, as Mr. Ziegler has indicated, has no place whatever in our electoral process, or in our governmental process. And, as Mr. Ziegler has stated, the White House has had no involvement whatever in this particular incident.

As far as the matter now is concerned, it is under investigation, as it should be by the proper legal authorities, by the District of Columbia Police, and by the FBI. I will not comment on those matters, particularly since possible criminal charges are involved.
in 1952 from Cornell and his LL.B. from Harvard in 1955. He was admitted to the bar of the State of California in 1956.

Erickson is married and has two children. He resides in McLean, Va.

NOTE: The statement was released at Key Biscayne, Fla.

United Nations Conference on the Human Environment

Statement by the President on the Conference Held
June 5-16 in Stockholm. June 20, 1972

I have just received a report on the United Nations Conference on the Human Environment concluded last Friday at Stockholm from Chairman Train who headed the large and distinguished United States delegation.

The United States has worked long and hard over the past 18 months to help make the Conference a success. Representatives of 113 nations met together for 2 weeks to produce an impressive number of agreements on environmental principles and recommendations for further national and international action in this important field.

The United States achieved practically all of its objectives at Stockholm.

(1) The Conference approved establishment of a new United Nations unit to provide continued leadership and coordination of environmental action, an important step which had our full support.

(2) The Conference approved forming a $100 million United Nations environmental fund which I personally proposed last February.

(3) The Conference overwhelmingly approved the U.S. proposal for a moratorium on commercial killing of whales.

(4) The Conference endorsed our proposal for an international convention to regulate ocean dumping.

(5) The Conference endorsed the U.S. proposal for the establishment of a World Heritage Trust to help preserve wilderness areas and other scenic natural landmarks.

However, even more than in the specific agreements reached, I believe that the deepest significance of the Conference lies in the fact that for the first time in history, the nations of the world sat down together to seek better understanding of each other’s environmental problems and to explore opportunities for positive action, individually and collectively.

The strong concern of the United States over the fate of our environment has also been demonstrated in our direct dealings with individual nations. The Great Lakes Water Quality Agreement which I signed in Ottawa this April with Premier Ninfstein Trudeau III was evidence of the high priority this Administration places on protecting the environment. The Environmental Agreement signed in Moscow on March 25 is proof of the desire of our Nation to work together with the others on the common tasks of peace.

I am proud that the United States is taking a leading role in international environmental cooperation, and I congratulate our U.S. delegation on its success at Stockholm. The governments and people of the world must now work together to make the objectives of the Stockholm Conference a
THE PRESIDENT'S
NEWS CONFERENCE OF
JUNE 22, 1972

THE PRESIDENT. Ladies and gentlemen:

Next week before the Congress recesses, I am planning to have a general news conference. Prior to that time, in talking to Mr. Ziegler, I found that a number of members of the press, looking back at previous news conferences, have indicated that there is a tendency for foreign policy and defense policy questions to dominate the conferences so much that questions on domestic policy do not adequately get covered.

As a matter of fact, I have noted several of you in your commentaries, after some news conferences, have indicated that we have not given enough attention to the domestic issues.

So, subsequently, after discussing the matter with Mr. Ziegler, I thought it would be useful this week, on this occasion, to have you here in the office for the purpose of covering domestic issues only. The session next week will be open to both foreign policy, defense policy, and domestic issues.

So, today we will take all questions on domestic issues and next week you can cover all three areas to the extent you wish to.

Bugging of Democratic Headquarters

Mr. O'Brien has said that the people who bugged his headquarters had a direct link to the White House. Have you had any sort of investigation made to determine whether this is true?

THE PRESIDENT. Sir. Ziegler and also Mr. Mitchell, speaking for the campaign committee, have responded to questions on this in great detail. They have stated my position and have also stated the facts accurately.

This kind of activity, as Mr. Ziegler has indicated, has no place whatever in our electoral process, or in our governmental process. And, as Mr. Ziegler has stated, the White House has had no involvement whatever in this particular incident.

As far as the letter now is concerned, it is under investigation.
Q. Mr. President, wholesale food prices have lead to increases in the cost of living in the last few weeks. Are you considering any kind of controls over the price of food?

THE PRESIDENT. In the whole area of inflation we have had a period of pretty good news generally. As you know, in 1969 and early 1970 the rate of inflation, the CPI, peaked out at 6 percent. Since that time it has been moving down, and particularly since the August 15th news release with the control system was announced, it has now been cut approximately in half, running at around the rate of 3 percent. But the most troublesome area, however, is the one you have referred to—food prices.

We cannot take too much comfort from the figures that came out yesterday because as you know, they actually reflected a slight drop in food prices. I met yesterday, however, with the Quadriad, and Mr. Stein reported that the weekly reports that we get, which, of course, were not reflected in yesterday’s numbers, indicate that meat prices, particularly, are beginning to rise again and rising very fast.

For that reason, I have directed that the Cost of Living Council which will be meeting this afternoon look into this matter to see what further action can be taken to deal specifically with food prices, but particularly with meat prices.

Now, with regard to meat prices, to give you an indication of the direction of my thinking, you can move on the control side, but as we all remember in that period immediately after World War II, when we had controls but too much demand and too little supply, and all the black markets, controls alone will not work unless you also move on the supply side.

At the present time, we have apparently a world shortage of meat, and particularly a shortage of meat in the United States. But as the income of our people goes up, we have to get, therefore, at the problem of supply. Consequently, one of the areas that I am exploring is the quota system. I have directed our staff to check into the advisability of a temporary lifting of quotas on imported meat which will move on the supply side. It will not affect the problem immediately, but at least it would affect it over the next few months.

That does not rule out, also, the possibility of moving on the control side, and the control side is a matter where the Cost of Living Council is presently, or will be at 4 o’clock this afternoon, considering a number of options which I will consider as the matter develops.
the issues are before Congress. Could you tell us your view of the relationship between the
development of offensive weapons, as proposed in your defense budget, and the SALT agreements?

THE PRESIDENT. I have noted the progress of the debate in the committee, and particularly the controversy, or
alleged controversy and contradiction which seems in some quarters to have been developed between
the views of the Secretary of Defense and the views that I have expressed and the views that have
been expressed by Dr. Kissinger and Secretary Rogers.

I think that I can put the thing in context best by first pointing out the Secretary of Defense’s
position, and then relating that position to the overall position of the United States in attempting to
develop policy that will adequately protect the security of the United States and also move forward
on the arms limitation front.

The Secretary of Defense has a responsibility, as I have a responsibility, to recommend to the
Congress action that will adequately protect the security of the United States. Shoving on that
responsibility, he has indicated that if the SALT agreement is approved, and then if the Congress
rejects the programs for offensive weapons not controlled by the SALT agreement, that this would
seriously jeopardize the security of the United States. On that point he is correct.

What I would suggest to the Congress and would recommend to individual Congressmen and
Senators, who will have the responsibility of voting on this matter, is the following course: First, the
arms limitation agreements should be approved on their merits. I would not have signed those
agreements unless I had believed that, standing alone, they were in the interest of the United States.
As a matter of fact, the offensive limitation is one that is particularly in our interest because it covers
arms where the Soviet Union has on-going programs which will be limited in this 5-year period, and
in which we have no ongoing programs.

So, consequently, I would recommend and strongly urge that the Congress approve the ABM
treaty, and also the limited, temporary, offensive limitations curb. However, after the Congress moves
in that field, all Congressmen and Senators—and this would, of course, include them all—who are
concerned about the security of the United States should then vote for those programs that will
provide adequate offensive weapons in the areas that have been recommended by the Secretary of
Defense and by the Administration.

Now the reason for that is twofold: first, because if we have a SALT agreement and then do not
go forward with these programs, the Soviet Union will, within a matter of a very limited time, be
substantially ahead of the United States overall, particularly in the latter part of the seventies.

If the United States falls into what is a definitely second position, inferior position to the Soviet
Union overrun in its defense programs, this will be an open invitation for more instability in the
world and an open invitation,
31. On June 23, 1972 H. R. Haldeman met with the President and informed the President of the communication John Dean had received from Acting FBI Director Gray. The President directed Haldeman to meet with CIA Director Richard Helms, Deputy CIA Director Vernon Walters and John Ehrlichman. Haldeman has testified that the President told him to ascertain whether there had been any CIA involvement in the Watergate affair and whether the relationship between some of the Watergate participants and the Bay of Pigs incident was a matter of concern to CIA. The President directed Haldeman to discuss White House concern regarding possible disclosure of covert CIA operations and operations of the White House Special Investigations Unit (the "Plumbers"), not related to Watergate, that had been undertaken previously by some of the Watergate principals. The President directed Haldeman to ask Walters to meet with Gray to express these concerns and to coordinate with the FBI, so that the FBI's investigation would not be expanded into unrelated matters that could lead to disclosure of the earlier activities of the Watergate principals.

31.1 H. R. Haldeman testimony, Subcommittee of the Senate Appropriations Committee, Hearings on Purported Attempt to Involve the Central Intelligence Agency

...Page
.in the Watergate and Ellsberg Incidents, Executive Session, May 31, 1973, 353-54 356

31.2 President Nixon statement, May 22, 1973,
9 Presidential Documents 693, 696.....

31.3 H. R. Haldeman testimony, 8 SSC 3040-41

31.4 H. R. Haldeman testimony, 7 SSC 2884

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to meet with this committee and to clear up anything that I can be helpful in clearing up in regard to the matter that you have under inquiry.

I believe that the only area in which I can be helpful to you in your investigation is with regard to the reported meeting of White House and CIA officials last June.

In that regard, on June 23, 1972, John Ehrlichman and I were requested by the President to meet with Director Richard Helms and Deputy Director Vernon Walters of the CIA.

To the best of my recollection, the purpose of this meeting was five-fold:

One, to ascertain whether there had been any CIA involvement in the Watergate affair; Two, to ascertain whether the relation between some of the Watergate participants and the Bay of Pigs was a matter of concern to CIA; Three, to inform the CIA of an FBI request for guidance regarding some aspects of the Watergate investigation because of the possibility of CLN involvement, directly or indirectly; I could interject there that this request had been made known by John Dean, counsel to the President, and had been transmitted by me to the President immediately upon being told of it by John Dean.

The President, as a result of that, told me to meet with Director Helms and General Walters and John Ehrlichman.
The fourth purpose was to discuss White House concern regarding possible disclosure of non-Watergate-related covert CIA operations or other national security activities, not related to Watergate, that had been undertaken previously by some of the Watergate principles [sic].

Fifth, to request General Walters to meet with Acting Director Gray of the FBI to express these concerns and to coordinate with the FBI so that the FBI's area of investigation of the suspects, the Watergate suspects, not be expanded into unrelated matters which could lead to disclosure of their earlier national security and CIA activities.

The meeting was held in Mr. Ehrlichman's office on the afternoon of June 23 and, to the best of my recollection, all of the above points were covered.

As I recall, Director Helms assured us that there was no CIA involvement in the Watergate and also that he had no concern from the CIA's viewpoint regarding any possible connections of the Watergate personnel with the Bay of Pigs operation. Helms told us he had given this assurance to Gray directly.

Walters agreed to meet with Gray as requested. I do not recall having any further communication or meeting with Walters, Helms or Gray on this subject.

I do not specifically recall the question of Mexican
I will not abandon my responsibilities. I will continue to do the job I was elected to do.

In the accompanying statement, I have set forth the facts as I know them as they relate to my own role.

With regard to the specific allegations that have been made, I am able to state categorically:

1. I had no prior knowledge of the Watergate operation.

2. I took no part in, nor do I have any knowledge of, any subsequent efforts that may have been made to cover up Watergate.

3. At no time did I authorize, or direct, or take any action that authorized, the expenditure of funds to aid the Watergate defendants.

4. I did not know, and at the time of my own investigation, of any effort to provide the Watergate defendants with funds.
5. I never did attempt to influence Mr. Ellsberg’s psychiatrist, and I specifically authorized the withholding of the information to Judge Byrne.

6. It was not until the time of my own investigation that I learned of the break-in at the office of Mr. Ellsberg’s psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne.

7. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct, in the matter under investigation. I want the public to learn the truth about Watergate and those guilty of any illegal actions brought to justice.

—Allegations surrounding the Watergate affair have so escalated that I feel a further statement from the President is required at this time.

As a result, some national security operations which themselves had little connection with Watergate—in fact and report—have become entangled in the case.

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PRESIDENCY DOCUMENTS:

To investigate the Watergate break-in or of related acts, I steadfastly committed the U.S. investigation to the special unit—and to see that this was personally coordinated between General Templars, the Deputy Director of the CIA, and Al Jr. Petersen to pursue every issue involving Watergate but to confine his investigation to Watergate and related matters and to stay out of national security matters. Subsequently, on April 9, 1973, Attorney General Kleindienst informed me that he believed that the Watergate-related investigation would not be compromised. Therefore, I instructed Mr. Ehrlichman to ensure that the investigation of the Special Investigations Unit itself—and to see that this was personally coordinated between General Templars, the Deputy Director of the CIA, and Al Jr. Petersen to pursue every issue involving Watergate but to confine his investigation to Watergate and related matters and to stay out of national security matters. Subsequently, on April 9, 1973, Attorney General Kleindienst informed me that he believed that the Watergate-related investigation would not be compromised.

In addition, by this time, the Watergate investigation had become a political issue, because of some of the apparent involvement of the Nixon administration and the campaign committee. I was aware of the sensitivity of these matters, some of which remain highly sensitive.

In conclusion, I believe that the Watergate investigation did not impinge adversely upon the national security posture and that neither the operations of the CIA nor the operations of the Special Investigations Unit itself were compromised. Therefore, I instructed Mr. Ehrlichman to ensure that the investigation of the Special Investigations Unit itself—and to see that this was personally coordinated between General Templars, the Deputy Director of the CIA, and Al Jr. Petersen to pursue every issue involving Watergate but to confine his investigation to Watergate and related matters and to stay out of national security matters. Subsequently, on April 9, 1973, Attorney General Kleindienst informed me that he believed that the Watergate-related investigation would not be compromised. Therefore, I instructed Mr. Ehrlichman to ensure that the investigation of the Special Investigations Unit itself—and to see that this was personally coordinated between General Templars, the Deputy Director of the CIA, and Al Jr. Petersen to pursue every issue involving Watergate but to confine his investigation to Watergate and related matters and to stay out of national security matters. Subsequently, on April 9, 1973, Attorney General Kleindienst informed me that he believed that the Watergate-related investigation would not be compromised.
(39) I long p→ q, i.e. C 154 > cing (q1). I think in BED or I count 15 seconds on abilities, hopefully 'yes'.

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Mr. DASH. At that meeting do you recall that there was general discussion as to what happened, what information Divas current concern, the break-in and the relationship with the committee?

Mr. HALDEMAN. I have no specific recollection of the contents of that meeting but I am sure, that given the time situation, that it must have been in regard to the Watergate break-in.

Mr. DASH. Norv, it is true, if you look at your record that during that period right after you get back there are about two or three meetings on different days.

Mr. HALDEMAN. Yes.

Mr. DASH. I think you met with him on the Roth, on the 23d, and on the 96th. Does your record show that?

Mr. HALDEMAN. I show—there is an example now of my log of June 20 that does not show a meeting with those people that I have identified; that I have got in my summary here as a result of information from other sources. But my log shows is a meeting in John Ehrlichman's office which is all my secretary would know. She didn't know who was in the meeting.

Mr. DASH. Right.

Mr. HALDEMAN. I am sorry then you were going.

Mr. DASH. Was saying you have a record of a meeting with Mr. Dean on the 93d and again on the 96th after the meeting with him on the 90th.

Mr. HALDEMAN. Not in the log, no. The 23d?

Mr. DASH. Yes.

Mr. HALDEMAN. It doesn't show me I don't believe.

Mr. DASH. Do you have it in the summary that you have received from other sources?

Mr. HALDEMAN. No, that doesn't show a meeting with Dean, either. I think I talked with Dean on the phone that day that morning but I am not sure.

Mr. DASH. You indicated in your earlier testimony that Mr. Dean did give you a report of what happened and told you at that time that he had told you earlier about telling you after one of the meetings.

Coll'd you place in any one of those meetings when he told you?

Mr. HALDEMAN. No, I can't.

Mr. DASH. Wouldn't it be your recollection that it would be during that week when you got back?

Mr. HALDEMAN. Not necessarily no. As I say, the only meeting that I see with Dean during that week was the meeting in Mr. Ehrlichman's office on the 20th apparently.

Mr. DASH. Did the President either communicate with you or did you have a meeting with the President prior to July 9, 1972?

Mr. HALDEMAN. I am sure I did. Do you want me to check?

Mr. DASH. You met frequently in the President's office so you—

Mr. HALDEMAN. Yes, sir.

Mr. DASH. So you are pretty sure you can find such a meeting?

Mr. HALDEMAN. Yes.

Mr. DASH. Do VOII recall prior to that meeting on June 23, the President having a discussion with VOII concerning the investigation that would be on again with regard to the Watergate break-in and a concern he had that such an investigation by the FBI might include the work of the special investigation unit in the White House and also the CI-4?
Air. D - USES. On the 23d ?

Arr. HALDEMAN. Yes, sir.

Air. D - VSH. Wvas that on the 23d itself ?

Air. HALDEMAN. Yes, sir.

Air. D - SEL. Is that what prompted your having a meeting with Fir. Helms and Air. Walters on the 1.3d ?

Air. HALDEMAN. Yes.

Air. DASH. And Air. Haldeman, could you tell us what was the purpose of that meeting ? SVit71 Air. Helms and Sir. Walters; what you said and what they said ?

Arr. DASH. To the best of your recollection.

Zrr. HALDEMAN. I have covered that in my statement and I—I don't mow how much detail you want to get into on that. I have made a more detailed statement before another Senate committee that is look ing2 into this matter in considerable detail and I would be glad to read that statement or put it into your record.

far. D.XSH. Let me just ask Syou this question because I think we do have your statement.

Arr. HALDEMAN. Yes, sir.

Mr. DASH. And I think we also have your more detailed statement that has been submitted to us.

Mr. HALDEMAN. OK.

Mr. DASH. Mr. Helms and Fir. Walters have recounted their recol lection of the meeting and Fir. Walters has testified, and provided memorandums indicating that at that meeting he was, in effect, ordered by you to fido to see Mr. Grav and tell Fir. Gray that an investigation of the Watertate matters might uncover CIA activities and, therefore, to restrict the investigation to such an extent as not to do that.

Do you recall that such a conversation took place ?

Mr. HALDE)AN. Well, without — I am not sure of the accuracy and I don't think you want to get into the specifics of Fir. Walters' testi mon V. I think you are asking for my recollection of that conversation.

Mr. DASH. Yes.

Mr. HALDESTAN. So without commenting on either of the accuracy of Fir. Walters' recollection or your recitation of it, because he has given a number of different statements and depositions in this thing that maQe it rather ComD4eX, but the meeting one of the purposes of the meeting, as assigned to me by the President on the mornina of the SUd when he told me to haves to have me and Ehrlichman to meet with Director Helms and Deputy Director Walters, in addition to ascertaining whether there was any CIA involvement, whether there was any CTA concern about earlier activities of people who had been arrested at the ——Vatervate, was to tell the CIA Directors that the FBI had expressed concern that as to whether there was CIA involvement or s---tv impingement

Fir. n USA. Did von know at that time Fir. Helms had actually told Fir. ("TrnV the day before on the 90d, that there. was no CIA involvement 2

Atr. HALDESTAN. I did not know that prior to our meeting with Bfr. Helms and Atr. Walters.
is that the President was not directly involved himself and he was
not told by anyone until Larch, when he intensified his own investiga-
tion. Even then, he was given conflicting and unverified reports that
made it impossible to determine the precise truth regarding Water-
gate or the coverup and, at the outset at least, he was relying primar-
ily on one man, John Dean, who has admitted that he was a major par-
ticipant in the illegal and improper coverup, a fact unknown to the
President until March 1973.

Any attempt on my part at this time to try to identify those who
participated in, directed, or knew of the illegal coverup would be ne-
cessary to be based totally on hearsay.

CONTAINMENT

There was a concern at the White House that activities which had
been in no way related to Watergate or to the 1972 political campaign,
and which were in the area of national security, could be compromised
in the process of the Watergate investigation and the attendant pub-
llicity and political furor. The recent public disclosure of the FBI
wiretaps on press and NSC personnel, the details of the Plumbers
operations, and so on, fully justifies that concern.

As a result of this concern and the FBI's request through Pat Gray
to John Dean for guidance regarding some aspects of the Watergate
investigation, because of the possibility of CIA involvement, the Presi-
dent directed John Ehrlichman and me to meet with the Director and
Deputy Director of the CIA on June 23. We did so and ascertained
from them that there had not been any CIA involvement in the Water-
gate affair and that there was no concern on the part of Director Helms
as to the fact that some of the Watergate participants had been in-
volved in the Bay of Pigs operations of the CIA. We discussed the
White House concern regarding possible disclosure of non-Watergate-
related covert CIA operations or other nonrelated national security
activities that had been undertaken previously by some of the Water-
gate participants, and we requested Deputy Director Walter to meet
with Director Gray of the FBI to express these concerns and to
coordinate with the FBI, so that the FBI's area of investigation of
the Watergate participants not be expanded into unrelated matters
which could lead to disclosures of earlier national security or CIA
activities.

Walters agreed to meet with Gray as requested. I do not recall
having any other communication, or meetings with Walters, Helms, or
Gray on this subject. I did not, at this meeting, or at any other time,
ask the CIA to participate in any Watergate coverup, nor did I ever
suggest that the CIA take any responsibility for the Watergate break
in. I believe that the action I took with the FBI was propert, according
to the President's instructions, and clearly in the national interest.

There were a number of newspaper stories and allegations raised
during the period following the Watergate break-in that posed new
questions regarding the facts of Watergate—the or related matters. "What
ever happened", such questions arose. The President asked Walter, the
facts be ascertained and made known publicly as completely and
timely as possible but there always seemed to be some reason Why
32. In the early afternoon of June 23, 1972 John Mitchell, Campaign Director of CRP, met with Maurice stans, Chairman of FCRP, in Mitchell’s office. They discussed the Dahlberg and the Mexican checks. stans knew at that time that these checks were campaign contributions that Hugh Sloan, Treasurer of FCRP, had given to Gordon Liddy to be converted to cash.

32.1 John Mitchell testimony, 4 SSC 1659 - 364

32.2 Maurice stans testimony, 2 SSC 725 365

32.3 Maurice stanS testimony, 2 SSC 699-701 366

32.4 Maurice stanS testimony, 2 SSC 748 369

32.5 Hugh Sloan testimony, 2 SSC 575-76 - 37Q

32.6 Maurice stans calendar, June 23, 1972 (received from SSC).372

32.7 John Mitchell log, June 23, 1972 (received from SSC) 373

32.8 Maurice stans telephone records, June 23, 1972 (received from SSC) ...
This was not collected, this was held except for one item, and I am sure the staff is much more familiar with Mr. Stans’ record than I am but I think he testified that the $70,000 was made up of $70,000 that he had in a safe deposit box that came from the 1968 campaign and $30,000 that had come from some Filipinos who were to be returned, if I am not mistaken that is the $75,000 and he did not come to me on it.

Senator TALMAGE. There was a great deal of testimony that this committee has had, as you know, about disbursement of funds, and we found that over a million dollars was disbursed in cash with 110 checks to support it or anything else. Some cash was handed around in large amounts, and it was amazing to me that a man as able, a certified public accountant as Mr. Stans would let money be handled in such a loose fashion. You would concur that you ought not to have around a million dollars in cash without accountability, wouldn’t you?

Mr. MITCHELL. I would subscribe to that wholeheartedly, in fact I would go down to half a million or a quarter of a million.

Senator TALMAGE. Or even $1.

Mr. MITCHELL. I agree with that.

Senator TALMAGE. Now you mentioned these Dahlbere and Alexi can checks. Mr. Stans testified that you met with him on June 23, 1973, regarding those checks, is that a correct statement?

Mr. MITCHELL. Yes, sir. If I remember correctly, Mr. Stans and I had lunch on that day and we had a further meeting which has been totally screwed up in the testimony here on the 94th.

Senator TALMAGE. Do you want to try to correct it?

Mr. MITCHELL. I would be delighted because of the various versions and it was a matter of some concern of this committee because of the implication that Mr. Stans was brought into the picture of having information about the Watergate, which is not true.

With respect to the 23rd, to the best of my knowledge it does show that 3Mr. Stans and I had lunch in my diary. —— No, the 23rd, this is the sequel of the 3Lardian-LaRue debriefing or interview of Liddv and the information they got from W. C. Magruder’s involvement with Liddy in the payment of money and it resulted in 3Lardian going to talk to Xta. ruder, and getting this story that it was only 00,000 at the most that I could have given Liddy or whatever the number was $50,000 or $40,000, and this, of course, comes quite contrary to what Mr. Liddy had told Mr. W. Lardian.

So 3Lardian came up and got my secreta i to to tell Sloan in from his house into the office, the 24th being a Saturday where there I was this confrontation and, by the way, I would like to interpolate here that this is the only meeting that I ever had with Hueh Sloan at any time after June 1st and it wasn’t in connection with his going to the FBI as he has testified to.

The meeting took place with W. Lardian, Magruder, and Sloan, in which Atr. Tridel was saying, “Stell, it couldn’t have been more than $40,000 or $50,000” and Sloan was saying, sort is much, much more than that. But I would tell you because I am “g00dly,” to have to tell to Atr. Stans.”

End this is, by the way, where I and others have to put the record straight. Sloan was a pretty love individual on that particular day and
Senator GURNEY. Did you have any phone calls?

Sir. STANS. None that my records show.

Senator GURNEY. Do you recall any?

Mr. STANS. I do not recall any.

Senator GURNEY. At some point in time, of course, you learned, as we all have, about Watergate, the people who were the key people in it and to the best of your recollection when did you learn about Watergate and who were the key people in it and from whom?

Mr. STANS. The first thing I learned about Watergate, to the best of my recollection was on June 17 of 1973 when I received a call from Fred LaRue, as I testified yesterday, and he said: "Do you know Kenneth Dahlberg?"

And I said: "Yes, I know Kenneth Dahlberg very well."

He said: "Well, did you know that his contribution ended up in the bank account of one of the fellows who was arrested in the Watergate?"

And I said: "To the best of my knowledge Mr. Dahlberg didn't make a contribution, particularly in that amount of money that you mentioned."

He said: "Well, we had better talk about it."

So he came down to my office and we reviewed the situation. I recalled, of course, the circumstances under which Dahlberg had given us the check, and we called Dahlberg on the phone and got him to come to Washington to review the whole matter. That is my first knowledge of the Watergate situation.

Senator GURNEY. Did you ever discuss it with John Mitchell at any time near this point in time? That is June 17.

Mr. STANS. Well, I would be sure that I discussed this with John Mitchell on a number of occasions and my records show that the first time I talked to John Mitchell after the 17th was on the 23d when we had lunch in his office. I am not sure what the conversation was about. Whenever I met with Mitchell I usually had a list of five or six things to talk about. I would not presume that we didn't talk about the Watergate. I am sure it was a subject of interest but certainly not about who and when and why.

Senator GURNEY. Did LaRue come to you in January 1973, this year, and ask you for the names of some of the larger contributors to the campaign?

Mr. STANS. Yes; I reported that to the staff of the committee. He asked me for the names of some contributors to whom he might go for money for a White House project.

Senator GURNEY. What was the project?

Mr. STANS. He didn't tell me.

Senator GURNEY. Did you ask him?

Mr. STANS. No, I did not. Mr. LaRue again was a man of high standing in the campaign. He had been assistant to John Mitchell. There were no revelations at that time involving him in any-thing and I had total confidence in anything Mr. LaRue told me.

Senator GURNEY. Have you ever conferred with John Mitchell, Magruder, Haldeman, Ehrlichman, Dean or anybody else on the cover up of Watergate?

Mr. STANS. I have no recollection of any discussion with anyone about the coverup on the Watergate until after the disclosures that have occurred within the last 2 months.

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checks, $89,000 drawn on a Mexican bank account. I think it is time for you in your own words to describe what you know about that, what you did about it, and who you discussed the matters about it with.

Mr. STANS. I will be happy to tell you because I do not think the full story has ever been told in one place before. This is my recollection of the sequence of events.

On April 3 of last year, I received a telephone call from Bill Liedtke, who was then our finance chairman in the State of Texas. He said, "I have a U.S. citizen residing in Texas, who is a prospective contributor for $100,000, but he wants to give it in U.S. funds that are now in Mexico. Is this legal?"

I said, "I am quite sure it is, but let me check again and I will call you back."

I checked with our counsel, found out it was perfectly legal for a U.S. citizen to give any foreign funds he wanted, and called back to Liedtke and told him so.

Now, the next thing that I knew about the transaction was after April 22, when I came back from a vacation, and at a meeting I learned from Mr. Sloan that on April 5, Mr. Liedtke's representative, Rov Winchester, had brought to Washington to the committee $100,000 in the form of a contribution from an unnamed person; that it was in the form of checks drawn on American banks by a Mexican bank; that he was not sure how to handle checks of that nature; and that he set them aside. They had clearly arrived before the change in the law on April 7. He set them aside to talk to counsel for the committee and did so the following week.

The committee counsel suggested that they be reconverted into cash, into dollars, and took the checks from Sloan for that purpose. So when I got back from my vacation, as I said, I found out about the checks, I found out he had given them to counsel, and I found out that the proceeds of the checks had not yet been returned.

At this point, I was of the understanding that the four checks totaled $100,000, and I did not know until I read in The magazine somewhere along the line there that the four checks totaled only $89,000 and that $11,000 of the $100,000 was in currency.

Now, from here on, I have to quote what Mr. Sloan said, because I had not seen the checks nor did I see the proceeds of the checks come back to him. But according to him, the proceeds of the checks came back to him less a collection fee of $2,500 that was imposed on it, and he held the money and included it in a bank deposit that was made on May 25.

Now, that is my recollection of the transaction. You may have other recollections of it.

Sir. EDSIESTEN. No, I will leave those for the Senators.

Afr. STANS. I would like to point out, though, that the General Accounting Office has concluded that the funds were properly received before April 7 and that there was no requirement to report them.

Afr. EDLSIESTEN. Now, what click vote have to do with the so-called Dahlberg check? Akron received checks, did you B01, from Afr. Dald bercer?

Afr. STANS, Yes. As I recite the details of that transaction as I understand it?

Afr. EDLSIESTEN. Yes.

Afr. STANS. Kenneth Dahlberrr, as I recollect it, axons a meml)er of the early inilllce committee UX-orkincr in the State of Minnesota tmn D--s-ayme, --nt/lcas seas a Alinlclesota resident Nacho also had a place of

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living in Florida, in a hotel that he owned. As I understand it from Dahlberg, somewhere around as early as January, Andreas said: “I
avant to help the President’s campaign and I avid give you 825,000
when you get around to it.” He confirmed that to Dahlberg in

February.

In March, on the 12th, and this I get from Andreas, he decided to

get the money in hand and he decided to make the contribution in
cash because he had a close friend of Hubert Humphrey and a con
tributor to Humphrey’s campaign as well as a friend of the President,

and he wanted to achieve all the anonymity he could achieve.

(An Alarch 12, he instructed his secretary to get together $25,000
of monev, which he did, from a tax-paid account, and put it in an
envelope to be given to Wfr. Dahlberg on the 15th of Alarch at a
meeting of a board of directors of a bank of which both Dahlberg and
AnPeas were directors. Unfortunately, on the 14th, Dahlberg found
suddenly that he had to go to Europe to deal with the affairs of an
affiliated company there, and he could not attend the meeting. So
Anthers continued to hold the money in an envelope.

On the 5th of April, having in mind the change in the law that
would take place in the next day or so, Andreas, in Florida, called

Dahlberg in Minnesota and said:

I stir have it money. I would like to give it to you before the change in the
law. can you pick it up?

And Dahlberg said:

I cannot get dolt there before the 7th. I will get down there on the 7th and
arrange it to pick it up.

Andreas said:

Well, I Rant the contribution to be made now, made effective norm So I vwill
put it in an envelope in your name and put in the safe deposit box in the hotel
in your name. You can pick it up whenever you are ready, but I avant the under
standing between you and me that title has passed and it is your money and yolt
n accept it as of today.

Dahlberg said, “I do,” and called me and relayed the transaction,
and I advised him on the basis of legal advice that I had already
received that a commitment of that nature was properly a contribu-
tion before April 7 and when received Would not have to be reported.

On April 7, Dahlberg went to the hotel in Florida, but arrived too
late t • pick up the money because the safe deposit box had been closed.
He talked to Andreas on the 8th and arranged for the t---vo to get
together on the 9th, and at Dahlberg's request, Andreas took the
money out of the safe deposit box and delivered it to Dahlberg on
the 9th.

On the 10th, Dahlberg bought a cashier’s check for that because he
did not want to carry that amount of monev around with him from
Florida to Washington, where he was due on the 11th for a meeting of
all of our State finance people on our committee.

On the lithe at an internlission in the meeting, Dahlberg endorsed
the check and haredecl it to me, with the explanation that, “This is
the moneV from Andreas.” And I had a full accounting of the sequence
of the transaction tip to that Late.

I thereupon, the same day, IIS cluicklv as possible. Gave the check
to the treasurer, explained to hint the backgrovilld that this NViI$ monev--
that had been contributed before the 7th, anf asked him to clotermirVe
the accounting handling of the check.

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The treasurer, not being sure, discussed it with the general counsel for the committee and the general counsel suggested that he take the check and convert it into cash. The treasurer gave him the check.

On the other hand, I can report what the treasurer has said, that he did not get the proceeds of the check back until some time in May. He received them in full and they were deposited in a bank account on May 25.

Now, as to those two transactions and several others in a similar category we treated that as cash on hand on April 7 and reported it in the report of the media Committee To Re-Elect the President, in the amount of $300,000, and that exact amount of $350,000 was deposited in that committee's bank account on May 25. We felt that we had complied with every requirement of the law as to the handling and reporting of that money we had accounted for it fully.

The General Accounting Office subsequently cited our committee for a possible violation of the law in failing to report the $25,000. But the Department of Justice, in a letter some months later, concluded that there was no violation of the law in the handling of that transaction.

Mr. E Fristen. Mr. Stans, when was the first time that you learned that these checks had cleared through a bank account of Bernard Barker?

Mr. STANS. It was well after the Watergate event of June 17.

Mr. EDNISTEN. Now, shortly after that, did you have any discussions with Mr. John Mitchell or anyone at the White House concerning any of these checks during the week immediately following?

Mr. STANS. I don't recall any specific conversation with John Mitchell, but I do recall a conversation with Fred LaRue and subsequently with Robert Nlardian.

Sir. EDNISTEN. What did you talk about?

Mr. STANS. As I recall it, it was the morning of the 23d of June, which was 6 days after the Watergate affair. I received a phone call from Fred LaRue, saying, "Do you know Kenneth Dahlberg?"

And I said, "I certainly do."

He said, "Well, his contribution ended up in a bank account of one of the fellows who was arrested."

I said, "Dahlberg didn't make a contribution."

He said, "Well, it is his check."

So he came down and we discussed it and concluded that, in some manner or other, Dahlberg's check must have reached the bank account of Bernard Barker.

Fred called Dahlberg and discussed it with him, got him to Basha restaurant on that same day, met with him, and he met with LaRue and I think Keith Nlardian, and got all the facts of the transaction in hand. It was clear that neither Dahlberg nor I nor Hugh Sloan had anything to do with the checks, that check or the Mexican checks, entering the Barker bank account. They could only have gotten there through the hands of our general counsel, Gordon Liddle, and who had taken these into such custom.
Senator TALIAFEGE. Then that raises this question, Sir. Stans: Thy did you allow Wrr. Sloan, contrary to your explicit instructions, to casually report to you only several weeks later the deposit of the $25,000 check received from Mr. Dahlberg and 889,000 check in Mexican bank checks?

Mr. STANS. Well, Senator, I fairly well covered that in my testim-.

Senator TALIAFEGE. But you got the Dahlberg check personally, I believe, did you not?

Mr. STANS. Yes, it went through my hands, and I had it for a short time on the 11th of April.

Senator TALIAFEGE. Nlr. Stans, are you telling

Mr. STANS. I think, Senator, what you are bringing out is the difference in the function between the chairman and the treasurer. I raised the money—he had no part in soliciting contributions. He did the bookkeeping and the accounting and I had no part of that, and once I turned a check over to Sir. Sloan, I had every reason to assume that it would be handled in due course and only when I learned about things that were not handled in due course—as that Abel check—did I raise questions with Air. Sloan about it.

Senator TALIAFEGE. Are you telling us, Sir. Stans, that as a cert-
fied public accountant, a member of the Accountants Hall of Fame, former Secretary of Commerce, and who further had been personally selected by the President to be the Director of the Budget and direct- or of the committee to raise $50 million for his reelection campaign you intended all this money to be spent without any of your super-
vision and control?

Sir. STANS. No, I am not telling vou that at all, Senator. I did exercise some supervision and control. I got a daily report of all the contributions received which I looked over ever- I indicated to the extent that I knew people personally their first names so that the letter of acL-nowledgement and appreciation would be a first-name basis.

I got reports from time to time, I had a daily staff meeting, I saw the summaries of the reports that were filed As-it the General XCCOLIIrt InPt Office. So I did exercise supervision but I did not, Senator, have mathin—to do with the dav-to-day work of the treasurer's office.

Senator TALIAFEGE. OIV, YOU realize that the reporting act event into effect on April a, 1972, do you no?9

Sir. SCANS. rThat is colTect.

Senator TALIAFEGE. And a very stringent larv?
Whir. SLOAN. I knoxv Texas, but whether it was just restricted to Texas, I am not sure.

Senator ERVIN. OUV do not knoxv from your own knowledge, of course, whether they came from fund raising or whether they came from correspondence?

Mr. SLOAN. As I recall, all the checks were individual checks. The cash funds—I might explain. There was a listing in the briefcase, the total amount which equaled the total amount in the briefcase. Individual names were associated with each of those items.

Senator ERVIN. Were any checks brought at that time in addition to these four Wle.xican checks?

Mr. SLOAN. Oh, yes, sir.

Senator ERVIN. I thought that the rest svas in cash. Was I mistaken in that?

Mr. SLOAN. Yes, sir. I think a large proportion of it was in personal checks from contributors.

Senator ERVIN. I would like to hand you a check that purports to be drawn on the First Bank and Trust Co. of Boca Eaton, a cashier's check, to the order of Kenneth H. Dahlberg. I hand that to you and ask if you can identify that?

Mr. SLOAN. Yes, sir; that appears to be accurate.

Senator ERVIN. Then did that check reach the office of the Committee To Re-Elect the President?

Mr. SLOAN. I did not know when Secretary Stans received it. I believe he turned it over to me sometime in the week following April 7.

Senator ERVIN. This check was not dated, this cashier's check was not dated until April 10, 1972, 3 days after the new law went into effect.

Mr. SLOAN. Secretary Stans, in giving that check to me, told me it represented pre-April 7 funds.

Senator ERVIN. The committee proceeded UpOlI the advice of Mr. Liddy to the effect that if somebody promised them money before April 7, or they had agreed to make a disbursement before April 7, that that did not have to be reported—is that so?

Mr. SLOAN. I believe that is correct, Senator.

Senator ERVIN. Now, what happened to these four Mexican checks?

Mr. SLOAN. Senator, excuse me. In response to that other question, presumably, Mr. Liddy gave his advice to Secretary Stans. He did not specifically give that advice to me. It was represented that to Mr. Y to me by Secretary Stans.

Senator ERVIN. In other words, Mr. Stans told you that Mr. Liddy's check had been received somewhere under some circumstances by somebody before April 1, and, therefore, even though it had not reached the committee or an authorized person to receive funds on behalf of the committee, that it was received before April 7?

Mr. SLOAN. Alv understand that Alr. Kenneth Dahlberg, who was an authorized representative of the committee, had received it from Mr. Andreas. As to the exact circumstance of that arrangement, I do not know.
Mr. SLOAN. That is what I understood happened to the list, Senator.

Senator ERVIN. Can Mr. Arou explain to the committee which the checks were transmitted from Washington to Miami and deposited in a bank in Miami to the credit of Bernard L. Barker?

Mr. SLOAN. I have no idea, Senator.

Senator ERVIN. Would you not infer from those circumstances that somebody that had something to do with the checks did not want anybody to know about receiving the checks and wanted to hide them?

Mr. SLOAN. Senator, my understanding when I received them was a judgment had been made that they were pre-April 7 contributions and, therefore, were not required to be reported. I did turn them over to Mr. Liddy to have them converted to cash. He handled them from there. Why he gave them to Mr. Barker, I have no idea.

Senator ERVIN. Well, even though they did not have to be reported, can you inform us why, instead of being put in the safe in the committee office, why they were sent down to Florida?

Mr. SLOAN. I do not know why they went to Florida, Senator. The reason for the conversion of those checks to cash was to attempt to comply with the spirit of the old law of distributing an individual’s contribution in $3,000 increments among pre-April 7 committees. But as those bank accounts had been closed out, the only way to do this was by converting it to cash and counting that cash as a transfer as cash on hand in the Media Committee To Re-Elect the President. It was reported in that figure.

Senator ERVIN. I am a little mystified. How could it comply with the old law with reference to the receipt of $3,000 or less in cash by having $114,000 deposited in the bank account of Bernard L. Barker in Miami, Fla.?

Mr. SLOAN. Senator, I do not know any circumstances surrounding the deposit of the checks in Mr. Barker’s account. That was not my intent in turning those checks over to Mr. Liddy.

Senator ERVIN. Who instructed you to turn them over to Mr. Liddy?

Mr. SLOAN. I believe I took them to Mr. Liddy in response to the conversation of Secretary Stanis. He asked me, do you have any problem in handling these? I told him I did not know; I would check with counsel. His recommended way of handling this was as a diversion to cash. He offered at that time to handle that transaction for me. It took him until midday to return those funds to me in cash form, minus roughly $2,500 expenditure.

Senator ERVIN. I hate to make comparisons, but I would have to say on that, Mr. Liddy in one respect was like the Lord, he moves in mysterious ways his wonders to perform. [Laughter.]

Mr. SLOAN. I have since learned that; yes, sir.

Senator ERVIN. How long was it after the break-in before you learned that?

Mr. SLOAN. I believe not that specific reference, but the fact that these men had been found with $100 bills in their possessions calmed out

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\[ \ldots \sim j \sim \pi \]

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8:15 AG at 2nd bldng West over t evening.

9:20 AG ret. to office

9:21 AG SAs...and up, Lollie and Joegard

10: OG

AC attended White House meeting
Presidential Surrogates Briefing

11:45 AG ret. to of fice

11:50 AG SAs? Sear...or Senrs

12:55 AG spoke with...r...s

1:10 AG SA? Frn...R...e

1:30...n, Poc.e.e. EMDtn ret. AG's call and t.

2:00: 2:00

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AG ret. Frn...ons call and t.

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3:10 3:10

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AG called Mr Ed...d sl

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AG called Mr Tifll...s and t.

5:00

A.--... to Fl...e and Rme

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A': c... (?)... (-->... 1 W for r r t-->...) and t.

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CALLS AND TELEGRAMS

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6 27 BOSTON
6 29 LEXINGTON
29 FLINT
6 39 MINNEAPOLIS

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33. At approximately 1:30 p.m. on June 23, 1972 pursuant to the
President’s prior directions, H. R. Haldeman, John Ehrlichman, CIA
Director Helms and Deputy CIA Director Walters met in Ehrlichman’s
office. Helms assured Haldeman and Ehrlichman that there was no CIA
involvement in the Watergate and that he had no concern from the CIA’s
viewpoint regarding any possible connections of the Watergate per
sonnel with the Bay of Pigs operation. Helms told Haldeman and
Ehrlichman that he had given this assurance directly to Acting FBI
Director Gray. Haldeman stated that the Watergate affair was creating
a lot of noise, that the investigation could lead to important people,
and that this could get worse. Haldeman expressed concern that an
FBI investigation in Mexico might uncover CIA activities or assets.
Haldeman stated that it was the President’s wish that Walters call on
Gray and suggest to him that it was not advantageous to push the
inquiry, especially into Mexico. According to Ehrlichman, the Mexican
money or the Florida bank account was discussed as a specific example
of the kind of thing the President was evidently concerned about.
Following this meeting, Ehrlichman advised Walters that
John Dean was following the Watergate matter on behalf of the White
House.

33.1 John Ehrlichman log, June 23, 1972 (received
from SSC).

33-2 Vernon Walters testimony, 9 SSC 3404-05.

33-3 Vernon Walters memorandum for record, June 28,
1972, SSC Exhibit No. 101, 7 SSC 2968-9300.

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33.4 Richard Helms testimony, 8 SSC 3237-39 382

33.5 H. R. Haldeman testimony, Subcommittee of the Senate Appropriations Committee, Hearings on Purported Attempt to Involve the Central Intelligence Agency in the Watergate and Ellsberg Incidents, Executive Session, May 31, 1973, 353-56s 400-02 385

33.6 John Ehrlichman testimony, 6 SSC 2563-64 392

33.7 John Ehrlichman testimony, Subcommittee of the Senate Appropriations Committee, Hearings on Purported Attempt to Involve the Central Intelligence Agency in the Watergate and Ellsberg Incidents, Executive Session, May 30, 1973,

33.8 Vernon Walters testimony, 9 SSC 3408 395

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To c---etn? David
GENERAL WALTERS. I was the Defense attaché to France.

Mr. DASH. How long were you in that position?

GENERAL WALTERS. Four and a half years.

Mr. DASH. Prior to that, had you had any contact with the President of the United States, President Nixon?

GENERAL WALTERS. My first contact with President Nixon was when he was vice President. I was detailed to accompany him on a trip around South America. I evented to eight countries with him and served as interpreter, translator, and aide at that time. In two of those countries I was in the car with Mr. Nixon when extreme violence against him was encountered, mob violence, and if I were to tell this committee that I did not feel admiration and respect for the courage and calmness Mr. Nixon showed at that time, I would not be telling the whole truth.

Subsequently, I saw him—did I do so—work for Mr. Nixon a couple of times in those 8 years.

After he became President, I went on two or three of the trips abroad.

he took to collate and here I sploise the loinlaye and could translate for him. I have not had any private conversation with the President since I became Deputy Director of the Central Intelligence Agency, that is, since May 1st.

Mr. DASH. Shortly after you became Deputy Director of the Central Intelligence Agency, did you attend a meeting at the White House with Mr. Haldeman, Mr. Ehrlichman, and Director Helms 011 June 3, 1972?

GENERAL WALTERS. Yes, I did.

Mr. DASH. Could you tell us how that meeting was arranged?

GENERAL WALTERS. During the morning of June 3rd, I received a phone call. I do not recall exactlv how they told me that I was to be there at Mr. Ehrlichman's office from Mr. Helms. It may have come from Mr. Helms's secretary at 1:30 that afternoon. Mr. Helms and I went downstairs, sve did not know what the subject of the meeting was. We had met together at 1:30 and at 2:30 I went to Mr. Ehrlichman's office.

Mr. DASH. To the best of your recollection, will you relate the discussion that took place at that meeting?

GENERAL WALTERS. Mr. Ehrlichman said that the newsletter of the Massachusetts Institute of Technology was creating a lot of noise, that the purpose was to defect that the TT2 was estimated to have some important utility. Mr. Helms reeived the newsletter in the eon-el sation.

Arr. Doxor. B. ox, n, ockl 011 r e>L uite to the cokllnllrre na-hat ALz. TTalele man sae ltd xeh= VOI 01 arl. TTlellis sael = (---reteel lv Wv t r v=) z. Afr. STAleIl = TTA--III said that the [name redacted] of the TTg

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what the Agency connection was. Mr. Helms replied quite emphatically that there was no Agency connection and Mr. Haldeman said that nevertheless, the pursuit of the FBI investigation in Mexico might uncover some CIA activities or assets.

Mr. Helms said that he had told Mr. Gray on the previous day, the Acting Director of the FBI, that there was no Agency involvement, that none of the investigations being carried out by the FBI were in any way jeopardizing any Agency activity. Mr. Haldeman then said:

Nevertheless, there is concern that these investigations—this investigation in Mexico, may expose some covert activity of the CIA, and it has been decided that General Walters will go to Director Gray, Acting Director Gray, and tell him

that the further pursuit of this investigation in Mexico—

And I wish to emphasize that the only question of investigation involved was Mexico—

the investigation in Mexico, could jeopardize some assets of the Central Intelligence Agency.

Mmm Mr. Helms said he was not aware of any activity of the Agency that could be jeopardized by this. Mr. Haldeman repeated:

Nevertheless, there is concern that the further pursuit of this investigation will uncover some activity or assets of the CIA in Mexico and it has been decided that you will go and tell this—

Addressed to me—

you will tell this to Acting Director Gray.

Mr. DASH. But, Mr. Walters, could it have been that Mr. Haldeman asked you or Mr. Helms to go to Mr. Gray and—to first inquire at the CIA whether or not there might be some problem at the CIA if there was an investigation in Mexico, rather than saying it was decided that you should go.

General WALTERS. I do not recall it being put in a question form. It was put in a directive form.

Mr. DASH. In other words, you understood that to be a direction.

General WALTERS. I understood that to be a direction and since Mr. Haldeman was very close to the top of the governmental structure of the United States and as Mr. Helms testified yesterday, the White House has a great deal of information that other people do not have. I had been with the Agency approximately 6 weeks at the time of this meeting. I found it quite conceivable that Mr. Haldeman might have some information that was not available to me.

Mr. DASH. And you did not feel it appropriate at that time to inquire of Mr. Haldeman why it was that he was directing you to go to Mr. Gray and tell that to Mr. Gray?

General WALTERS. No, I did not. If I had felt there was any impropriety in this request I would have given him the same answer I later gave Mr. Dean, that I would resign rather than do it.

Mr. DASH. By the way, did you wonder why it was that Mr. Haldeman said it was decided that you, General Walters, should go to see Mr. Gray and not Director Helms?

General WALTERS. Yes, I did. A number of hypotheses crossed my mind. I thought perhaps he thinks I am military and a lot of people have the mistaken belief that military obey blindly. I thought he might have heard reports that there had been some friction in the past between the FBI and the CIA, and perhaps since Mr. Gray was new
On June 23 at 1300 on request I called with Director Helms on John Ehrlichman and Robert Tailleton in Ehrlichman's office.

Yaldeman said that the "bugging" affair at the Democratic national Committee HQ at the Watergate Apartments had made a lot of noise and the Democrats were trying to maximize it. The FBI had been called in and was investigating the matter. The investigation was leading to a lot of important people and this could get worse. He asked what the connection with the Agency was and the Director repeated that there was none.

Haldeman said that the whole affair was getting embarrassing and it was the President's wish that Walters call on Acting FBI Director Patrick Gray and suggest to him that since the five suspects had been arrested that this should be sufficient and that the Agency was not behind this matter, that it was not connected with it and none of the suspects was working for, nor had worked for the Agency in the last ten years. He had told C-ira, that note it this: - - - as it was, investigate covert Projects of this Agencies current or ongoing.

Director, Lelms said that he had talked to Gray on the previous day, and had made plain to him that the Agency was not connected to this matter, that it was not connected with the anti Watergate Committee. He had told C-ira that it was his investigations that were not covert Projects of the Agency's current or ongoing.

Haldeman then stated that I could tell Gray that I had talked to the FBI. He added: - - - that it could be that certain things had been done in a way that was not consistent with the Agency's interests, but that it was not the Agency's interest in the matter.

The call was made to tell Acting Director Patricl Gray and suggest to him not to push it any further as he saw no advantage to have it pushed, especially special.

I then arranged to talk to John Ehrlichman at the White House. I do this soon and try to do it over.

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Upon leaving the Tahiti House I discussed the matter briefly with the Director. On returning to the office I called Gray, informed that this was a matter of some urgency, and he agreed to see me at 1430 that day.

Vernon A. Walters
Lieutenant General, USA

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of the Democratic National Committee headquarters at the Watergate Z

fair. HELMS. It is my impression that I heard about it, read about it in the newspapers and heard it on the radio, but this is not any lapse of memory. This is just one of those things that this far back it is hard to know just exactly who might have told me or how I might have heard it. certainly it was big news from the moment it happened.

Mr. DORSSEN. And during the days immediately following the break-in were there conversations at the CIA concerning the break-in?

Mr. HELMS. Yes. In the first place, sometime on that weekend I received a telephone call from Air. Howard Osborne, the Director of Security, to inform me that—one of the names of the individuals who had participated in the break-in and also to say that Stir. Hunt in some fashion was connected with it. Mr. Osborne's call to me was a perfectly routine matter that had been—there was a charge on him as Director of Security to inform me whenever anybody in the Agency got in any kind of trouble, whether they were permanent employees or past employees. In other words, right now, so I didn't have to catch up with these events like suicides and house break-ins and rapes and the various things that happened to the employees of any organization in a city like Washington, so this was a perfectly routine thing and when he heard about these ex-CIA people who had been involved in this burglary he called me up and notified me about it.

On Monday, when I came to the office, there had been no mention in the papers of Mr. Hunt. So I got hold of Mr. Osborne and said how come you told me that Mr. Hunt was involved with this and he said, "Well, there were some papers found in the hotel room, one of the hotel rooms with Hunt's name on it and it looks as though he was somewhere in the area when the break-in took place." So I said, "All right," and then from then on, obviously there were various conversations in the Agency as we went to work on various requests from the FBI for information about the people and their backgrounds, and so forth, that had formerly been employed by the Agency.

Mr. DORSSEN. Am I correct that James McCord also was a former employee of the Agency?

Mr. HELMS. Yes.

Mr. DORSSEN. And when did Mr. McCord and Mr. Hunt leave the employ of the Agency?

Mr. HELMS. They left it at different times in 1970. They were both retired, as I recall it.

Mr. DORSSEN. NOW, directing your attention to June 2-2, 1972, which was the day before your meeting with Mr. Ehrlichman, Mr. Halderman and General Walters at the White House, did you have a conversation with Patrick Gray on that afternoon; namely, the afternoon of June 29?

Mr. HELMS. I believe that the committee is in possession of a memorandum which says—a memorandum or note from Mr. Gray that says I had this conversation. I have no reason to question that at all. I was talking back and forth with Mr. Gray at various times in connection with this Watergate break-in, so I have no reason to doubt that there was one on the did of June.

Mr. DORSSEN. In these conversations did you discuss the possibility of CIA involvement in the break-in?
Mr. HELMS. I assured Air. (tTray that the VIA had no involvement in the break-in. No involvement whatever. And it was my preoccupation consistently from then to this time to make this point and to be sure that everybody understand that. It doesn't seem to vet across X ey shell for some reason but the agency had nothing to do with the Watergate break-in. I hope all the newsmen in the room hear me clearly now.

Mr. DORSEN. I would like to move then to June 23, 1972, and ask you if you recall attending the meeting with Mr. Ehrlichman, Wtr. Haldeman, and general Walters.

Sir. H~~.T>xs. I do recall attending that meeting.

Fir. 'DORSEN. Where was that meeting held?

Fir. HEI+rs. That meeting was held in Mr. Ehrlichman's office on the second floor, office w,---west wing of the White House.

Stir. DeRSEN. Do you recall the time of that meeting?

Wtr iHEL5S. The meeting had been originally scheduled for 12 o'clock. It was changed to 1 o'clock and it took place shortly after 1 o'clock.

Mr. DORSEN-. Could you please describe to us in substance what hap pended at that meeting?

bfr. H~~:T>xx. General Walters and I arrived first and waited for a few minutes. Then Air. Haldeman and Air. Ehrlichman came into the loom. Xs best I can recall what Ivas said, Mr. Haldeman did most of the talking, so—and whatever Wtr. Ehrlichman contributed in the course of this nvas either to nod his head or smile or to agree with what Air. Haldeman said. I just simply want to introduce it this way because it is a little easier for me to describe.

Wtr. Hkleman said that there was a lot of flak about the Watergate burglary, that the opposition was capitalizing on it, that it was going to—it was apparently causing some sort of unified trouble, and he wanted to know whether the Agencies had anything to do with it. I assured him that the Agency had nothing to do with it. ITe then said that the five men who had been found in the Democratic National Committee headquarters had been arrested and that that seemed to be adequate finder the circumstances, that the FBI lvas investigating what this avas all about, and that they unified, were concerned about some FBI ins estigations in Mexico.

He also at that time made some, what to me xvas an incoherent ref erence to an investigation in Mexico, or an FBI investigation, running into the Bay of Pigs. I do not know what the reference was alleged to be, but in any event, I assured him that I had 110 interest in the BAV of Pigs that many years later, that everything in connection with that had been dealt with and liquidated as far as I was aware and I did not care what they ran into in connection with that.

At some juncture in this conversation, Sir. Haldeman then said some thing to the eSect that it has been decided that General Walters Evils go and talk to Acting Director Gray of the FBI and indicate to him that these operations—these investigations of the FBI might run into Cb operations in Mexico and that it was desirable that this not happen and that the investigation, ilforethere, should be either tapered osSf or red tce{t) or sonletll ill or, belt there Ivas 110 lan ---run.ge satin (a stop.

as far as I recall.

At this point the references to Mexico nvere quite lln/leaf to nae. r

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man, somebody in high authority, had information about something in Mexico which I did not have information about, which is quite possible—the White House constantly has information which others do not have—that it would be a prudent thing for me to find out if there was any possibility that some CIA operation was being—was going to be affected, and, therefore, I wanted the necessary time to do this. I say this in explanation of the fact that there seems—that since I had consistently pointed out that no CIA operations had been violated by any investigation up to then, that we had had nothing to do with the Watergate burglary, the fact of the matter was that if an investigation continued to go on it might run into something we were doing in Mexico. This possibility always had to exist. Nobody knows everything. So at this point I think it was repeated a second time that General Walters was to go and see Acting Director Gray with this charge. It was then indicated that Acting Director Gray would probably be expecting the call, that he was looking for some kind of guidance in this matter, and that this should take place as soon as possible. I believe Mr. Ehrlichman at that point made his sole contribution to the conversation, which was that he should get down and see Gray just as fast as he could.

We left this meeting, General Walters and I, and went downstairs to the automobile and I spoke to General Walters along the following lines. I said when you go to see Acting Director Gray, I think you should confine yourself to reminding him that the Agency and the FBI have a delimitation agreement, an understanding for many years that if the Agency runs into any FBI agents or operations, the FBI shall be immediately notified and if the FBI runs into any agents or operations, it shall be immediately notified.

I was not sure whether Acting Director Gray was familiar with this because he had not been Acting Director of the FBI for very long. I wanted General Walters to understand about this because he had been with the Agency, I think, only about 6 weeks at that time, had been having briefings, and I was not sure whether this had ever come to his attention. In other words, I was asking him to make a legitimate request of the Acting Director of the FBI that if they ran into any CIA operations in Mexico or anywhere else they were to notify us immediately and I thought General Walters should restrict his conversation with Acting Director Gray to that point. Precisely whether he did or not, well, you will have an opportunity to ask him.

Mr. DORSEY: To your knowledge, did General Walters have a meeting with Patrick Gray?

Mr. HELMS: Yes; he had one very shortly after this meeting in the White House because he reported to me later in the day about his meeting with Gray, that he had been to see him, that the general spirit of what they had discussed, and then the first time I learned that Acting Director Gray had told General Walters at this meeting about some money having been sent to Mexico. I was unaware of any money having been sent there at the time, and even that explanation did not say what the money was for. Pout also floating around in this at the time was the name of a Mexican lawyer that he had been asked to check out by the FBI to find out if this man was in any way connected with the CIA. His name was Warrior, I believe, and we had been running a tracer, which is a B of record of going through the record to find...
I believe that the only area in which I can be helpful to you in your investigation is with regard to the reported meeting of White House and CIA officials last June.

In that regard, on June 23, 1972, John Ehrlichman and I were requested by the President to meet with Director Richard Helms and Deputy Director Vernon Walters of the CIA.

To the best of my recollection, the purpose of this meeting was five-fold:

One, to ascertain whether there had been any CIA involvement in the Watergate affair;

Two, to ascertain whether the relation between some of the Watergate participants and the Bay of Pigs was a matter of concern to CIA;

Three, to inform the CIA of an FBI request for guidance regarding some aspects of the Watergate investigation because of the possibility of CIA involvement, directly or indirectly;

I could interject there that this request had been made known by John Dean, counsel to the President, and had been transmitted by me to the President immediately upon being told of it by John Dean.

The President, as a result of that, told me to meet with Director Helms and General Walters and John Ehrlichman.
The fourth purpose was to discuss White House concern regarding possible disclosure of non-Watergate-related covert CIA operations or other national security activities, not related to Watergate, that had been undertaken previously by some of the Watergate principals.

Fifth, to request General Walters to meet with Acting Director Gray of the FBI to express these concerns and to coordinate with the FBI so that the FBI's area of investigation of the suspects, the Watergate suspects, not be expanded into unrelated matters which could lead to disclosure of their earlier national security and CIA activities.

The meeting was held in Mr. Ehrlichman's office on the afternoon of June 23 and, to the best of my recollection, all of the above points were covered.

As I recall, Director Helms assured us that there was no CIA involvement in the Watergate and also that he had no concern from the CIA viewpoint regarding any possible connections of the Watergate personnel with the Bay of Pigs operation. Helms told us he had given this assurance to Gray directly.

Walters agreed to meet with Gray as requested. I do not recall having any further communication with Walters, Helms or Gray on this subject.

I do not specifically recall the question or Mexican
I do not recall any subsequent discussion with John Dean regarding this meeting. I do not recall any discussion at any time of a suggestion to involve the CIA in the Watergate matter except as described above. Specifically, I do not recall hearing of any idea of having the CIA furnish bail or pay suspects’ salaries while in jail, using covert action funds.

It must be understood that, at the time of our meeting with the CIA, we had only very sketchy knowledge of what and who were involved in the Watergate affair. We had no reason to believe that anyone in the White House was involved and no reason, therefore, to seek any cover-up of the Watergate investigation from the White House.

On the contrary, everyone in the White House was instructed to cooperate fully with the Watergate investigation.
and, so far as I knew at the time, was doing so.

At the same time, there was concern at the White House

that activities which had been in no way related to Watergate

or to the 1972 political campaign -- and which were in the

area of national security -- would be compromised in the

process of the Watergate investigation and the attendant

publicity (sic) and political furor.

Recent events have fully justified that concern with the
disclosure of the FBI wiretaps on press and NSC personnel, the
details of the so-called "plumbers' operation", et cetera.

In summary, the meeting of June 23 with the CIA was held

at the President's request in the interest of national security.

I do not believe there was any intention to cover up the

Watergate. I do not believe there was any direct connection

between this meeting and General Walters' reported subsequent

meetings with John Dean. I believe I acted properly, in

accord with the President's instructions, and in the nation-

Mr. Chairman, in reviewing the transcript of the testimony

before this committee by Ambassador Helms on May 16, I

find some several areas that I would like to clarify.

First, it should be emphasized that there was only one

meeting in which Helms, Ehrlichman and I participated, the

one on June 23, which I have described, at which General

Walters was also present. The other meetings to which General

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guess. But there is nothing I can do about that except, in
this meeting, I find it quite probable that General Walters'
Mem-con is more accurate than his subsequent cycles of
revisions, and that I probably did say, "It is the
President's wish" because I believed then and I believe now
that it was.

Chairman McClellan. You referred to his memorandum. I
would like to ask some questions about it. You think it is
probably more accurate than what he remembered later. That is
the memorandum of June 28th, five days following this meeting
in the White House.

It says, "On June 23, at 1300, on request, I called, with
Director Helms, on John Ehrlichman and Robert Haldeman in
Ehrlichman's office at the White House.

"Haldeman said" -- and I want to give you an opportunity to
comment on each of these -- "Haldeman said that the 'bugging'
affair at the Democratic National Committee headquarters at the
Watergate Apartments had made a lot of noise and the Democrats
were trying to maximize it."

Do you wish to comment on
that?

Mr. Haldeman. No, sir.

Chairman McClellan. You don't wish to comment on it?

Mr. Haldeman. No, unless there is some specific question.

Chairman McClellan. Is that correct?

Mr. Haldeman. I haven't any idea. I don't recall that.
That would be the only way I could answer.
Chairman McClellan. All right. You don't recall whether that occurred.

He states in the next sentence you said the FBI was being called in and was investigating the matter. Did you tell him that, or was that statement made at that meeting?

Mr. Haldeman. In some sense it undoubtedly was. I don't think I needed to tell him that. I think it was pretty well known at that time.

Chairman McClellan. Then he says that the FBI had been called in and was investigating the matter, and he says you said the investigation was leading to a lot of important people and this could get worse. Do you wish to comment on that?

Mr. Haldeman. No, sir.

Chairman McClellan. Do you want to say it is true, or just remain silent about it?

Mr. Haldeman. I would have no comment to make on it. That is his characterization of the conversation.

Chairman McClellan. Is his characterization of the conversation wrong, or correct?

Mr. Haldeman. I have no material conflict with it.

Chairman McClellan. Then you said that, or something like that, I would assume, unless you state otherwise.

Then he goes on further to say, "he" meaning you, "asked what the connection with the agency was, and the Director repeated" -- I am sure he means Director Helms --"repeated
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that there was none."

Did Helms tell you that that day?

Mr. Haldeman. As I have so indicated; yes, sir.

Chairman McClellan. "Haldeman said that the whole affair
was getting embarrassing and it was the President's wish that
Walters call on Acting FBI Director Patrick Gray" -- now, is
that much correct, up to there?

Mr. Haldeman. I think that it is subject to .nterpretation.
It isn't correct, Senator. I don't believe that the request that
Walters call on the Acting Director of the FBI was in the
context of the whole affair getting embarrassing. I think it was
in the context I have laid out in my statement.

Chairman McClellan. Did you tell him that the whole
affair was getting embarrassing?

Mr. Haldeman. No, sir; that I recall, no.

Chairman McClellan. You didn't make that statement at the
meeting?

Mr. Haldeman. I don't recall making such a statement.

Chairman McClellan. Are you in a position to deny it?

Mr. Haldeman. No, but that is not the flavor of the
approach to the meeting that I took.

Chairman McClellan. All right. Then he said you asked
that Walters call on Director Patrick Gray and suggest to him
that since the five suspects had been arrested, that this
should be sufficient, and that it was not advantageous to have

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Air. Tllomrls(jx. It xvould bc incollsistellt xvitll your desire to solz-e the mattel. I asslnle. as to svlletler or not tlere ~vas Cl.t insols-enlent.

Sr. Elf 1-Lzf [-r. vs. wn ell xvhatcver I told hilll ~vas for the purpose of not havillr staff meetin, s on this particular subject. I can t tell you precisely lvllat I tokli him.

Air. TiIO3tPSON-. Going back to Julv of 1.'1) , July #. 1!f1. cld you call Deputv Director Cllshlnall and ask illim to (ri~e Alr. Hlnt assistance in his activities at tlat time ?

Air. EIIrlsLlcllz~.-N. No. I have been asked many times al)out that telepholle call an(I I simply has e no recollection of havint, macle that call.

Air. TII0arPsos-. Dicl voll [HOV lvhat Alr. Hunt lvass doinfr during that period of time ? Aler ~ou infol med ?

Air. EIIrLICH3rAN-. AN'hat lvass he doing ?

Air. THourPsos-. How dicl tllat come in ?

Air. EIIrLICH3rAN-. AWell, it xvas much broader than that. It ovas any unassociated CI x activity.

Mr. EHLRLICH3rAN-. WVell, it xvas much broader than that. It ovas any unassociated CI x activity.

Air. EIIrLICH3rAN-. WVell, ~llet brought it to anyone's attention? I thought it lvass the so-called Barlcer money that hacl come from WlEXico.

WIr. EIIrLICH3rAN-. YOU mean that precipitated the meetinr ?

Air. TH032SON. In .June, Ishen yoll lvere tall;ing to Helms and 57alters about tile possible CIA problem or uncoverinr some collateral CIA activity, this all evolved around the so-called Atexican money problem, I assume, is that correct ?

Mr. EHLRLICH3rAN-. WVell, it xvas much broader than that. It ovas any unassociated CI x activity.

Mr. TH031PSON. lVell, ~llet brought it to anyone's attention? I thought it lvass the so-called Barlcer money that hacl come from WlEXico.

WIr. EIIrLICH3rAN-. YOU mean that precipitated the meetinr ?

Air. TII0arPsos-. Can yoll recall anv other specific examples that were discussed 2

Air. SHI11.ICI3[AN-. Bav of Pites.

Air. TIIorarPson . Hoxv dicl tllat come in ?

WII. EIIrLICH3rAN.vrell, because appalently, tle President llad speci fically ment ioned the Rav of Pi ~rs to lXob Halcelllall in su~estinC the meetinrr. and then he melitiolle(l it to me agaill in .Ttol~ as the lsind of tllinr that allparenlty CI^n t mifrlt be eml)alrassed abollt that some of the people lvlllo rvere involved in Alratezrate, appallelltvl. hatl beell involvecl in the TWay of Pi rs anel aecorclillcr, lvlethel thele lvass nnv CI (expostlre still existin>.

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Atr. TlroarPsos. Tlle NVltergate investigation could possilJly turn 
up some additional investigation on the CI t operation in the Bav of 
Piws ?
Atr. EHRILC}SAI-N-. CL~ involvement or com)romise of some 
sort or something r in the past. It avas vely unspecific, l)ut it lvas 
nonetheless mentioned as an example.
Atr. TH0fJPsos-. Can you tllink of any otller examples ?
Atr. EHRLICHMAN-. NO, I cannot. Tlle Mexican money or 
Atr. T--ozlPso--. Of course, that money wound up in the I)ank 
account of a Atr. Barl:er.
Atr. EHRLICIIIZI&N-. 
Yes.
Mr. THOZIPSON-. Xnd Atr. Barker, of course, xvas a l)rotege of 
Atr. unt, broutErht into tle matter by Hunt ?
Atr. EHLICIIEIArAN-. ~& CI - protefe of Atr.
Hunt.
Atr. THOSIPSON. They rvere in the Bay of Pirs. Was his name 
mentioned in the meeting ?

Wlr. THozrPsos. The money problem ~ou svere tallsing about 
seems to have been directly related to Wlr. Hunt, lvhicll <^rets right 
bacj; into the plumber situation again.
Wlr. EtRLLcIlHoR,.. Barker's name and Hunt s name lvere not 
mentioned in the meetinf.
Atr. ThoBtPsos-. Ak. Ellrichman, reCardless of lvhat the President 
specificallJ, told y-ou or did llot tell you. I assllme that you felt a short 
time after the break-in, the latter part of June. that it lvas the Presidents 
~visi to insure that the investigation of the brealc-in did not e2cpose 
either the unrelated covert operation of the (SI -t or the activities of the 
W5.-hite House investigations ullit. l)icl vou assume that to be tlle 

PreS1(lten'S AVS99, as he stated tlat it xvas ?
Atr. EIIRLICII3r.
Atr. Tlompsoll, I assumed that it svasu lvhicll reXrard to the CI-t l)ecallse of this meetin r ~ve have just been talkincr 
about. Frankly, the question of the special ullit simr)l never entered 
ms- mind at tlat time as a potential proT)lem. It just lvas not in 
contellplation and it •was not in the contenlllration of anybody tlat I 
xvas talkinb to, so far as I can recall.
Atr. Tho3lrsNoN. Even thoufrh liddy llad lved in my office, in a 
ver-- remote 
sense.
Wlr. TlloafPsos-. It did not occi to vou that if he xvas tried. if lle 
decided to tall-. if lle dec(led to I(arail~ thexe xvere a lot of thin rs 
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STATE APPROPRIATIONS SUBCOMMITTEE EXECUTIVE SESSION

Walters was

also informed
afternoon or whether it was completed Monday morning, but it was soon clear to me that nobody who was responsible for that area in the Agency felt that the ongoing FBI investigation could jeopardize any of the Agency's sources or activities in Mexico.

3zIr. DASEI. Well, no, did you subsequently receive any communication from anybody at the White House after June 23?

General WALTERS. On Monday morning, June 26, I received a phone call from a man who identified himself as John Dean and he said he wished to speak to me about the matters that Mr. Haldeman and Mr. Ehrlichman had discussed with me on Friday. I did not know who Mr. Dean was and he said, "Well, you can call Mr. Ehrlichman to see whether it is all right to talk to me or not."

Mr. DASH. Did you call Mr. Ehrlichman?

General WALTERS. I called Mr. Ehrlichman. I had some difficulty in reaching him, but finally I reached him and I said: "A Mr. John Dean wants to talk to me about the matters discussed with you and Mr. Haldeman on the preceding Friday," and he said: "Yes, it is all right to talk with him. He is in charge of the whole matter."

Mr. DASEI. Did you then meet with Mr. Dean on that day?

General WALTERS. I then called Mr. Dean again and he asked me to come down and see him, I believe, at 11:30 or 11:45. I believe it is indicated on the memorandum I wrote.

Mr. DASH. Will you relate to the committee the conversation you had with Mr. Dean at that time, on June 26, 1972?

General WALTERS. Mr. Dean said that he was handling this whole matter of the Watergate, that it was causing a lot of trouble, that it was very embarrassing. The FBI was investigating it. The leads had led to some important people. It might lead to some more important people.

The FBI was proceeding on three hypotheses, namely—that this break-in had been organized by the Republican National Committee, by the Central Agency, or by someone else; whether I said I did not know who else organized it but I know that the Central Intelligence Agency did not organize it. I said furthermore—I relisted to Mr. Dean my conversation with Mr. Haldeman and Mr. Ehrlichman on the previous Friday, and told him I had checked within the agency and found there was nothing in any of the ongoing FBI investigations that could jeopardize CDIA activities or sources or compromise them in any way in Mexico.

He then said "Well could this not have happened without our knowledge?" Well, I said "Orirlinally perhaps, but I have inquired. I have talked to Mr. Helms and I am still of the view that everybody had no part in this operation against the Democratic National Committee."

He kept plessilla this. There must have been. TheRe people all used
to not hold all this thinly. I s. d maybe they llsed to but thav svere not when they did it and he pressed and pressured on on this m(l asked if these xvas not solle avav r consul helm) hilly anal it seenled to me lle lvas exolorilla ler1lul~s the Option of seeing xvhethel lle coral pllt some of the blame on us. There lvas not anv Sal ein( thins he Slied lttt the renew al tenol xvas in this xvav an(l I sai(l to hint—I did not have an ol)pol tullit) to collllillt xvith ans body—I s!ll~w s lid!

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34. On June 23, 1972 at 1:35 p.m., Dean telephoned Gray and said that Walters would be visiting Gray that afternoon. At 2:34 p.m. on the same day Walters met with Gray and discussed the FBI investigation of the break-in at the DNC headquarters. Walters stated that if the FBI investigation were pursued into Mexico it might uncover some covert CIA activities and that the matter should be tapered off with the five men under arrest. Gray agreed to hold in abeyance the FBI interview of Manuel Ogarrio. Gray has testified that the FBI continued its effort to locate Kenneth Dahlberg. Gray reported to Dean the substance of his conversations with Walters.

34.1 L. Patrick Gray log, June 23, 1972, 1-2,

Received from SSC 398

34.2 L. Patrick Gray testimony, 9 SSC 3452-53. ....400

34X3 Vernon Walters testimony, 9 SSC 3406-07 402

34*4 Vernon Walters memorandum for record, June 28, 1972, SSC Exhibit No. 129, 9SSC 3815 404

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DIRECTOR'S OFFICE
FEDERAL BUREAU OF INVESTIGATION

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Patrick Gray Testifies

August 3, 1973

I talked to General Walters, the man in charge of the National Security Council, about this matter. He told me that the Central Intelligence Agency and the Federal Bureau of Investigation were in close contact and that the CIA was very interested in the Watergate investigation, particularly as it related to the Nixon administration. I asked him what he thought about the possibility of uncovering CIA covert operations and whether the CIA had any interest in the Nixon administration's activities.

General Walters assured me that it was not appropriate to discuss these matters with me, and that the FBI would handle the investigation. He also indicated that the CIA had agreed not to interfere with the FBI's investigation and that the FBI had agreed not to interfere with the CIA's investigation.

I asked General Walters about the possibility of the FBI and the CIA sharing information about the Watergate investigation, and he assured me that they would coordinate their efforts.

I then asked General Walters about the possibility of the CIA sending agents to the Watergate investigation, and he assured me that they would not do so.

General Walters then assured me that the FBI would handle the investigation in a manner that would not impinge on the CIA's work, and that I would have to make a decision as to how the FBI would proceed with the investigation.

At this point I would like to comment on General Walters' memo

random of this meeting. I am not aware of any evidence before this committee. In this regard, I would like to inform the committee that the FBI and the CIA have agreed not to interfere with each other's investigations. I understand that the Watergate investigation is being handled as a major case under the immediate supervision of each field office to which investigative leads are referred by the Altshul Department Office or any other field office.

In fact, the FBI did not have key the Watergate investigation generally. The FBI and the CIA have agreed not to interfere with each other's investigations, and the FBI has agreed not to interfere with the Watergate investigation.
of my testimony will make clear in more detail. I ordered our agents to continue to probe the Mexican money

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inter-selves with Mr. Ogarrio as well as the White House, which as the record will show brought

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to 2 weeks.

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Senator ERA--N. I believe this memorandum has previollsly- been marxed as exhibit '<'-N7o. 101.*

AlF. DASSI. NOV. Genelal Agalltel-s, after -=ou left the meelvn,fr AVit

Alr. J-alcileman and Atr. Elhllclivan, did VOII leave WVItt11 Directot Helms

Genelal s0°ALTeRS. I did. AAT'e avalkc deyvillslats and --we stood and talilved close to thuc car out on AAtest
Eexcult-.-ntelli anl Alr. Helms said to me:

You must remil Wl. Gory of the agreement between the FP'T and the CI that if they run into or appear to be n1b0ut to expose
one another's assets they will notify one another, and you should remind him of this.

See Book T. p. 2948.

(402)
34.3 VERSO! [ALTERS TESTI!dOXY~ A U8GUST 3) 19732 9 SSC 3406-07

3407

I did.

Afr. D.usf T. w-tld then lwhat did you do?

Gener.al AVL~TER%S. I do (wt recall n-llethel I avent bact; to the A<enev or IOt. I don't thulli tine xvoulev have alloxvecl it because the appointment had been Inade to see Mr. Gravv at i:3() p.m. My recollection iS not clear 011 tllis lnhellter I ~vent back to the. VgencV or n-hellter I sta.yed doxvntoxvn. [haxe a feelinf I stayel) do*snetoxvn and at 2:3() I v-ent to see Wr. GraY.

SII. ~ \S}L XONV, Ivav ltr. Gravv, b.y the lvay, expectinfT your •-isit?

Gener.l AVL~TER%S. AVII. (~ray, I believe, xvas expecting my visit.

Ak. I).15H. Eloxy do you kno^w that?

General +ALT~TER%S. I believe he has subsequelltlv testified that 31r. Dean L...d told him that I avaS O11 my svay dolvn.

trl. D zStr. -.11 riffht.

Noxv, xvould you t3riefly relate to yollr hest recollection xviolat conversation you had avith Alr. Gray at that time 9 This xvas 011 June a:, 19 s,i?,

General 5"ALT~TER%S. I said to Mr. Gray that I had just come formll the AWhite House xvJlere I had talltecl to some seniol stafi' nlembels and I ~A-as to tell him that the pUSttation of the FBI investit,ation in Alexico, the continuumoll of the FBI investitgatoll in Alexico, could—might uncover some covelt activities of tle Central Intellicence ArefleJ-. I tlen repeated to hilll svhat iNlr. flellls llad told me about tle A< Agreement bet-veen the I-BI and GIA and he said he avaS quite aware of this and I intendecl to observe it scrupulouslv.

Afr. DASII. XOIV, did you tell him msho (ave you the direc-tion to—

General AV.L~TER%S. I did not. I told hiln I had talked to some senior peol)le at the NVhite House. AII>. Dsll. Nolv, avaS that the sum and substance of that conversation in Afr. GraJ's office 2

General 5"ALT~FN3. I believe—e so. A0TFe hac'l exple<s w.d pleasule at meeting onc anotller. I had intended to call on hilll, ancl so fortil, and anything else that occurred I believe xvill be covered in the melilorandum VhiCII iS in VOU1' possession

Afr. D'.+sl. I tillnly you testified that vou also on June aS incltlded a memorialldum of the meelitig, ^^,ith 3II. Grav 011 3II. o.s. I —vould litle to shoxv VVOII a copy of tle melllo1l andllm illllf i asked you if tllis is a correct copy and does it cover the testitony you Inas-e just gi—en.

(xeneral +r}l+.LTEmss. Yes, it is a col l ect copy.

Afr. D'cel. Afr. Chairnlall, maV that nlewtolalldum be marked as an exlibit and be received in evidence ?

Senator EREaN-. In the absence of objection by anV committee member it is so ordered and Itill be apploliatielv market as an exlibit and received in evidence as such.

rThe doclllllell and llad ferred to svas mal ked exlibit No. 1-99.8'

Wlr. DASII. Noxv, afer you niet —with Afr. Gray did you return to your offices at the CIA and


ICr. D.3SH [COBulllUlllt]. And did vou make a report of that meetin to former Director Helms ?

General AVL~TER%S. And I also started to check; on whether this. xvas a fact. I talked to the people nt oUr yeorraphic area that handles Alexico and I am not sure lvillether this was completed on the Friday

*3ee P. 3S15.

(403)
MEMORANDUM FOR RECORD

At 1430 on 23 June I called on the Acting Director of the FBI, L. Patrick Gray, at his office in the FBI Building and saw him alone.

I said that I had come to see him after talking to the "White House." I cited no names and he asked for none. I added that I was aware of the Director’s conversation with him the previous day and while the further investigation of the Watergate Affair had not touched any matter in ongoing covert projects of the Agency, its continuation might lead to some projects. I explained that the FBI and the Agency had an agreement in this respect and that the Bureau had always scrupulously respected it. Gray said he was aware of this and understood what I was conveying to him. The problem was how to low key this matter now that it was launched. He said that a lot of money was apparently involved and there was a matter of a check on a Mexican bank for 89 thousand dollars. He asked if the name Dahlberg meant anything to me and I said it did not but that this was not really significant as I had only been with the Agency for a few months.

Gray then said that this was a most awkward matter to come up during an election year and he would do what he could do. He expressed the hope that the investigations were pushed "south of the border" it could step upon some of our covert projects and, in view of the fact that the five men involved were under arrest, it would be best to stop the matter off there. He explained that he understood and would have to study the matter to see here it could best be done. He would have to talk to John Dean about it.

Gray said he looked forward to cooperating closely with the Agency.

After some pleasantness about J. Edgar Hoover and our past military careers, I left saying that my job had been an awkward one and that he had been helpful and I was grateful.

Vernon A. Walters
Lieutenant General, USA

(404)
35. On June 23, 1972 at 3:00 p.m. Maurice Stans met at the CRP offices with Kenneth Dahlberg who, at the request of Stans and Fred LaRue, had flown to Washington that day for the meeting. LaRue and Stans discussed the check drawn by Dahlberg, the money from which had reached the bank account of Bernard Barker. At 5:00 p.m. on the same day Dahlberg met with Stans, LaRue and Robert Mardian.

35.1 Maurice Stans calendar, June 23, 1972 (received from SSC) 406

35.2 Maurice Stans testimony, 2 SSC 701 407

35.3 Maurice Stans telephone records, June 23, 1972 (405) ..408
35.1 MAURICE STANS CALENDAR, JUNE
23, 1972

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The treasurer, not being sure, discussed it with the general counsel for the committee and the general counsel suggested that he take the check and convert it into cash. The treasurer gave him the check.

Now, again, I can report what the treasurer has said, that he did not get the proceeds of the check back until some time in July. He received them in full and they were deposited in a bank account on May 25.

Now, as to those two transactions and several others in a similar category, we treated that as cash on hand on April 7 and reported it in the report of the media Committee To Re-Elect the President, in the amount of $350,000, and that exact amount of $350,000 was deposited in that committee’s bank account on May 25. We felt that we had complied with every requirement of the law as to the handling and reporting of that money; we had accounted for it fully.

The General Accounting Office subsequently cited our committee for a possible violation of the law in failing to report the $25,000. But the Department of Justice, in a letter some months later, concluded that there was no violation of the law in the handling of that transaction.

Mr. EDMAIESTEN. Mr. Stans, when was the first time that you learned that these checks had cleared through a bank account of Bernard Barker?

Mr. STANS. It was well after the Watergate event of June 17.

Mr. EDMAIESTEN. Now, shortly after that, did you have any discussions with Mr. John Mitchell or anyone at the White House concerning any of these checks during the week immediately following?

Mr. STANS. I don’t recall any specific conversation with John Mitchell, but I do recall a conversation with Fred LaRue and subsequently with Robert Ordian.

Mr. EDMAIESTEN. What did you talk about?

Mr. STANS. As I recall it, it was the morning of the 23d of June, which was 6 days after the Watergate affair. I received a phone call from Fred LaRue, saying, “Do you know Renne Dahlberg?”

And I said, “I certainly do.”

He said, “Well, his contribution ended up in a bank account of one of the fellows who is arrested.”

I said, “Dahlberg didn’t make a contribution.”

He said, “NYii! it is his check.”

So he came down and we discussed it and concluded that, in some manner or other, Dahlberg’s check must have reached the bank account of Bernard Barker. We called Dahlberg and discussed it with him, got him to Washington on that same day, met with him, and he met with LaRue and I think with guardian, and got all the facts of the transaction in hand. It was clear that neither Dahlberg nor I nor Hugh Sloan had anything to do with the checks, that check or the Mexican checks, entering the Barker bank account. They could only have gotten there through the hand(s) of our general counsel, Gordon Liddy, who had taken them into his custody.

Mr. EDMAIESTEN. Mr. Stans, I am going to skip along. I don’t want to encroach on the committee. At one time did you approve or consent to giving Mr. LaRue $80,000?

Mr. STANS. Yes, I did. Would you like to know the background of that?
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### CALLS AND TELEGRAMS

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#### B

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#### C

| 20 | FLAT | 1-1-13 |

#### D

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### NOTE: C12/473-3002 is the listed telephone number for American Dahlberg.

(Source: Telephone Directory for Minneapolis and Surrounding Communities, December 1973, 58)
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36. on or before June 26, 1972, Walters determined that there were no CIA sources or activities in Mexico that might be jeopardized by FBI investigations of the 0garriO Check in Mexico. On June 26, 1972, Walters met with John Dean and advised him that there was nothing in any of the FBI investigations that could jeopardize or compromise in any way CIA activities or sources in Mexico.

36.1 Vernon Walters testimony, 9 SSC 3407-09 410

36.2 Vernon Walters memorandum for record, June 28, 1972, SSC Exhibit NO. 130, 9 SSC 3816-17 413

(409)
General WALERS. I do not recall whether I went back to the Agency or not. I don’t think time would have allowed it because the appointment had been made to see Mr. Gray at 2:30 p.m. My recollection is not clear on this, whether I went back to the Agency or whether I stayed downtown. I have a feeling I stayed downtown and at 2:30 I went to see Mr. Gray.

Mr. DASH. No, was Mr. Gray, by the way, expecting your visit?

General WALERS. Mr. Gray, I believe, was expecting my visit.

Mr. DASH. How do you know that?

General WALERS. I believe he has subsequently testified that Mr. Dean had told him that I was on my way down.

Mr. DASH. All right.

Now, would you briefly relate to your best recollection what conversation you had with Mr. Gray at that time? This was on June 23, 1972.

General WALERS. I said to Mr. Gray that I had just come from the White House where I had talked to some senior staff members and I was to tell him that the pursuit of the FBI investigation in Mexico, the continuation of the FBI investigation in Mexico, could—might uncover some covert activities of the Central Intelligence Agency. I then repeated to him what Mr. Helms had told me about the agreement between the FBI and GLUT and he said he was quite aware of this and I intended to observe it scrupulously.

Mr. DASH. Now, did you tell him who gave you the direction to

General WALERS. I did not. I told him I had talked to some senior people at the White House.

Mr. DASH. Now, was that the sum and substance of that conversation in Mr. Gray’s office?

General WALERS. I believe so. We had expressed pleasure at meeting one another. I had intended to call on him, and so forth, and anything else that occurred I believe will be covered in the memorandum which is in your possession.

Mr. DASH. I think you testified that you also on June 28 included a memorandum of the meeting with Mr. Gray on June 23. I would like to show you a copy of the memorandum and ask you if this is a correct copy and does it cover the testimony you have just given.

General WALERS. Yes, it is a Correct Copy.

Mr. DASH. MrX Chairman, may that memorandum be marked as an exhibit and be received in evidence?

Senator ERVIN. In the absence of objection by any committee member it is so ordered and will be appropriately marked as an exhibit and received in evidence as such.

[The document referred to was marked exhibit No. 129.]

Mr. DASH. Now, after you met with Mr. Gray did you return to your offices at the CIA and

General WALERS. Yes; I did.

Mr. DASH [continuing]. And did you make a report of that meeting to former Director Helms?

General WALERS. And I also started to check on whether this was a fact. I talked to the people at our geographic area that handles Mexico and I am not sure whether this was completed on the Friday

*See p. 3815.

(410)
afternoon or whether it was completed Monday morning, but it was soon clear to me that nobody else was responsible for that area in the Agency felt that the ongoing FBI investigation could jeopardize any of the Agency sources or activities in Mexico.

Mr. DASE. Well, now, did you subsequently receive any communication from anybody at the White House after July 23?

General WALTERS. On Monday morning, June 26, I received a phone call from a man who identified himself as John Dean and he said he wished to speak to me about the matters that Mr. Haldeman and Air. Ehrlichman had discussed with me on Friday. I did not know Mr. Dean and I expressed something to the effect that I don’t know who you are and he said, “Well, you can call Air. Ehrlichman to see whether it is all right to talk to me or not.”

He. DASE. Did you call Mr. Ehrlichman?

General WALTERS. I called Mr. Ehrlichman. I had some difficulty in reaching him but finally I reached him and I said: “Mr. John Dean wants to talk to me about the matters discussed with you and Air. Haldeman on the preceding Friday” and he said: “Yes, it is all right to talk with him. He is in charge of the whole matter.”

Mr. DASE. Did you then meet with Mr. Dean on that day?

General WALTERS. I then—

Mr. DASE. Will you relate to the committee the conversation you had with Mr. Dean at that time, on June 26, 1972?

General WALTERS. Mr. Dean said that he was handling this whole matter of the Watergate, that it was causing a lot of trouble, that it was very embarrassing. The FBI was investigating it. The leads had led to some important people. It might lead to some more important people.

The FBI was proceeding on three hypotheses, namely, that this break-in had been organized by the Republican National Committee, by the Central Agency, or by someone else; whereupon I said I did not know who else organized it but I knew that the Central Intelligence Agency did not organize it. I said, furthermore—I related to Mr. Dean my conversation with Mr. Haldeman and Air. Ehrlichman on the previous Friday, and told him I had checked within the Agency and found there was nothing in any of the ongoing FBI investigations that could jeopardize CIA activities or sources or compromise them in any way in Mexico.

He then said, “Well, could this not have happened without your knowledge?” “Well,” I said, “originally perhaps, but I have inquired. I have talked to Mr. Helms and I am sure that he had no part in this operation against the Democratic National Committee.”

He kept pressing this. There must have been. These people all used to world for the CIA, all and this thinly I said maybe they used to, but they were not when they did it and he pressed and pressed 011. on this and asked if these was not some—VvV VV I could help him, and it seemed to me he was exploring perhaps the Option of seeing whether he could pelt some of the blame on us. Thee was not any snub he said the genes of the tenor was i 11 this xvaV and t said to h lls—I did rot have an opportunity to consult with anybody—I stillplV Sid.
Mr. DASH. That is correct.

General WALTERS. That is correct. This is a correct copy.

Mr. DASH. And that dealt with the question of money, bail money from the CIA.

General WALTERS. Yes, it is.

Mr. DASH. Mr. Chairman, could we have that memorandum marked as an exhibit and received in evidence as such.

Senator ERvrs. The memorandum will be appropriately numbered as an exhibit and received in evidence as such.
MEMORANDUM FOR RECORD

28 June 1972

On 26 June at about 10:00 a.m. I received a phone call from Mr. John Dean at the White House. He said he wished to see me about the matter that John Ehrlichman and Bob Haldeman had discussed with me on the 23rd of June. I could check this out with them if I wished. I agreed to call on him in his office in Room 106 at the Executive Office Building at 11:45 that morning. Immediately after hanging up, I called Ehrlichman to find out if this was alright and after some difficulty I reached him and he said I could talk freely to Dean.

At 11:45, I called at Dean's office and saw him alone. He said that the investigation of the Watergate "bugging" case was extremely awkward; there were lots of leads to important people and that the FBI which was investigating the matter was working on three theories:

1. It was organized by the Republican National Committee.
2. It was organized by the CL.
3. It was organized by some other party.

I told him that I had discussed this with Director Helms and I was quite sure that the Agency was not in any way involved and I knew that the Director wished to distance himself and the Agency from the matter. Dean then asked whether I was sure that the Agency was not involved. I told him that I was sure that none of the suspects had been on the Agency payroll for the last two years.

Dean then said that some of the accused were getting scared and "wobbling." I said that even so they could not implicate the Agency. Dean then asked whether there was not some way that the Agency could pay bail for them (they had been unable to raise cash). He added that it was not just bail, that if these men went to prison, could we (CIA) find some way to pay their salaries while they were in jail out of covert action funds.

(413)
I said that I must be quite clear. I was the Deputy Director and as such had only authority specifically delegated to me by the Director and was not in the chain of command, but that the great strength of the Agency and its value to the President of the nation lay in the fact that it was apolitical and had never gotten itself involved in political disputes. Despite the fact that I had only been with the Agency a short time, I knew that the Director felt strongly about this.

I then said that big as the troubles might be with the Watergate Affair, if the Agency were to provide bail and pay salaries, this would become known sooner or later in the current “leaking” atmosphere of Washington and at that point the scandal would be ten times greater as such action could only be done upon direction at the “highest level” and that those who were not touched by the matter now would certainly be so.

Dean seemed at first taken aback and then very much impressed by this argument and said that it was certainly a very great risk that would have to be weighed. I repeated that the present affair would be small potatoes compared to what would happen if we did what he wanted and it leaked. He nodded gravely.

I said that, in addition, the Agency would be completely discredited with the public and the Congress and would lose all value to the President and the Administration. Again he nodded gravely.

He then asked if I could think of any way we (CIA) could help. I said I could not think of any but I would discuss the matter with the Director and would be in touch with him. However, I felt that I was fully cognizant of the Director’s feelings in this matter.

He thanked me and I left.
37. on or about June 27, 1972 John Dean and Fred Fielding, his assistant, delivered to FBI agents a portion of the materials from Howard Hunt's safe. The materials given to the FBI agents included top secret diplomatic dispatches relating to Vietnam. The portion withheld from the FBI agents included fabricated diplomatic cables purporting to show the involvement of the Kennedy administration in the fall of the Diem regime in Vietnam, memoranda concerning the Plumbers unit, a file relating to an investigation Hunt had conducted for Charles Colson at Chappaquiddick, and two notebooks and a pop-up address book.

37.1 John Dean testimony, 3 SSC 937-38, 948 416

37.2 Fred Fielding deposition, May 15, 1973, Democratic National Committee v. McCord, 15, 34-35 419

37.3 FBI inventory of contents of Hunt's safe, published March 7, 1973, 329-30

37.4 Richard Ben-Veniste statement, United States v. iddY, November 5, 1973, 3-5 424

(415)
When Petersen arrived at Kleindienst's office he gave a status report of the investigation. Kleindienst then related my concern to Petersen. Petersen was troubled by the case and the implications of it. Kleindienst had another meeting, so Petersen and I—I believe the other meeting was in his office, so Petersen and I went into Atr. Kleindienst's back office and talked further. To the best of my recollection, I never discussed specifics, rather it was a general discussion.

I told him I had no idea where this thing might end. but I told him I did not think the White House could withstand a wide-open investigation. The sum and substance of our conversation was that I had no idea how far this matter might go, but I had reason—without being specific—to suspect the worst. The meeting ended on that note, that I hoped I was wrong.

I do not recall ever reporting this meeting to Ehrlichman because he had a somewhat strained relationship with Kleindienst and I thought he would raise havoc that I did not have an assurance from Kleindienst that he would take care of everything. I did report, however, that I felt Petersen would handle this matter fairly and not pursue a wide-open inquiry into everything the White House had been doing for 4 years. I made this statement not because of anything Petersen specifically said, as much as the impression he gave me that he realized the problems of a wide-open investigation of the White House in an election year.

Returning now to the contents of Mr. Hunt's safe, it was mid-morning on Tuesday, June 20, when the GS & men brought several cartons to my office, which contained the contents of Hunt's safe. I had learned earlier that morning from Fielding that the boxes had been secured in Ehrlichman's office overnight. Fielding also reported that they had found a handgun in the safe, which Ehrlichman had disengaged, a large briefcase containing electronic equipment, and a number of documents, some of which were classified. I told Fielding I would like his assistance later that day in going through the material.

During the afternoon of the 20th, Fielding and I began going through the cartons of Hunt's materials. I remember looking in the briefcase, which contained electronic equipment. I frankly do not know what it was it contained, but it contained loose wires, Chapsticks for your lips with wires coming out of them and instruction sheets for walkie-talkies. As I recall, there were also some antennas in there.

I then began sorting the documents. The bulk of the papers were classified cables from the state Department relating to the early years of the war in Vietnam. These were separated out from the rest of the papers. The other papers I assumed related to Hunt's work at the White House. Also, there were personal papers. I will attempt, to the best of my recollection, to describe the papers and documents that were found in the safe. I must point out, however, that I personally did not look at all the documents. Rather it was a combined effort by Fielding, and myself to determine what was in Hunt's safe.

First, among his personal papers were copies of his submissions for his per diem pay as a consultant, a few travel vouchers, and an envelope containing materials of a personal nature relating to his wife.

Among the papers that I assumed related to his White House were mantel oust mermon aldilims to (?)hlel(v)oslooll regarding

Hunt's assessment of the plumbers unit operation and critical of Whi.
Ilrogh's handling of matters; a number of materials relating to ZIr. Daniel Ellsberg, such IS news clippings and a psychological study of Ellsberg which apparently had been prepared by someone who had never actually met or talked with Air. Ellsberg; a bogus cable—that is, other cables spliced together into one cable regarding the involvement of persons in the Kennedy administration in the fall of the Diem regime in Vietnam; a memorandum regarding some discussion about the bogus cable with Colson and Blr. William Lambert; some materials relating to an investigation Hunt had conducted for Colson at Chappaquidlek, some materials relating to the Pentagon Papers and a paperback book containing the published Pentagon Papers.

Upon examining the contents of the safe, I recall that Fielding and I discussed our concern about the public impact some of these documents might have if they became public, particularly in an election Near. I requested that Fielding remove the politically sensitive documents from the others, which he did. The classified State Department cables were too bulky for my own safe, so I called David Young and requested that he store them for me in his office, as I assumed at that time that they would probably be returned to the State Department. I told Young when he came to pick up the materials that they had come from Hunt's safe and he should store them—all together—until I told him what to do with them. Accordingly, Mr. Young took the state Department documents to his office. the large briefcase was stored in a locked closet in my office suite, and the politically sensitive documents and Hunt's personal papers were placed in a safe in my office. The remaining materials were left in the cartons on the floor in my office.

I subsequently met with Ehrlichman to inform him of the contents of Hunt's safe. I gave him a description of the electronic equipment and told him about the bogus cable, the materials relating to Ellsberg and the other politically sensitive documents. I remember well his instructions: He told me to shred the documents and "deep six" the briefcase. I asked him what he meant by 'deep six." He leaned back in his chair and said: "You drive across the river on your way home at night—don't you?" I said, yes. He said, "Well, when you cross over the bridge on your way home, just toss the briefcase into the river."

I felt very much on the spot, so I told him in a joking manner that I would bring the materials over to him and he could take care of them because he also crossed the river on his way home at night. He said, no thank you, and I left his office and returned to my office.

After leaving Ehrlichman's office I thought about what he had told me to do and was very troubled. I raised it with Fielding and he shared my feelings that this would be an incredible action to destroy potential evidence. I think Mr. Fielding appreciated my quandary—when Ehrlichman said do something he expected it to be done. I decided to think it over. I did take the briefcase out of my office because the closet that it was being stored in was used by the secretaries in the office and I did not have an available safe to hold the large briefcase. I divided giving some consideration to Ehrlichman's instructions. Accordingly, I placed the briefcase in the trunk of my car. Ishel e it remained until I returned it to the office after I had reached a decision that I could not follow—Ehrlichman's instructions. I will explain in a few minutes how I handled the material in Hunt's safe, but before doing so, I would like to continue with the sequence of events.
been earlier, that the CI& could IOt and would not be brought in to solve the problems confronting the AVhite house and election com-
mittee as a result of the Altatergate incident.
I subsequently informed Ehrlichman and Tlalclemall that unless the President directly ordered the CI & to provide sub(s)ort for those
involved that the CI& was not grille to get involv-ed. I told them I agreed with Walters that this would lie a tel(r)le mistake and thel,
both told me they agreed.

I would now like to explain the transmitina of the materials in
VileNV on June 22 of Colson, and my later instructions from Ehrlichman
to "Deep Sis" the briefcase and shred documents. I had informed the
FBI it I would forward the material found in Hunt’s office. After
weighing the implications of Ehrlichman’s instructions to destroy the
items I decided that I would not engage in an) such activity myself or
be pushed into it. Accordingly, I asked David Younc to return the
State Department cable to my office. I had already returned the brief-
case from my car trunk to my office

I received several calls from the FBI requesting the material, but
had not yet figured out how to tell Ehrlichman I was not doing to
destroy the material. I knew I had to develop a good argument to give
Ehrlichman as to why the materials should not be destroyed. On
June 96 I went to Ehrlichman to explain that I thou,flit the
men who drilled the safe had probably seen the briefcase, that the
Secret Service agent who was present had probably seen some of the
material; that Air. Ivehel and Fieldine had seen it—and what would
happen when all those people were later asked by the FBI about tile,
contents of the safe. Then, I said I felt we must turn over the material
to the FBI. With regard to the sensitive documents. I suggested that
they be given directly to Grav. I told Ehrlichman that, if ever asked
under oath, I had to be able to testify that to the best of mV lillox-ed-e,
everythino found in the safe had been turned over to the F BI.

I gave them one box, which had been packed and told them that
as soon as t he other material Ivas packed I would vet it to them. Mhe
I got tied up in a meeting, I phoned Fieldine and asked him to pack
up the remainder of the materials. i,which I believe vas the State De-
partment cables and the briefcase. He did so and turned over the re-
mainder of the materials, with the exception of the tvo envelopes
which contained the politically sensitive materials I described earlier.
I spoke with Ehrlichman on the *8th and informed him the material
had been sent to the FBI with the exception of the politically sensitive
documents. He told me he lvas mettmo later that darl wIlll Grav and
I should bring them over at that time

I went to Ehrlichman’s office just before Afr. gTIT,JV arrived. I placed
the envelopes on the coffee table ill his office. AV]leu (>Trav arlivcl.
Ehrlichman told him that mie had solne material for him; that lead
come from Hunt’s safe. Ehrlichman described it as politi(l-all- sensi-
tive, lout not related to the Altatel bate I tol(l rev trl,l 14 ieldilr and
I had,cone trololll Hunt’s documents aull had turned over all the
materials to the agents except the documents ill these two envelopes.
correct? Would it be the morning of the 20th? Yes, that's right.

Q: When you Trent Shtouh-she, what was contained in these cables?

A: Aside from the briefcase, of course, the bulk of the material were cables.

Q: Did you read the cables?

A: Just briefly. I looked at them.

Q: Do you recall the contents of those cables?

A: Only generally. The cables, as I recall, were classified.

Q: I would have no way of knowing if they have been declassified or not. They bore clarification markings on them.

Q: What were the markings that indicated to you that they were classified?

A: Standard top stamp?

A: These were the arm of a X. I don't really recall if they were stamped or just typed.

Q: Are these the telegrams that we have been read about in the paper which Mr. Munt all we edgy has done up?

A: So. There were a lot of babies that I assumed to be legitimate cables. In addition, there was a folder.
over, to the best of my knowledge it was all turned over, but T wanted to get it to that stint; Q that All at the a turned over to the same person, but all turned for the same organization to the best of my knowledge.

Q: A: I bid Mr. Dem tell you who he had those discussions.

A: Off

Q: A: Q

A: 0 - Yes.

Who were those people?

Be bid Mr. gilchrest of E.lic.

Mr. eateman?

No. As I recall, the only person I recall in that conversation was Mr. E:lich. Doubtfully, he could have talked to any number of people. I don't know. I wasn't privy to any conversations except between Mr. E:an and myself.

Q: You were not in on any conversations?

A: No.

Q: You were getting reports as to how this was going to be handled? S

SS: It wasn't even reports. It was just conversations that we had. During this period of time that that material was in the safe, I was doing other things.

Q: Ellen did the material come out or the safe, to the best or flour knowledge?
A I believe on the 27th. I got a call from Mr. Dean
and he asked me -- he told me that he had turned over some of
the things that morning and asked me to get a box --

O bet me stop you. You say he "turned over some of
the -- inga." -- some of the type of thing did he turn over?

A, ee called me and said he had turned over some of the
things that morning or that afternoon -- I don't remember pre-
cisely what the time frame was -- and when I got a box and
turned over the rest of it, that the FBI agents would come and
pick it up. I got a box. He told me the material to be turned
over was sitting on the coffee table in his office. I got a
box, went in, put the material in the boxy, put the briefcase
in the box, sealed the box, wore it "50p Secret," presuming
that that was the highest classification of anything there.

When the agents came up to pick it up, they had already had
some materials. As I recall, they gave me an inventory sheet
at that point, although I don't recall whatever happened to ~
the inventory sheet. We have looked for it subsequently. That
is why it is fresh in my mind that I didn't know where it was.

They wanted to return the gun, the pistol, and I told them they
either took all or nothing, so they went back and checked, got
on the telephone and did something and then agreed that they B A

NYC-11- X p the pistol and then they took the Fox.

* rD cor: ecr [re.vo] 2fsPeJc endow

(421)
Mr. John Dean, Legal Counsel to Richard M. Nixon, President of the United States, Executive Office Building, 17th and Pennsylvania Avenue, N.W., Washington, D.C. furnished Special Agents Daniel C. Utahan and Michael J. King of the FBI, 131 C one cardboard box, which he stated was the effects of Mr. Everette Howard Hunt taken from Room 33R of the Executive Office Building. The effects contained in this box provided by Mr. Dean are listed as follows:

1. One small metal box;
2. One .25 caliber automatic Colt revolver, bearing Serial Number 321503;
3. One clip for this revolver, containing live ammunition;
4. One holster;
5. One Rolodex file;
6. One copy of the Cook "Pentagon Papers";
7. Numerous sheets of carbon copy papers;
8. Two White House pads;
9. Numerous sheets of White House stationery;
10. One desk calendar;
11. A quantity of office supplies, three stamp pads, scissors, pens and pencils, scotch tape, staples, staple gun, glue, and a clipboard;
12. Two folders (instructions of office operation);
13. One blanket;
14. One plastic carrying case.

Interviewed on June 27, 1972, at Washington, D.C. File No. NVFO 13166 by SAs Daniel C. Utahan and Michael J. King.

Date dictated June 29, 1972.

Mr. Fred Fielding, Assistant to the Legal Counsel to Richard M. Nixon, President of the United States, furnished Special Agents Daniel C. Mahan and Michael J. King of the FBI, WDC, one large cardboard box sealed with tape and marked with pen "Top Secret". An inventory of the contents of that box is listed as follows:

1. One brown envelope marked "Howard Hunt, Eyes Only, Personal, Unclassified";
2. Six brown envelopes containing classified material relating to the "Pentagon Papers";
3. One tan folder marked "Ellsberg" containing numerous papers concerning one Daniel Ellsberg;
4. One tan folder marked "Pentagon Papers" containing newspaper articles;
5. One tan folder marked "Time and Pay Records" containing verification of hours worked at the White House;
6. One tan folder marked "Correspondence" containing copies of letters;
7. One tan folder marked "Press Contacts" containing press contacts and newspaper articles;
8. One tan folder marked "John Paul Mann" containing a newspaper article;
9. One empty gray folder;
10. One black attache case containing the following list of items:
   - Four Ilel-Com Transceivers Technical Manual and Operating Instruction—Bell and Howell 145S-1745(CS;
   - Two antennas—UG-447H and numbered 7486S;
   - BG-5AA/U, Belden 8259 Antenna Lead wire;
   - Four rechargeable model 81 nickel cadmium batteries—Bell and Ison-cil;
   - Two microphones—simulated chapstick containers;
   - Three antennas Scales;
   - Two earphones, unfolllered 8813, 9042;
   - Four antennas, benda/ial Fire;
   - Six jack wires;
Senator BYRD. Did the FBI believe Atw. Dean turned over everthing that had been taken from Mr. Hunt's safe?

Mr. GRAY. I linoxv allegations have been made that this did not occur. This came up in October, as I recall, the time there was a motion to suppress evidence filed by Mr. Hunt, and his attorney. At that time I was asked about this allegation, with the Assistant U.S. attorney and With the Assistant Attorney General in the Criminal Division, regarding a pocket notebook and a Hermes notebook.

I think I am correct in saying that the agents event to stores here in Washington trying to identify a Hermes notebook or a Hermes notebook, whatever that is. But the allegations were made in that motion to suppress that this pocket notebook and that Hermes notebook were not turned over.

That WtIS not found in any of the effects of Howard Hunt. This was looked into in the presence of the special agent, the assistant U.S. attorney—this was at the time of the preparation to respond to that motion—and the Assistant Attorney General illcharge of the Criminal Division.

And there is no evidence at all that that pocket notebook and that Hermes notebook were there.

Senator BYRD. Was Atw. Dean subsequently questioned?

Mr. GRAY. He was questioned at that time, yes; he was. That is, correct.

Senator BYRD. On What date was he questioned?

Mr. GRAY. I have to get the date for you for the record

Mr. GRAY. Upon checking the records, Senator Byrd, I have learned that on January 4, 1973, in pretrial preparation, Atw. Dean, Atw. Fielding were all questioned by Assistant U.S. Attorney Silbert, in the presence of Assistant Attorney General Petersen of the Criminal Division and a Special Agent of our Washington Field Office in Atw. Petersen's office at the Justice Building.

Senator BYRD. Was he questioned subsequent to the first interro(>atism? Were there followups?

Mr. GRAY. Atw. Dean was asked to look at the date of the list of interview—oh, I am talking now about When he was asked to re-examine the motion to suppress and the fact that there were items missing from the material turned over to us.

Senator BYRD. Are you collyin<ed that there was 110 effort to collve anything?
I'd Cr' alnal Action No. 1877-72,

I Bernard L. Barker, J. s. Tento, p. Martinet, Frank A. Sturgis and I

virgi limo R. G an z ale s .

TILE L~~rTti-v~~ Wilt

-- Plr. Phiir';T. <.cJvara and Fir. Richard Ben-Yeniste,

couns e l f o r the go of e \none

ok. Sione)- Sac l`s. counsel for Mr. Hunt.. -.

Ear. Bernard )J. seasXer-W!ald, counsel for Mr,.McCord.

Air. Daniel L<. "zultz,-counsel for IWeissrs. Barker,-

THAI COUR!": Mr. Shultz --

try. SIULT-:- Yes a Your Honor.

THE COURT: As to the defendants whom you represent,

I do you waive their right to be present here today?

AIR. SI-IULT7: Yes, I do , Your Honor.

TINE COURT: tar. Shultz, I will hear you with reference

to the motion filed by flour clients to withdraw their pleas of

guilty. I will allow you one half-hour and then'--I will allow

tie Government one lal:--.hour to answer.

MR. BEN-VENISTE: May I make a brief statement ` of

THE COURT: Ye s .

MR. BEN-V-0ISTE: Your Honor, this is in connection I

the mot. on made by tie defendant Hunt and it relates to

(424)
As you know, Your Honor, Mr. Dean pleaded guilty on October 13th before this Court and following that time we had occasion to interview him from time to time but the last few weeks inhibited us to some extent doing that as thoroughly as we would like.

However last Wednesday while we were in Court, members of our staff interviewed Mr. Dean and questioned him with respect to the folder containing the President's estate plan, the 4ound notebooks with cardboard covers and lined pages containing some handwriting. Dean at that time related the contents to the Ellsberg break-in. He shredded both notebooks in his shredder.

At the same time he also discovered a pop-up address book containing some names with each page x'd out in ink. Dears threw this pop-up notebook into the waste basket at the time. These are facts, of course, which defense counsel should know about. We are apprising the Court of them at this time for that purpose.

In my belief that this does not alter our

(425)
L is Pal, err, er, he it which tore it to present to the Court ill due course.

I Thank you, flour Honor.

THE COURT: Do you Irish to say anything?

WIR........SACHS: At this time; no, Your Honor.

THE COURT: MR. SHULTZ, I will hear from you.

MR. SHULTZ: Your Honor, my understanding of the

I arL,ent today with respect to the motions filed for leave, the motions to withdraw guilty pleas is to address ourselves to the question of

whether or not that we have submitted is legally sufficient either to grant the motions on the basis of the papers that have been submitted or to require a hearing. I would like to say at the outset that for possibly the first time, at least in part, we agree with the Government. I feel that based upon what has been submitted that a hearing isn’t necessary.

either, but we feel because the motions should be granted.

The affidavits which we have submitted pursuant to the Court’s request and the Government parties urge the fact that these defendants, tar. Martinez, Mr. Gonzalez, tar. Sturgis and Mr. Barker, do have a defense to the charges themselves.

In large part, the only reason and purpose for a hearing at this point would be for the Government to challenge the validity of their defense, and we think the authorities are clear in saying that in terms of ruling on a motion to withdraw |

and one made pre-sentence that the Court is not supposed to delve into the merits of the proffered defense. While on the
on June 26 or 27, 1972, Dean met with Walters and asked if there was any way the CIA could provide the bail money or pay the salaries of the persons arrested in connection with the break-in at the DNC headquarters. Walters said the CIA would do so only on a direct order from the President. According to Dean, his proposal to the CIA had previously been approved by John Ehrlichman. Dean also has testified that he reported to Ehrlichman regarding Walters’ negative position on the proposal, and that he was asked by Ehrlichman to push Walters a little harder. Ehrlichman has denied receiving these reports from Dean. On June 28, 1972, at 10:45 a.m., Dean met with Ehrlichman. At 11:30 a.m., Dean telephoned Walters and asked Walters to see him in his EOB office. At this meeting, Walters and Dean discussed the Dahlberg checks and the Mexican checks, and Dean again asked whether the CIA could do anything to stop the FBI investigation of these checks. Walters said there was nothing his Agency could do.

38.1 John Ehrlichman Log, June 26-28, 1972 (received from SSC) ..............................................................428

38.2 John Dean testimony, 3 SSC 945-48 429

38.3 Vernon Walters testimony, 9 SSC 3410-12 433

38.4 John Ehrlichman testimony, 7 SSC 2835 436

38.5 Vernon Walters memorandum for record, June 28, 1972, SSC Exhibit No. 130, 9 SSC 3816-17 437

38.6 Vernon Walters memorandum for record, June 29, 1972, SSC Exhibit No. 131, 9 SSC 3818 439

38.7 Vernon Walters memorandum for record, June 29, 1972, SSC Exhibit No. 132, 9 SSC 3819-20 440
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(428)
I do not recall when actually I received the first written information from the FBI, but I believe it was after July 21 when I received a summary report that had been prepared on the investigation to that stage.

I would also like to now summarize to the bottom of the page, and indicate that when—

"3 hr. DASH. Bottom of page 72.

Air. DEAN. Seventy-two, correct, and indicate that after I did get possession of the documents, the FBI files, I found them not very meaningful and later Air. Wardian, Air. Parkinson, or O'Brien came over to my office and read the reports, and Wardian, they all reached the same conclusion and I recall Alardian's reaction was that the documents indicated that the investigation was too vigorous and he was quite critical of Gray and asked me to call Gray to slow down but I never made such a call.

It was after I showed a copy of the July 31 report to Air. Mitchell that Alardian insisted that he be permitted to see the FBI reports. Mitchell agreed and thought that Paul O'Brien and Ken Parkinson should also see them.

I recall that when guardian, O'Brien and Parkinson finally came to my office to look at the reports, they realized that they were not very meaningful. It was 5:30, Alardian, however, who became very excited because of the scope of the investigation that Gray was conducting and the tone of the cables he was sending out of headquarters. Wardian clearly thought that Gray was being too vigorous in his investigation of the case and was quite critical of Gray's handling of the entire matter. He demanded that I tell Gray to slow down, but I never did so.

Summarizing the first paragraph on page 73, I also noted that I never showed any of these reports to anyone who was interviewed by the FBI and they were only given to Air. Dick Moore of the White House staff when he was working on the Segretti matter for Air. Ehrlichman and Jk. Haldeman.

I do not recall ever finding anything in the FBI reports which I scanned that was worth reporting to Ehrlichman and Haldeman and so I never read all of the reports that were sent to me. The FBI files containing the reports nearer left my office, nor were they shown to anyone in the White House other than Dick Agee when Air. Agee had been instructed to prepare a report on the Segretti incident by Ehrlichman. I never showed the reports to any of the persons who were interviewed by the FBI after their interviews.

I will turn now to the first dealings I had with the CIA. It was during the meeting in Mitchell's office on June 23 or 24 that Alardian first raised the proposition that the CIA could take care of this entire matter.
ter, if they wished, in that they had funds and covert procedures for distributing funds. I was personally unaware of the workings of the CIA, but Aldarian and Mitchell appeared very knowledgeable. As a result of this conversation, which was prompted by my report that Gray thought the CIA might be involved, we discussed whether I should contact the CIA and for assistance. It was also argued that the individuals involved in the Watergate incident, as former CIA operatives, should be interested in assisting.

On Monday morning, June 26, I spoke with Ehrlichman regarding this suggestion. He thought it was a good idea and worth exploring. He told me to call the CIA and explore it with them. I told him that I had never dealt with the CIA and did not know Director Helms. He told me that I should not call Helms, but General Walters. I told him I did not know General Walters either. He then told me that he and Haldeman had had a little chat—as he called it—with Helms and General Walters a few days earlier about their dealings with the FBI in relationship to the investigation. He was not specific. He then told me that I should deal with General Walters because he was a good friend of the White House and the White House had put him in the Deputy Director position since they could have some influence over the FBI. He told me that I should call General Walters, and I telephoned General Walters. I told him I was calling at Ehrlichman's request on a matter relating to his previous discussions with Ehrlichman and Haldeman, and if there were any problems General Walters should call him. After my meeting with Ehrlichman, I telephoned General Walters. I told him I was calling at Ehrlichman's request on a matter relating to his previous discussions with Ehrlichman and Haldeman, and if there were any problems General Walters should call him. He then told me that he had a meeting with General Walters to set up a meeting for about noon on that day.

When General Walters came to my office, I told him again that I was meeting with him at Ehrlichman's request. I made some general remarks about the Watergate case. It was from my discussion as a result of general comment with Walters that I became aware of the fact that Ehrlichman and Haldeman had discussed the possible suspects, and then discussed the fact that some of the leads that the FBI were pursuing were not related to the Watergate but could resili in their possession. Some of the agents were involved. I could just like to note to counsel for the record that some of this is different from the original draft of my report that may have been lost through the transcription of it here. I also told him that I understood that the FBI had developed three possible theories of the case, which I explained, and then asked if, in fact, any of the men arrested were persons that were the same persons (general Walters assured me that they were not). I then told him that I had been asleep to explore every possible means of clearing this situation and troubles some situations. I then also told him that some of the men involved were looking for assistance. I asked him if he had a meeting with Ehrlichman and the CIA COI(I be (if assistance) tell the rests involved. *enol Il Al-alers tolil Ille tilat xvhil
it could, of course, be done, he told me that he knew the Director's feelings about such a matter and the Director would only do it on a direct order from the President. He then went on to say that to do anything to compound the situation would be most unwise and that to involve the CIA would only compound the problem because it would require that the President become directly involved.

While I cannot recall in detail everything General Walters told me, I do recall that his argument was most sound and very persuasive. I told him I agreed with his position fully and I had merely been asked to explore the potential, which he very rightly stated was too great a risk. The discussion ended I asked him if he had any further ideas and told him I would appreciate the benefit of his thoughts. I thanked him for his coming over and his candid answers and he departed.

Subsequent to my meeting with General Walters, I reported back to Ehrlichman that Walters had informed me that any involvement by the CIA in this matter was impossible. I recall that when I reported this to Ehrlichman, he very cynically said “very interesting.” He told me that I should talk with General Walters further and push him a little harder to see if the CIA couldn’t help out, particularly with regard to the unnecessary pursuit of investigative leads. I also recall Ehrlichman saying something to the effect that General Walters seems to have forgotten how he got where he is today.

I would like to skip the paragraph on page 68 rewarding the call from Gray, and turn to the last paragraph on 77.

I received a phone call from Gray on June 27 in which he expressed both concern and confusion about his determining if the CIA was or was not concerned about the FBI investigation. I was also confused by Gray’s call and do not recall at this time what, if anything, I did after I received it. However, I do recall that Ehrlichman had mentioned to me that he wanted Gray to deal with General Walters rather than Director Helms.Apparently this was the cause of the confusion on Gray’s behalf.

On the morning of June 28 I arranged again to meet with General Walters. I was first embarrassed about requesting the meeting because he had been most explicit and convincing to me at the first meeting. I told him that I requested the meeting at Ehrlichman’s behest to further discuss the problems of the Dahlberg and Mexican checks. I told him what I knew about the matters and that, to the best of my knowledge, they were not related to the Watergate incident. I then asked him if he had any suggestions. He expressed sympathy over the situation, but said there was nothing his agency could do. He again explained reasons similar to his earlier comments regarding CIA involvement and I expressed my understanding. I then asked him if he had any ideas at all and he said that it might be possible to explain the matter as an anti-Castro activity. We had some general discussion of this, but nothing concrete emerged from the discussion. Before Walters departed I assured him that I agreed that it would be most unwise to involve the CIA, and I thanked him—almost apologetically—for coming by again. At no time did I push him as I had been instructed.

At the conclusion of this meeting I was totally convinced, as I had
been earlier, that the CIA could not and should not be brought in to solve the problems confronting the AVIsite House and reelection committee as a result of the Watergate incident.

I subsequently informed Ehrlichman and Haldeman that unless the President directly ordered the CIA to provide still photographic material of those involved to me that the CIA was not going to be brought in to solve the problems of the AVIsite House and reelection committee. I told them I agreed with Walters that this would be a terrible mistake and they both told me they agreed.

I would now like to explain the transmitting of the materials in Hunt's safe to the FBI. As I noted earlier, shortly after the FBI interviewed June 22 of Colson, and my later instructions from Ehrlichman to Deep Six to shred the briefcase and shred documents, I had informed the FBI that I would forward the material found in Hunt's office. After sifting the implications of Ehrlichman's instructions to destroy the items and decided that I would not engage in any such act unless myself or be pushed into it. Accordingly, I asked David Young to return the State Department cable to my office. I had already returned the briefcase from my car trunk to my office.

I received several calls from the FBI requesting the material, but I had not yet figured out how to tell Ehrlichman I was not going to destroy the material. I knew I had to develop a good argument as to why the materials should not be destroyed. On June 20 or 26 I went to Ehrlichman to explain that I thought the men who drilled the safe had probably seen the briefcase? that the Secret Service agent who was present had probably seen some of the material; that Atr. Icillirli and Fielding had seen it—and what would happen when all those people were later asked by the FBI about the contents of the safe. Then, I said I felt we must turn over the material to the FBI. With regard to the sensitive documents, I suggested that they be given directly to Gray. I told Ehrlichman that if ever asked under oath, I had to be able to testify that to the best of my knowledge, everything found in the safe had been turned over to the FBI.

The FBI agents came to my office, I believe on June 20 or 26. I gave them one box, which had been packed and told them that as soon as the other material was packed I would return it to them. Ellen I got tied up in a meeting, I phoned Fielding and asked him to pack up the remainder of the materials, which I believe were the State Department cables and the briefcase. He did so and turned over the remainder of the materials, with the exception of the two envelopes which contained the politically sensitive materials I described earlier. I spoke with Ehrlichman on the 20th and informed him that the material had been sent to the FBI with the exception of the politically sensitive documents. He told me he was meeting later that day with Gray and I should bring them over at that time.

I went to Ehrlichman's office just before Afr. Gray arrived. I placed the envelopes on the coffee table in his office. Ellen 8TraV arrived. Ehrlichman told him that there were some matters I had been involved with that had come from Hunt's safe. Ehrlichman described it as I officially sensitive--I'll slot late to the AFter. I told 8TraV that Fielding and I had gone through Hunt's documents and had turned over all the materials to the absents except the documents in these two envelopes.
Air. DASH. After that meeting with Or. Dean on June 96, did you report back to former Director Helms?

General WALTERS. I did. I told Air. Helms generally what had transpired and he approved of my firm stand with Dean and I related in some detail the various matters that I had discussed with Air. Dean and the fact that I had told Air. Dean that no Cogency assets should be compromised by the pursuit of the FBI investigation in Mexico.

Stir. DASH. I think you mentioned earlier that you did again meet with Air. Dean. Altrhen did you next meet with 3lr. Dean?

General WALTERS. On the following morning, June 27, I received another telephone call from 3lr. Dean summoning me down to his office. I Event down to Air. Dean's office. I believe the time is indicated in the memorandum, 11:30 a.m.

Air. DASH. I think 11:45 a.m.

General WALTERS. 11:45 a.m. And Air. Dean said that the investigation was continuing, that some of the suspects were babbling and might talk and I said, "Well, that is just too bad but it has nothing to do with us because nothing that they can say can implicate the Agency." So he again said, "Have you not discovered something about Agency involvement in this matter?" And I said, "No, I have not discovered anything about Agency involvement in this matter." He said, "Is there not something the Agency can do to help?" I said, "I do not see how we can be helpful." Then he said, "Well, would there be any way in which you could go bail or pay the salaries of these defendants while they are in jail?" And I said, "No say. To do so would implicate the Agency in something in which it is not implicated. I will have no part in this."

Again I went through the reasoning of the appalling effect it would have. I made plain to him that if the Agency were to intervene in this, it would become known in the leaking atmosphere in Washington, that it would be a total disaster, and I would like to say, if I may at this point, that I have not spent the whole of my adult life in the Central Intelligence Agency; I joined it for the first time in Adam of 1976. But I am convinced that an effective CIA is essential if the United States is to survive as a free and democratic society in the rough world in which we live, and I was determined that I would not see it destroyed or implicated as might be desired in this business. I further told 3lr. Dean that when we expended funds, covert funds within the United States, Eve have to report this to our congressional oversight committees and this seemed to cool his enthusiasm considerably. We had a few more discussions and again he asked me whether there was any way Eve could be helpful and I said, "No, Eve could not be."

Wlr. DASH. Did you, by the way, at the meeting on Tulle 8—do you have a copy of your memorandum with you?

General WALTERS. Yes. I do. This is the meeting of the 98th or the memorandum written on the 28th?

Mr. O.—No. The meeting of the follosvino dav. the meeting VOII have just testified to.

General WALTERS. On the 8th: yes I do.

See p. 354A

(433)
Mr. DASH. Yes. First let me show you your copy of a memorandum you prepared on June 29 of your meeting on June 27 and ask if this is a correct copy of that meeting.

General WALTERS. Yes, it is.

Mr. DASEI. Mr. Chairman, if Eve can have that marked for identification and received.

Senator ERVIN. That will be marked and appropriately numbered as an exhibit and received in evidence as such.

[The document referred to was marked exhibit No. 131.]

Mr. DASH. All right, now General Walters, the very next day, it appears that you had another meeting with Mr. Dean.

General WALTERS. That is right.

Mr. DASH. Did you report to Wormer Director Helms on your 27th meeting?

General WALTERS. Mr. Helms was extremely interested in this whole business and I reported to him immediately returning to the Agency on each occasion.

Mr. DASH. On the 28th when you began to write these memorandums, could you tell the committee what caused you to begin to put this down in writing?

General WALTERS. Well, as soon as he broached the question of bail and paying the salaries of these defendants, I realized that for the first time there was a clear indication that something improper was being explored, and I discussed this with Mr. Helms and we agreed, again I don't know whether he or I suggested it, that Eve write the memorandum, that I wrote the memorandum on these meetings and kept a record of them and that is how the memorandums came to be recorded. It will be noted I wrote practically five of them on the same day to catch up with the past.

Mr. DASH. Yes.

The meeting on the 28th it appears was a fairly significant meeting because it was a follow-up again of a third meeting that you had with Mr. Dean. Do you have a copy of that memorandum?

General WALTERS. Of my meeting of the 28th?

Mr. DASH. Yes; which you prepared on June 29, 1972.

General WALTERS. Yes, I do have it.

Mr. DASH. Would you read that memorandum in full, General Walters?

General WALTERS [reading]:

On 28 June at 11:30 John Dean asked me to see him at his office in the Executive Office Building. I saw him alone.

He said that the Director's meeting—

That is Director Helms' meeting—

with Patrick Gray, FBI Director, was canceled and that John Ehrlichman had suggested that Gray deal with me instead.

The problem was how to stop the FBI investigation beyond the five suspects.

Leads led to two other people—Ken Tidball and a Mexican named Guern—Dean said that the $89,000 VVex was unrelated to the bugging case and Tidball was refusing to answer questions Dean then asked hopefully whether I could do anything or had any suggestions.

I indicated that as Deputy Director, I had no independent authority. I was not in the channel of command and had no authority other than that given me by the Director. The idea that I could act independently was a delusion and had no basis in fact.

[See p. 3818.]

(434)
Dean then asked what might be done and I said that I realized he had a tough problem, but le there were Agency involvement, it could be only at Presidential directive and the political risks that were concomitant appeared to me to be unacceptable. At present there was a high explosive bomb but intervention such as he had suggested would transform it into a megaton hydrogen bomb. The present caper was awkward and unpleasant. Directed intervention by the Agency could be electorally mortal if it became known and the chances of keeping it secret until the election were almost nil. I noted that scandals had a short life in Washington and other never spicier ones soon replaced them. I urged him not to become unduly agitated by this one.

I then asked if I had any ideas and I said that this affair already had a strong Cuban flavor and everyone knew the Cubans valued conspiratorial and anxious to know what the policies of both parties would be toward Castro. They, therefore, had a plausible motive for attempting this amateurish job which any skilled technician would deplore. This might be costly but it would be plausible.

Dean said he agreed that this was the best tack to take but it might cost half a million dollars. He also agreed (for the second time) that the risks of Agency involvement were unacceptable. After a moment's thought he said that he felt that Gray's cancellation of his appointment with Director Helms might well be reversed in the next few hours.

Dean thanked me and I left.

Zir. D. & S. E. First, General Walters, where was this meeting to be held on June 28 which was canceled?

General S. & E. I did not know, Mr. Dash, I did not know what he was talking about. I presume some arrangement outside of me had been made for Director Helms to see Mr. Gray.

Mr. DASH. But in any event, as your memorandum shows, Mr. Ehrlichman had indicated he had preferred Gray meet with you on an ongoing basis.

General WALTERS. This is what Mr. Dean said.

Mr. DASH. Could you tell the committee at least what your impression was concerning that part of your memorandum—There you said this meeting is mostly concerning a Cuban conspiratorial plot and Dean's statement that he agreed that this was the best tack to take but it might cost a half million dollars.

General WALTERS. Yes, Mr. Dash.

Dean went back at this point in the conversation, as I remember it, to the three hypotheses and he was sort of saving 'Well he could have done this, rho could have done this.' He did not indicate at any time that he knew where the origin of this Novas. Quite frankly at this point my principal purpose was to divert him from pursuing the option of involving the Agency in this. I had read, I believe, about that time an article in the newspaper which put out a hypothesis that the Cubans might have been at the origin of this in order to try to find out what the policies of the Democratic Party would be if it were elected in 1972. This is what I basically said to Dean, that the Cubans had a plausible motive for doing this.

Zir. Dean, obviously understood this as a suggestion of mine that he should try to blame the Cubans. In retrospect, as is so often said here from this table I should have corrected him. Frankly I was so relieved at seeing him apparently abandon the idea of involving the Agency or at least retreating on the idea of ins-oll-insr the tteneyt that I did not correct his impression when he said he ob—iolltslv thodierht I was sil.Lf restrin r that he coukl hlyv the (7llbal ls.

Err. D. v. sir. Wotkl that be the inference that Err. Denn's statement theta it mirtlfl cost it half million dollals xwonld actllaly require paItInft somebody of or take this position?
at this meeting, and what it was as General Walters was going to go and
tell to Mr. Gray about.

Senator ERVIN. I think this may be an appropriate time to recess
court.

Mr. WILSON. Err. Chairman, may I inquire about the schedule. Fir.

Haldeman is our next witness and I would like to ask whether
suggest that he be here at 2 o'clock. He has a statement which would
false no longer than 2 hours to read and I would suggest that he read
it the same day.

Senator ERVIN. I would suggest that he come in at 3 o'clock. I
ave can finish with Mr. Ehrlichman at that time. I don't know whether
ave can or not.

[whereupon at 12:30 p.m., the committee recessed to reconvene at
2 p.m. on the same day.]

AFTERNOON SESSION, Monday, July 30, 1973

Senator ERVIN. The committee will come to order.

Counsel will resume the interrogation of the witness.

Mr. DASH. Mr. Ehrlichman, following the meeting that you had
on June 23 with Wtr. Walters, 3lr. Helms, and 2lr. Haldeman, did
you instruct Wtr. Dean to contact for Walters and follow up on the
June 23 meeting?

Mr. EHRlichman. No, sir. I simply notified 3lr. Dean that there
had been a meeting, that General Walters was going to be talking
with Wtr. Gray, and that you had indicated to General Walters that
Mr. Dean would be his contact from that point forward.

Mr. DASH. Did there come a time when General Walters did call
you and tell you that he was going to have a meeting or that Dean had
contacted him and was it all right for him to speak to Mr. Gray?

Mr. EHRlichman. It either happened that way or I told him at
the time of the meeting on the 23rd that Dean would be his contact,
one or the other, but I am quite sure that I indicated to General
Walters that Dean was the White House man who was looking after
this whole subject.

Mr. DASH. Were you aware that Wtr. Dean did in fact meet with
General Walters on June 26?

Mr. EHRlichman. No, I was not aware of those meetings.

Ok. DASH. There were a series of meetings?

Mr. EHRlichman. Yes, I understand there were, and I was not aware
of that series of meetings until just recently.

Wtr. DISH. And Air. Dean aid not report to you on them?

Mr. EHRlichman. No, he did not.

Wtr. DASH. Now, on June 28, 1977, you met with Air. Dean and Btr.
Gray, and you have had some testimony on that. and on that same day
you had two earlier meetings with Air. Dean. Do you recall what the
two earlier meetings were about before the meeting with Air. Dean on
that day?

Mr. EHRlichman. Not specifically. I surmised that one of them was
simply an informational meeting where I was about to leave
town for an extended period of time. Is it more practical, there was a conversation and whether it was by telephone or over breakfast, I cannot recall, but the other Slav that we met Keith Pat Gray I STt
MEMORANDUM FOR RECORD
28 June 1972

On 26 June at about 10:00 a.m. I received a phone call from Mr. John Dean at the White House. He said he wished to see me about the matter that John Ehrlichman and Bob Haldeman had discussed with me on the 23rd of June. I could check this out with them if I wished. I agreed to call on him in his office in Room 106 at the Executive Office Building at 11:45 that morning. Immediately after hanging up, I called Ehrlichman to find out if this was alright and after some difficulty I reached him and he said I could talk freely to Dean.

At 11:45 I called at Dean's office and saw him alone. He said that the investigation of the Watergate "bugging" case was extremely awkward, there were lots of leads to important people and that the FBI which was investigating the matter was working on three theories:

1. It was organized by the Republican National Committee.
2. It was organized by the CIA.
3. It was organized by some other party.

I said that I had discussed this with Director Helms and I was quite sure that the Agency was not in any way involved and I knew that the Director wished to distance himself and the Agency from the matter. Dean then asked whether I was sure that the Agency was not involved. C

g I said that I was sure that none of the suspects had been on the Agency payroll for the last two years.

Dean then said that some of the accused were getting scared and "wobbling". I said that even if they could not implicate the Agency, Dean then asked whether there was not some way that the Agency could help them. Dean added that it was not just bail, that if these men went to prison, could we (CIA) find some way to pay their salaries while they were in jail out of covert action funds.

(437)
I said that in my, be quite clear. I was the Deputy Director and as such had only authority specifically delegated to me by the Director and was not in the chain of command but that the great strength of the Agency and its value to the President of the nation lay in the fact that it was apolitical and had never gotten itself involved in political disputes. Despite the fact that I had only been with the Agency a short time, I knew that the Director felt strongly about this.

I then said that big as the troubles might be with the Watergate Affair, if the Agency were to provide bail and pay salaries, this would become known sooner or later in the current “leaking” atmosphere of Washington and at that point the scandal would be ten times greater as such action could only be done upon direction at the “highest level” and that those who were not touched by the matter now would certainly be so.

Dean seemed at first taken aback and then very much impressed by this argument and said that it was certainly a very great risk that would have to be weighed. I repeated that the present affair would be small potatoes compared to what would happen if we did what he wanted and it leaked. He nodded gravely.

I said that, in addition, the Agency would be completely discredited with the public and the Congress and would lose all value to the President and the Administration. Again he nodded gravely.

He then asked if I could think of any way we (CIA) could help.

I said I could not think of any but I would discuss the matter with the Director and would be in touch with him. However, I felt that I was fully cognizant of the Director’s feelings in this matter.

He thanked me and I left.

Vernon A. Walters
Lieutenant General, USA

(438)
At 1145 on 27 June 1972, I saw John Dean at his office in the Executive Office Building.

I told him that I had spoken to Director Helms and found that what I had said to Dean the previous day did indeed reflect Helms’ views accurately. That he felt any involvement of the Agency would be most counterproductive and furthermore, we had a legislative constraint about the expenditure of our funds within the United States. We had to clear them with the Chairmen of the CIA Oversight Committees in both House and Senate. This visibly lessened his enthusiasm.

I then repeated my arguments that this caper while presently seeming very large would be overtaken by other spicier developments. Unfortunate though its consequences might be currently, Agency involvement by direction at the highest level would undoubtedly become known sooner or later and would then reach to people who were still uninvolved. He nodded. I said that my mind boggled that such risks as those involved in this caper could have been taken for such an unremunerative target. Involving the Agency would transform what was now a medium-sized conventional explosive into a multi-megaton explosion and simply was not worth the risk to all concerned.

Dean thanked me looking glum and said he agreed with my judgment on all of these makers.

Vernon A. Walters
Lieutenant General, USA

(43g)
MEMORANDUM FOR RECORDS

29 June 1972

On 28 June at 1130 John Dean asked me to see him at his office in the Executive Office Building. I saw him alone.

He said that the Director's meeting with Patrick Gray, FBI Director, was cancelled and that John Ehrlichman had suggested that Gray deal with me instead.

The problem was how to stop the FBI investigation beyond the five suspects. Leads led to two other people -- Ken Dahlberg and a Mexican named Guena. Dean said that the $89,000 was unrelated to the bugging case and Dahlberg was refusing to answer questions. Dean then asked hopefully whether I could do anything or had any suggestions.

I repeated that as Deputy Director, I had no independent authority. I was not in the channel of command and had no authority other than that given me by the Director. The idea that I could act independently was a delusion and had no basis in fact.

Dean then asked what might be done and I said that I realized he had a tough problem, but if there were Agency involvement, it could be only at Presidential directive and the political risks that were concomitant appeared to me to be unacceptable. At present there was a high explosive bomb but intervention such as he had suggested would transform it into a megaton hydrogen bomb. The present caper wag awkward and unpleasant.

Directed intervention by the Agency could be electorally mortal if it became known and the chances of keeping it secret until the election were almost nil. I noted that scandals had a short life in Washington and other newer spicier ones soon replaced them. I urged him not to become unduly agitated by this issue.

(440)
He then asked if I had any ideas and I said that this affair already had a strong Cuban flavor and everyone knew the Cubans were conspiratorial and anxious to know what the policies of both parties would be towards Castro. They, therefore, had a plausible motive for attempting this amateurish job which any skilled technician would deplore. This might be costly but it would be plausible.

Dean said he agreed that this was the best tack to take but it might cost half a million dollars. He also agreed (for the second time) that the risks of agency involvement were unacceptable. After a moment’s thought he said that he felt that Gray’s cancellation of his appointment with Director Helms might well be reversed in the next few hours.

Dean thanked me and I left.

Vernon A. Walters
Lieutenant General, USA
On the morning of June 27, 1972 Gray met with Mark Felt and Charles Bates of the FBI to receive a briefing on the latest Watergate break-in developments. During that briefing Dean telephoned Gray. Gray has testified that in the ensuing conversation he told Dean that if Dahlberg continued to evade the FBI, Dahlberg would be called before a grand jury. Gray also has testified that he asserted to Dean the importance of an aggressive FBI investigation to determine the motive and identity of all persons involved.

On June 27, 1972 CIA Director Helms received a memorandum from the Chief of the Western Hemisphere Division of the CIA stating that there were no CIA traces on Manuel Ogarrio and that the CIA’s last contact with a person named Kenneth Dahlberg occurred in 1961 and concerned the manufacturing of a hearing aid for a high level Peruvian. Later that day, Helms told Gray that the CIA had no interest in Ogarrio. Helms confirmed with Gray their plan to meet the following day.
Avr. Manuel Ogarrio Daguerre and
Mr. Kenneth Harry Dahlberg

1. The information contained in paragraph 2 is for your information.

2. In response to your 27 June 1972 request for traces, the following is submitted:

   a. Manuel Ogarrio Daguerre has an office on 156 Paseo de la Reforma in Mexico City. This office is located in the same building as the Banco Internacional of Mexico City. His home address is Cerro de Maika 3LO, Mexico City. There are no CIA traces on Manuel Ogarrio Daguerre. This man is listed in the Mexico City telephone directory.

   b. Kenneth Harry Dahlberg. The Office of Security gave DCS an approval on 13 July 1965 to contact Kenneth Harry Dahlberg. Security File No. EE 30944 indicates Dahlberg was born on 30 June 1917 in St. Paul, Minnesota. Discussions with DCS reveal Kenneth Harry Dahlberg is president of Dahlberg Company's 7731 Country Club Drive, Minneapolis, which manufactures hearing aids. CIA's last recorded contact with Dahlberg was in May 1961 when he worked on a hearing aid for a high level Peruvian. The cards indicate there was interest in recontacting Dahlberg in April 1965, but there is no record if he was contacted. The Dahlberg file is in Archives and will be available to us on 28 June 1972. The FBI wanted traces on Kenneth Dahlberg. Thus it is not clear if Kenneth Dahlberg, who is of interest to the FBI is identical with Kenneth Harry Dahlberg who was in touch with CIA.

[Comment: Kenneth Harry Dahlberg originally contacted CIA in 1958 on radio matters, not further specified. There is an outside chance that radio matters could be tied to audio operations.]

Additional conversations with the FBI on the working level will be needed to sort out the various interests in the name Kenneth Dahlberg.

Chief, Western Hemisphere Division
SECRET/SENSITIVE
EYES ONLY

THE MATERIAL DELETED FROM THIS PAGE WAS DELETED BY THE CHAIRMAN AND RANKING MINORITY MEMBER AT THE REQUEST OF THE CENTRAL INTELLIGENCE AGENCY.

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mentioned in connection with the CITE situation. It is my best recollection, however, that they were and I undoubt-edly told him that we would continue our peripheral investigation because of the apparently inconsistent reports I had received from Helms and Helmers. He requested that Eve not conduct any interviews that would expose CITE sources in connection with the source of the $11,000 in checks that were deposited in Mr. Barker's bank account.

Cain told Mr. Dean that Eve would hold off temporarily with interviews of Ogarrio and work around this problem to determine what Eve was encountering.

C/w Tuesday morning June 27th 1972, I met with Mr. Bates and Mr. Alargs Felt, Acting Associate Director, to receive a briefint on the latest developments. While they were in the office Mr. Dean called. The call involved establishing tile chain of custody for the contents of Howard Hunt's safe and his providing us with photostats of certain Elite House staff members to aid us in identifying an individual who had been with Mr. Hunt at the Miami Playboy Club in December of 1971. In this conversation I also told Mr. Dean that if Mr. Dahlberg continued to evade us he would be called before the special jury.

Although I cannot pinpoint the exact telephone conversation. I believe that by this date Mr. Dean had requested that Mr. Dahlberg not be interviewed because of alleged CITE interest in him.

In this same conversation, I also told Mr. Dean that it was extremely important that the FBI continue its aggressiveness until we determine the relative, reasons, and identity of all persons involved. I said that I might be called upon at a later date to testify before congressional committees and Eve could not have the FBI accused of not pursuing this case to the end.

Following the briefing by Mr. Felt and Mr. Bates and as an outgrowth of it, I telephoned Director Helms of the CITE and asked him to tell me specifically if the CITE had any interest in Mr. Ogarrio that would prevent us from interviewing him and also asked that he and general W07altels meet the following day at 3:30 p.m. in my office with Mr. Dean, Mr. Felt, and Mr. Bates to review our respective positions in this investigation. Director Helms told me that he would have to check to determine whether the CITE had any interest in Mr. Ogarrio and would call me later that afternoon. I advised Mr. Felt of this meeting and also asked that he notify Mr. Bates. Director Helms called me back later that afternoon, told me the CITE had no interest in Mr. Ogarrio, and confirmed our meeting for the next day.

Just, 7 minutes after Director Helms' call to me, Mr. Dean called me at 3:47 p.m., and although I cannot be absolutely certain, I believe this was a call at which I held a telephont meeting with Mr. Ogarrio and Mr. Dean. Mr. Dean, because of CITE interest in these men, I cannot recall if I told him that I had just talked to Director Helms who informed me that CITE had no interest in Mr. Ogarrio and that I was going to order that Mr. Ogarrio be interviewed. I seem to remember that Mr. Dean said to me that these men have absolutely nothing to do with AN divertgate, but I cannot remember if he said this to me in this conversation or in earlier conversations.

On Wednesday, June 9th, 1972, at 1:19 p.m., Mr. Dean telephoned me and talked about rumors of leaks from the FBI, the material from Hunt's safe possibly delivered to the FBI, rumors of a slowdown in

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On June 28, 1972 at 10:25 a.m. Dean telephoned L. Patrick Gray about rumors of leaks from the FBI, the material from Hunt's safe, a slowdown in the investigation, and the tracing of the Mexican money. According to Gray, he may have told Dean during this conversation of the meeting he had scheduled with Helms for 2:30 p.m. that day. At 10:45 a.m. Dean met with John Ehrlichman. At 10:55 a.m. Ehrlichman telephoned Gray. Gray has testified that when he returned the call at 11:17 a.m., Ehrlichman said, "Cancel your meeting with Helms and Walters today; it is not necessary." At 11:23 a.m. Gray called Helms to cancel their meeting. Helms asked Gray to call off interviews which the EBI had scheduled with two CIA employees. (In July 1971, pursuant to a request from Ehrlichman to Deputy CIA Director Robert Cushman, the two CIA employees had provided Howard Hunt with disguises, hidden cameras, and other material for use in domestic clandestine operations. In requesting CIA assistance for Hunt, Ehrlichman had told Cushman that Hunt "has been asked by the President to do some special consulting work on security problems.")
Partial transcript of telephone call from John Ehrlichman to General Robert Cushman, July 7, 1971, and accompanying affidavit of CLK employee, February 5, 1974 (received from CIA)
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**Bureau for Refugees**

**10th**

Mr. James J. Gray, Jr.

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mentioned in connection with the CI situation. It is my best recollection, honked er, that they were and I undoubtedly told him that we would continue our peripheral investigation because of the apparently inconsistent reports I had received from Helms and Walters. He requested that we not conduct any interviews that would expose CIA sources in connection with our investigation into the Source of the ~$14,000 in checks that were deposited in Alr. Barker's bank account. Again I told Mr. Dean that we would hold off temporarily with interviews of Ogarrio and work around this problem to determine what we were encountering.

On Tuesday morning June 27, 1972, I met with Or. Bates and 3tr. Alarls Felt, Noting Associate Director, to receive a briefing on the latest developments. WN'Hile they were in the office Mr. Dean called. The call involved establishing the chain of custody for the contents of Howard Hunt's safe and his providing us with photographs of certain White House staff members to aid us in identifying an individual who had been with Wlr. Hunt at the Miami Playboy Club in December of 19,1. In this conversation I also told Mr. Dean that if Or. Dahlber, continued to evade us he would be called before the grand jury. Although I cannot pinpoint the exact telephone conversation, I believe that by this date Stlr. Dean had requested that Alr. Dahlber— not be. internewed because of alleged CL-t interest in him.

In this same conversation, I also told Mr. Dean that it was extremelv important that the FBI continue its assertiveness until we determine the motive, reasons, and identity of all persons involved. I said that I might be called upon at a later date to testify before congressional committees and we could not have the FBI accused of not pursuing this case to the end.

Following the briefine by Atr. Felt and Atr. Bates and as an out growth of it, I telephoned Director Helms of the CI-t and asked him to tell me specifically if the CI-t had any interest in Mr. Ogarrio that would prevent us from interviewing him and also asked that he and General Walters meet the folloTills' day at s2 :30 p.m. in my office with me, Mr. Felt, and Atr. Bates to reovie our respective positions in this investigation. Director Helms told me that he would have to check to determine whether the CIA had any interest in Air. O—arrio and would call me later. I advised him that if he notify Mr. Bates. Director Helms called me back later that afternoon, -told me the CI.t had no interest in Mr. Ogarrio, and confirmed our meeting for the next day.

Just 7 minutes after Director Helms' call to me, Mr. Dean called me at 3 :47 p.m., and although I cannot be absolutely certain, I believe this was a call attair refuJcem-- me to hold off interviewing Alr. O'varrio and Alr. Dahlberg because of CI& interest in theses men. I cannot recall if I told him that I had just talked to Director Helms who informed me that CIA had no interest ill Air. Ogarrio and that I was goin r to order that Atr. Ogarrio be interviewed. I seem to remeber that Stlr. Dean said to me that these men have absolultlv nothing to do with IVater--ate, but I cannot remeber whether he said this to 1st in this conversation 01' in earlier conversations

On ANJednesday, Anne 9S, 197a, at 10 :9a a.m., Mr. Dean telephoned me and talked about rumors of slowdow in Hmnt's safe previously delivered to the FBI, the material from

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the FBI, and leaks from the FBI concerning the tracing of the $114,000. Once again I believe there was some discussion about Ogarrio and Dahlberg and it is my recollection that I was asked if I had ordered the interviews of Ogarrio and Dahlberg. I replied that I had either ordered or was going to order the interview of Ogarrio. In this discussion, I may have told Mr. Dean that I had arranged to meet with Director Helms and Deputy Director Walters at 2:30 p.m. that afternoon to try to get this CIA situation resolved, but I cannot be positive that I did.

At 10:55 a.m. on this same day Mr. Ehrlichman called me. I was not available, but I returned his call at 11:17 a.m. His first avords, ised abruptly, were: "Cancel your meeting with Helms and Walters today; it is not necessary." I asked him for his reasons and he simply said that such a meeting is not necessary. I then asked him point blank echo was going to make the decisions as to who is to be interviewed. He responded, "You do."

I then telephoned Director Helms to tell him that I was canceling our meeting. I also advised Blessors Felt and Bates of the cancellation, but stated that the three of us would meet. In this same conversation with me, Director Helms requested that we not interview active CIA men Karl Wagner and John Caswell. I passed this information to Mr. Felt and instructed that these men not be interviewed. Before orders could get to the field, however, Mr. Caswell had already been interviewed.

I met with Mr. Felt and Mr. Bates in my office at 2:30 p.m. on this Wednesday afternoon, June 28, to review the CIA situation. In this meeting I was brought up to date on all the latest developments in the case. I can recall specifically discussing with them the compartmentalization at CIA where the right hand is not supposed to know what the left is doing in sensitive operations and asked if this could occur. We agreed that it was possible, but unlikely in the absence of some special White House interest in the highest classification of national security interests where the need to know was rigidly controlled.

Mr. Bates pointed out that under no circumstances should we back off any investigation at the request of CIA without forcing them to reveal completely their interest in this matter. We all agreed that the FBI's reputation was at stake and I assured them that I would not hold back the FBI in this investigation at anyone's request, including the President of the United States, in the absence of overriding and valid considerations. I told them that if I were ordered to do so without valid reasons, I would resign.

It was in this meeting that I believe I gave Mr. Felt and Mr. Bates instructions to no ahead with the interview of Mr. Ogarrio and to continue our efforts to locate and interview Sir.

At 3:58 p.m., June 28, Mr. Dean called and I was not available. I returned the call at 4:35 p.m. and I believe now that, this call involved a request by Mr. Dean to hold off on the interview of Miss Kathleen Stemson for national security reasons until she returned from her vacation in England. I'm sure I said we would hold up for the time being but she would have to be interviewed soon. I can recall saying that we had interview her ill Florida unless she returns from vacation at an early date. Mr. Dean gave me her address.
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Mitchell to do this. I had in effect set this up without knowing it by telling Walters that Dean was his White House contact from that day forward. But I did not know about these conversations.

Mr. THOMPSON-. Dean did not report back to you ?

Bfr. EHRLICHMAN-. Not about that; no, sir.

Mr. THOMPSON-. Did you have occasion to call Fir. Gray to call off a meeting which he and Walters scheduled on June 25, to tell his that the meeting would no longer be necessary, that matters had been worked out some way?

Mr. EHRLICHMAN-. Well, I didn't realize that I had canceled it. My strong concern about that meeting was that it was going to include some staff members from the FBI and as I say, everyone experiencing these leak problems and right at that particular time, one of the people who would have been included in that meeting was under very strong suspicion as being the source of that leak. We had had independent information which we were talking to Fir. Kleindienst about, about that specific individual and it appeared that this whole thing was going to include him. So that was the reason for my call.

Mr. THOMPSON-. Did you ask precisely who would be in attendance at the meeting?

Mr. EHRLICHMAN-. Yes. Well, I don't know as I asked him. I think I was told. As a matter of fact, I think Fir. Dean told me.

Mr. THOMPSON-. Did you tell Mr. Gray of your suspicions or concerns about the individual?

Mr. EHRLICHMAN-. Not at that time.

Bfr. THOMPSON-. Why?

Mr. EHRLICHMAN-. Because at that time, we were talking with Zbr. Kleindienst about how to go about smoking out this problem around Zbr. Gray, frankly.

Bfr. THOMPSON-. Why?

Mr. EHRLICHMAN-. Because Zbr. Gray at that time was not acknowledging the problem.

Mr. THOMPSON-. You had spoken to him about it?

Mr. EHRLICHMAN-. Oh, I had spoken to him about the leaks. I hadn't spoken to him about this specific man in this specific greeting until this call. Zbr. Kleindienst and I discussed on several occasions how we might go about determining the source of the leak. He proposed the idea of planting a story or a set of circumstances and seeing if it turned up and this kind of thing. So we were dealing with the Attorney General on that.

Bfr. THOMPSON-. Did you talk to Walters about this meeting?

Mr. EHRLICHMAN-. I don't believe so. I don't believe I talked to John Walters again—

Zbr. THOMPSON-. Could not Gray and Walters have had a meeting, the two of them, to solve the problem?

Mr. EHRLICHMAN-. Yes, that was the whole idea.

Mr. THOMPSON-. Was that suggested?

Zbr. THOMPSON-. That was suggested in the inception.

Bfr. THOMPSON-. You didn't tell him that the meeting would not be necessary?

Mr. EHRLICHMAN-. I don't recall what I told him except that—
Afr. THOMPSON-. Going back to July of 1971, eJul.v 7,1971. did you call Deputy Director Cushman and ask him to give Mr. Hunt assistance in his activities at that time ?

Mr. EHRlichIAN-. A-0, I have been asked many times about the telephone call and I simply have no recollection of having made that call.

Afr. THOMPSON-. Did you know what Mr. Hunt was doing during that period of time ? Were you informed ?

Mr. EHRlichIAN-. I knew from my one meeting with Mr. Colson and zrr. Hunt jointly what he was supposed to be doing, yes.

Afr. EHRlichIAN-. AVhat lena he doing ?

Mr. EHRlichIAN-. He was supposed to be engaged in an analysis of the Pentagon Papers and in determining their accuracy, vether or not they were in fact complete accounts of the events which took place or whether they were edited, tailored accounts which did not include the complete facts.

Mr. THOMPSON-. Well, vhat brought it to anyone's Attention? I thought it was the so-called Barker moneys that had come from Mexico.

Mr. EHRlichIAN-. You mean that precipitated the meeting ?

Mr. THOMPSON. Yes.

Mr. EHRlichIAN-. A-0, it was a much broader concern than that and it included, as I said, the question of direct involvement, it included whatever exposure there might be for any CIA activity.

I think the Mexican money or the Florida bank account or whatever, which involved one of these people: who had been a former CIA agent or client or whatever they call theme now as involved in the meeting by one of us as the kind of thin At that the President evidently was concerned about. And it xvas *discussed as a specific example. But the meeting divas by no means limited to that.

Afr. THOMPSON-. Can you recall anv other specific examples that xvere discussed ?

Mr. EHRlichIAN-. Yes.

Afr. THOMPSON-. Have Aid that come in ?

Afr. EHRlichIAN-. Aftell, because apparently the President had specifically mentioned the Bay of Pigs to Bob Haliketman in an T>Testinf the meeting and then he nlelitiolel/l it to me attain in July as the hold of illin,that apparently CLt Ill'hit W em|alaraseel about, that some of the people RV]10 vere in=0<ecl ill ANatleetate, apr]ueltll. Iwad been involved in the Baw of Piers anal tceolXdill, triangles avhetlil there novas any CIA exporstitle still existint .

(45t)
Mr. HELMS. It is my recollection that it was at the meeting of the 27th, which was Tuesday, I believe, that the issue first came up of whether or not the CIA, out of its covert funds, was prepared to provide bail money for the defendants in the Watergate burglary. Not only did this issue come up, but I also believe that the additional point was made would it be possible for the CIA to pay the salaries of these individuals while they served their jail sentences. General Walters, and have told you about the conversation I had with General Walters the day before about how he was to guide himself in this matter, pointed out to Mr. Dean that the Agency could not possibly do anything like that. That he had no authority to do it on his own, that his authority is derived from me and that he knew what my position was. And in addition, he said he could not conceivably imagine that a thing like that would remain secret forever, and last but not least, under the ground rules which we operate with the Congress, or which the Agency operates, with the Congress of the United States, any exceptional expenditure of this kind would have to be identified with the chairman of the Senate Appropriations Committee and the chairman of the House Appropriations Committee. This obviously cooled Mr. Desn's ardor.

Mr. DORSEN. And it was so reported to you?

Mr. HELMS. Yes.

Mr. DORSEN. During the week of the 26th did you receive a telephone call from Patrick Gray with respect to setting up a meeting between representatives of the two agencies?

Mr. HELMS. Yes, I do recall a conversation to set up a meeting because I was anxious to have one with him. There were a lot of traces we were running, the involvement of these former CIA people that we had been passing to the FBI, there was starting to be a lot of leaks out of the FBI for the first time that I could remember on matters of this kind but leaks of ongoing operational material, and I wanted to get together with him and some of his people to see if we could not get some of these things not straightened out so much as get to walking along in harmony.

So we agreed to have the meeting the next day. The next morning, which I believe was the 28th, I may be mistaken, it is all in the record, I am sure, he called back and said that he was so busy that he could not make the meeting, it was not possible for him to hold it and he would probably have to put it off until the following week. I told him I was sorry about that because I was planning to leave the end of the week in which we are speaking to go to Australia and that I was not going to be there the following week, if he had a meeting, it was going to have to be with General Walters.

Mr. DORSEN. Now, may I ask you about the second two meetings on the 27th and 28th between General Walters and Mr. Dean Did the summary that you gave us apply to the two meetings together or was that solely with respect to the meeting of the 27th?

Mr. HELMS. I am not able any longer, Mr. Counsel, to sort out precisely what, out of my own memory what occurred at each of these meetings. I have two very clear recollections, one was that it was at the second meeting that the question of the bail money came up because I don't recall that at all in connection with my longer conversation with General Walters after the first meeting. As far as the third meet- (458)
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I, J. D. being first duly sworn, state:

1. I was born on 8 March 1920 in Milwaukee, Wisconsin. After serving as an Army officer in World War II and completing my college education, I joined the Central Intelligence Agency in October 1950. I have held the position of Executive Assistant to the Deputy Director of Central Intelligence since November 1969.

2. On 22 July 1971 Mr. E. Howard Hunt, a former Agency employee, who had joined the White House staff, called on the Deputy Director of Central Intelligence, General Cushman. I was present in the room because General Cushman usually asked me to sit in on his meetings. When Mr. Hunt arrived he said that he wanted to talk to General Cushman privately and I withdrew.

3. Later that day General Cushman told me that Mr. Hunt had asked for some help of an unspecified nature, that he (General Cushman) had checked it out and that it was all right, and that he had told Mr. Hunt to get in touch with me to obtain the assistance. Mr. Hunt called me later in the day and requested aid in obtaining a physical disguise and “pocket litter” documentation in alias to assist him in connection with an extremely sensitive project, which he could not further discuss, and which had been approved under the request must be legitimate and proper.

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I have previously explained that I was instructed by the Director of the CIA to establish a physical disguise and documentation for an individual identified as Mr. Hunt. I have also indicated that because of the sensitivity factor all the required support should be handled by the TSD.

When Mr. Hunt explained that it would be necessary for a TSD officer to meet the subject before creating a disguise, and because Mr. Hunt was unwilling to come to the Headquarters building again, I arranged for the TSD officer to meet Mr. Hunt, who was under an assumed name, in an Agency safehouse. I obtained a key to the safehouse from the Office of Logistics on 23 July and passed it to a TSD representation Mr. I believe. TSD was able to provide Mr. Hunt (who dealt with him under the alias of "Mr. Edvard") with a disguise and alias documentation later that day (23 July 1971). When this occurred, I notified the Executive Assistant to the Deputy Director, Mr. , that on the instruction of General I had enlisted the assistance of TSD (which was subordinate to the Director of Plans) in a project for the White House which was said to be extremely sensitive and whose nature was unknown to me. I next contacted Mr. Hunt by telephone on 18 August 1971 to request that the Agency furnish a specific secretary, who was named, for a temporary assignment of between 30 and 90 days. Mr. Hunt said that he needed the secretary to work on a highly sensitive assignment and that Mr. had suggested that he call General.

1. HUNT, J. E. (Chairman and Permanent Member) UNITED STATES OF AMERICA TO THE WHITE HOUSE: REQUEST FOR INFORMATION CONCERNING THE COMMITTEE OF THE JUDICIARY.
Cushman. Mr. Hunt said that he did not wish the young lady's Division Chief to know that he or the White House was involved in this request. Mr. Hunt suggested that the Director's office should immediately recall the young lady from her assignment overseas and complain to all concerned that she was urgently needed for an unspecified special assignment. Mr. Hunt again stressed that White House involvement should not be mentioned. After discussing the case with General Cushman and the Office of Personnel, I informed Mr. Hunt that the Agency would be unwilling to withdraw the secretary from her overseas assignment. I suggested that if Mr. Hunt would furnish us with a statement of his requirements we might be able to provide a qualified secretary from Headquarters. Mr. Hunt replied that the individual he had requested was the only secretary he would accept because of the "loyalty factor." Mr. Hunt said that he would discuss our attitude with Mr. Ehrlichman and I heard no more of this particular matter.

8. My records show that we were again in contact by telephone on 20 August 1971 regarding a new request from Mr. Hunt for a tape recorder and business cards in alias. Since there was nothing improper in this request and it was consistent with my understanding of the

assistance we were authorized to give Mr. Hunt, I instructed Mr. A

to proceed with this assistance.
I Hunt had also on about 25 August requested and received training in clan-destine photography and was given a camera concealed in a tobacco pouch.

In connection with these assignments, Mr. Hill expressed concern that Mr. Hunt now possessed a considerable amount of special materials and equipment.
noted that the concealed camera was a particularly sensitive item. I agreed with Mr. 11’s concern and reminded Mr. 11 that it raised the question of the use of Agency materials in domestic clandestine activity. I told Mr. 11 that I would report his call promptly and obtain guidance, and that additional gear should not be given to Mr. Hunt and his requests referred to the Deputy Director’s office. (It should also be noted that General Cushman’s office was informed only after the camera had been given to Mr. Hunt and his associate outfitted with a disguise.)

I summarized my conversation with Mr. 11 in a memo for General Cushman and gave it to him the next morning (27 August).

My covering backslip stated that Mr. Hunt’s latest request raised two significant problems for the Agency. Mr. Hunt had introduced a stranger into the picture without any word of explanation to General Cushman from the White House. I noted that the unknown person was now aware of Agency support to Hunt in whatever he was doing. I also noted that Mr. Hunt’s possession and use of unique clandestine equipment (the disguised camera) in domestic activity of uncertain nature also raised potential for trouble.

My backslip read: “The Agency could suffer if its clandestine gear were discovered (being) used in domestic secret operations.” My backslip continued that I would instruct TSD to clear all of Hunt’s requests with the Deputy Director’s office and recommended that General Cushman seek Mr. Ehrlichman’s assurance that Mr. Hunt’s latest caper was legitimate (we were still operating on the assumption that the White House project was proper but feared that Mr. Hunt had exceeded his authority). My backslip concluded that even then (if Mr. Ehrlichman validated Mr. Hunt’s request) this did not relieve the Agency from its vulnerability if associated with domestic clandestine operations against Americans.

The material deleted from this page was deleted by the Chairman and Ranking Minority Feuer at the Request of the Central Intelligence Agency before presentation to the Committee on the Judiciary.

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11. I had previously memorandum to General Cushman settle the

matter of 27 August 1971 when Mr. Ehrlichman asked me to report that Mr.

had requested of the Agency on the previous day that Mr. Hunt be given an opportunity to backstop his New York telephone number, either through an answering service there or by a local answering service.

I told Mr. Ehrlichman that Mr. Hunt's latest requests drew the Agency into a dangerous situation in which it was not authorized to be engaged, i.e., facilitating domestic clandestine operations against Americans.

I reported Mr. Ehrlichman promptly to General Cushman and recommended that the Agency not be involved in Mr. Hunt's activities.

I informed Mr. Ehrlichman that the Agency had notified Mr. Cushman that the Agency could not give additional support to Mr. Hunt because he was drawing us into a compromising and dangerous situation in which we were not authorized to be engaged, i.e., facilitating domestic clandestine operations against Americans.

I informed Mr. Ehrlichman on 27 August 1971 that General Cushman had informed Mr. Ehrlichman that the Agency could not give additional support to Mr. Hunt because he was drawing us into a dangerous situation in which we were not authorized to be engaged, i.e., facilitating domestic clandestine operations against Americans.
Mr. Hunt, that we should not accept any more requests from Mr. Blunt, and that Mr. Hunt should be instructed to return the sensitive materials from TSD. TSD records show that when Mr. Hunt next contacted TSD personnel on 31 August 1971, he was again informed that the Agency could not provide further assistance.

14. The 27th of August was a Friday. On Monday, 30 August, I wrote a memorandum reporting on my 27 August conversation with Mr. Hunt and my instruction not to meet Mr. Hunt’s new request. General Cushman sent the memorandum to Director Helms and wrote on the covering buckslip that he told Mr. Ehrlichman on 27 August that the Agency could not accept Mr. Hunt’s requests for clandestine equipment or operational support. Director Helms initialed the buckslip with the comment “Good.”

15. With the closing-off of Agency contacts with Mr. Hunt I discarded my handwritten notes covering my talks with Mr. Hunt and Mr. Howard Hunt’s name turned up in connection with the Watergate affair, I retrieved these memoranda and went to see Director Helms to remind him of the contacts with Mr. Hunt. I left these memoranda with Mr. Helms.

16. Shortly thereafter the CIA Director of Security, Mr. + informed me that a representative of the FBI wanted to talk to me because Lay’s name had been found in a telephone list in Mr. Howard Hunt’s office. I informed Director Helms of this fact and he said that he would take up the matter with the Department of Justice. He said that if an...
OFFICE CONTACTED IDE DIRECTLY SHOULD SAY THAT SINCE MY CONTACTS WERE

Mr. Hunt had both in his official capacity. All inquiries should be referred

to Director Helms. I heard nothing more from the FBI.

Affiant:

SUBSCRIBED and SWORN to before me this day of April, 1973.

A Notary Public in and for the County of Fairfax, Virginia

My Commission Expires: April 28, 1976

All: All

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Ehrlichman: I want to alert you that an old acquaintance Howard Hunt, has been asked by the President to do some special consultant work on security problems. He may be contacting you sometime in the future for some assistance. I asked you to know that he was in fact doing some things for the President. He is a long-time acquaintance with the people here. He may want some help on computer runs and other things. You should consider he has pretty much cast aside.

NOTE: After the above conversation, General Cushman called Mr. AL to alert him.

020223

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STATE OF VIRGINIA

COUNTY OF FAIRFAX)

I, 13, being first duly sworn, state:

1. I was born on 8 March 1924 in Milwaukee, Wisconsin. After

   serving as an Army officer in World War II and completing my college

   education, I joined the Central Intelligence Agency in October 1950.

   I have held the position of Executive Assistant to the Deputy Director

   of Central Intelligence since November 1969.

2. This affidavit is submitted at the request of Mr. William E.

   Colby to explain the circumstances of my discovery on February 4, 1974

   of a file of stenographers' notes among which was the attach

   red note of Miss

   summarizing a telephone conversation between Lt. General Robert E. Cushman, Jr. and Mr. John

   Enrlichman on 7 July 1971.

   Colby's secretary, Miss c2, came to my office on Monday morning, February 4, 1974. She said that

   Mr. Colby would like me to go through my files once more to make

   certain that there were no misplaced transcripts of conversations, which had been recorded in the Office of the Deputy Director of Central Intelligence. The recording of various

   conversations had

   been done on a very selective basis and this practice was discon

   tinued after General Cushman left CIA in December 1971.

   signed:

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4. During the morning of February 5, 1974, I went through
the papers in my safe in order to determine if any stenographic
transcripts or source documents were located there. At the bottom of
the second drawer were two folders of material that contained
information used for General Walters’ orientation briefings after
he was appointed Deputy Director of Central Intelligence in March
1972. Under these briefing files I found a brown folder containing
ten stenographic notes summarizing General Cushman’s telephone
conversations with members of the White House staff in 1969, 1970
and 1971. In this folder was a summary of General Cushman’s
7 July 1971 conversation with Mr. John Ehrlichman.
5. These stenographic notes in this folder included summaries
of General Cushman’s conversations with Dr. Kissinger on leaks
of intelligence reports to the press, and his request for an
analytical paper on Cambodia. There were also conversations with
other White House officials on intelligence leaks and requests
for name checks of foreigners. The conversations with Dr. Kissinger
were on top of the file of ten stenographic notes and one memorandum
written by the CIA General Counsel. The notes of General Cushman’s
conversations with Mr. Ehrlichman on 7 July 1971 was included
about two thirds of the way down in the file. I had looked at this
file in May 1973 when Dr. Schlesinger requested employees to,
search all files for material which might have been related to
Howard Hunt and the Watergate affair. At that time I listed the
records of these conversations with Dr. Kissinger in other testimony
which were completely unrelated to Watergate. I did not see the
single page item on General Cushman’s conversations with
Mr. Ehrlichman about Howard Hunt, and presumably, inadvertently
failed to uncover it when I was paging through these papers.

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MEMBER OF THE COMMITTEE ON THE CENTRAL INTELLIGENCE AGENCY BEFORE
 MöRS SUBMISSION TO THE COMMITTEE ON THE JUDICIARY.

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6. The file of summary notes of General Cushman's telephone conversations was maintained by his secretary. I usually did not see them when they were made because they were chiefly used by the secretaries to clarify questions which might be raised later.

I decided to retain only those papers which related to General Cushman's conversations with members of the White House staff.

In December 1971 Miss Z., General Cushman's secretary, and I reviewed General Cushman's papers after he left CIA to become Marine Commandant. I decided to retain only those papers which related to General Cushman's conversations with members of the White House staff.

020296

scribed and sworn to before

me this m day of February, 1974.

/3

Affiant

Q

W. A. E.

By Cm. Ed. 31 En. Arc; Tax. ch. 15, 1977

Al

Notary Public

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All

<Seal>
41. On June 28, 1972 Helms wrote a memorandum to Walters stating
the substance of Helms’ conversation with Gray. Helms stated the CIA
still adhered to its request that the FBI confine its investigation
to the persons already arrested or directly under suspicion and that
the E1bl not expand its investigation into other areas which might
eventually run afoul of CIA operations.

Memorandum from Richard Helms to Vernon Walters,
June 28, 1972 (received from CIA) 472

(471)
22 =: 0 1972

1. AcQuins DirecWo, Gray of t'ne FBI 'Dhoned r2 tfiiis ~2Bs wo cancel our te.eexi:wy sche*trled fcr 2:30 this afXer.-
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THE ABOVE MATERIAL WERE DELETED BY THE CIA WHEN IT WAS RECEIVED BY THE
COMMITTEE ON THE JUDICIARY.

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42. On June 28, 1972 Gray directed that the BBI interview Manuel Ogarrio and continue its efforts to locate and interview Kenneth Dahlberg. On that evening John Dean telephoned Gray at home and urged that, for national security reasons or because of CIA interest, efforts to interview Ogarrio and Dahlberg be held up. Gray thereafter cancelled the interviews.

42.1 L. Patrick Gray testimony, 9 SSC 3455-56 474 (473)
the FBI, and leaks from the FBI concerning the tracing of the $114,000. Once again I believe there was some discussion about Ogarrio and Dahlberg and it is my recollection that I was asked if I had ordered the interview of Ogarrio. In this discussion, I may have told Mr. Dean that I had arranged to meet with Director Helms and Deputy Director Walters at 2:30 p.m. that afternoon to try to get this CIA situation resolved, but I cannot be positive that I did.

At 10:53 a.m. on this same day Sir. Ehrlichman called me. I was not available, but I returned his call at 11:17 a.m. His first words, issued abruptly, were: "Cancel your meeting with Helms and Walters today; it is not necessary." I asked him for his reasons and he simply said that such a meeting is not necessary. I then asked him point blank who was going to make the decisions as to who is to be interviewed. He responded, "You do."

I then telephoned Director Helms to tell him that I was canceling our meeting I also advised Messrs. Felt and Bates of the cancellation, but stated that the three of us would meet. In this same conversation with me, Director Helms requested that we not interview active CIA men Earl Wagner and John Caswell. I passed this information to Mr. Felt and instructed that these men not be interviewed. Before orders could get to the field, however, Mr. Caswell had already been interviewed.

I met with Mr. Felt and Mr. Bates in my office at 2:30 p.m. on this Wednesday afternoon, June 28, to review the CIA situation. In this meeting I was brought up to date on all the latest developments in the case. I can recall specifically discussing with them the alleged compartmentalization at CIA where the right hand is not supposed to know what the left is doing in sensitive operations and asked if this could occur. We agreed that it was possible, but unlikely in the absence of some special White House interest in the highest classification of national security interests where the need to know was rigidly controlled.

Mr. Bates pointed out that under no circumstances should we back off any investigation at the request of CIA without forcing them to reveal completely their interest in this matter. We all agreed that the FBI's reputation was at stake and I assured them that I would not hold back the FBI in this investigation at anyone's request, including the President of the United States, in the absence of overriding and valid considerations. I told them that if I were ordered to do so without valid reasons, I would resign.

It was in this meeting that I believe I gave Mr. Felt and Mr. Bates instructions to go ahead with the interview of Mr. Barrio and to continue our efforts to locate and interview Mr. Dahlberg.

At 3:58 p.m., June 28, Mr. Dean called and I was not available. I returned the call at 4:35 p.m. and I believe now that this call involved a request by Mr. Dean to hold up on the interview of Aliss Kathleen (then for alleged reasons of national security until she returned from her vacation in England. I'm sure I said we would hold up for the time being but she would have to be interviewed soon. I can recall saying that we would interview her in England unless she returns from vacation at an early date. Or. Dean gave me her address.

(474)
in England in this conversation, I believe, and I passed it along in a call to Sir. Felt in which I instructed him to temporarily discontinue leads to interview and investigate Aliss Kathleen Chenow in England.

In the evening of this same day, Wednesday, June 28, 1972, a cableGrams were sent to our legate in Mexico City instructing him to interview Mr. Ogarrio concerning the four checks in the aggregate amount of $89,000. This order was issued in the afternoon meeting with Ak. Felt and Mr. "Bates. I believe, because of the phone call I made to Director Helms on June 27 asking if the CI & had any interest in Mr. Ogarrio and his reply to the effect that CIA had no interest.

At 8:15 a.m. on Thursday June 29, 1972, I issued orders to cancel the interview of Sir. Ogarrio and to instruct the Minneapolis Field Division to make no further attempts to interview Mr. Dahlberg but to continue to obtain records of his long distance calls. I am fairly certain that I did so as the result of a telephone call I received from Er. Dean at home, prior to my departure to Dulles Airport for an inspection trip to San Diego and Phoenix. He again urged that these intereas be held up for national security reasons or because of CIK interest. I called Mr. Felt, or his office, and gave these cancellation orders. On my own initiative I also ordered that George Wunno, CIA station chief at Mexico City, not be interviewed because I noted in one of the many reports that crossed my desk that he was CIA's station chief in Mexico City.

In San Diego, on Friday, June 30, I received a call from Sir. Felt. He informed me that Assistant U.S. Attorney Silbert wanted the FBI to interview Mr. David Young, Mr. Ogarrio and Miss Chenow and that our's Washington Field Office recommended interviews of Mr. Mitchell, Mr. Young and Miss Chenow. I instructed Mr. Felt to tell Mr. Dean that I was going to interview Mr. Mitchell, Sir. Young, Miss Chenow, and any others that we must interview and I also told him to give to Mr. Dean the message from Assistant U.S. Attorney Silbert just as we had received it.

Mr. Dean had called me earlier that morning to complain bitterly about alleged leaks from the FBI. In this conversation it is my recollection that he raised the question of not interfering with Mr. Ogarrio and Mr. Dahlberg and stated that they had absolutely nothing to do with U.S. intelligence. I am not certain.

Sir. Dean called me again that afternoon. I do not recall whether or not Sir. Dean and I discussed these. Ogarrio and Dahlberg in this conversation. I do know that Mr. Dean asked me to consider setting up a special group in the FBI to investigate the entire matter of leaks I told him that it was not necessary and that such action should not take place.

Mr. Felt called me later that afternoon to report that Sir. Dean informed him that Mr. Young and Miss Chenow would be available for interview during the first part of the coming week. He also told me that Mr. Dean was still complaining about alleged leaks from the FBI.

On Monday,TLX-3, 1974, I scheduled a meeting with Blessrs. Felt, Bates, and T. Melvin. The seven cassette messages in the file of the Washington field office, contain the investigation date and to consider all ramifications of a possible CT V involvement. This meeting lasted from 9:30

p.m. until just about 4 p.m., and I've discussed every possible theory

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43. On June 28, 1972 FBI agents met with Gordon Liddy, in the presence of FCRP attorney Kenneth Parkinson, to question Liddy regarding the break-in at the DNC headquarters. When Liddy declined to answer the agents' questions, he was discharged by FCRP Chairman Maurice Stans.

Gordon Liddy deposition, O'Brien Democratic National Committee v. McCord, August 24, 1972, 37-41 478 (477)
You said that you were dismissed from your position as Counsel for the Finance Committee to Re-elect the President on June 28, 1972.

Who dismissed you?

To the best of my ability to ascertain it, it was Mr. stans who dismissed me.

Q Would you explain that? To the best of your ability

Don't you know who dismissed you?

A I am not sure who ordered it.

Q Who gave you the word?

A All right. This is the chronology of what occurred. On or about the 28th of June at maybe 11 o'clock, I was informed by someone -- and I don't actually recall who it was that there were two Special Agents of the PBI who wished to interview me.

I was preparing to go out. They were in the waiting room or ante-chamber. I was preparing to go out and see them when...
was tainted on a conference on some legal matters elsewhere. I went and attended that conference.

And I would say approximately an hour’s time elapsed. So notes we are at about noon.

I came back to the second floor there and checked back to see if there were any messages, what have you, and found that I was then free, went out and greeted the two Special Agents of the FBI, who were in the waiting room, brought them back to May of fic2.

At that time -- retract that.

It was Mr. Kenneth Wells Parkinson who was present in the building, who told me that two agents wanted to interview me.

He then stated that as counsel for the committee a policy decision had been taken by the committee that he was to be present at all interviews of anyone having anything to do with the committee by Special Agents of the FBI or otherwise, and he would like to be present.

And I told him I had no objection to that. Thereafter someone told me that I had to go meet someone else in a conference on some legal matter. So I excused myself. I asked him -- him being Mr. Parkinson -- to please convey my apologies to the agents for the delay. And he said, he would do so.

I came back. I got the tN70 agents, sent back into my office on the second floor and tar. Parkinson was present there.
and the same college and the same organization in the past.

And Mr. Parkinson was seated to the side taking notes. One of the agents said, in words of substance, that he desired so interview me with respect to the Watergate break-in matter, asked me if I knew certain individuals.

And at that time I said to him that it appeared to me that he had reason to believe a crime had been committed, that I gathered from what he was saying as he was saying it that I might be implicated in it, so on and so forth.

There arose in my mind immediately the question of fact that I was an attorney, that the attorney-client privilege might be involved, a number of other legal problems.

So I said to the agent that before he went any further, prior to any interview, I would like to obtain the services of an attorney, consult with him on what I believed were the possible legal problems involved and desired not to have further conversation with him or with his companion agent until I had the benefit of counsel.

And there was a bit more colloquy among the agents.

Thereafter Car. Par'cinsor. left mid office, I continued on about my business, and then another individual came to see me.
I don't recall at this point.

And I believe it was Mr. Fred Larue, but as not cereal OL his identity, and said, "knell, you knows tee policy or the committee is that any time any representative O.: any official investigative body wants to discuss any matter with any l?:embe= of this committee that they cooperate completely.

I explained that I wanted to see my counsel and, in words of substance, I came to understand that this was not acceptable and that if I were to persist in this position that I had taken it might well lead to my dismissal.

I am just giving my best recollection now.

Thereafter I was told that Mr. stans wanted to see me. This was the same afternoon we are talking, just in terms or an hour or two.

And tor. stans, I believe, was the man who told me, as would be normal and proper, inasmuch as he was my boss, that in view of the position I had taken, my services were no longer needed, or I would be dismissed, or I don't knower the exact language.

Don't you remember who it seas who fired you?

Is I tallied to ^Ir. stans.
(1) tliasn't he the one WiliO fired you?

A I also talked to plr. Larue and I also tallied to for.
Park inson.

tly best recollection is it was Jar. Scans.

(481)
Q Is there some doubt in your mind as to who it was who to Ed you this?

A Well, the language of your question or as I recall your question was how did I come to know or something of that sort, you see, and that is why I went through this explanation for you.

It’s my best recollection and understanding that the person who formally told me that I was no longer to be employed by the committee and so on and so forth was Mr. Stans.

Q Did Mr. Stans have a discussion with you with respect to your involvement, if any, in the Watergate break-in about which we are inquiring.

(The witness and counsel conferred.)

A I decline to answer that question on the ground that to do so might tend to incriminate me.

Q Did Mr. Stans know about your involvement in the Watergate incident prior to June 28?

Sir. BLAROUS: I object to the form of that question. It assumes an answer. I won’t permit my client to answer that.

BY MR. WILLIAMS:

Q Did you ever discuss with Mr. Stans, prior to June 98, the break-in of the Democratic National Committee at the Watergate?

(482)
44. On or about June 28, 1972 John Dean was informed that the FBI was attempting to interview Kathleen Chenow, the secretary of David Young and Egil Krogh in the White House Special Investigations Unit (the “Plumbers”). (The number of a telephone billed to Chenow at her home address but located in the EOB was contained in a personal book of telephone numbers of Eugenio Martinez and in an address book of Bernard Barker found in the Watergate hotel room that had been occupied by certain of the men arrested in the DNC headquarters.) Dean has testified that he informed John Ehrlichman of problems connected with Chenow’s interview and Ehrlichman agreed that before her FBI interview Chenow should be briefed not to disclose the activities of Howard Hunt and Gordon Liddy while at the White House. On June 28, 1972 Dean telephoned Acting FBI Director Gray and requested that Chenow’s interview be temporarily held up for reasons of national security. Gray agreed to the request.

44.5

44.1 John Dean testimony, 3 SSC
44.2 E. Howard Hunt testimony, SSC Executive Session, May 14, 1973, 311-12 485
44.3 L. Patrick Gray testimony, 9 SSC 3455-56 487
44.4 Washington, D. C. Police Department evidence report, June 20, 1972, identifying Bernard Barker address book, Exhibit 38-A, United states v. Liddy...........

44.6 SSC report of Kathleen Chenow FBI 302 interview, July 3, 1972 (received from SSC).................

Ah 7 T. Patrick Grav testimony, SJC, Gray Nomination

44.8

.... * 495

Hearings, February 28, 1973, 127 496

(Kathleen Chenow telephone records, 2/72 - 4/72 (received from SSC) 497

(483)
formed the general pattern that was followed with other members of the White House staff that is I would discuss with the person before the interview what I thought the agents would be interested in and then discuss that persons area of knowledge I had reviewed this procedure with Ehrlichman, who fully concurred in the procedure. On several occasions, Blc. Fielding of my office also participated in preparing witnesses for their interviews with the FBI. Contrary to some accounts that I sat in on some 14 to 18 interviews at the White House, the only interviews I recall sitting in on were Chapin’s, Miss Chenov’s, Cole son’s, Ehrlichman’s, bliss Joan Hall’s, Strachan’s, Timunons’, and Young’s. Also I was present when Fielding, Rehrli, and I were Hunt’s safe.

The only FBI interview that differed from the normal pattern was the interview of Miss Chenov. It was in late June that Bliss Chenôv’s former roommate notified David Youn and I believe also Bud Isrogh that the FBI had been to see her and requested to know where Miss Chenov was. The former roommate had said that the agents had asked about a telephone listed in Miss Chenov’s name. The roommate had informed the FBI that Miss Chenov’s name was on the order list of the phone. The FBI had not been notified of the name change. Miss Chenov had informed me that she had been employed, and that the telephone had been listed in her name in connection with the plunbers’ operation. She had been employed in the White House, and that the telephone had been listed in her name in connection with the plunbers’ operation. She was concerned about Miss Chenov being caught off guard by an FBI agent. Accordingly, I notified Gray that we would make arrangements to have Miss Chenov available to the agents in Washington within a few days.

I discussed the problem, that Chenov could cause the White House problems, with Ehrlichman and suggested that someone bring her back from London for the interview and explain to her that she should not get into Hunt’s and Liddy’s activities while at the White House. Ehrlichman fully agreed and I called Fielding from Ehrlichman’s office and told him he should be on the next plane to London to get the girl. The two first-class roundtrip tickets were paid for by the White House. There were two sets because Miss Chenov was provided transportation back to London. I informed Ehrlichman that I had cleared this with Ehrlichman. I do not know if Ehrlichman himself checked with Ehrlichman or Haldeman. I believe it was on July 9 that Fielding left for London and returned with Miss Chenov the next day. He did have some problem because the address that had been given him was incorrect. Fielding and Yonnh briefed Miss Chenov on the interview before she came back to the White House.

I will now turn to my first meetings with Mr. Cranav. beylinina on pare oG lvX ardXr the investigation.

NOTE—The shaded matter represents portions of Mr. Dean’s Prepared statement which were obliterated or underlined in his last presentation (484)
Mr. Dash. And then what did you do? Did you stay on at the White House?

Mr. Hunt. I stayed on at the White House, yes.

Mr. Dash. And you maintained that office at the White House?

Mr. Hunt. That is correct, sir.

Mr. Dash. And was your position still as a Consultant?

Mr. Hunt. Yes, sir.

Mr. Dash. Were you working then for Mr. Colson?

Mr. Hunt. Yes, sir, and I did occasional jobs in the narcotics field for Mr. Krogh or Mr. Young.

Mr. Dash. Now, when was the time that a special telephone was set up in the White House that was billed to Mrs. Chenow's apartment?

Mr. Hunt. That would have to be — oh, I would say in the month of July or early August of 1971.

Mr. Dash. And what was the purpose of setting that telephone up?

Mr. Hunt. So that persons associated with our Task Force, if you will, could be reached by means other than through the White House switchboard.

Mr. Dash. And what was Mrs. Chenow's relationship with
Mr. Hunt. She was a secretary to the group, worked specifically for Mr. Young.

Mr. Dash. Did she answer that telephone?

Mr. Hunt. Yes.

Mr. Dash. Terminated it?

Mr. Hunt.

Mr. Dash. When did the use of that telephone terminate?

I do not know.

I mean, it was not on your orders that you terminated it.

Oh, no, sir. Well, there came a time when your work with the group terminated, did it not?


Mr. Dash. And how did that come about?

Mr. Hunt. Well, it was just that I was doing — I had a regular full-time job with the public relations firm in town. I was spending a great deal of time traveling with Mr. Liddy, and it was just a question of available time. There was no time for me to work with the group. 16 people any more.

Mr. Dash. Now, Mr. Liddy had gone over to the Committee for the Re-Election of the President?

Mr. Hunt. Yes, sir.

Mr. Dash. What was the name of that company that you were working with?
the FBI, and leaks from the FBI concerning the tracing of the $114,-000. Once again I believe there was some discussion about Ogarrio and Dahlberg and it is my recollection that I was asked if I had ordered the interviews of Ogarrio and Dahlberg. I replied that I had either ordered or was going to order the interview of Ogarrio. In this discussion, I may have told Mr. Dean that I had arranged to meet with Director Helms and Deputy Director A. Walters at 2:30 p.m. that afternoon to try to get this CIA situation resolved, but I cannot be positive that I did.

At 10:05 a.m. on this same day Mr. Ehrlichman called me. I was not available, but I returned his call at 11:17 a.m. His first words, issued abruptly, were: "Cancel your meeting with Helms and Walters today it is not necessary." I asked him for his reasons and he simply said that such a meeting is not necessary. I then asked him point blank who was going to make the decisions as to who is to be interviewed. He responded, "You do."

I then telephoned Director Helms to tell him that I was canceling our meeting. I also advised Assistants. Felt and Bates of the cancellation, but stated that the three of us would meet. In this same conversation with me, Director Helms requested that we not interview active CIA men Earl Warner and John Caswell. I passed this information to Mr. Felt and instructed that these men not be interviewed. Before orders could get to the field, however, Mr. Caswell had already been interviewed.

I met with Mr. Felt and Mr. Bates in my office at 2:30 p.m. on this Wednesday afternoon, June 28, to review the CIA situation. In this meeting I was brought up to date on all the latest developments in the case. I can recall specifically discussing with them the alleged compartmentalization at CIA where the right hand is not supposed to know what the left is doing in sensitive operations and asked if this could occur. We agreed that it was possible, but unlikely in the absence of some special White House interest in the highest classification of national security interests where the need to know was rigidly controlled.

Mr. Bates pointed out that under no circumstances should we back off any investigation at the request of CIA -- without forcing them to reveal completely their interest in this matter. We agreed that the FBI's reputation was at stake and I assured them that I would not hold back the FBI in this investigation at anyone's request, including the President of the United States in the absence of overriding and valid considerations. I told them that if I were ordered to do so without valid reasons, I would resign.

It was in this meeting that I believe I gave Mr. Felt and Mr. Bates instructions to go ahead with the interview of Or. Ogarrio and to continue our efforts to locate and interview Or. Dahlberg.

At 3:58 p.m., June 28, Mr. Dean called and I was not available.

I returned the call at 4:35 p.m. and I believe now that this call involved a resell by Mr. Dean to hold up on the interview of Miss Kathleen (K)enyon for alleged reasons of national seclivity until she returned from her vacation in England. I'm sure I said we would hold up for the time being but she would have to be interviewed soon. I can recall saying that we will interview her in England unless she returns from vacation at an early date. Or. Clean wave me her address (487)
in England in this conversation, I believe, and I passed it along in a call to Mr. Felt in which I instructed him to temporarily discontinue leads to interview and investigate Aliss Kathleen Chenow in England.

In the evening of this same day, Wednesday, June 28, 1972, a cablegram was sent to our legate in Mexico City instructing him to interview Mr. Ogarrio concerning the four checks in the aggregate amount of $89,000. This order was issued in the afternoon meeting with Mr. Felt and Mr. Bates, I believe, because of the phone call I made to Director Helms on June 27 asking if the CIA had any interest in Mr. Ogarrio and his reply to the effect that CIA had no interest.

At 8:16 a.m. on Thursday, June 29, 1972, I issued orders to cancel the interview of Mr. Ogarrio and to instruct the Minneapolis Field Division to make no further attempts to interview Mr. DahlberO but to continue to obtain records of his long distance calls. I am fairly certain that I did so as a result of a telephone call I received from Mr. Dean at home, prior to my departure to Dulles Airport for an inspection trip to San Diego and Phoenix. He again urged that these interviews be held up for national security reasons or because of CIA interest. I called Mr. Felt, or his office, and gave these cancellation orders. On my own initiative I also ordered that George Munro, CIA station chief at Mexico City, not be interviewed because I noted in one of the many reports that crossed my desk that he was CIA station chief in Mexico City.

In San Diego, on Friday, June 30, I received a call from Mr. Felt. He informed me that Assistant U.S. Attorney Silbert wanted the FBI to interview Mr. David Young, Mr. Ogarrio and Aliss Chenow and that our Washington Field Office recommended interviews of Mr. Mitchell, Mr. Young and Miss Chenow. I instructed Mr. Felt to tell Mr. Dean that we were going to interview Mr. Mitchell, Mr. Young, Miss Chenow, and any others that we must interview, and I also told him to give to Mr. Dean the message from Assistant U.S. Attorney Silbert just as we had received it.

Mr. Dean had called me earlier that morning to complain bitterly about alleged leaks from the FBI. In this conversation it is my recollection that he again raised the question of not interviewing Mr. Ogarrio and Mr. DahlberO and stated that they had absolutely nothing to do with Watergate. But I cannot be certain.

Mr. Dean called me again that afternoon. I do not recall whether or not Mr. Dean and I discussed Aliss. Ogarrio and DahlberO in this conversation. I do know that Mr. Dean asked me to consider setting up a special group in the FBI to investigate the entire matter of leaks. I told him that it was not necessary and that I would not take such action.

Mr. Felt called me later that afternoon to report that Mr. Dean informed him that Mr. Young and Miss Chenow would be available for interview during the first part of the coming week. He also told me that Mr. Dean was still complaining about alleged leaks from the FBI.

On Monday, July 3, 1972, I scheduled a meeting with Messrs. Felt, Plates, and YumIqel. special agents in charge of the Washington field office, to review the current status to date and to consider all ramifications of a possible CIA involvement. This meeting lasted from 9:30 p.m. until just about 4 p.m., and we discussed every possible theory.
TO:

ROPOLITADX POLICE
WASHINGTON, D.C.
SUPPLEMENTARY EVIDENCE REPORT

FROM THE TOP DRAWER OF DRESSER AT LEFT OF DOOR FROM ROOM 214

A & I

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#265

#262 A check in receipt for the Watergate Hotel for room 214 in name of F. Carter, IN 6/16, OUT 6/19, Firm Ameritas, 955 SW First, Miami, Fla. and signed by Frank Carter.

A check in receipt for the Watergate Hotel for room 214 in name of J. Yaldez, IN 6/16, OUT 6/19, Firm Ameritas, 955 SW First, Miami, Fla. and signed.

A black or dark blue small book with "Addresses Telephones" in yellow lettering on front and on the first page "Bernard L. Barker, 5229 NW 4th Street, Miami, Fla. 33125", book contains various names, addresses and telephone numbers.

A torn out piece of white lined paper headed "Addresses" with name "Carole Frohman, 865-0255".

A black plastic folder containing (7) seven business cards in name of { -- Bernard L. Barker, G.R.T. Realtor.

-| |297| A business card from E. Rolando Martinez, Associate of Barker Associates Realtors.

M #268 A Sears Easy Payment Account Card #45 42313 76571 5 in name of Mr.

* Ri #269, A social security card #213-07-0844 in name of Bernard Leon Barker.

h270 A -- Florida Operators "..."
License #862490217097709A in the name of Bernard L. Barker.

#45 91613 78290 4 in the name of Par. Bernard L. Barker.

Credit Card, number: 047 252 328 1 800 AX in the name of Bernard L. Barker.

#274 Texaco Travel Credit Card, #19 414 3802 8 in the name of B L Barker.

Credit Card, number: 984 135 004 in the name of B L Barker.
The below listed property recovered on Search Warrant by Detective Robert Denell, CID in room #214 of the Watergate Hotel on 6-17-72 and turned over to Technician Larry Muncy of the Mobile Crime Laboratory 6-20-72 at 0815 hrs.

#167 One black with white metal trim CSamsonite" attache ease.

(The attache case contained the following:)

#168 One brown and yellow metal "bates" list finder, model K, with :"PFC Donnie Martinez, Co B. 2nd Tank Battallion, Force Troops, Camp Lejeune, North Carolina, 28542" written inside the top of the finder. (This item is known as a pop-up telephone directory.)

One "1972 Realty Bluebook" with torn out page from desk calendar in same. Calendar page dated Monday, August 23rd and Tuesday August 24th, 1971. On the August 23rd side is written: "2514 N.W. 122 St."

One green with yellow lettering "Expanded Payment Table for Monthly Mortgage Loans" with business card of "E. Rolando Martinez" attached to inside F-ront cover.

A black vinyl address book with "LSM Mortgage Co.,6500 W.4th Ave Suite 6; Hialeah, Florida, 822-7520" imprinted on same. In the "Q" section of the book is a diagram of what appears to be a hotel lobby.

Black leather business card holder containing business cards of "Z. Rolando Martinez" and other subjects.

J.S, Airmail Postage stamp holder with" six 11 cent Airmail stamps , six 2 cent stamps in same.

A envelope from "Real Estate Directories" addressed to- "Judd Realty of Miami", containing real estate listings of the Miami area that are for sale.

Envelope containing legal seperatSon papers of Eugenio Rolando Martinez and Jean Marie Moleski DeGregorio Martinez. "Case 72-9";a-T i' Y"3^"^m

o- ( papers had not been signed but was to appear before Judge J.W. Kehoe of Dade County,Fla., June 27, 1972)
This is Tuesday, April 24, 1973, I am in the FBI Headquarters, this is Samuel Dash, Chief Counsel of the Select Committee and I am reviewing 302's for the purpose of preparing interviews for committee witnesses.

The first interview is Miss Kathleen Chenow. She was interviewed on July 3, 1972 by special Robert E. Lill and Daniel C. MAHEN and she was interviewed in the Executive Office-Building, 17th & Pennsylvania Avenue in the presence of Mr. John Dean, counsel from President Nixon, and Mr. Fred Fielding, Mr. Dean's assistant. Miss Chenow stated that she was employed in a secretarial capacity to Mr. David Young, Rm. 16, Executive Office Blig. from June 71 till sometime in March 72. That she was approached by Mr. Young sometime in October 71 and requested to have a private telephone installed in the suite of offices located in Rm. 16 for the use of Mr. E. Howard Hunt, who would be in a position to receive calls on that phone line. The phone bills for this particular phone was to be sent to Miss Chenow's home address 501 Slater's Lane, Alexandria, Virginia. She agreed to this arrangement and the bills was sent to her home and she brought them to the office and presented them to Mr. John Campbell staff secretary to President Nixon.

According to Miss Chenow the phone was in the suite of office for approximately five months and was taken out sometime in the middle of March 1972. Mr. Young office was a suite of four rooms—which included Mr. Young's office, a senate office, a conference room and a small reception area the phone which had been installed and billed to her residence was an extension of 2 telephones setting on desks in the senate office, an possible a third extension into the conference room.

Miss Chenow said that Hunt visited the Young office approximately twice a week that he did not have an office in that suite but that he was located on the third floor of the Executive Office Building. She last saw Mr. Hunt in March 1972. She believed that Hunt was assisting Mr. Young in the aftermath of the "Pentagon Papers" she also stated that she was acquainted with G. Gordon Liddy and that he was a third party that assisted Mr. Young and occupied—an office in the same general location of Young. The last time she saw Mr. Liddy was in February 1972 when he came to the office to pick up mail and Mr. Liddy left the employ of the White House in December 1971 for employment to the Committee to Reelect the President.

Miss Chenow said that the phone installed in the Young suite was essentially a telephone for Mr. Hunt's use and served as a answering service. In addition to a local address in Alexandria, Virginia Miss Chenow has a Milwaukee address which is 4957 North 110th Street, Milwaukee, Wisconsin. This is her parents address. The Alexandria, Virginia address telephone number of the time of this interview was 836-1040.
Senator BYRD. Did you have contact with anyone employed by the Committee for the Reelection of the President?
Mr. GRAY. Contact when or where or for what purpose?
Senator BYRD. At any time.
Mr. GRAY. No; I had nothing to do with that committee.
Senator BYRD. You had no contact with any employee of that committee?
Mr. GRAY. No. Except during the conduct of this investigation, the FBI did; we interviewed those people. But I had no personal contact. I had(l no telephone calls. I had no letters. I had no visits.
Senator BYRD. Irrespective of the Watergate investigation, did you have any contacts?
Mr. GRAY. No.
Senator BYRD. Did you know anyone on the committee? Did you know anyone on the committee staff? Did you ever have any contact with them?
Mr. GRAY. Sure; I knew those people—sure. I knew Bob Mardian and John Mitchell and Fred LaRue; I came to know those people after I came to Washington and after 1969. I did not know them before that.
Senator BYRD. When did YOU first learn of Mr. Liddy's involvement in the Watergate break-in?
Mr. GRAY. I will have to give you the exact information because I did not provide myself with that kind of detailed information today and I will have to submit it. It probably came to me under an alias first and then probably came to me with his true name as we developed it. I know I have the names of the people who were arrested but those, as we know, were aliases as we later found out. But I will have to find the exact time that George Gordon Liddy's name was delivered to me, Senator.
Senator BYRD. And from whom.
Mr. Gray. And from whom; yes.
(Mr. Gray subsequently submitted the following document for the record:)
I find, Senator Byrd, upon checking the records, that on June 18, 1972, we first learned that one George Leonard, later identified as George Gordon Liddy was registered at the Watergate Hotel with the group which was arrested at the Democratic Committee Headquarters. Extensive efforts, of course, were made to endeavor to identify Leonard. On June 28, 1972, Assistant Director Bates directed a memorandum to Acting Associate Director Felt which stated that at 12:00 P.M. that date, SAC Kunkel had called to advise that in tracing telephone calls of Martinez and Barker, one of the numbers called at the Committee to Reelect the President was that of a Mr. Gordon Liddy. Our Agents attempted to interview Liddy that day and he refused to be interviewed. Subsequently on 7/3/72, Liddy's photograph was positively identified as being the individual known as George Leonard.

Senator BYRD. Were you aware that Mr. LidIly was a former FBI agent and that he was finance counsel for the Committee to ReElect the President at the time of the Watergate break-in?
Mr. GRAY. NO; I was not. I di(l not even know Mr. Liddy-.
Senator,BYRD Dyou did not know him personally?
Mr. GRAY. No, sir; I did(l not.
Senator BYRD. Even through, the Committee to Re-elect the
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**KATHLEENCREDOS TELEPHONE RECORDS, FEBRUARY 1972 - APRIL 1972**

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45. On June 28, 1972 Gray met with John Ehrlichman and John Dean. At this meeting Gray was given two folders containing documents which he was told had been retrieved from Howard Hunt's safe and had not been delivered to FBI agents when the remainder of the contents of the safe was delivered on June 27, 1972. Gray was told that these documents were politically sensitive, were unrelated to Watergate, and should never be made public. Dean did not deliver to Gray the two notebooks and pop-up address book that had been found in Hunt's safe; Dean has related that he discovered these items in a file folder in his office in late January 1973, at which time he shredded the notebooks and discarded the address book.

45.1 John Ehrlichman log, June 28, 1972 (received from SSC) 502

45.2 L. Patrick Gray testimony, 9 SSC 3467 503

45.3 John Ehrlichman testimony, 7 SSC 2835-36 504

45.4 John Ehrlichman testimony, 6 SSC 2614 506

45.5 John Dean testimony, 4 SSC 1362-65 507

45.6 Richard Ben-Veniste statement, United States v. Liddy, November 5, 1973, 3-4 511
Prior to a meeting I had with Mr. Dean and Mr. Ehrlichman in Mr. Ehrlichman's office on the evening of June 98, 1970, I had no knowledge from any source whatever of the existence of these particular files or of the information and instalements I was to receive that evening.

I arrived at Mr. Ehrlichman’s office at about 6:30 p.m. that evening for the purpose of discussing with him the many rumors and allegations concerning leaks of information from the FBI regarding the Watergate investigation. One of his secretaries told me to go right on into his private office. There, Dean Novas was in the office talking with Mr. Ehrlichman. I remember being surprised at Mr. Dean’s presence because I had not known that he would be at the meeting.

After the initial greetings were exchanged, Mr. Ehrlichman said something very close to: “John has something that he wants to turn over to you.” I then noticed that Mr. Dean had in his hands two white manila, legal-size file folders. It is my recollection that these folders were not in envelopes at this time.

Mr. Dean then told me that these files contained copies of sensitive and classified papers of a political nature that Howard Hunt had been working on. He said that their release might have national security implications, have absolutely nothing to do with Watergate and have no bearing on the Watergate investigation whatsoever. Either Mr. Dean or Mr. Ehrlichman said that these files should not be allowed to become or muddy the issues in the Watergate case.

I asked whether these files should become a part of our FBI Watergate file. Mr. Dean said these should not become a part of our FBI Watergate file, but that he wanted to be able to say if called upon later, that he had turned all of Elrodward Hunt’s files over to the FBI.

I distinctly recall Mr. Dean saying that these files were apolitical and should not be seen the light of day.”

It is true that neither Mr. Ehrlichman nor Mr. Dean expressly instructed me to destroy the files. Glut there was, and is, no doubt in my mind that destruction was intended. Neither Mr. Dean nor Mr. Ehrlichman said or implied that I was being given the documents personally to safeguard against leaks. Is it possible that each of them testified before this committee that Air force returned the FBI as a source of leaks. The clear implication of the substance and tone of their remarks was that these two files were to be destroyed and I interpreted this to be an order from the counsel to the President of the United States issued in the presence of one of the two top assistants to the President of the United States.

It is my recollection that I asked for large brown envelopes in which to place the files. I believe that Mr. Dean stepped briefly into the outer office to obtain the envelopes and placed each file in a separate brown envelope in Mr. Ehrlichman’s inner office and handed them to me.

My memory is not perfectly clear on this. I believe Mr. Dean left, Mr. Ehrlichman’s office after 10 minutes (503)
at this meeting, and what it was General Walters was going to go and

Senator ERVIN. I think this may be an appropriate time to recess

for lunch.

Mr. WILSON. Mr. Chairman, may I inquire about the schedule. Mr.

Haldeman is our next witness and I would like to ask would you

suggest that he be here at 2 o'clock? He has a statement which would

take no longer than 2 hours to read and I would suggest that he read

it the same day.

Senator ERVIN. I would suggest that he come in at 3 o'clock. I think

ey can finish with Mr. Ehrlichman at that time. I don't know whether

we can or not.

[whereupon at 19:30 p.m., the committee recessed to reconvene at

2 p.m. on the same day.]

AFTERNOON SESSION, MONDAY, JULY 30, 1973

Senator ERVIN. The committee will come to order.

Counsel will resume the interrogation of the witness.

Mr. DASH. Mr. Ehrlichman, following the meeting that you had

on June 23 with Mr. Walters, Mr. Helms, and Mr. Haldeman, did

you instruct Mr. Dean to contact Mr. Walters and follow up on the

June 23 meeting?

Mr. EHRlichMAN. No, sir. I simply notified Mr. Dean that there

had been a meeting, that General Walters was going to be talking

with Mr. Gray, and that we had indicated to General Walters that

Mr. Dean would be his contact from that point forward.

Mr. DASH. Did there come a time when General Walters did call

you and tell you that he was going to have a meeting or that Dean had

contacted him and was it all right for him to speak to Mr. Dean?

Mr. Ehrlichman. It either happened that way or I told him at

the time of the meeting on the 23d that Dean would be his contact,

one or the other, but I am quite sure that I indicated to General

Walters that Dean was the White House man who was looking after

this whole subject.

Mr. DASH. Were you aware that Mr. Dean did in fact meet with

General Walters on June 26?

Mr. EHRlichMAN. No, I was not aware of those meetings.

Mr. DASH. There were a series of meetings?

Mr. EHRlichMAN. Yes, I understand there were, and I was not

aware of that series of meetings until just recently.

Mr. DASH. And Mr. Dean did not report to you on them?

Mr. EHRlichMAN. No, he didn't.

Mr. DASH. Now, on June 28, 1972, you met with Mr. Dean and Mr.

Gray, and we have had some testimony on that, and on that same day

you had two earlier meetings with Mr. Dean. Do you recall what the

two earlier meetings were about before the meeting with Mr. Dean and

Mr. Gray?

Mr. Ehrlichman. Not specifically. I surmised that one of them was

simply an informational meeting knowing that I was about to leave

town for an extended period of time. As I recall, there was a conversa-
tion and whether it was by meeting 01 or whether it was by telephone,

I cannot recall, but on the same day that I met with Pat Gray I am
quite sure we had a conversation about turning over the contents of
Hunt's safe to Mr. Gray.

Mr. DASH. All right.

Then, you had your meeting with Mr. Gray and I think you have
already testified to the circumstances under which a particular packet
or envelope was turned over to Mr. Gray.

Mr. EHRlichMAN. Right.

Mr. DASH. I think we have had full testimony on that.

Now, by the ways did you know at the time the packet of materials
was turned over to Mr. Gray what was contained in the packet?

Mr. EHRlichMAN. No.

Mr. DASH. Had you been told by Mr. Dean they were sensitive ma-
terials, politically sensitive materials?

Mr. EHRlichMAN. Yes.

Mr. DASH. I think you testified in response to a question of Mr.
Gurney on page 54.38 of the testimony Senator Gurney asked you:
"Did you ever have any communication with Mr. Gray about these
documents after this meeting?" and referring to the June 28 meeting
and you answered, "Yes, sir." And Senator Gurney said, "And recount
it to the committee," and your answer was:

I told him at that time that the delivery of the documents to him

to Mr. Gray,

had been the subject of this conversation between the Attorney General and the
President that Mr. Dean apparently had told the prosecuting attorney about
the fact that he had made the delivery. Mr. Gray said, "Well, I cannot do that"
and I said "Well, I do say that, and he said "O, he says that I will deny it",
and I said "Well Pat, it isn't a subject for denial. Obviously, it is not something
you can deny. I recall the episode very clearly," and well, he said "You have got
to back me up on this, and he went on to say if destroyed the documents."

I think at that point you said you were nonplussed about it and you
hung up. Then you decided, after ralling to the President, that per-
haps you had not made it clear that you were not going to back him
up and you called him back and without my reading the testimony,
you made it very clear to him that if you had to go to testify you
would tell the truth about that.

Now, is it not true, Mr. Ehrlichman, this was not the next time that
you had a conversation with Mr. Gray about those documents? That
at the April 15 meeting did not Mr. Gray—

Mr. EHRlichMAN [interrupting]. The next time

Mr. DASH [interrupting]. The question put by Senator Gurney that
after the June 28 meeting, did you have again occasion to talk about
those documents with Mr. Gray, and your answer was

Mr. EHRlichMAN [interrupting]. I see.

Wlr. DASH [continuing]. The April 15 phone call.

A/Er. EHRlichMAN. YOU are referring to the rather oblique reference
in Mr. Gray's phone report to me about his confirmation hearings per-
haps, and that is correct.

(505)
Senator GURNEY. Well, let us get, then to—that is clear enough. I let us get to the Gray papers. As I understand your testimony now, Mr. Dean did raise these sensitive papers. If they were just filed away in the FBI regular files and somebody got to them, I would see Avery embarrassing to a lot of people.

Mr. EHRLICHIAN. That is what he said.

Senator GURNEY. What happened to those papers? Tell us our version of the story from his first telling you that these were sensitive papers to where he tells you something different about them?

Mr. EHRLICHIAN. He agonized for several days about what to do with this situation. I was not involved in a lot of conversations with him about it. He was gone a couple of days during this interval because the river was flooding on account of April's hurricane. His house was near the river and so he was just out of the play for a couple of days during that particular time. He was moving his furniture up and putting up sandbags and whatnot.

So he came back from that interlude and said he thought he had an idea as to how to solve this problem and that would be to deliver these documents in two parcels—one parcel to the field office and the other parcel to Pat Gray. I certainly concurred in that suggestion. It seemed to me like a good way of making sure that the documents did not leak as long as Mr. Gray held on to them.

Senator GURNEY. This was his suggestion to turn them over to Gray?

Mr. EHRLICHIAN. Yes, sir.

Senator GURNEY. And then what happened?

Mr. EHRLICHIAN. Then, I said that either I would get Mr. Gray to come over, but I think what I said to him was Mr. Gray was coming over that day for another appointment and why didn't he just bring them over when Pat Gray was there and deliver them to him, so two of us could say that the delivery had been made and we would put an end to this evidentiary chain, so to speak.

Senator GURNEY. I understand that he did come over and he did bring the documents and Gray and he and you were these. Then, what happened?

Mr. EHRLICHIAN. We were there. He said, "Pat, I would like to give you these." The sense of it was that these were contents of H until safe that they were politically sensitive and that we just could not stand to have them leaked. I do not know whether he had talked to Gray before or not, because Gray seemed to understand the setting and the premise, so to speak. And he turned the documents over to him and John Dean then left.

Senator GURNEY. Did you say anything during this whole meeting?

Mr. EHRLICHIAN. I probably chimed in on the subject of leaks—vouched I was then kind of a—divas a theme that I was hit with Air. Gray right along. And as I have testified before. I do not recall the exact language that I was used. The sense of the conversation between the three of Us, vouched I was cot a lot of conversation. I vas that the purpose of Pat Gray in taking delivery of these I was to avoid the leak problem which all of Us recognized that the FBI I was having.

Senator GURNEY. Shell. I seem to recall that he vouched some testamente about, to Gray just someone. either Penn or von. that these doestimllts should never see the tight of day. Do you recall that?
JOHN DEAN TESTIMONY, JUNE 27, 1973, 4 SSC 1362-65

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Mr. DEAN. The only other occasion I recall anybody else looking at the files is when Mr. Diel; Moore who was Special Council to the President was instructed by Mr. Ehrlichman to prepare himself to deal with

the leaking stories on the Segretti related matters and at that time

Mr. Moore divas given those documents to look at, and worked with
documents as they related to Segretti, Ialambach, and Chapin,
and At. Strachan.

Senator GURNEY. Didn’t Mr. Chapin and At. Strachan look at them,
too?

Mr. DEAN. No, sir. they did not. I never showed them to any witness.

In fact I was requested, and I told the people who had been inter-
viewed that I didn’t think it was something I could show them, and I
didn’t generally just talk in general about it. I do recall when they
were reinterviewed by the FBI the FBI themselves showed them thei-
ori original 302’s.

Senator GURNEY. Don’t you think it was a serious breach of faith
to show these 302 files to other people, a breach of faith to Air. Gray,-
Mr. DEAN. Yes. I think it can be interpreted that way.

Senator GURNEY. Let’s go to the matter of the Hunt material that
was turned over to Mr. Gray.

Senator GURNEY. Didn’t you think it was a serious breach of faith
to show these 302 files to other people, a breach of faith to Air. Gray,-
Mr. DEAN. That is correct.

Senator GURNEY. What were they?

Mr. DEAN. Well, I tried in my statement to catalog what I can recall
that I saw amongst those documents. This was a combined effort to
extract this material by Wtr. Fieldina and myself. Sometimes when
Wtr. Fieldina and I; sometimes when At. Strachan was present, he would make reference to some-
thing and at one point in time I decided we ought to extract all of
these documents and put them in one place, and Sir. Fielding did that
for me and put them ill envelopes and they were turned over to Mr.

So, q cannot-

Senator GURNEY. Wasn’t that the material that was turned over to
Gray?

Mr. DEAN. No, sir. ‘it was not.

Senator GURNEY. What was turned over to Gray?

Mr. DEAN. Two envelopes containing sensitive political documents.

Senator GURNEY. And what—that was turned over at a meeting in
Air. Ehrlichman’s office, is that right?

Mr. DEAN. That is correct. You will recall I had been instructed to
“deep-six” and slit ed documents. I had to come up in my own mind with

a persuasive argument for Air. Ehrlichman as to why not to “deep-six”
and destroy certain letters. I decided the best way to persuade him was to
tell him that there were chances that the men who had drilled the safe
had seen it. that the Secret Service agent who was present at the time

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of the drilling had seen it that Air. Fielding and Air. Leirli lead been tile and had-seell it and, of course, Air. Fielding had gone tillroll, ll all of the documents and for all those people to lee quizzed by tile FBI would resu| t ill an awful lot of 1) ing.

Senator GURNEY. AVas it your suggestion to turn these papery ove to Air. Gray ?

Air. DEAN-. Yes, it vvas because I told Air.

Senator GURNEY. Pithy did you suggest this ?

Air. DEAN-. I told :: Air. Ehrlichman that if I avers ever asked I wanted to be able to testify that I turned everything over to the FBI an(l) sub- sequently when that came up and the) Were trettinfer more specific \ ith that I told

Senator GURNEY. AVhat Bras the conversation ill the office at the time the documents Were turned over to Air. Gray ?

Mr. DEAN-. ARrell, it was a very brief conversation and, as I say, my encounter during that was very short. I had preceded Mr. Gray, as I recall the sequence, to Air. Ehrlichman's office. Air. Ehrlichman informed me he xvas going to meet with him and said, ' Brinsr the documents over.'

I brought the documents over and laid them on a coffee table in Mr. Ehrlichman's office.

Senator GURNEY. Didn't you and Ehrlichman agree to set up the meeting ?

Mr. DEAN. I have the impression Err. Ehrlichman was going to meet with Sir. Gray on something else. That it vvas not specificall(on this subject.

Senator GURNEY. AHould they be turned over ?

Mr. DEAN-. As I said, I took the documents and had a very brief dies cussion avithEhrlichnian. I laid them on the coffee table in Ehrlichman's office. At-r. Gray [was called ltr] from the reception area, eame in and Mr. Ehrlichman made the initial—initially raised the matter, and said something to the effect that these are materials from Arr. Hunt's safe, I believe Dean has turned over other material to the Bureau directly.

Senator GT~N-EY. ATolv then, What transpired w)lell they were turned over ?

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Senator GURNEY. Did vou have anv discussion with Afr. Ehllichman when I ou brought the documents in and laid them on the coffee table ?

Mr. DEAN-. I am sure there vvas.

Senator GURNEY. TVI at ~vas

IVfe. DEAN-. About this was the nav I could velv easilv handle the situation if I was ever asl; ecl- if MI Gray liacel been useful and seer them.

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Senator GURNEY: Did you discuss with Mr. Ehrlichman what you might be told to tell Mr. Brav?

fair. DEAN. I was doing to tell him that I did not think these related to the Watergate incident, which I did not.

Senator GURNEY. No, I am talking about the papers. The purpose of the meeting was to turn some very sensitive documents over to Mr. Gray.

Mr. DEAN. Es.

Senator GURNEY. So you could get rid of them and Mr. Ehrlichman could get rid of them.

Now, prior to his coming into the office, I understand that you went in and took the papers in and laid them down. My question is, did you have any discussion with Mr. Ehrlichman at that time to what you were going to tell Mr. Gray when you turned the papers over—or when he turned them over?

Mr. DEAN. It was pretty well understood what the meeting was for, so it was not necessary to have any extended discussion other than the fact that the documents were very politically sensitive. That as I recall, I called them political dynamite when I raised them with Gray, that he should take custody of them, and that that would be the way to handle it as far as the White House was concerned. I do not recall any discussion of telling Mr. Gray to destroy the documents.

Senator GURNEY. You and Mr. Ehrlichman must have had, certainly, some feeling that Mr. Gray was not against taking this back to the FBI and other files somewhere.

Mr. DEAN. Well, he was told that they should never be leaked or made public somehow, or that effect, yes.

Senator G-NY-I-EY. Mr. Tell, did you discuss something to that effect before he came in the office?

Mr. DEAN. Senator, if we click I have certain no recollection of it at this time. As I recall the transaction it was brief. I can't recall immediately preceding the meeting or Mr. Gray was called in? there I say this brief conversation. Gray was called in, and I said that. This was explained to him. He at that point in time, as I recall, placed the documents in a small sort of briefcase—not really a briefcase, but one of these thin leather briefcases that he placed the documents in. I then explained to him that we had turned the rest of the material over to the FBI. However, these were political dynamite and if they ever leaked, it would just be a very serious problem for the President during the re-election year.

Senator G-NY-I-EY. Was there not something about the light of day in that conversation?

Mr. DEAN. That is possible. I do not recall it now, but I think we did discuss that.

Senator G-NY-I-EY. Pies there not something about the light of day in that conversation?

Mr. DEAN. That is possible. I do not recall it now, but I think we did discuss that.

Senator G-NY-I-EY. Pit you not something about the light of day in that conversation?

Mr. DEAN. That is possible. I do not recall it now, but I think we did discuss that.

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Senator GURNEY. Well, to the best of your recollection, what did you say to Mr. Gray?

Mr. DEAN. As I say, to the best of my recollection, I cannot recall the precise words, but other than the fact that the material had come from Hunt's safe, to the best of my knowledge, it did not relate to the Watergate; if it leaked, that these documents were political dynamite, that if they leaked or became public, it would cause great embarrassment and entreat problems.

Senator GURNEY. Did you ever call Mr. Gray about these documents after that meeting?

Mr. DEAN. I cannot recall calling him. I recall, as I testified, I believe yesterday, I had discussed this with counsel, that I had a conversation at some time with Mr. Gray in his office, in which he told me that he had taken the documents to Connecticut. He said he was either going to read them or had read them. I just cannot recall which it was that he said, because it was a passing conversation.

Senator GURNEY. You do not recall two conversations with Mr. Gray, either meeting with him in his office or he in your office or over the phone, asking him what he had done with the documents?

Mr. DEAN. The first time—well, as I say, this one conversation, as I recall, was in his office when he indicated to me that he had taken them to Connecticut.

Senator GURNEY. That was the result of your question asking him what he had done with them; is that right?

Mr. DEAN. No; as I recall, he volunteered that, that he had taken them to Connecticut.

Senator GURNEY. Well, what were you discussing at that meeting with him? What was the purpose of the meeting?

Mr. DEAN. I do not recall. It could have been on the leak problems that were having.

Senator GURNEY. But you do recall in the meeting that he said, I have taken the documents to Connecticut. I do recall a meeting in Gray's office that this came up, he told me that he had taken them to Connecticut. He was not clear whether he said he had read them or was going to read them or anything of this nature.

Senator GURNEY. Did you ever ask him again on any occasion what he had done with the documents?

Mr. DEAN. Tes. After I had disclosed this matter to Atty. Petersen, I recall that I was at the Justice Department. This was probably in early January. At that time, Atty. Gray came up to me, and sort of took me by the arm and said, John, you have to tell Atty. Petersen all that clot disclosing these documents. And I said nothing to him.

I said, I understand, and that 5-a-S—but at the time, I had been questioned by the prosecutors. I felt I had to tell Atty. Petersen because if I was going to go forward, that very fact of 5-a-S might come out.
45.6 RICEARD BEN-VENISTE STATE-DESU, WOVEMBER 5, 1973, U.S. v. LIDDY, 3-4

THE COURT: As to the defendants whom you represent, do you waive their right to be present here today?

MR. BEN-VENISTE: Yes, Your Honor.

THE COURT: Mr. Shultz, I will hear you with reference to the motion filed by your clients to withdraw their pleas of guilty. I will allow you one half-hour and then I will allow the Government one half-hour to answer.

MR. BEN-VENISTE: Way I make a brief statement of facts?

THE COURT: Yes, sir.

MR. BEN-VENISTE: Your Honor, this is in connection with the motion made by the defendant Hunt and it relates to...
Richard Ben-Veniste, November 5, 1973, United States v. Liddy, 3-4

As you know, Mr. Dean pleaded guilty to the 3rd of January before this Court and following that time we have had an opportunity to interview him from time to time but the last few weeks have inhibited us to some extent from doing that as thoroughly as we would like. However, while we were in court, members of our staff interviewed Mr. Dean and questioned him with respect to the contents of a file folder in his office containing the President's estate plan, two cloth-bound notebooks with cardboard covers and lined pages containing some handwriting. Dean at that time recalled that these had come from Howard Hunt's safe. Dean did not look at the contents and cannot recall what might have been in them. He assumed it related to the Ellsberg break-in. He shredded both notebooks in his shredder.

At the same time he also discovered a Pop-Up address book containing some names with each page X'd out in ink. Dean threw this pop-up notebook into the waste basket at the time.

These are facts, of course, which defense counsel should know about. It is our belief that this does not alter our

46.1 Tape recording of a portion of a meeting among the President, H. R. Haldeman and John Mitchell on June 30, 1972 and House Judiciary Committee transcript thereof.............................. (513)

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. . .514
HALDEMAN: Well, there may be another facet. The longer you wait
the more risk each hour brings. You run the risk of
more stuff, valid or invalid, surfacing on the Watergate
caper -- type of thing --

MITCHELL: You couldn't possibly do it if you got into a --

HALDEMAN: -- the potential problem and then you are stuck --

PRESIDENT: Yes, that's the other thing, if something does come out,
but we won't -- we hope nothing will. It may not. But
there is always the risk.

HALDEMAN: As of now there is no problem there. As, as of any moment
in the future there is at least a potential problem.

PRESIDENT: Well, I'd cut the loss fast. I'd cut it fast. If we're
going to do it I'd cut if fast. That's my view, generally
speaking. And I wouldn't -- and I don't think, though,
as a matter of fact, I don't think the story, if we, if
you put it in human terms -- I think the story is, you're
positive rather than negative, because as I said as I was
preparing to answer for this press conference, I just wrote
- it out, as I usually do, one way -- terribly sensitive

[unintelligible] A hell of a lot of people will like

that answer. They would. And it'd make anybody else

who asked any other question on it look like a selfish

son-of-a-bitch, which I thoroughly intended them to

look like.

***

MITCHELL: [Unintelligible] Westchester Country Club with all the

sympathy in the world.

PRESIDENT: That's great. That's great.

MITCHELL: [unintelligible] don't let --

HALDEMN: You taking this route -- people won't expect you to --

be a surprise.

PRESIDENT: No -- if it's a surprise. Otherwise, you're right. It

will be tied right to Watergate. [Unintelligible]tighten

if you wait too long, till it simmers down.

HALDEMAN: You can't if other stuff develops on Watergate. The

problem is, it's always potentially the same thing.

PRESIDENT: Well if it does, don't just hard-line.

HALDEMAN: [Unintelligible] That's right. In other words, it'd

be hard to hard-line Mitchell's departure under --
PRESIDENT: That's right. You can't do it. I just want it to be handled in a way Martha's not hurt.

MITCHELL: Yeah, okay.
47. On July 2, 1972 Fred Fielding, staff assistant to John Dean, flew to England, where Kathleen Chenow was vacationing, to bring Chenow back to Washington. On or about July 3, 1972 Chenow discussed her forthcoming FBI interview with Fielding and Plumbers Unit member David Young. Dean and Fielding were present when the FBI interviewed Chenow.
formed the general pattern that was followed with other members of the White House staff, that is I would discuss with the person before the interview what I thought the agents would be interested and then discuss that person’s area of knowledge. I had reviewed this procedure with Ehrlichman who fully concurred in the procedure. On several occasions, Blr. Fielding of my office also participated in preparing witnesses for their interview as with the FBI. Contrary to some accounts that I sat in on some 14 to 15 interviews at the White House, the only interviews I recall sitting in on were Chapin’s, Miss Chenow’s, Colson’s, Ehrlichman’s, Atis Joan Hall’s, Strachan’s, Timmons’, and Young’s. Also I was present when Fielding, llehrli, and I had a discussion with the CE3BI about the handling of the materials in Hunt’s safe.

The only FBI interview that differed from the normal pattern was the interview of Miss Chenow. It was in late June that bliss Chenow’s former roommate notified David Young and I believe also Bud Erogh that the FBI had been to see her and requested to know where Miss Chenow was. The former roommate had said that the agents had asked about a telephone listed in Miss Chenow’s name. The roommate had informed the FBI that Miss Chenow was in London on vacation. David Young came to see Fielding and I and said that this girl could not know anything about the Watergate, but could cause the White House problems by inadvertently answering questions about the plumbers’ operation. where she had been employed, and that the telephone had obecn listed in her name in connection with the plumbers’ operation. At. Young was very concerned about Miss Chenow being caught off guard by an FBI agent. Accordingly, I notified Gray that we should make arrangements to have Miss Chenow available to the agents in Washington within a few days.

I discussed the problem, that Chenow could cause the White House problems, with Ehrlichman and suggested that someone bring her back from London for the interview and explain to her that she should not get into Hunt’s and Liddy’s activities while at the Al7hite House. Ehrlichman fully concurred and I called Fielding from Ehrlichman’s office and told him he should be on the next plane to London to get the .airl. The two first-class roundtrip tickets were paid for by the White House. There were two sets because bliss Chenow was provided transportation back to London. I informed Ivehri, who would not authorize such a trip on my word alone, that I had cleared this with Ehrlichman. I do not know if Ivehri himself checked with Ehrlichman or Haldeman. I believe it was on July a that Fielding left for London and returned with Miss Chenow the next day. He did have some problem because the address that had been given him was incorrect. Fielding and Younr briefed AtisS Chenow when she came back before her interview, and Fielding and I were present when the FBI interviewed her.

I will now turn to my first meetings with Sir. Gra!-, belrilln,eJ on page 66 regarding the investigation.

Note—Indented matter represents portions of Mr. Dean’s prepared statement which were omitted or summarized in his presentation.

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48. On July 5, 1972 at 5:54 p.m. Acting FBI Director Gray phoned Deputy CIA Director Walters and stated that, unless the CIA provided by the following morning a written rather than the verbal request to refrain from interviewing Manuel Ogarrio and Kenneth Dahlberg, the FBI would go forward with those interviews. At 10:05 a.m. on July 6, 1972 Walters met with Gray and furnished Gray a memorandum indicating that the CIA had no interest in Ogarrio or Dahlberg. Gray then ordered that Ogarrio and Dahlberg be interviewed. At 10:51 a.m. Gray called Clark MacGregor, Campaign Director of CRP, who was with the President at San Clemente, California. Gray has testified that he asked MacGregor to tell the President that Gray and Walters were uneasy and concerned about the confusion during the past two weeks in determining whether the CIA had any interest in people whom the FBI wished to interview in connection with the Watergate investigation. Gray also has testified that he asked MacGregor to tell the President that Gray felt that people on the White House staff were careless and indifferent in their use of the CIA and FBI, that this activity was injurious to the CIA and the FBI, and that these White House staff people were wounding the President. MacGregor has denied both receiving this call and the substance of it as related by Gray, but has testified to receiving a call from Gray on another subject the previous evening or possibly that morning. (By letter of July 25, 1973 to Archibald Cox, J. Fred Buzhardt stated that the President's logs do not show any conversations or meetings between the President and Clark MacGregor on July 6, 1972. The President's log for that date shows meetings between the President and MacGregor.)
from 10:40 a.m. to 12:12 p.m., Pacific time.) At 11:28 a.m. the President telephoned Gray. Gray told the President that he and Walters
felt that people on the President's staff were trying to mortally wound the President by using the CIA and the FBI. The President
responded by inst No cting Gray to continue to press ahead with the investigation.

48.2 L. Patrick Gray testimony, 9 ...............SSC 3457-58 522
48.3 L. Patrick Gray log, July 6, 1972, 1-2 (received
from SSC) 524
48.4 Vernon Walters testimony, 9 SSC 3413-14 526
48.5 Vernon Walters memorandum for record, July 6, 1972,
SSC
48.1 L. Patrick Gray log, July 5, 1972 (received from
ssc) e
48.6 Memorandum from Vernon Walters to Acting Director
of the FBI, July 6, 1972, SSC Exhibit No. 142,
9 ssc 3850-52 .......................................................... 530
48.7 Clark MacGregor testimony, 12 SSC 4914-19 533
48.8 Letter from Archibald Cox to J. Fred Buzhardt, July 10, 1973 and letter from J. Fred Buzhardt to Archibald
Cox, July 25, 1973 (received from Watergate Special Prosecution Force) .................
48.9 President Nixon daily diary, July 6, 1972, 1-3 (received
from White House) 544
48.10 John Ehrlichman testimony, 7 SSC 2783-84 547
48.11 President Nixon statement, May 22, 1973, 9 Presi-
dential Documents 693, 696 549
48.12 L. Patrick Gray testimony, Watergate Grand Jury, July 19, 1973, 101-03 (received from
Watergate Grand Jury).........

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the conflicts to date in CIA interest or not, and the compartmentalization alleged to exist in CIA.

Mr. Dean called at 2:40 p.m. and I merely told him that I was in a meeting and that I would return his call.

I returned Mr. Dean's call at 3:59 p.m., and he called me again at 4:14 p.m. I believe it quite likely that in one of these phone calls I told Mr. Dean that the FBI was going to interview Ojarrio and Dahlberg unless we had a written request from the CIA requesting that we not do so.

On Wednesday, July 5, at 5:54 p.m., I telephoned General Walters.

My contemporaneous notes of this call read as follows:

- 4-2 weds: 1 p.
- TCT General Walters
- (Dick Walters)
  1. I will need a request in writing rather than the verbal request to refrain from interviewing Ogarrio and Dahlberg because of CIA interest.
  2. Position of developing investigation indicates there is CIA involvement in that some of these men have been used by CIA in past and there is indication some are currently being used; there is the dollar chain either CIA or political; I do not want to uncover and surface a CIA national security operation in pursuing these leads, but I must for the record have in writing from CIA a request to refrain on the basis of national security matters or I must proceed.
  3. He stated that he would respond not later than 10 a.m., tomorrow
  4. I said that I would order the interviews if I did not have the writings by 10 a.m.

At the bottom of this telephone memorandum I have written "gave above info to JAVDn OFF, CLUB, from 6 p to 6:10 p.," and those men are Atessrs. Deans Felt, and Bates.

At this point I would like to comment on General Walters' memo randum of this phone call which I believe is in evidence before this committee.

With respect to General Walters' statement that I told him that "the pressures" on me "to continue the investigation was great," I am quite certain that I did not so express myself. It is entirely possible, however, that on the limited question of the alleged impact of the investigation on CIA national security matters, the only topic General Walters and I were discussing, I may have expressed the thought that the leads to Messrs. Barrio and Dahlberg were clear and that their interviews were a necessity which only the clearest expression of national security interest should prevent and that the FBI, for the sake of its own integrity, would refrain from conducting the interviews only if we received such a written request from the CIA.

With respect to General Walters' statement that "he [Gray] had talked to John Dean," while I have no specific recollection of telling General Walters that I had talked to John Dean, it is entirely likely that I did tell General Walters that I had informed Sir. Dean that the FBI was doing to interview Messrs. Ogarrio and Dahlberg unless we had a written request that we not do so.
On Thursday, July 13, 1978, I met with General Walters in my office. I remember that he delivered to me the writing that I requested and I remember that it indicated the CIA had no interest in Ogarrio or Dahlberg. After reading the document, I concluded that there was no reason for us to not interview Messrs. Ogarrio and Dahlberg. Cohen and General Walters departed my office at about 10:20 a.m. or 10:30 a.m., and I ordered the interviews of Ogarrio and Dahlberg immediately.

My recollection of the conversation with General Walters at this meeting differs with his in several respects.

If my principal recollection is his preoccupation with the fact that he was unable to give me a writing stating that there was a CIA interest in Ogarrio and Dahlberg and his telling me that he would resign if he were asked or directed to give me such a writing. He reported this thought to me several times during our conversation.

I recall that General Walters indicated a feeling of irritation and resentment at the extent to which White House aides had involved themselves in the question of CIA interest but I do not recall his driving me any details and I have absolutely no recollection of his disclosing to me that he had been instructed to bring a false report to me. I asked for no details.

I, too, was concerned and disturbed at the contradictory reports I had been receiving from Director Helms, Sir. Dean, and General Walters with respect to CIA interest and at the abrupt cancellation by Mr. Ehrlichman of the meeting I had scheduled with Director Helms and General Walters on June 28. I undoubtedly so expressed myself to General Walters.

My recollection is that he and I then engaged in a general discussion of the credibility and position of our respective institutions in our society and of the need to insure that this was maintained. Toward the end of the conversation, I recall most vividly that General Walters leaned back in the red overstuffed leather chair in which he was sitting, put his hands behind his head and said that he had come into an inheritance and was not concerned about his pension, and was not going to let “these kids” kick him around any more.

We stood up together as he prepared to leave. I cannot recall which one of us suggested that we ought to call the President to tell him of this confusion and uncertainty that had been encountered in determining CIA interest or no CIA interest. I believe it was General Walters who suggested it first, because I can firmly recall saying to him: “Dick, you should call the President, you know him better than I.” I believe he said, “No, I think you should because these are questions that FBI wishes to interview,” and he did not settle on who, if anyone, would make such a call and General Walters left.

At this point I would like to comment on some aspects of General Walters’ memorandum of our meeting of July 6.

(a) With respect to General Walters’ assertion in paragraph 1 that "in all honesty I—AValters—would not tell him to cease future investigations on the grounds that it would compromise the security interests of the United States. Even less so could I write him a letter to this effect."

We did not at any time discuss a curtailment of the entire investigation. In our telephone conversation on July 5 I had asked him specifically about Messrs. Ogarrio and Dahlberg and had said to him that in
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General WALTERS. I think so, but I would just like to state Agency involvement could not be hidden because the Cubans could not be sustained. I should have corrected Mr. Dean at this point and said this was not what I was meaning. I was advancing a theory but I did not correct him.

Mr. DASH. You have read your memorandum and I have an exact copy of the memorandum here. I would like to show it to you — dated June 29 covering your meeting with Mr. Dean on June Demand ask you to look at it and indicate if this is a copy.

General WALTERS. Yes, it is.

Mr. DASH. Mr. Chairman, may I have this memorandum marked as an exhibit and received in evidence?

Senator ERVIN It will be appropriately numbered as an exhibit and received in evidence as such.

[The document referred to was marked exhibit No. 1.32.]

Mr. DASH. Did you receive, General Walters, a call from Mr. Bray on June 5?

General WALTERS. Yes.

Mr. DASH. Did you go down the next morning and see him?

General WALTERS. Yes, Mr. Dash, I did. At B:50 in the evening.

Ok. DASH. Could you tell us briefly what that call was about?

General WALTERS. I believe that Mr. Gray said to me at this point that the pressures were mounting to continue the investigation and that unless he received a written letter from Mr. Helms or from me to the effect that the further pursuit of this investigation in Mexico would uncover CIA assets or activities he could have to (to) ahead with the investigation. I did not wish to discuss this with Mr. Gray over the telephone. I told him I would come down and see him the first thing the next morning. This was at the end of the business day. It was at 5:50 in the evening.

Mr. DASH. Did you go down the next morning and see him?

General WALTERS. Yes.

Mr. DASH. Would you briefly tell the committee what the nature of your conversation was with Mr. Gray at that time?

General WALTERS. I told Mr. Gray right at the outset that I could not tell him and even less could I give him a letter saying that the pursuit of the FBI's investigation would in any way jeopardize CIA activities in Mexico. I told him I had to be quite frank with him. I recounted the meeting with Mr. Haldeman, Mr. Ehrlichman. I told him that I had seen Mr. Dean on three occasions, that I had told Mr. Gray what Mr. Dean had told me. Mr. Gray seemed quite disturbed by this and we both agreed that we could not allow our agencies to be used in a way that would be detrimental to their integrity.

since I am discussing what someone else said I would like to refer here to my memorandum. Now this memorandum, unlike the others was written, I believe, on the same day that I saw Mr. Gray.

At Mr. DASEI. Yes, would you refer to your memorandum and red what I have from it?

CEnelal +0.lL--;RS. I think basically this was it. I said I could not give him a letter to this effect. I could not tell him this and I could not give him a letter to the effect that further investigation would compromise assets of the CIA. He said he understood him. He himself had told Mr. Haldeman that he could slot possibly suppress the in—esti, gatoil in the matter; even within the FBI there were leaks.

See p. RS19. (526)
He had called in the components of his field office and chewed them out for these leaks. I said the only basis on which he and I could deal was absolute frankness and I wished to recount my involvement in the case. I told him of a meeting at the White House with Mr. Helms. I did not mention Haldeman or Ehrlichman's name. I told him that I had been directed to tell him that the investigation of this case further in Mexico could compromise some CIA activities. Subsequently, I had seen Mr. Dean, the White House counsel, and told him that whatever the current unpleasant implications of the Watergate were that to implicate the Agency would not serve the President, would enormously increase the risk to the President. I had a long association with the President, and was desirous as anyone of protecting him. I did not believe that a letter from the Agency asking the FECI to lay off this investigation on the spurious grounds that it would uncover covert operations would serve the President.

Such a letter in the current atmosphere of Washington would become known and could be frankly electorally mortal. I said quite frankly I would write such a letter only on direction from the President and only after explaining to him how dangerous I thought his action would be to him, and if I were really pushed on this matter I would be prepared to resign. Sir. Gray thanked me for my frankness. He said he could not suppress this investigation within the FBI. He had told Mr. Ehrlichman this, he had told Mr. Haldeman that he would prefer to resign, but that his resignation would raise many questions. It would be detrimental to the President's interest. He did not see why he or I should jeopardize the integrity of our organization to protect some middle-level White House figure who had acted imprudently. He was prepared to let this go to Ehrlichmann to Haldeman, or to Mitchell. He felt it was important that the President should be protected from his would-be protectors. He had explained to Dean as well as to Haldeman and Ehrlichman; he had explained this.

Finally, I said that if I were directed to write a letter to him saying the future investigation of this case would jeopardize the security of the United States in covert operations of the Agency I would ask to see the President and explain to him the disservice I thought this would do to his interest. The potential danger to the President of such a course far outweighed any protective aspects it might have for other figures in the White House and I was quite prepared to resign on this issue. Mr. Gray said this was a very awkward matter for this to come up at the outset of our tenure, he looked forward to good relations, between our two agencies thanked me for my frankness and that was it.

Mr. DASH. I would like to show you a copy we have of your memorandum of July 6, covering your meeting on July 6 and ask you if this appears to be a correct copy.

General WALTERS. Yes; it does.

Mr. DASH. Sir. Chairman, may we leave this exhibit marked and received in evidence.

Senator ERVIN. This memorandum was previously marked as exhibit No. 97* and is already part of the record.

*See Book 7, p. 2913.

(527)
VERNON WALTERS MEMORANDUM, JULY 6, 1972, SSC EXHIBIT NO. 97, 7 SSC 2913-14

2913

EXHIBIT No. 97
MEMORANDUM FOR RECORD
6 July 1972

At 1005 on 6 July I saw Acting FBI Director L. Patrick Gray at his office. We were alone during our conversation. I handed him the Memorandum Which is attached and said that it covered the entire relationship between the Watergate suspects and the Agency. In all honesty I could not tell him to cease future investigations on the grounds that it would compromise the security interests of the U.S. Even so I could write him a letter to this effect. He said that he fully understood this. He himself had told Ehrlichman and Halderman that he could not possibly suppress the investigation of this matter. Even within the FBI there were leaks. He had called in the competent of his Field Office in Washington and “chewed them out” on this case because information had leaked into the press concerning the Watergate Case which only they had.

I said that the only basis on which he and I could deal was absolute frankness and I wished to recount my involvement in this case. I said that I had been called to the White House with Director Helms and had seen two senior staff assistants. (I specifically did not name Halderman and Ehrlichman.) I said that we had been told that if this case were investigated further, it would lead to some awkward places, and I had been directed (the implication being that the President had directed this although it was not specifically stated) to go to Acting Director Gray and tell him that if this investigation were pursued further, it could uncover some ongoing covert operations of the Agency. I had done this. Subsequently, I had seen Mr. Dean, the White House Counsel, and told him that whatever the current unpleasant implications of the Watergate Case were that to implicate the Agency would not serve the President but would enormously increase the risk to the President. I had a long association with the President and was as desirous as anyone of protecting him. I did not believe that a lever from the Agency asking the FBI to lay off this investigation on the spurious grounds that it would uncover covert operations would serve the President. Such a letter in the current atmosphere of Washington would become known prior to election day and what was not a minor wound could become a mortal wound. I said quite frankly that I would write such a letter only on direction from the President and only after explaining to him how dangerous I thought such an action would be to him and that, if I were really pushed on this matter, I would be prepared to resign.

(528)
Gray thanked me for my frankness and said that this opened the
way for fruitful cooperation between us. He would be frank with me
too. He could not suppress this investigation within the FBI. He
had told Echelon that he had told Ehrlichman and Haldeman
that he would not resign, but his resignation would raise many
questions that would be detrimental to the President's interests. He
did not say that he or I should jeopardize the integrity of our
organizations to protect some middle-level White House figure who
had acted imprudently. He was prepared to let this go to Ehrlichman,
to Haldeman, or to Mitchell for that matter. He felt it important
that the President not be protected from his would-be protectors.
He had explained this to Dean as well as to Haldeman and Ehrlichman.

Eli said he was anxious not to talk to Mitchell because he was afraid
that at his confirmation hearings he would be asked whether he had
talked to Mitchell about the Watergate case and he wished to be in a
position to reply negatively. He said he would like to talk to the
President about it but he feared that, request from him to see the
President would be misinterpreted by the media. I said that if I were
directed to write a letter to him saying that future investigation of
the case would jeopardize the security of the U.S. and covert opera-
tions of the Agency, I would ask to see the President and explain to
him that the process I thought this would do to his interests. The
potential danger to the President of such a course far outweighed
any protective aspects it might have for other figures in the White
House and I was quite prepared to resign myself on this issue.

Gray said he understood this fully and hoped I would stick to my guns.
I assured him I would.

Gray then said that though this was an awkward question, our
mutual frankness had created a basis for a new and happy relation-
ship between our two agencies. I said that Memorandum I had given
him described in detail the exact measure of Agency involvement or
non-involvement in this case, including information on Dahlberg and
Daguerre.

He thanked me again for my frankness and confidence and
repeated that he did not believe that he could win on this matter and
that the facts would come out eventually. He walked me to the door.

Vernon A. Walters
Lieutenant General, USA
6 July 1972
OSIMO UNDU, FOR: The Acting Director
FCereral Bureau of Investigation

SUBJECT: Information Provided the Federal Bureau of Investigation Regarding the Watergate Incident

1. As a result of our conversation of 5 July, I would like to summarize the information which has been provided to you by the Agency in memorandum form (attention Mr. Arnold Parham) since the first memo of Mr. Oranela on the subject beginning 20 June.

2. On 20 June separate memorandums were sent to you concerning Messrs. Frank Anthony Sturgis, Eugenio Rolando Martinez Careaga, Bernard L. Barker and Virgilio Colinaes. The papers detailed available information on the subjects.

I.Y. said that Mr. Frank Anthony Sturgis had never been recruited by the Agency, that he was a soldier of fortune but that he had been associated with an Agency contact, Mr. Eugenio Rolando Martinez Careaga, since the early sixties.

Their relationship was built on a mutual interest in Cuban exile activities. Mr. Martinez was recruited in January 1961 and has served as a variety of tasks for the Agency on Cuban matters up until June of this year. He has been on a $100.00 a month retainer since 1969. Mr. Martinez is a business associate of Mr. Bernard Barker in a real estate firm in Miami.

Mr. Barker was a regular contact of the Federal Bureau of Investigation in Cuba SCRUGI turned over to the Agency in mid-1959. He was used as a source of information in Cuba until he evacuated in early 1960. He was hired by the Agency in 1960 for work among Cuban exiles and was terminated by the Agency on 31 July 1966. In 1968 Agency contact has been maintained with him since that date. A thorough investigation of our files at Headquarters and by our station in Miami has failed to turn up any information regarding Mr. Gonzalez's connection with any Agency personnel or Agency-sponsored activities.
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That a coverup was a prerequisite to the reelection of the President? In other words, do you feel now that the President’s candidacy could have withstood an early disclosure by, perhaps, Mr. Magruder, Mr. Dean, or Mr. Mitchell? 

Sir. MACGREGOR. Had there been, in the week following the apprehension of the burglars a disclosure of the facts that have been brought out by this committee, it would, in my opinion, have been temporarily severely damaging to the President’s reelection campaign. Instead of a 17-to-25-point margin over Senator McGovern in mid-July, my guess is that that margin would have shrunk to perhaps five points. It is my opinion that by the time of the elections, in light of other events that transpired, we would have been no worse off, vote-wise, than we were.

But the important thing is that the President’s hopes and dreams that he outlined to me in his office late on the afternoon of June 30 that he hoped to accomplish in his second term, as the country looked forward to its 200th anniversary, would not have been so severely damaged as they have been now.

Wit. LIEBENGOOD. Thank you, AID. MacGregor. I have no further questions.

Senator ERVIN. Senator Weicker.

Senator AVEICKER. Mr. MacGregor let us get into the subject of the Pat Gray phone call of July 6. I wonder if you would give to this committee your version of that particular event.

Mr. MACGREGOR. To my best recollection, the call was made early in the morning of July 6 at Washington; was received by me at the Newport Inn at Newport Beach, Calif., shortly before 11 p.m., California time, July 5. I have been asked, could I be mistaken in my recollection that the call came in just before my wife and I retired and could it have been shortly after we awoke up the next morning? I suppose it is possible that my recollection is incorrect. But it is my recollection, Senator, that the call did come to me in the motel room or suite that my wife and I were occupying at the Newport Inn just before we retired on the evening of July 5.

- In any event, the call that Mr. Gray made to me was no different from the calls that I had been receiving at the rate of 50 or 60 or 70 a day during the preceding 5 days from people whom I knew, even those whom I knew slightly, who were kind enough to call and say “Congratulation,” and other opinions and maybe recommendations about the campaign.

My recollection is that Mr. Gray did, very graciously, compliment me on my being appointed director and that he indicated to me that he was concerned about the impact on the campaign of the Watergate matter.

I told him I shared his concern. It is my recollection that he said it is a serious matter? and I said, “As a lawyer, Pat, I recognize that it is a serious matter. Breaking and entering is a felony and felonies are indeed serious matters.”

He said, as I recall, that it will damage the President in the campaign.

I said, “Yes, it Evilly

Then he said, “It Evilly damage him more seriously than you realize.”
And it is my recollection that at that time, I indicated to him:

"Yes; I know it and it's true. It damaged him ill the first press conference I held earlier today in Washington tonight, before my wife and I flew to southern California at the President's request. But I said to him: 'Pat, I know be back in my home in Washington tomorrow evening,' before my wife and I are coming back on the nonstaff afternoon flight from Los Angeles to Dulles; we will be at home tomorrow evening; Ovid be in my office on Friday morning."

It is my recollection, Senator, that he spoke exclusively pertaining to Watergate, as to the campaign, and the extent to which it would hurt the campaign. It is not in my recollection that he talked ill any sense about "wound." If he had used the word ground" to me, it seems to me that that word would stick in my mind and I would ask him to explain it.

He did not, to my recollection, mention the CIAO to me. He did not mention the FJII. He did not mention General Lhralters, Dick Helms, John Ehrlichman, John Dean, or Bob Haldeman. He did indicate great concern. There was agitation in his voice. He repeated himself. And that is the substance of my recollection. I frankly expected to hear more from him when Eve returned to Washington the next night. I did not do so.

Senator WEICKER. Did he ask you to convey his thoughts to the President?

Mr. MACGREGOR. No; not according to my recollection. In any event, I did not do so. There was nothing about the content of his call to me; there was nothing unusual at all, except for the hour. It was similar to a great many other calls that I was receiving from people in Government, from Governors, Senators, Congressmen, national committeemen, committeewomen, and state chairmen. He may have had some complaints about White House aides. There would not have been anything unusual about that. In my position as counselor to the President for congressional relations, I got daily complaints about White House aides. And he may have made some complaints to me about White House aides of a general nature.

But he did not request me to call the President—did not request me to spend to the President. I did not call the President; I did not speak to the President about this. I have no testimony is about that.

Senator WEICKER. That is what I would like to bet into. Let us assume for the minute that your recollection is correct: that it was very late on the afternoon of the 19th when you received the call. Wouldn't you normally expect the Director of the FBI to call up the Republican campaign director in the late hours of the morning—or the late evening?

Mr. MACGREGOR. It did. But I expected when I next heard from him I would learn more about that.

Senator WEICKER. Would that clot raise a question in your mind as to why such a call came through then? Let us assume the time factor that you set forth.

Mr. MACGREGOR. No. It did. But I expected when I next heard from him I would learn more about that.

Senator WEICKER. Did you have any other communication at all with Pat (bra) dul in the course of the campaign in this sense of the word, aside from the Normal occurrences of meeting?
Mr. MACGREGOR. No, Senator; I had no further conversations or contacts with Sir. Gray.

Senator WEXCKER. No, I wonder if you would comment on the report issued by the House Armed Services Committee on October 23 of this year. I am referring to page 21. In the committee transcript, it states that Mr. Shultz's testimony indicates that the President called AID. Gray at the 'strong urging' of AID. Gray's concern over the FBI role in the Watergate investigation, and after the call the President had a 'lurid, incert doubt' that there might be some 'exposure,' despite assurances to the contrary. Yet, in his May 22, 1973, public Watergate statement, the President said, and I now quote the President's May 22 statement:

> On July 6, 1972, I telephoned the Acting Director of the FBI, L. Patrick Gray, to congratulate him on the successful handling of a hijacking of a Pacific Southwest Airlines plane the previous day. During the conversation, Sir. Gray discussed with me the progress of the Watergate investigation.

The committee report then continues:

Mr. EHRLICHMAN's testimony in that regard is pertinent.

I am now quoting from that testimony:

Mr. NEDZI: But the call was prompted by MacGregor's request?

Mr. EHRLICHMAN: By MacGregor's conveying a request from Gray to the President.

Mr. NEDZI: Or a call?

Mr. EHRLICHMAN: Yes.

Mr. NEDZI: Are you acquainted with the President's statement --- which he made on May 22?

Mr. EHRLICHMAN: I have read it, yes.

Mr. NEDZI: Does his account square completely with your account of that conversation?

Mr. EHRLICHMAN: I do. I think the drafter of that statement did not have the advantage I had of my verbatim notes of the conversations — I say verbatim — I take substantially verbatim notes of my conversations with the President.

Now, in light of what is Sir. Gray's recollection in his testimony before this committee of having called you and having given substantially the same facts which — albeit there might be a few words left out, but certainly the import of his message — in light of his testimony before this committee and in light of Sir. Ehrlichman's testimony before the House Armed Services Committee, are you absolutely certain that you in no wise revere in contract either with the President or possibly the President's staff relative to this particular matter?

Mr. MACGREGOR. Yes. And may I say, Senator, that as a lawyer listening to your reading of the transcript of hearings before a congressional committee I am impressed once again with the wisdom of our system of justice in which we exclude hearsay evidence as credible evidence. For instance: I say also, because I think it is important, that as a lawyer

Mr. EHRLICHMAN. Yes. And may I say, Senator, that as a lawyer listening to your reading of the transcript of hearings before a congressional committee I am impressed once again with the wisdom of our system of justice in which we exclude hearsay evidence as credible evidence.

(535)
I am fully advised and I believe you didn’t probe into this question with ‘3H1’. Butterfield, that those records of incoming calls to the President and outgoing calls from the President are rigidly accurate.

I think it would be of interest to this committee to know that 3 xvee]5 afro today the President of the United States said, “Clark, Voll did not mention the Pat Gray matter to me on July 6.”

Senator WITiEER. Atell, what was the nature of that conversation? Altho would this come across in a conversation between you and the President?

Mr. MACGREGOR. I was, along with others, attending a Presidential conference on export trade expansion at the Polite House 011 October 11. That program was put together primarily by Secretary of Commerce Fred Dent, with the assistance of Secretary of the Treasury Georger Schultz, and other officials of the Government. The President concluded that all-afternoon conference, which was dedicated to ways in which the Government and business could promote trade and thus produce more jobs. The President concluded the conference and then held a receiving line. He asked people to go through the receiving line.

I did; and while going, through the receiving line, he told me that he has just testified to.

Senator AVEICKER. You mean in going through a receiving line—the President of the United States turns to you while you are going through a receiving line and says “Clark, I didn’t tell you on July 6.” Is that the nature of the conversation?

Mr. MACGREGOR. Apparently someone had brought to his attention—not I—but someone had brought to his attention the Ehrlichman assertions or the Gray assertions. I don’t know what led to this, Senator. But the President assured me that my recollection was correct and squared with his.

Senator AVEICKER. Well, how long was this conversation with the President?

Mr. MACGREGOR. That conversation with the President?

Senator AVEICKER. That conversation with the President in the receiving line. What was the date of that?

Mr. MACGREGOR. Between 10 and 12 minutes on October 11. Three weeks ago today in the late afternoon—over on the press. I don’t think the press over heard the President telling me. But if you are questioning my recollection. Senator—

Senator AVEICKER. At all. I am not questioning it at all. I am trying to get the facts. Mr. MacGregor.

Mr. MACGREGOR. I am giving you the facts, Senator.

Senator AVEICKER. I appreciate that and want you to pro ahead and continue to answer the question.

(1) 11 October 11. Some 2 or 3 months. I guess. after the testimony I’ve given

before this committee BV Air. Gray. The Presidents on his initiative, made the statement to vou that he did not call vou on July 6.

3fr. 3toEGRGoR. I am not firing to what led the President to Intro
dice that subject and I don’t think it could be helpful for me to
speculate as to what he did.

Senator AVEICKER. I am trying to do is (ret

the wrist of this 1- or ‘1-allllllh estamentation. I think both of us will agree is not heat say evidenti. as X on have complained about to this

(536)
Mr. MACGREGOR. I am sure I responded to the President by telephone at 10:30 at night or before 6:30 in the morning. The nature of my work for the President is to counsel the President for congressional relations. The nature of my work from July 3 onward through the election was that there was no emergency that ever justified my calling the President at an unusual hour.

Senator WEICHER. All right, of course, that is not exactly so, Mr. MacGregor. Can you remember when you talked to the President on June 6, just prior to accepting the job of head of the Committee to Re-Elect the President?

Mr. MACGREGOR. He called me. My statement was I have never called the President after 10:30 at night.

Senator WEICHER. At what time did you talk to him on June 6?

Mr. MACGREGOR. It was within a matter of a half hour after the conclusion of his television remarks that night. I think it was in the neighborhood of 11 p.m. He telephoned me.

Senator WEICHER. All right, that is another subject for later on.

Mr. MACGREGOR. I am referring to the testimony before the House committee as I indicated.

Senator WEICHER. The testimony is as I have indicated to you and as appears in the record of the House hearings, would you say, then, that Mr. Ehrlichman perjured himself?

Mr. MACGREGOR. It is not for me to pass judgment on any criminal conduct. You and I both have talked about this presumption of innocence until proof of guilt and there is a potlatch of procedures that must take place before someone—Ilayle the judge...

Senator WEICHER. Mr. Ehrlichman at those House hearings does not squelch your testimony.

(537)
Mr. AI.vcGr~S.C.ol~. XYo: it is 111X' experience as a trial lawyer for about
8 years that [pleads, custodial fraud] give to jurors in instruction that
goes along the lines of the following: steadies and gentlemen of the
jury, don't assume that every difference in testimony means that some-
body is lying.

Pres le haz-e cliTeLearn el recollections. People see and remember differ-
ent things. The assumption that a discrepancy in testimony auto-
matically means that some body is lying is an assumption, thank crood-
ness, ~VII1CII is not at all consistent with our administration of justice
in America.

Senator \vEICI;ER. I understand that but all I am saying is that the
testimony that I have read to you states very simply that Attr. Ehrlich-
man StyS that, you conveyed a request from Gray to the President and
VOID say you did not.

Is that, corrects

War. AI.

Senator \vEIC I;ERW llltat time did you meet With the President ?

Mr. ZI VCGRF-GORA The first meetings—there was a chalUve in schedule.

Ill fact, there were consideleal telephone calls late on the night of
July 5 and so 011 into the morning of July 6 about the chalUve of sched-
ule. But the ill'lst meeting I (with the President tools)lace sometime after
10 a.m. on July 6 ill his office ill San (:>lemente.

Senator 5\vEICER. And what was the natule of that meetiner?

Mr. 31\CTRERTOR~ It was a discussion illVOIVillt primarily the Plesi-
dent, Tohll F,hllichman Atr. Al'illiam Timmons. and myself. It was
an assessment of the status of the President's legislative lato-lam at
the end of the fisal yeahl IV~l CII rva a few days before, and of the
prospects for passage of the remainder of the unneed-ed-still legislation
before the acfjollu finel of the 9'd (not)rex.S. Tile meeting was a legis-
lative meeting r and the President and Atr. F.lllCIIlilll IYrre concerned
with the status of domestic lefrislati~e items and the attendance of Atr.
Timmons and 311. InacGreFer Ivas occasioned bV our roles AS assistants
to the President in the coUorrelional relations field. Mr event down,
item be item, the major pieces of legislation.

Senator 9\vEICER. Of course, are you alvare from the testimonr given
to the rollmiUet that shortly after Pat Gray's conversation With Thou
he received a call from the President ?

WIT. At.veGrEes or. Dies: I think there is substantial agreement from
Air. (bran and from lHIC President to the effect that the President, teIe-
v~h~led adl. (~ ralV at about 3:01: 01 reverbouts, Pacific time, on, Tulv fi.
and that he contillu anUlated the FBI 01.1 the job that it had done the day
before in frustrating the attenuated s1d jacking of a commercial air-
craft.

There also seems to We agreement between the PresiAelft's statement

(ATr. Gray's testimony before this committee that Fir. Gray then

(538)
July 10, 1973

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Sir. cereal,

ARCHIVED COX
Special Ptcsecu-or

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ITEM 1 enclosed extracts from logs of telephone conversations between the President and Clark AtacCregor on July 5th and 6th, 1972. We have searched the logs and they do not show any conversation on those dates.

Tress X requests two copies of records showing that specific items from the safeguarded files have been copied by crime White House staff members. As I advised you in my letter of June 1st, the procedures in effect since May 23rd do not permit the former staff members to copy material from these files. They were permitted to make copies prior to May 23rd. In that earlier period, see had instructed that a record be kept of a person visiting the files used Xerox machine but not to enter the files. Although the guards on their onion initiative did not record all items copied, although some records of items copied do exist, we are enclosing the two pages of that record, and we are not in a position to ensure its completeness, and indeed cannot attest that it is complete.

ITEM 5 requests copies of excerpts of items inserted into any White House file by Mr. Ehrlichman or Mr. Young on or after April 30th. We have no records that would show what items, if any, were inserted. The procedures in effect since May 23rd ensure against any insertion into the files in question, although additional records, appropriately identified, have been placed under the same access limitations and special security. Prior to that date, insertion into the files was neither prohibited nor permitted.

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(541)
by the instructions then in effect and we cannot say whether any insertions
were made in that period.

Sincerely,

J. FRED BUZHARDT
Special Counsel to the President

Honorable Archibald Cox
Special Prosecutor
Watergate Special Prosecution Force
1425-K street, N.W.
Washington, D.C. 20005

Enclosure

Indistinct document retyped by
House Judiciary Committee staff

(542)
J. FRED BUZZARDS LETTER, JULY 25v 1973

* J I'd i-, yix x v tuk em ^ for Aid

a. FRED BUZZARDS

Special Counsel to the President

Honorable Archibald Cox
Special Prosecutor

Watergate Special Prosecution Force

1X25 - K street, N. tar.

Washington, D. C. 20005

Enclosed

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by the instructions then in effect and we cannot say whether any insertions were made in that period.

Sincerely,
The President had breakfast.

The President motored by golf cart from the San Clemente Compound residence to his office.

The President talked long distance with Acting Director of

The President talked with his Press Secretary, Ronald L.

Ziegler.

The President met with:

John D. Ehrlichman, Assistant
Alexander P. Butterfield, Deputy Assistant

The President met with his Personal secretary, Rose Mary Woods.

The President met with:

Henry A. Kissinger, Assistant
 - Sir Robert Thompson, author
Maj. Gen. Alexander M. Haig, Jr., Deputy Assistant

The President met with Mr. Butterfield.

In

The President met with:

- Mr. Ehrlichman
- Ehr. Kissinger
- H. R. Ehrlichman, Assistant
- Clark MacCregor, Campaign Director for the Committee for the Re-election of the President
- Frederic V. Malek, Assistant Campaign Director for
- the Committee for the Reelection of the President
- William E. Timmons, Assistant
- Mr. Ziegler

The President met with:

- Mr. MacCregor

- Mrs. Clark MacCregor

- Ollie P. Atkins, White House Photographer

The Presidential party went to the lawn behind the President's office.

The Presidential party held a photo opportunity.

The President returned to his office with Mr. and Mrs. MacCregor.

The President met with Mr. and Mrs. MacCregor.
The President met with:

- Mr. Haldeman
- Mr. Ehrlichman
- Mr. Ziegler
- Miss Woods

The President talked with Mr. Ehrlichman.

The President motored from Red Beach to the San Clemente Compound residence with Mr. Sanchez.

The President and the First Lady went to the pool area.

The President returned to the San Clemente Compound residence.

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

The President talked with Mr. Missinger. The call was not completed.

The President talked with Secretary of Defense, Melvin R. Laird, in Washington, D.C.

The President returned to the San Clemente Compound residence.
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The President and the First Lady had dinner.

(546)
It looks like sir should”—r don’t want to say anything incorrect there.

I should do this soon—

I will get a clean copy—

and I said I would try to do it today.

Upon leaving the White House I discussed the matter briefly with the Director.

On returning to the office I called Gray, indicated that this was a matter of some urgency, and he agreed to see me at 1430 that day.

Now that was General Walters.

Sir. Helms stated to this committee during an interview as follows:

_A few minutes later Haldeman and Ehrlichman walked in and Haldeman in no uncertain terms instructed Walters to see Pat Gray of the FBI and instruct him not to pursue his investigation in Mexico concerning Gerry Dalberg since it might involve the CIA. Helms had no idea what they were talking about with respect to Mexico and when he asked he was told, “Never mind what it’s all about.” But they wanted Walters to go to Pat Gray right then and there._

End of quoted in the interview with Mr. Helms.

Iow, isn’t it a fact that the meeting with Director Hekns and General Walters on June 23 was an effort to hinder the investigation?

Mr. EHRICHMAN. Senator, that meeting was convened at the President’s request. I learned later that the President was operating on the basis of an independent source of investigation and out of a concern that an all-out FBI investigation might compromise some CIA activity.

My recollection of that meeting is at considerable variance with General Walters in the general thrust and in the details. In point of fact, as I recall it we informed Mr. Helms and General Walters that the meeting was being held at the President’s request for the reasons I stated.

Mr. Haldeman said that the Watergate was an obvious important political issue and that the President had no alternative but to order a full all-out FBI investigation until he was satisfied that there was some specific area from which the FBI should not probe for fear of leaks through the FBI of disassociated and disconnected CIA activities that had no bearing on Watergate. As I recall there were a couple of basic questions that were asked of these gentlemen. One was whether the CIA was directly involved in the break-in itself and they said it was not.

The other was whether or not there was any disassociated CIA activity, past or present, which might be disclosed through a vigorous FBI investigation. They did not make the same kind of a categorical response to that question as they had made to the other. As a matter of fact, my recollection is that a response to the effect that they don’t keep track, that is the Director and the Deputy Director, of these regional activities, such as the one in Mexico, they would want to check with the regional man.

Now you have in your

Senator OvEXC—R. They had done that a

Atr. EHRUCHAN—N. Airs

Senator WEICKER. They had done that ?

Wlr. EIRLICM5fE. I think their letter of July 6 to the Acting Direc
tot of the FBI shows that they had clot done that and they did not do
that and they did not assure the FBI until June 27 as to the Mexican situation. Then they confirmed that
oral assurance of June 27 in written, on July 6 and on July 6 is when Director Go ay called the President and
said I now have a memo from the CI assuring me that there is no problem," and the President said "Let's go
all out." So that is the sequence of events.

Senator WEICKER. REV did the Director call the President?

Air. EIRLICHMAN. Because he received—I assume because he had this memorandum.

Senator WEICKER. Why did the Director call the President?

Mr. EIRLICHMAN. In point of fact I think the President called the Director.

Senator WEICKER. That is correct. The Director had called Mr. MacGregor.

Mr. EIRLICHMAN. That is true.

Senator WEICKER. And he had expressed to Mr. MacGregor doubts

as to this situation. He felt this was the best way to go ahead and get

in touch with the President, and the President called him back shortly

thereafter.

Mr. EIRLICHMAN. I wasn't at the meeting between Mr. Gray and Mr. MacGregor so I don't know what

they said but, I do know what the President told me.

Senator WEICKER. But you do know

Air. EIRLICHMAN. That Air. Wlacgregor told him when he came and called on the President on July 6

that he had been talking to Pat Gray and Pat Gray felt it was important that he talk to the President right away

and the President picked up the phone immediately and called him.

Senator WEICKER. And did Pat Gray tell the President that there were forces of those around him who

were trying to wound him?

-- Air. EIRLICHMAN. I had never heard that.

Senator WEICKER. Is it not a fact that Genetsl Walters and Pat Gray both felt it was necessary to call the

President on this matter, that both of them had the same apprehensions that the investigation was being

interfered with?

Mr. EIRLICHMAN. I think it was important for Pat Gray to have talked with the President, too. I heartily

concurred with that. I hope you understand that when Mr. Haldeman and I met with the Built, it was for the

purpose only of conveying to those gentlemen the President's concern and the meeting did not culminate in

any instructions to anyone except a request to General Walters that he sit down and talk to Pat Gray about

this matter, and reassure Pat Gray, if he could be factually reassured.

Now, that, in fact is what happened, and Z jr. Haldeman and I disconllected from this after that one 20-

minute meeting.

Senator WEICKER. All right, let's drop back in time again here to the meeting on June 23. You are sitting

here with the Director of the CITE and with General Waltcs. Would it not be logical to address ally request of

the CIA to the Director of the CIAe

Air. EIIRLICHMAN. Not if you were told bay the President that he wanted to work through General

Walters.
Mr. Sampson was born on October 1, 1936, in Marlin, Texas. He received his B.S. degree in business administration from the University of Rhode Island in 1961 and has done graduate work at the George Washington University.

Active in several professional organizations, Mr. Sampson was presented the Sycamore Award for outstanding contributions toward the advancement of architecture by the Society of American Registered Architects in 1961. In 1963, he was selected as one of the Top Ten Public Men in the Area of the Year, and in 1971, was named an honorary member of the American Institute of Architects.

He and his wife, Blanche, have four children and reside in [location].

NOTE: For the biographical sketch above, during its preparation, the focus was on the career aspects of Mr. Sampson.

R. The Watergate--an Incidental Event

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be involved in any testimony concerning possible criminal conduct.

I have not assumed any responsibility. I will continue to do the job I was elected to do.

In the accompanying statement, I have set forth the facts as I have heard them and as they relate to my own role.

With regard to the specific allegations that have been made, I can and do state categorically:

1. I had no prior knowledge of the Watergate operation.
2. I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate.
3. At no time did I authorize any secret executive clemency for the Watergate defendants, nor did I know of any such offer.
4. I did not know, until the time of my own investigation, of any effort to provide the Watergate defendants with funds.
5. At no time did I attempt, or did I authorize others to attempt, to influence the C.I.A. in the Watergate matter.
6. It was not until the time of my own investigation that I learned of the break-in at the office of Dr. Ellwood's psychiatrist, and specifically authorized the furnishing of this information to Judge Bork.
7. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be involved in any testimony concerning possible criminal conduct.
Discussions of possible criminal conduct, in the matters under investigation. I want the public to learn the truth about Watergate and the illegal actions brought to justice. Allegations surrounding Watergate have escalated, and I feel a further statement from the President is required at this time.

A climate of sensationalism has developed in which even second- or third-hand hearsay charges are headlined as fact and repeated as fact. Important national security operations which themselves had no connection with Watergate have become entangled in the excruciating.

As a result, national security information has already been disclosed publicly through the subpoenaing of documents and through the testimony of individuals. The result has been a national crisis, a constitutional crisis, and a crisis in the very fiber of our institutions. The security of the nation has been compromised.

I feel that the commission has met its purpose. I believe the nation needs a period of calm, and the American people deserve the truth about Watergate. I have requested a judicial and Congressional investigation to look into these matters.
The Dvorak of the unit tapered off around the end of 1971. The nature of its work was such that it involved matters that, from a national security standpoint, were highly sensitive then and remain so today.

Those intelligence activities had no connection with the break-in of the Democratic headquarters, or the aftermath. I considered it my responsibility to see that the Watergate investigation did not impinge adversely upon the national security area. For example, on April 18, 1973, when I learned that Mr. Hunt, a former member of the Special Investigations Unit at the White House, was to be questioned by the U.S. Attorney--I directed Assistant Attorney General Petersen to pursue every issue involving Watergate but to confine his investigations to Watergate and related matters and to stay out of national security matters. Subsequently, on April 25, 1973, Attorney General Kennedy informed me that because the Government had clear evidence that Mr. Hunt was involved in the break-in of the office of the psychiatrist who had treated Mr. Ellsberg, the Attorney General believed that despite the fact that no evidence had been obtained from Hunt's acts, a report should nevertheless be made to the court trying the Ellsberg case. I concurred, and directed that the information be transmitted to Judge Byrne immediately.

WATERGATE

The burglary and bugging of the Democratic National Committee headquarters came as a complete surprise to me. I had no idea that any illegal activities had been planned by persons associated with my campaign; if I had known, I would not have permitted it. My immediate reaction was that those guilty should be brought to justice, and, with the five burglars themselves already in custody, I assumed that they would be.

Within a few days, however, I was advised that there was a possibility of CIA involvement in some way.

It did seem to me possible that, because of the involvement of Senior CIA personnel, and because of some of their apparent associations, the investigation could lead to the uncovering of covert CIA operations totally unrelated to the Watergate break-in.

In addition, by this time, the name of Mr. Hunt had surfaced in connection with Watergate, and I was alerted to the fact that he had previously been a member of the Special Investigations Unit at the White House. Therefore, I was also concerned that the Watergate investigation might lead to an inquiry into the activities of the Special Investigations Unit itself.

In this area, I felt it was important to avoid any discussion of the details of the national security matters with which the group was concerned. I knew that once the existence of the group became known, it would lead to a discussion of these matters, some of which are, even today, highly sensitive.
I wanted justice done with regard to Watergate; but as the scale of national priorities to which I had to deal—and not at that time having any idea of the extent of political abuse which Watergate involved—I elected to be deeply concerned with ensuring that neither the covert operations of the CIA nor the activities of the White House investigations unit—nor the White House investigations unit—should be compromised. Therefore, I instructed Mr. Haldeman and Mr. Erlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation of the CIA or the activities of the White House investigations unit—and to see that this was personally coordinated between General Walters, the Deputy Director of the CIA, and Mr. Gray of the FBI. It was certainly not my intent, nor my wish, that the investigation of the Watergate break-in or of related acts be impeded in any way.

On July 6, 1972, I telephoned the Acting Director of the FBI, L. Patrick Gray, to congratulate him on his successful handling of the hijacking of a Pacific Southwest Airlines plane the previous day. During the conversation Mr. Gray discussed with me the progress of the Watergate investigation, and I asked him whether he had talked with General Walters. Mr. Gray said that he had, and that General Walters had assured him that the CIA was not involved. In the discussion, Mr. Gray suggested that he (General Walters) might look higher. I told him to press ahead with his investigation.

It now seems that later, through whatever complex of individual motives and possible misunderstandings, there were apparently wide-ranging efforts to limit the investigation or to conceal the possible involvement of members of the Administration and the campaign committee.

I was not aware of any such efforts at the time. Neither, until after I began my own investigation, was I aware of any fundraising for defendants convicted of the break-in at Democratic headquarters, much less authorization of any fundraising. Nor did I authorize any offer of executive clemency to any of the defendants.

In the weeks and months that followed Watergate, I asked for, and received, repeated assurances that Mr. Dean’s own investigation (which included reviewing files and listening in on FBI interviews with White House personnel) had cleared every one then employed by the White House of involvement.

In summary, then:

1) I had no prior knowledge of the Watergate bugging operation, or of any illegal surveillance or illegal activities for political purposes.

2) Long prior to the 1972 campaign, I did not in motion certain internal security measures, including legal
A FBI, CIA, both, I'd put it, as to whether or not there was any CIA interest or non-interest in the witnesses

3FI that the FBI wanted to interview.

41 Q In connection with what?

511 A In connection with the Watergate investigation. And

(i1) that both General Walters and myself felt that this was due to

(\_) an indifference and a carelessness on the part of White house

8 staff people and a failure to appreciate the position of these

9 agencies in our society, and that we both felt that this could

[obe injurious to our agencies and could be wounding to the

t1President .

,2 Now, these are certainly not my exact words, but they]

13 are certainly close to them and they are certainly close to thee

14 thought that I intended to convey. And I said to him, "Clark,

1.; Iwould you please pass this to the President."

(ll) And he said either, "I'll handle it," or, "I'll take

17 care of it." And that was the substance of that conversation.

18 Q All right, sir. Now, your logs reflect that that call

1!took place at 10:51 a.m. Washington time, Thursday, July 6th,

sn1972.

' 1

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Your logs reflect that at 10:28 a.m., Thursday -- I'm

2',sorry, 11:28 a.m., Thursday, July 6th, 1972, you received a

2).Ilcall from President Nixon. Is that correct?

A That is correct, sir.
Q Do you recollect speaking to President Nixon some
I thirty to thirty-five minutes after you spoke to Mr. MacGregor?

A I do indeed, yes, sir.

Q Could you tell us the telephone conversation from the President?

A Yes. The President called me and I was actually quite surprised to receive the call.

He started off by congratulating me on the successful termination of the highjacking which had occurred in San Francisco the day before. The ladies and gentlemen of the Grand Jury may recall that an FBI Agent shot two highjackers who were trying to hijack an airplane, and the President asked if I would pass his congratulations to the FBI Agent.

And I told the President that I would and that I was very, very grateful to him for calling and the Agents would be pleased to know that and, indeed, I placed a call later on to the Special --

Q Before we get to that, just tell us all the conversation. You said you appreciated it and you'd pass it on?

A Right. And then I said, "Mr. President, there's
something I want to speak to you about.” And, really, I just blurted it out. That was my reaction at the time.

I said -- and I've written this down, and I've written it down because I think it's very important, and this is my best recollection. I know that precision is impossible to

obtain, but this is my best recollection, after having given it

(552)
And I said, "Dick Walters and I feel that people on your staff are trying to mortally wound you by using the CIA much thought and consideration -- to this call. I and FBI and by confusing the question of CIA interest in or not in people the FBI wishes to interview."

Then I said, "I've just talked to Clark MacGregor and asked him to speak to you about this." There was a perceptible pause, a noticeable pause, and the President said to me, "Pat, you just continue to conduct your aggressive and thorough investigation." And that was the end of the telephone.
MR. NEAL: Mr. Foreman, it's 5:30. We have a few other areas to cover with Mr. Gray. Mr. Gray, is this the end of your testimony of your activities with respect to the CIA-FBI involvement?

THE WITNESS: Yes, sir. With regard to any witness involvement, like with regard to Mr. Ogarrio and with regard to Mr. Dahlberg.

MR. NEAL: I understand there's later some other things, but with respect to this aspect of your activities from June 17th to July 6th, 1972?

THE WITNESS: Yes, sir, that is.

MR. NEAL: And the other areas, about which we discussed, or the other areas we've discussed with you, are now in effect, of somewhat separate areas?

(553)
49. In July 1972 Dean obtained from Gray various interview and investigative reports of the FBI investigation of the break-in at the DNC headquarters. Dean has testified that he showed these reports to the attorneys for CRP and to CRP officials. Previously Dean had asked Attorney General Kleindienst for access to FBI interview reports and Attorney General Kleindienst had refused his request.

49.1 L. Patrick Gray testimony, SJC, Gray Nomination Hearings, March 21, 1973, 620-21 556

49.2 John Dean testimony, 3 SSC 945 558

49.3 John Dean testimony, 4 SSC 1361

49.4 Richard Kleindienst testimony, 9 SSC 3564

(555)
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560

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memorandum over to the Attorney General and at the bottom of that you say, "In this particular case and all future cases."

A week later you are providing secretly a considerable amount of material to Air. Dean who is going out of your office and bringing it back to the White House. Nothing happened during this period of time, a week, that made you change Four mind from what you wrote at the bottom of your memorandums right here?

3k. GILLY: absolutely nothing happened during that period that made me change my mind. That memorandum was directed to papers and documents that we would prepare in writing in summary form or LHAL form or that type of thing. It was not directed to this type of material.

Senator ISEN: You mean, Air. Gray, that if you write it up you send it through the ItG, but if it is raw you dive it directly? Is that my understanding?

Air. GRAY. That is my understanding.

Senator ISEN: How can you possibly rationalize that? If you draft it, you are doing to keep the Attorney General fully informed. But then you provide to the White House the rant material which you say is indispensable to the investigation and Wou do not even let the Attorney General know.

Air. GRAY. I can say there is nothing that happened, except that I made the decision in response to the call from the Counsel to the Presidents.

Senator ISEN: And did you let the Attorney General know?

Air. GRAY. No, sir, I did not tell the Attorney General.

Senator ISEN: What were the files that were actually made available? Were they just your own files or files which were a part of the investigation?

Air. GRAY. They were not files. They were FD 304's, investigative reports, and then these were two volumes of teletypes made available.

Senator ISEN: Could you review why you let him have just some of these, the 8 out of 1S6?

Air. GRAY. Yes, because I received a group of them on the 30th day of June. I received another group on the 1st day of July, and those were the two packets that I delivered to Air. Dean on the 9Sth day of July.

Senator ISEN: Did these, the So documents that you provided, relate only to the White House staff?

Air. GRAY. Yes; because I received a group of them on the 30th day of June. I received another group on the 1st day of July, and those two groups are the two packets that I delivered to Air. Dean on the 9Sth day of July.
Senator IVEX-EDY. If Mr. Dean was doing an investigation of the White House staff, why wouldn't you turn over just those records that related to that?

Mr. GRAY. My reasoning of it was his trails were going to go in many areas. I didn't know what he was doing. I wanted him to know what we had.

Senator KENNEDY. You did not know what he was doing?

Mr. GRAY. No, I didn't. I didn't know what he was looking for.

Senator KENNEDY. What did he tell you?

Mr. GRAY. He told me he was conducting an inquiry, but he and I did not discuss the substance of his inquiry or the substance of the FBI inquiry. We were doing ours in our own way and he was doing his own way. I have testified earlier that I didn't want to have any information from his inquiry at all.

Senator IVENG-EDY. I thought you indicated in earlier testimony that his inquiry was in relationship to the White House personnel.

Mr. GRAY. That is right, to the involvement of White House personnel.

Senator KENNEDY. Why should you supply:

Mr. GRAY. They could turn up in other investigative reports.

Senator KENNEDY. Why shouldn't you make sure he got all of them?

Mr. GRAY. I gave him all that I had at the time.

Senator EENG-EDY. Why didn't you get the rest of them?

Mr. GRAY. Those were all that were available. These were delivered to me early on the 30th of June. I received a group, and on the 1st of July I received a group and I gave to him what I had available at that time.

Senator KENNEDY. There were a lot of people interviewed after the 1st of July?

Mr. GRAY. That is right.

Senator KENNEDY. Did you send those to him, as Lou mall?

Mr. GRAY. A-0, as I recollect there was another call. And I think that it came later one much later on—yes, it was in the middle of October where he called me and asked if he could look at some additional investigative reports and teletypes, and I sent to him at that time the last group of investigative reports that I had in my safe, and the two volumes of the teletypes.

Senator KENNEDY. And did you, or did you not, ever feel any kind of responsibility to call him later and let him know that you could get other reports?

Mr. GRAY. I did not, as I was responding to his request.

Senator IVENG-EDY. And you thought that you did respond when you made those files available?

Mr. GRAY. If he wanted more, I would have expected he would have called again and made another request.

Senator IVENG-EDY. In any of your conversations did you ever talk to him about Err. Liddy?

Mr. GRAY. I think not, because it is my best recollection and mentors that are did not discuss individuals.
tion I was bringing to their attention, that this information was being
given to the President.

I do not recall when actually I received the first written information
from the FBI, but I believe it was after July 91 when I received a
summary report that had been prepared on the investigation to that
stage.

I would also like to now summarize the bottom of the page, and
indicate that when-

~tr. DASH. Bottom of page 72.

Mr. DEAN. Seventy-two, correct, and indicate that after I did get
possesion of the documents, the FBI files, I found them not very
meaningful and later Mr. Aldrian, Mr. Parkinson, Mr. O'Brien came
over to my office and read the reports, and Mr.ardian, they all reached
the same conclusion and I recall Mr.ardian's reaction was that the docu-
ments indicated that the investigation was too serious and he was
quite critical of Grav and asked me to call Gray to slow down but I
never made such a call.

It was after I showed a copy of the July 91 report to Mr.
Mitchell that Guardian insisted that he be permitted to see the FBI
reports. Mitchell agreed, and thought that Paul O'Brien and Ken
Parkinson should also see them.

I recall that when Mr.ardian, O'Brien and Parkinson finally
came to my office to look at the reports, they realized that they
were not very meaningful. It was Mr. guardian, however, who be-
came very excited because of the scope of the investigation that
Gray was conducting and the tone of the cables he was sending out
of headquarters. Mr.ardian clearly thought that Gray was being
too vigorous in his investigation of the case and was quite critical
of Gray's handling of the entire matter. He demanded that I tell
Gray to slow down, but I never did so.

Summarizing the first paragraph on page 73, I would also note that
I never showed any of these reports to any persons who were inter-
viewed by the FBI and they were only given to Mr. Dick Moore of the
White House staff when he was working on the Segretti matter for
Mr. Ehrlichman and Mr. Haldeman.

I do not recall ever finding anything in the FBI reports which
I scanned, that was worth reporting to Ehrlichman and Haldel-
man and so I never read all of the reports that were sent to me.
The FBI files contained the reports never left my office, nor were
they shown to anyone in the White House other than Dick Moore
when Mr. Moore had been instructed to prepare a report on the
Segretti incident by Ehrlichman. I never showed the reports to
any of the persons who were interviewed by the FBI after their
interviews.

T will turn now to the first dealings I had with the CIA. It was dur
Mr. DEAN. I didn't have the impression that he was upset by it. I don't know how often Mr. Gray and I talked but we talked frequently. I've had lvorlced together at the Department of Justice, and while it was reported that he called me with some outrage, Mr. Gray and I generally didn't have that type of conversation. He said something to the effect that "It that true, you know, I can't believe you would do that,' and I said 'No, it is not true and I never shoved Segretti any FBI reports.'

Senator GURNEY. Of course you worked at the Department of Justice for sometime, and I suppose you have some familiarity with the procedures down there. Isn't it a most unusual thing for a 302 report to out of the FBI office to anyone?

Mr. DEAN-. Well, I know this: that the White House receives on a regular basis and my office was the recipient on a regular basis, of countless FBI information. Now this deals with everything from background investigation.

Senator GURNEY. I am talking about the 302 forms that are filed with raw data.

Mr. DEAN. Yes.

Senator GURNEY. Not reports.

Mr. DEAN. I don't recall ever receiving 302's at the White House other than on this incident. I really wasn't terribly aware of what the policy was. I didn't work with the criminal cases in the Department of Justice while I was there so I don't know if there were other occasions when 302's were sent anywhere or not. I can't answer the question.

Senator GURNEY. But I understood you to say your understanding with Gray on these 302 files would be that you would guard them very closely.

Mr. DEAN. That is correct.

Senator GURNEY. Who did you show them to?

Mr. DEAN. Well, as I testified, after the report on the 21st came to my office, Mr. Afaldiaj was anxious to see them, Mr. Mitchell thought that was a good idea and also that Mr. O'Brien and Mr. Parkinson also came to see them. They came to my office. I recall them scanning them. They decided there really wasn't much in there that interested them. The thing that sticks in my mind most is that Mardian was, who was apparently very familiar with 302 and FBI investigations from being the head of the Internal Security Division said that, von Imvor, "Gray is just going hog wild here," because of the tone and the tenor of the interoffice from one field office or from headquarters to field offices, that the tone of the cables that I were being sent out of headquarters.

Senator GURNEY. Mardian, O'Brien, Parkinson weren't even in the White House then?

Mr. DEAN. That is correct.

Senator GURNEY. But were they working for?

Mr. DEAN. The reelection committee.

Senator GURNEY. I'll think Mr. (bren had an idea that people like that outside of the White House were looking at these files?

Mr. DEAN. T am sltre he had none I--calls T didn't tell hilly

Senator GURNEY. Did anybody else look at the files?

(559)
Mr. DORSEN. During the summer of 1973, were you aware that Patrick Gray was making available to John Dean FBI teletypes and 302's?

Mr. KLEINDIENST. No, sir. The first time I became aware of that was in the confirmation hearing of Mr. Gray to be the permanent Director of the FBI.

Mr. DORSEN. Had Mr. Dean spoken to you about the possibility of the FBI supplying to the White House such documents?

Mr. KLEINDIENST. Mr. Dean raised a question with both myself and Mr. Petersen. Both of us were very quick to tell him that we did not—that we would not give him raw investigative data from FBI files. I told him based upon his representation to us and my belief throughout this matter that he was counsel to the President. He represented him personally. He was dealing strictly with the President, that the President, while he was Attorney General, had not been the President in his capacity as such, had been delegated the authority. I explained to him the view of the investigation so far as it might relate to White House personnel. I told Mr. Dean that since I had been in the Department of Justice—I hadn't been Attorney General but a week when this fantastic situation occurred—that it had always been my policy and one that was shared by Attorney General Mitchell, that only under the most restricted circumstances should raw FBI investigative data be given to anybody. I believe I did indicate that we wouldn't mind summarizing pertinent information that was relevant to his inquiry orally for him so that he could make a report to the President, if I believe I also indicated that if there was a particular file that the President of the United States personally wanted to see, that I would be willing to take that file personally up to the President, sit down with the President and let him look at it and then bring it back.

Mr. DORSEN. During the summer of 1973, were you aware or made aware of a Saturday night phone call from Mr. John Ehrlichman to Henry Petersen?

Mr. KLEINDIENST. In the summer of 1972.

Mr. DORSEN. Summer or fall.

Mr. KLEINDIENST. I do not know if it was an evening call. I became aware of a call that Mr. Ehrlichman made to Mr. Petersen. I believe all the middle of the day, sometime between July 7 or 8 and August 8 or 9, at a time when I was at the Pocono Lake Preserve in Pennsylvania with my family on vacation. I became aware of such a call at that time.

Mr. DORSEN. How did you become aware of it?

Mr. KLEINDIENST. I became aware of the call because Mr. Ehrlichman called me. He started the conversation out, I think, by saying either "Dick" or "General," depending on the nature of the conversation he was willing to address me. He said: "I have just talked to Henry Petersen and I am very upset about my conversation with him because I gave him an instruction which he refused to follow," and I think my first reaction which was again rather abrupt and instinctual was: "were you doing talking to Henry Petersen in the first place and his instructions of any kind?" and he said: "Never mind that. I asked him if I fakel the FBI and it's Attorney's Office not hal its Secure—" and he said: "Attorney's Office not hal its Secure—" and he said: "Attorney's Office not hal its Secure—" and he said: "Attorney's Office not hal its Secure—" and he said: "Attorney's Office not hal its Secure—" and he said: "Attorney's Office not hal its Secure—"

Mr. Petersen say to 5 on ? Tell, I think he said in a polite away he told
On or about Friday July 28, 1972 a grand jury subpoena was served on Maurice Stans, Chairman of FCRP, to testify in connection with the investigation of the break-in at the DNC headquarters about his knowledge of the purpose for which campaign funds were spent. The President requested that John Ehrlichman determine if Stans could testify by deposition instead of being subjected to a personal appearance before the grand jury. John Dean called Henry Petersen, Assistant Attorney General in charge of the Criminal Division, and requested that Stans' testimony be taken at the offices of the Department of Justice rather than before the grand jury. Petersen had previously agreed to this arrangement in the case of testimony by members of the White House.

Risen told Dean that this procedure could not be used for Stans, and Dean called Petersen before the grand jury. On Saturday, July 29, 1972 Ehrlichman called Petersen and requested that Stans not be compelled to appear before the grand jury. Ehrlichman accused the prosecutors of harassing Stans. On Sunday, July 30, 1972 Ehrlichman called Attorney General Kleindienst. Ehrlichman reported that Petersen had refused to follow his instructions. The next day Kleindienst, Petersen and Assistant United States Attorney Earl Silbert met in Petersen's office. They agreed that Stans would be questioned under oath at the Department of Justice and not before the grand jury. On August 2, 1972 Stans was questioned in Petersen's conference room. According to Stans, in August the President called Stans and told him that he appreciated the sacrifice that Stans was making.
making in not answering questions for the press and hoped that he could continue to take it.

Page

50.1 Earl J. Silbert statement to the Senate Judiciary
    Committee in response to "A Report to the Special Prosecutor on certain aspects of the Watergate Affair," March 4, 1974, 27-28 (received from Senate Judiciary Committee) 563

50.2 John Dean testimony, 3 SSC 954 565

50.3 John Ehrlichman testimony, 7 SSC 2699-2700 566

50.4 Henry Petersen testimony, 9 SSC 3618-19 568

50.5 Richard Kleindienst testimony, 9 SSC 3564-65 570

50.6 Robert W. Barker (counsel for Maurice Stans) statement, 2 SSC 682 572

50.7

(562)
between September 7 and September 18, 1972 the day

on which the indictment was returned, nine witnesses
tested before the grand jury, including John

Mitchell, and, for the third time, Jeb Magruder.

Q. Response to Criticisms for Not Requiring
Maurice stans to Testify Personally Before
the Grand Jury and Not Calling Mr. stans

or Mitchell as witness at Trial, and Not

Praising Adequate Questions at Trial

21. The Morgan Report criticizes the fact that
Maurice stans did not appear personally before the
grand jury. (P. 38) The facts to my knowledge are

as follows:

On Friday, July 29, 1972, I directed the FBI
to serve a grand jury subpoena upon Maurice stans
to appear before the grand jury the following Tuesday,
August 1, 1972. That evening, counsel for the
Committee for the Re-Election of the President, at
an emergency meeting he requested, strongly objected
to the proposed grand jury appearance of Mr. stans,
stating it would harm his fund raising efforts.

At this request, we changed the date of his appearance
to Wednesday, August 2, 1972, but explained he would
have to appear.

After the meeting, Mr. Campbell, Mr. Glanzer,
and I discussed the matter among ourselves. One
aspect we discussed was the appropriateness of
serving a subpoena on a person such as Mr. Stans,
a former cabinet officer, as opposed to inviting
him to appear, the procedure ordinarily followed
with Senators, Congressman, and other public and
private officials who upon invitation would be
expected to appear. More importantly, we discussed
the potentially harmful affect on our investigation
by what would inevitably be a highly publicized
appearance at the grand jury by a person as well
known as Mr. Stans. The mounting public interest
this case, we were concerned, might hinder the investigation and would very likely provide the
defendants with a basis, for delaying the trial, a highly undesirable result in view of the enormous pressures on us to bring the case to trial as quickly as possible. We reviewed as precedent the case of United States v. Sweig, 441 F. 2d 114, 121, n.7 (2d cir.), cert. denied.

Appeal before the grand jury but was deposed in his own office during a criminal investigation which was focusing on members of his staff, once with his nephew present. We reached no final decision that evening.

During the weekend, I was informed by Henry Petersen that he had received a very strong complaint from John Ehrlichman of the White House about the potentially unfair and prejudicial publicity generated by appearances of White House staff members and former cabinet officers before the grand jury at the United States Courthouse.

After a meeting on Monday, July 31, 1972, of then Attorney General Richard Kleindeinst, Mr. Petersen and myself in which this and other aspects of the Watergate case were discussed, it was subsequently agreed that well-known persons such as Mr. Stans and White House staff members whose testimony was sought by the grand jury would be examined by an Assistant United States Attorney in the offices of Mr. Petersen at the Department of Justice. It was agreed that this examination would be under conditions duplicating as nearly as possible examination before the grand jury: testimony under oath in question and answer form, in the presence only of an Assistant United States Attorney and a court reporter who would record the proceedings. The witness could be accompanied by counsel. As before a grand jury, however, counsel was not permitted to be present during the examination but instead would be available in a nearby room to confer with the witness if the latter so desired. After the examination, the transcript of the proceedings prepared by the court reporter would be submitted to the grand jury.

(5M)
before the grand jury and he had worked out an arrangement whereby they could come to the Department of Justice, be interweaved by the prosecutors with counsel present, and then the prosecutor would take a sworn statement without counsel present as if it were a secret grand jury room and later the prosecutors would read the statement to the grand jury. This procedure was followed, as I recall, for Mr. Colson, Mr. Eroh, Mr. Young, Mr. Chapin, and Mr. Strachan.

When Secretary Stans learned that he was being called before the grand jury, he expressed a similar outrage and requested a procedure like that which had been given to the members of the White House staff. I discussed this again with Petersen? but he said he didn’t feel it would be possible to follow a similar procedure. Stans’ outrage continued and finally he raised it directly with Ehrlichman. Ehrlichman asked me why I couldn’t do anything with Petersen about this and I told him that Petersen had done the best he could but that there was nothing he could do about it because the grand jury wanted Stans to appear. Ehrlichman would not accept my explanation and called Petersen and was very harsh in telling Petersen that he should honor the White House request that Stans not be forced to appear at the court house to go before the grand jury. I was present when Ehrlichman called Petersen and felt that he was wrong in doing so. I felt that Petersen had been more than accommodating and that if he could have done it, he would, but obviously the grand jury wanted to see these people and Petersen was not happy with the procedures that had been followed with the others. It had merely been an accommodation.

The only significant matter that I can recall in connection with any of the grand jury appearances was in connection with Colson’s grand jury appearance also. After Colson returned from his grand jury interview he sent me a memorandum, a copy of which I have submitted to the committee—which he suggested I might wish to send on to the prosecutors. I had been present during Colson’s interview with the prosecutors before his sworn statement was taken and I did not find anything of significance in the memorandum that he had failed to cover during his interview.

(The document referred to was marked exhibit No. 3X15.)*

Mr. DE - N. I had also received information from AtarruderX that he had been pressured by Colson and members of Colson’s staff into authorizing the adoption of Liddy’s plans on several occasions and this information was not reflected in the memorandum that Colson had prepared. I felt that the memorandum was rather self-serving to Mr. Colson and I was not convinced that it was totally factual.

The memorandum also came to my attention almost a week after Colson had sent it to me because, immediately following his appearance before the grand jury at the end of August, I had gone to San Clemente. I advised Colson that I did not know if everything in his memorandum was consistent with Hagoodel’s testimony, and I thought we ought to leave well alone. I advised him to leave well alone. He asked me to file the document rather than forward it to Mr. Silbert.

[See p. 1586]
Senator ERVIN. Well, they didn't give him a chance. They didn't
indict Mr. Magruder, and the prosecuting attorneys are reported in the
press to have said the evidence showed that nobody was involved
except the seven men under prosecution.

Don't you know that?

Mr. EVICTS. I know, too, that they had Mr. Sloan's testimony
before them. He was not believed and in point of fact, you remember
in the press, that at the trial, the judge made comments which indicated
that he did not believe Mr. Sloan.

Senator ERVIN. Well, it has turned out since he was telling the
truth, I think rather strongly, so they certainly had his testimony that
Magruder, the Deputy Director, had ordered him to pay this $199,000
in cash out of Secretary Stan's secret fund and that Secretary Stan's
had told Sloan to comply with the order of Magruder in this respect
after consultation with Mitchell.

Don't I can understand why they don't find out some things that are
so outrageous that they don't believe a party. Didn't Mr. Sloan come
up and want to tell you about this and you said to him, "I don't want
to hear anything about it because if I hear anything about it I will
have to take the executive privilege until after the election."

Mr. EHRLICEMAN. I don't know what it was that Mr. Sloan wanted
to tell me because after we had talked for a few minutes and I had
determined that he felt he had some exposure, but that he had not
talked to an attorney, I told him that it should be grossly unfair of me
to hear him out until he had had an opportunity to talk with an at-
torney and take counsel on his own situation.

Senator ERVIN. You were one of the men in the White House who
stood in power next to the President, weren't you?

Mr. EHRLICEMAN. I worked for the President there.

Senator ERVIN. Yes; and when an agent, when this treasurer of the
Finance Committee To Re-Elect the President came and told you he
wanted to tell you about some things that troubled him you refused to
listen.

Mr. EZBLICAN. Well, I thought I was doing that from his stand
point. Mr. Chairman.

Duke Sloan has been a young man that I have known well during
the time he worked in the White House. I didn't want to see him tell
me something before he had talked to counsel that later on was going
to prove his undoing, and you see his wife, Debbie, also worked at the
White House and was well known to my wife and me and I just didn't
want to see him overreached.

Senator ERVIN. I have got to go and the time is almost up to go over
there and vote.

Recess.

Senator ERVIN. Before I put another question, I would say that my
idea is that it is up to the jury to determine whether a witness is telling
the truth instead of the prosecuting attorney.

TJid you not call Henry Petersen the Assistant Attorney General
of the Criminal Division, who had general supervision of this prosecu-
tion and ask him not to require former Secretary Maurice Stans to r?
before the grand jury?
Mr. Ehrlichman. Yes, Mr. Chairman. The circumstances were that

the—it had come to the President's notice that Secretary Stans was
going to be asked to appear before the grand jury. He asked me to
determine if it would be possible for Secretary Stans to give his testi-
mony as others had, through the device of a proceeding at the Justice
Department, a deposition, so to speak, under oath, rather than to run
the gauntlet at the Federal courthouse.

The President said that a man who was a former Cabinet officer and
so on, should not be subjected to that kind of a situation. I talked
with Sir. Dean about it and I talked with Afr. Petersen and he agreed
not to do that.

Senator Ervin. As a Democrat with a small ~a~ I am incapable
of comprehending why a former Cabinet officer should not have to do
as all other mortals and go before grand juries and so he did not go,
did he?

At. Ehrlichman. He gave his testimony.

Senator Ervin. He gave his testimony?

Sir. Ehrlichman. Excuse one, Afr. Chairman. He gave his testimony
by deposition.

Senator Ervin. Yes, he gave his testimony in the absence of the
grand jury, did he not?

Mr. Ehrlichman. Apparently this was a procedure which had been
established by the prosecution and a number of other people had done
likewise.

Senator Ervin. As I have observed during these healings before,
murder and stealing have occurred in all generations but they have not
made murder meritorious or larceny legal.

Now, my question is, Afr. Former Secretarv Stans did not go before
the grand jury, did he? He gave his testimony in his office, did he not

Mr. Ehrlichman. No—well, I do not know where he gave it.

Senator Ervin. Well, he gave his testimony in the absence of the
grand jury?

Mr. Ehrlichman. Yes— I believe he gave it at the Department of
Justice.

Senator Ervin. Yes. And by that method, there was nobody there
to ask him any questions except the prosecuting attorney who held

office at the pleasure of the President. Is that not so?

Mr. Ehrlichman. Well, I do not know who was present, Mr.
Chairman.

Senator Ervin. Well, you know none of the grand jurors there
were 23 grand jurors, I believe under the Federal system, none of the
Grand jurors were there, were they?

Mr. Ehrlichman. I do not believe so.

Senator Ervin. So this was a process

Mr. Ehrlichman. Unless the foreman was there, and I do not know
that.

Senator Ervin. This was a process because Secretarv Stans, I

guess—Shakespeare said about Caesar what meat our Caesar eats
had crown so great but he had eaten such meat that made him so threat
that he did not have to go before the Grand jury like ordinary mortals
and that procedure made it certain that no inquisitive grand juror
could ask this man who had had charge of the financing of the camp-
avan, all its embarrassing questions did he not?

(567)
Mr. PETERSENS, After his appearance before the grand jury I do not know whether
Sir. VSlll. Had he shown some interest prior to that? Of course, I think there were three appearances that he had.
Mr. PETERSE-9. Yes, of course, Sir. Of all, the statements revere at the
AXThite House, coming from the White House that, Jehill Dean seas charged with preparing a report, and xvillat have you. John Dean’s statements that were made to me were: I am responsible to keep the, President informed and, you know if I bet in there and he asks me a question he really chewes me out if I do not know the answer and. Henry, you have got to keep me posted on these things. Tlsey wanted to know—if there was going to be a nervousworth) item, they lvould llike to know about it at or about the time it happened. So to that extent I tried to keep him informed of the ultimate facts and ashen I did not, he would call.
3tr. DISH. Right, and, therefore, you did tell him that he had got through the grand jury
Now, can you recall a time when Sir. Ehrlichman got in touch with—ou concerning the appearance of Mr. stan$ before the grand jury [ 
3Ir. PETERSEN. Yes, sir; I can.
Air. DSll. Can you briefly tell the committee about that in your O5VII words?
Err. PETERSEN. I cannot give you the date, Sir. Dash. I think that A-fr. Dsll. Approximately what period?
Nor. PETERSEN. It is isolated. It xvas during the summer. It xvas before the indictment. It can be fixed because it xvaS imlnediately before the return date of the subpoena that xvas served on Air. Stans.
I received a call at 11.40 in my home. I was sitting at the l;ltcllen table and it was Mr. Ehrlichman and he charged Earl Silbert with harassing former Secretary stans and I told Sir. F,hllicllman that Mr. Silbert was not a responsibility that I had approved of that, and that it was not harassment, that it xvas true he had been interviewed at least twice by the FBI but we simply—I am hesitating because I xvant to be fair to Mr. stans—basically his testimony, his interviews were the same as he gave the committee. Let me put it tilat way. As I recall his appearance up firere, there xwas some question about whether the committee believed his statements that he did not }.nonv what happened to the money, that all he did lvas collect it. IN’e had some difficulty, the same difficulty, and we felt that if that avas lll$ story, that we ought to have it under oath. So to that extent we called him basically the third time and it leas right—
Mr. DASH. What did Mr. Ehrlichman avant a
Mr. PETERSENS. What did he want? I asked him that question twice and he never spelled it out except to stop harassing 31r. stalls and I said we were not harassing him and he charrle that Earl Silbert was acting like a local prosecutor. IN’ell, Wtr. Silbert xvas a local pros-ecutor [laughter].
Mr. DASH. Did you get the impression that Mr. Ehrlichman was perhaps asking that Mr. titans be excused from going to the grand jurist 2
Mr. PETERSENS. Well, that is what he was driving at. I asked him twice what he wanted and he never answered other than to say stop harassing. I asked him, I said, mell, if stans has a problem with th
subpena, why doesn’t his lawyer call him, and he said it was not necessary, that Ehrlichman M as calling me and we ended up telling him to tell his lawyer to call me.

Atr. D. vsl-. Did Mr. Eleindienst later speak to you about the same matter?

Air. PETERSEN-. Mr. Eleindienst called me Sunday evening the day after and said, are you upset, and I said about what? He said about the Ehrlichman call. And I said no, I am not upset. I was a little mad but it was his mistake, not mine, that I thought it was highly indiscreet, and Eleindienst said, well, what is it all about, and I told him that we wanted stand testimony under oath and he said, well, why don’t you come on down early in the morning. I have got to see Ehrlichman about this and you come on, you and Silbert come on down and give me a briefing and we met, I think it was in my office at 8 o’clock the next morning and briefed Alr. Eleindienst on the states of the investigation.

I told him there is no need for you to be concerned about me. No point going over to the White House and getting in a fight about me. He cannot do anything to me. We will get his testimony.

I did discuss with Alr. Silbert and Alr. Eleindienst whether or not we should make a concession. One of the concessions that we did make was that we would take his testimony and what I described as under grand jury conditions, that is, under oath, without his lawyer being present, in order to avoid publicity and-

3Ir. DASH. There you aware or did Alr. Eleindienst tell you about his telephone conversation with Wtr. Ehrlichman?

Air. PETERSEN-. I do, sir. I never heard of that. Indeed, I did not know from whom he had learned of the conversation until very recently.

3Ir. DASH. You said you did agree on a concession. Could you tell us where was 3Ir. Titans interrogated?

[Mr. PETERSEN-. He was interrogated in my conference room by the prosecutors on the case with a reporter present and no one else.

Mr. DASH. And not before the grand jury?

Mr. DASH. Who else, by the way, was given a similar concession during the investigation?

zir. PETERSEN. Colson, Schelli, and Young.

Mr. DASH. Colson, Rehrli, and-

3Ir. PETERSEN. Young.

Air. D. vsll. AVas this reflected by anybody in the White Houses?

Mr. PETERSEN-. I think it was requested by John Dean in order to avoid publicity.

Fir. DASH. Is there any special reason? Is that the reason to avoid
publicity, that this concession was given to White House staff?

Arr. PETERSEN. A5o. I don’t think—that is all. Frankly, Mr. Dash,

one of the most difficult things I have had to do since I have been in
the Justice Department are decisions with respect to public officials,
because the concerns are trea-cherous. You eril seriously if you don’t
color an investigation where it should be conducted and if you do
color an investigation where it should not be, you do a terrible dis-
service to the public official involved. It is no hell to say, Mr.
Public Official, you now wail have been cleared and we are
sorry about all the publicity. That is a very serious thin and I have

(569)
Mr. DORSEN. During the summer of 1972, were you aware or made

a call of a Saturday night phone call from Mr. John Ehrlichman to

Mr. Petersen. Of us were very quick to tell him that this did not—

that we would not give him raw investigative data from FBI files. I
told him based upon his representation to US and my belief throughout
this matter that he was counsel to the President, he represented him
continually. He was dealing strictly with the President, that the Presi-
dent had delegated him to more or less be responsible for an overall
of the investigation insofar as it might relate to White House person-

Mr. DORSEN. Had Mr. Dean spoken to you about the possibility of

the FBI supply ing to the White House such documents?

Mr. KLEINDIENST. No, sir. The first time I became aware of that was
in the confirmation hearing of Mr. Gray to be the permanent Director
of the FBI.

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of the FBI.
me to go to you know where, and I sai(l, well, Mr. Ehrlichman, I think by that time I may have been calling him Mr. Ehrlichman,-I said you are awfully lucky Henry Petersen is the kind of man that he is that he does not blow off the handle. I said if he resigned today and has a press conference and repeated your conversation with him you could probe - ably be involved in an obstruction of justice complaint, and I said Henry did exactly what I would expect him to do. Then I remember saying to Mr. Ehrlichman I never want you again so call up anybody in my Department and give them specific instruction. I said if you have something to convey to Mr. Petersen or anybody over there you can call me. He said well, I cannot reach you all the time, and I said well, John, we have transacted most of our business on the telephone, I had 2L telephone installed up here to be available to you and the President or anybody else 24 hours a day. He said I will not agree to that, and I said all right, John, if you will not agree to that I will come down Monday. I would like to meet with you and the President, and if the President tells me that you have the authority and the Power to give specific instructions to people in the Department of Justice then I avill submit my resignation. At that point Mr. Ehrlichman then treated the matter lightly, do not get excited, I was only kidding, do not worry about it, it vil never happen again, and I can say to you that it never did happen again.

Mr. DORSEN. Am I correct that Mr. Stans did not actuall y appear before the grand jury?

Mr. R LEINDIENST. That is my understanding

Mr. DORSEN-. And how did that come about, in view of your con versation with Mr. Ehrlichman ?

Mr. R LEINDIENST. That came about as a result of conferences that I had with Mr. Petersen.

Mr. Petersen said that if you are dealing with persons of high posi tion, persons of great notoriety or prestige, it is not uncommon, de— pending upon the circumstances, instead of having them appear before the grand jury directly, to have them interrogated by an...sistant U.S. Attorney or the U.S. Attorney with a court reporter and give them questions and get an...lvers from them, otherwise the same ground rules would apply, they would not have a lawyer with them, their attorney could be in the next room, if they wanted to consult with their attorney they could step out and do that. He said that par— ticularly he saw no objection to it in view of the fact as of that time there was no evidence of any kind in our possession that would indi— cate culpability or criminal conduct on behalf of Mr. Stans.

I have had very little experience with the grand jury procedure.

T ant.hars7pZ theta rsr—oA—l— with resn—et to IVfr Stfin—<; and I will take — personal responsibility for it.

Mr. DORSEN. Now, before I ask you your relationship with John F..hrlichman in reference to the Justice Department during this period, I would like to read a few sentences from John Dean's testimony before this committee from pave 2308.

Throughout the Watergate investigation Hinkleyman and particularly Ehrlichman had complained about t. LEINDIENST's passive role in the investigation and prosecution. Ehrlichman and Ehrlichman were both a vare of the strained relationship between REAIDST and the White House. I knew that Ehrlichman was riding hard on the Justice Department in an effort to undermine REAIDST and also gave me conferences with REAIDST he had little refec— tion for Mr. Ehrlichman.

(571)
Commencing early in June of 1972, on three occasions, he voluntarily
submitted himself to inquiries and discussions with FBI agents con-
cerning the Watergate break-in and the Presidential election campaign.

On August 2, 1972, Mr. Stans voluntarily appeared and gave sworn
testimony to the assistant U.S. attorney for use before the Watergate
grand jury here in Washington, D.C.

Subsequently, Mr. Stans voluntarily appeared before the staff of
the House Banking and Currency Committee and gave information
with respect to campaign finances and cooperated with that committee.

On six different occasions, in addition to submitting the official
reports required of the committee, Mr. Stans gave affidavits and dis-
cussed matters with representatives of the General Accounting Office
concerning campaign finances and activities. He did everything he
could to clarify matters.

Again voluntarily, he went to New York and appeared before the
U.S. attorney handling the grand jury investigations into the Vesco
contribution to the campaign. He then also voluntarily appeared on
two occasions before that grand jury and fully and candidly and
completely testified as to the matters knows to him to the best of
his ability.

In addition, on three occasions, he has sworn depositions in the civil
litigation arising out of the campaign. He has also testified for the
litigation in Florida, a criminal case down there.

Subsequently, he appeared before the staff of this committee and
on two occasions, gave them information concerning the campaign
activities and finances, and he fully intended to appear voluntarily
before this committee and to give it all the cooperation and assistance
that he could.

However, on May 10, the United states of America, of which this
committee is a part, a coordinate branch, changed the whole situation.
It brought an indictment against Mr. Stans, charging him with very
serious crimes arising out of the campaign and his duties as chairman
of the finance committee.

As you know, Mr. Stans pleaded innocent.

Now, Mr. Stans is before this committee under subpoena, with a
direction to testify about his function as chairman of the Committee
To Re-Elect the President. Inevitably, directly or indirectly, this
hearing will influence any jury which might be called to hear the case
in New York. This places Mr. Stans in an impossible position and a
completely unfair one. Under our constitutional system and the
fundamental laws of this land, an accused is entitled to a fair trial by
an impartial jury, unimpeded by a deluge of publicity. In other words,
as the Supreme Court said in Estes v. Texas, the concept of due process
of law entitled the defendant to "both judicial serenity and calm."

Now, Mr. Chairman, the inevitable Klein light of publicity which
will result from Mr. Stans' appearance here would preclude any juri-
dical serenity and calm at the trial now set, as I said, for September 11
in New York. It would also tend to deny him the possibility of an
impartial jury of the kind guaranteed by the sixth amendment. To
paraphrase the language of the Supreme Court in Delaney v. U.S.
(199 F. 2d. 107, 1st cir., 1959). Mr. Stans' appearance before this
committee and the television and/or other news media related thereto
would accomplish additional investigation and extensive publicity

(572)
Senator GURNEY. Have you ever discussed this Watergate affair or any aspect of it with the President of the United States?

Mr. STANS. Only in the sense that the President and I met once during the campaign and I had one telephone call from him, both in August.

Senator GURNEY. Both when?

Mr. STANS. In August of last year, in which he said that he was aware of the fact that I was receiving considerable punishment in the press for not answering their questions at the time. He said that he appreciated the sacrifice I was making in that respect but the matter would be over eventually, and he hoped that I could continue to take it. It was a pep talk, in other words, and that was the substance of the discussion over the telephone.

Now, in the subsequent meeting about 10 days later in his office in the Executive Office Building I talked about some of the problems on fundraising with him, the pending nationwide dinner which was going to take place in September at which he was going to participate, and matters of that type but there was no discussion of the Watergate, of coverup or any subject of that type with the President.

Senator GURNEY. Do you know from any information from anybody else whether the President of the United States had any knowledge of Watergate or the coverup?

Mr. STANS. I have absolutely no such information.

Senator GURNEY. Thank you, Mr. Stans.

That is all, Mr. Chairman.

Senator ERVIN. Senator Inouye.

Senator INOIJYE. Thank you, Mr. Chairman.

Mr. Secretary, a few moments ago you testified that you had met with Mr. Mitchell on June 23 and yesterday you suggested that it was possible you met with Mr. Mitchell on June 24. The break-in was on the 17th of June. On the 18th I believe all of the major papers in the United states had banner headlines about the Watergate break-in and you learned about that for the first time. Then, on the 23rd of June you testified you received a call from Mr. LaRue, I believe. Then, there were other banner headlines about moneys being traced through embank and hundred dollar bills all over the place and the security chief of the Committee To Re-Elect the President being arrested as one of those found in the Watergate complex. Last week one of your associates Mr. Sloan, testified that he was quite apprehensive about an $81,000 cash disbursement to Mr. Liddy and he testified that he conferred with you on this matter and wanted some indication from you that Mr. Magruder was authorized to make these cash payments. So you indicated that you would look into this, and on June 24 you had a meeting with Mr. Mitchell, the Attorney General.

Now, upon your return from the meeting this is what Mr. Sloan testified to, and I am quoting from the testimony:

By "he" he means you, sir, "He returned from that meeting Faith Mr. Mitchell and he confirmed that Mr. Magruder continued to have this authority that I should pay these funds and with regard to my question of concern about his purpose he said 'I do not want to know and you do not want to know'."

Do you recall this, sir?
John Ehrlichman has testified that on July 31, 1972 Ehrlichman, John Dean and Attorney General Kleindienst met and discussed whether Jeb Magruder was involved in the break-in at the DNC and that shortly thereafter Ehrlichman discussed the meeting with the President. Kleindienst has testified he does not recall the meeting. In August, 1972, after Magruder's testimony before the grand jury investigating the break-in at the DNC headquarters, Dean called Assistant Attorney General Henry Petersen to find out how Magruder had done when testifying. Petersen called Assistant United States Attorney Silbert and discussed Magruder's testimony. Petersen has testified that he told Dean that while Magruder was a very articulate young man, nobody believed Magruder's story that he did not know the purposes for which campaign funds had been spent.

51.1 John Ehrlichman log, July 31, 1972 (received
51.2 John Ehrlichman testimony, 6 SSC 2554-55 577
51.3 Richard Kleindienst testimony, 9 SSC 3566-67 579
51.4 John Dean testimony, 3 SSC 952
51.5 Henry Petersen testimony, 9 SSC 3617, 3651 582
51.6 Earl Silbert testimony, SJC, Nomination of Earl Silbert to be United States Attorney for the District of Columbia, April 23, 1974, 51-53-------584

(575)
JOHD EHRLICH JULY 31, 1972

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5:30  To Camp David
I think you recognized that.

Mr. EHRlichman. I recall the last page of the second. I think that is my chopmark on the rest of it, although I don't haste any present recollection of it.

The third one, Mr. Silbert's internal memorandum in the Justice Department, has been shown to me, but I can't vouch for it.

Mr. ERVIN. I evils admit the first two papers as exhibits and the reporter will number them appropriately as such.

(The documents referred to have marked exhibits Nos. 90 and 91.)*1

Senator ERVIN. The third I will have marked for identification, but will not be admitted at this time.

(The document referred to will be marked exhibit No. 92 for identification only and not for publication.)

Mr. DASH. I do have other questions that I will not ask at this point. I have no further questions at the present time.

Senator ERVIN. Mr. Thompson.

Mr. THOMPSON. Air. Chairman, I do have one or two lines that I would like to pursue, and then with the chairman's permission, perhaps after the members of the committee have questioned the licitness, I'll return to other lines.

Mr. Ehrlichman, I understand that as of June 18, you knew that Mr. Hunt and Mr. Liddy had in fact broken into the DISC or allegedly so and also that they were members of the BTHite House stag.

Is that correct?

Mr. EHRlichman. No, I don't believe so, Mr. Thompson. I think that sometime on the 19th, Mr. Dean told me about Liddy's involvement. The only connection that I had with regard to Hunt Ivas this call from the Secret Service that said that his name had been in the possession of one of the people caught in the Democratic headquarters and that the card or the paper or whatever it Ivas, said "RWhite House" on it.

Old, it wasn't very many days after that before the link Ivas made, I guess. But as of that day, I don't thinl I hlexv that.

Mr. THOMPSON. Mr. Dean has testified that Liddy also told him that Magruder Ivas involved in some ways that Magruder pushed him. Also, Mitchell and LaRue and Aldarian testified that they got essentially the same information from Liddy on June 21, I believe. Was an any of this information imparted to you in June of 1979 concerning Mr. Magruder?

r. F,ERAILCICIBIAN. I can't say, Mr. Thompson, whether it Ivas or not. There came a time when there Ivas a feeling that, at least on my part, based on what the—at on what all. Dean was telling me about the unfolding of this thing, that Mr. Magruder Iat have had some involvement, and that culminated in a meeting with the Attorney General at the end of July, on the 31st of July, where :

Mr. EHRlichman. WVeill, as I say, I can't say in the interim. I do recall discussing with the Presi(ellt the comments of the Attorney General and Mr. Iean arising out of our meeting 011 July 31.

*See pp. 2643 and 2646, respectively. (577)
Mr. Tilloston. Do you recall approximately when this conversation took place?

I said it would have been within a day or two after Aug 1st—

Mr. Thoorsos. First reveal in Aug. I think.

Mr. Ehrlichman. I cannot say the first occasion, but it is the one that I have a recollection of.

Mr. Thoorsos. Mr. Ehrlichman, let me read to you the President's statement of May 21, which has been previously referred to, and give you a quotation from that statement. The President says:

I wanted justice done with regard to Watergate but in the scale of national priorities which I had to deal with and not at that time having any idea of the extent of political abuse which Watergate reflected, I also had to be deeply concerned with ensuring that neither covert operations of the CIA nor the operations of the special investigation unit should be compromised.

Mr. Thoorsos. Excuse one. Mr. Thoorsos, could you tell me which you are reading from?

Mr. Tilloston. That is on page 5 of the President's statement of May 21.

Mr. Thoorsos. Thank you.

Mr. Tilloston. It is the last full paragraph.

Mr. Ehrlichman. Right.

Mr. Tilloston. Right.

Therefore, I instructed Mr. Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation of the CIA or the activities of the White House investigation unit, and to see that this was personally coordinated between General Batters, Deputy Director of the CIA, Mr. Gray of the FBI. It certainly was not my intent or my wish that the investigation might be impeded in any way.

Is that correct? Are you in fact given those instructions?

Mr. Ehrlichman. Before he asked to meet with the CIA people in the month of June, and I think some months in advance of the Watergate break-in, the President had made it very clear to me that the whole special unit activity was, he felt, impressed with the highest level of secret classification. It simply was not to be talked about and I had passed that along to you and others. But I do not recall ever telling to either the CIA people or Mr. Clay or others that it related to CL-t activities.

Mr. Tilloston. Prior to the break-in?

Mr. Ehrlichman. Either prior or subsequent, for that matter.

Mr. Tilloston. Thou talked 011 June 23rd—23, goU had a discussion with 311. Helms and Mr. Atalters, did you clot 2

Mr. Ehrlichman. It related to the activities of the special unit with referral to the Pentaflroll Papers or an 011i—

Mr. Tilloston. Belt it related to CL-t activities?

Mr. Ehrlichman. Yes, Sir.

Mr. Tilloston. Of course, the 1-resident refers all his statement to both Grit activities.

Mr. Ehrlichman. And, as I say, I can say that I ate the one—noting with the CL t 0111 the 1st. I (to slot recall any conversations or ef-
Is this a fair statement of your relationship with Mr. Ehrlichman?

Mr. KLINCIN-DIENST. I think the last statement Mr. Dean made at that time would have been subjective in nature. I do not think I had a feeling one way or the other in that way about Mr. Ehrlichman. I had bad feelings about speaking, a satisfactorily relationship with Mr. Ehrlichman. He had a very difficult assignment and role to fulfill in behalf of the United States. I often wondered how John Ehrlichman could really take on the immense file with multifaceted issues and responsibilities that he did. I made it a point to the extent possible to svork with everybody at the White House and indeed, I talked to him from time to time. I did not know anybody told me I was setting along with the White House. I have personal and personal characteristics which people tell me can sometimes irritate and I am soft about that and I suppose I could have irritated people up there from time to time. So far as a pass-as role at that time being of Justice—title decision that I made on July 17, 1972, I became interested in terms of my role as the Attorney-General's assistant to the title. That I should do an illing more or less as a major investigation than I would in any other case. If every other case that I ran or was involved in it the Ehrlichman of Justice of a criminal nature, I looked to Mr. Ehrlichman to be primarily responsible for the direction of the investigation.

And let me say this about Mr. Petersen. I believe that Henry Petersen is the finest career lawyer that this country has ever had. In 41 years of association with him I found him to be intelligent, fair, cool-headed, honest, dedicated to the administration of our criminal justice laws and I believe that all of the people I was associated there with would be under me ill the Department of Justice in the event of a decision. I looked to Henry Petersen, I talked to him several times a day. I did not absolve myself of the ultimate responsibility as the Attorney-General in the matter but I relied upon him and I relied upon him for advice and counsel, relying upon him more and thanked the Lord constantly there—was able to and respect him more, to involve him more for advice and counsel, relied upon him more, and relied upon him even more. Mr. Petersen's admirability for him, I believe, Petersen is the first career lawyer in the Department of Justice who was appointed by the President to be an assistant Attorney-General and I thought that I was a great compliment to his career of service. Conse- (illegible) is the Attorney-General of one event, I never talked to him, he talked to Mr. Silbert, Mr. Glassner, Mr. Campbell or the U.S. Attorney, I never gave them any direction. If there was a policy matter which I thought was proper for him to discharge as the Attorney-General, I made those decisions. If they were very difficult, I would take title credit for it and if they were zonk I would tell the ultimate responsibility to him. I think I could have been right to people at the Attorney's House a pass-as role in the Avantavacce. It is a role that I tried to publish while I was there until Sunday, April 15, 1973.

3rd. DOREST. I would like to titillate to a meetinra that took place about, you, 3rd. Dean, and Mr. Ehrlichman on July 31, 1972. Do you recall that meeting?

(579)
Ar. ITLEIXDIES-ST. A-without something else to prod my memory I
have no recollection of that.

Ar. DOTTSEN. Well, I will read from page 5285 of Br. Ehrlichman's
testimony before this committee:

There came a time when there was a feeling that, at least on my part, I
cased upon what Mr. Denn was telling me about the unfolding of this thing, that Mr.
29 investigators have had some involvement and that it culminated in a meeting
where Stagrud was specifically discussed, but just when in which I acquired information I
can't tell you.

BH-. ITLEIXDIES-ST. I have no recollection of any such meeting. The
only recollection I have of all that is still will not be a
bit of it.

Ar. DORTSEN-. Correct.

Ar. KLEIN-DIES-ST. I would like to move about 1943 and to ask you if
you recall the meeting.

Ar. DOTTSEN-. I do recall. And I do recall the meeting.

Incidentally, Wfr. Dorsen, let me make another [unattributed statement,
if I may, and that is about these three young lawyers in the U.S.
Attorneys Office XV of the Justice Department. To me those two
alone, Mr. Petersehl, are the unsung heroes of the Watergate case.

I think a lot of people should be [risen a lot of credit to the Senate, the
press, Judiciary sirica, but there haven't been very many people around
talking about these career people in my Department.

These three young men were career lawyers. I believe that they are all
Democrats. They were there before we came in. They were there when the

Ar. KLEIN-DIES-ST. I would like to recall that, at the time of the
meeting and the meeting that occurred at the time of the

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talking about these career people in my Department.

These three young men were career lawyers. I believe that they are all
Democrats. They were there before we came in. They were there when the
might IOr stand up if indicted. I recall Haldeman asking me if I thouurlte Magruder would stand "1 if indicted told I said To. I have always assumed it xvas a Presidential decision to keep. Alacrulcl on at the reelection committee. Following the
decision, Ehrlichman and Haldeman indicated a greatly increased intetest in Atagurder's problems. They Revere aware of
the strategy to stop the involvement at Liddy, because I re.polted to them on the story that Alacrulder would tell, that is,
that he did not know what Liddy v-as doing. The,v frequently asked me how Magruder v-as doing in relationship to the FBI
and grand jury investigation I also had calls from Atlr. Larry Ht.,ry as to Alagrudel's status.

I do not know when I first learned of Atarruder's proposed testimony, but I did clot liliOUV that it had already been
forthlulatcl svilen I first heard it. I informed Haldeman and Ehrlichmarl of the stokc Ore discussed it and no one avas sure it
would hold up. This discu.ssio.n did occur before Mitchell resigned. Eve, of course, knew that it m-as a fabricated story.
WThen I later learned that Wtr. Porter would corroboratBe. Alagrunder's testimony, I informed Haldeman and Ehrlichmarll
of that. I had never heard Wtr. 2.1agruder's story in full detail Ultil just before his grand jury appearance, in mid-tucust 19.
a. when he asked me if I would be a devil's advocate and question him before he rent before the grand jury. Magruder came
to my office, as I recall. the dav before his second grand jury appearance. He told me he had made the decision himself as to
how he was going to handle his testimony and wanted me to ask him any and all questions I could think of. I spent about an
hour or more questioning him. Shortly after I had this session with Alagrunder, Ti;ry called me to tell me that Magruder had
been to see him, to let Haldeman know he was ready.

When I later learned of Alagrudel's appearance before the Grand jury I received a call from Higby requesting information for
Halellemall as to howv Magruder had done before the grand jurv. I subsequently called Att. Petersen, who said he would find
out and call me back. Petel sen called back and said he had made it through by the skin of his teeth. I called Haldeman and
so informed him, and subsequentk infolmed Mitchell and Magruder. I recall that Haldeman was very pleased, because this.
Of course, meant that the investigation would slot to beyolleL Liddy.

In early September Paul O'Brien came to mv oflice and informed me that there xvas an outstanding subpoena for
Atarrlder's diary. O'E,'rien said that M.Iagruder's diary reflected the meetings in Anticilell's office in Jamlary and February
with LiddylV, Alarrlder, Denim. and Mitchell. O'Brien also informed me that these had been discissioll of clesitvint or
altering the diary-, but he did not think much of that. I agreed that to alter it would be. impossible because it would be
discovered by the FBI laboratory.

I remember talking with Magruder and asking him why he kept a diary—being somewhat facetious. I told Ata(truder
that he should talk with Atr. Mitchell about this, because he was probably aOillt to have to turn the diary over.

Lone before the matter of Wlagruder's diary had al isen. I had talked TVaJ) Mitchell about the meetiinys in January and
Febhly in his office. I told him that should Kit ever be necessaiv. I would testify that I knew that he had not approved
avstltillt at these meetings It --QS after the matter of 'la-rcul'er's diary being sillope'llied and Alaguldler
again being recalled to the grand jury that Mitchell requested that I

(581)
Mr. PETERSEN. I was not aware at all of the Dean meetings till the recent disclosures. I was aware that Mr. Gray was in touch with alterations to fly and demonsticate whether or not there was any CIA involvement in the Mexican transactions.

Mr. DASH. And he later reported to you he learned there was no CIA involvement.

Mr. PETERSEN. That is right.

Mr. DASH. Nonv, did you ever discuss with Mr. Petersen, I am confining these questions to the very early period within actually a week or so after the breach—i.e., till the testimony before the committee is that Mr. Helm spoke to Mr. Gray on June 22 and said there was no CIA involvement and the meetings between Mr. Haldeman, Mr. Ehrlichman, Ambassador Helms, and Mr. Halter have on June 13 and then shortly afterwards, in fact, on the same day, on June 23, General Halter spoke to Mr. Gray. It is in that area that I am directing my questions.

Mr. PETERSEN. I had no such instructions.

Mr. DASH. Did you ever discuss with Mr. Dean, Mr. Magruder's appearance before the grand jury?

Mr. PETERSEN. John Dean called me at the time of Magruder's appearance before the grand jury and asked how Magruder made out, I did not know and I called Earl Silbert and he said, you know, you all know, he is a very articulate young man and he described him, he made a good witness in his own behalf, but, Henry, nobody believes the story about the money. And, you know, that is—in those words are all I told Mr. Dean.

Mr. DASH. Did you know what that was all about?

Mr. PETERSEN. Well, everybody focusing, on the money—i.e., Mr. Helm, maybe it is a poor boy syndrome but could not imagine how $350,000 was just tossed out and nobody wants to know where it went or what it was used for and, of course, the grand jury had the poor boy syndrome, too, I guess. They could not understand that either.

Mr. DASH. Were you aware of the fact that Mr. Sloan told the prosecution Mr. Silvert, of Mr. Magruder's effort to have him pick a different sum of money that he paid to Mr. Liddy?

Mr. PETERSEN. I was not aware of it at the time. I was subsequently aware of that and, of course, talked to Earl Silbert about it and they went into the Rand jury.

Mr. DASH. I was not aware of it at the time. I was subsequently aware of that and of course talked to Earl Silbert about it and they went into the Rand jury.

Mr. DASH. Actually, yoll said that Mr. Dean called you about Liddy and Mr. Alagrillo made out. This was, I believe, after his filial apl-enrach before the grand jury?
was not telling the truth, but for a prosecutor we have to go beyond that. We did slot have any evidence to suggest it. He got on the stand, told his story, told his story to the grand jury. We could not refute it. I did not like the story but I did not have any evidence. All I could say is it does not add up.

Senator INOUYE. Mr. Dean in a statement before this committee testified that he called you after Mr. Magruder's appearance before the grand jury in August of 1972. Did he call you, sir?

Mr. PETERSEN. Yes, sir, he did.

Senator INOUYE. He further testified that he asked you how Mr. Magruder's testimony went and you were supposed to have responded that Mr. Magruder had made it through "by the skin of his teeth."

Mr. PETERSEN. That is not correct. I remember the conversation very well because, I did not know the answer when Dean called. I had to call Silbert. I did call Silbert and Silbert said, he is an articulate young man. He made a good appearance, good witness ill his own behalf, but nobody believes the story about the money. But there is no—the grand jury did not. They just—they Revere—and, again, that overstates it but they were uncle[n]tells[illg] hoix such a large sum of money could be given to a man and he had no requirements to file records 01- to account for it or explain to his Superiors how it was spent. and that is the statement that I gave to Mr. Dean. He made a good witness but the grand—nobody believes his money storV. Alld that—was where we were focusing our efforts. That is where we were concerned because the recordshad been destroyed.

Senator INOUYE. I will read the full paragraph and if I may have your comments.

Following Magruder's appearance before the grand jury I received a call from Higby requesting information for Elaldeman as to how Magruder had done before the grand jury. I subsequently called sir. Petersen who said he would look into it and call me back. Petersen called back and said he had made it "by the skin of his teeth. I called Haldeman and so informed him and subsequently, informed Mitchell and Magruler. I recall that Haldeman was very pleased because this meant that the investigation would not go beyond Lidd.

Mr. PETERSEN. I mean, I have 110 comment except that the obstruction was successful, Senator. I mean, that is what it was. All the lying witnesses, and, of course, that is the problem with the forthcoming, prosecution. You have got people who have lied two or three times.

Senator INOUYE. In July of 1972, soon after the break-in. Mr. Alfred Baldwin, who was in the hotel, I believe advised the prosecutors that on May 30 two bugs had been placed in the Democratic National Committee heat/quarters.

Mr. PETERSEN. I am not sure of that. Senator.

Senator INOUYE. And after the arrest they found one bug in Larry O'Brien's telephone. Mr. I3aldevin had notified SOUR prosecutors that the other one was in Mr. JSpence Olin er's telepliolle. For some reason that telephone was not searched.

On September 1:3 the C. & P. Telephone Co. made a sweep and found this I've-- and a few days Inter the Price President of the United States and the Attorney general suggested that this bug had been placed in there by Democrats to confuse the issue and embarrass the Republicans.
Senator Hart. Would you have any notes that might enable you to be more precise on that?

Mr. Silbert. No, I don't. I have checked on that,

Senator, and whatever notes I would have basically I have the Special Prosecutor.

But with respect to post-indictment conversations with Sloan,

that I would not have kept notes about that and I know that this conversation which I have just alluded took place not before the return of the indictment, as I recall,

but after, that is,

whether or not he should take the Fifth. It was in a pre-trial context of getting his testimony ready and I would not have taken notes.

Senator Hart. Magruder testified before the Grand Jury. What were the circumstances of Mr. Petersen calling you to find out how Magruder had done?

Did you know he was calling at John Dean's request?

Mr. Silbert. No.

Senator Hart. Or he was going to tell John Dean whatever evaluations you gave him?

Mr. Silbert. The answer to both of those questions,

Senator Hart. Dean testified that Petersen told him Magruder had, this is a quote, "Made it through by the skin of his teeth." Mr. Petersen testified f

nobody believed him about the money.
What is your recollection of what you said?

Mr. Silbert. I don’t recall using the phrase “the skin of the teeth” at all. That is not an expression I normally use.

I don’t recall actually putting it as strongly as nobody believed him. My recollection is basically what I think what I put in my prosecutive memorandum, that there were problems because of, the way I would put it, the disturbing vagueness of his testimony, and he had an explanation for that and he gave it to the Grand Jury and I think their reaction was the same as mine, you know, it was vague, and perhaps to use Mr. Petersen’s phrase, it may have been our joint spoor boy” syndrome.

Magruder kept saying that and he was examined at length about this in the grand Jury. Well, did you get
any accounting from Liddy for this $250,000 authorization?

Not really. Why not? He was the expert in these matters.
I was interested in advertising. That was my skill. If

you ask me about advertising, how money was spent, I kept
close tabs on that because I know and I am familiar with it.
But investigations, intelligence, I don't know anything

about that.

That was Mr. Liddy's expertise or area of expertise

and he and I didn't get along, I was afraid of him, we

operated on a different premise, we didn't communicate that

(585)
well, and $250,000 was not that important to me. I was dealing with $35 million, $10 million for advertising.

And as I said, there was a vagueness about that testimony and that is what I tried to relay, I believe, to Mr. Petersen.

There was a disturbing vagueness about his testimony but that we had nothing substantive to counteract it to show that it was wrong, to show it was false or it was inaccurate.

Senator Hart. Ultimately, though, you decided to use Magruder as a key trial witness?

Mr. Silbert. Well, Senator, you put that phrase “key” on it. He was a witness. We did rely on him together with Porter, to explain how Liddy got that money. But, for example, in my closing argument, which was 63 pages long,

I think I referred to Magruder once. So that how you classify a witness “keys or not “keys you know that is a question of judgment, Senator.

Senator Hart. In light of this magnificent hindsight I am engaging in, would you have done it the same way?

Mr. Silbert. If I knew he was committing perjury? Of course, not.

Senator Hart. At the trial Judge Sirica elicited from Mr. Sloan testimony substantially as follows:

Sloan said when Magruder asked him to pay substantial sums to Liddy, Sloan checked with his boss, Mr. Stans.
52. At the end of August 1972 John Ehrlichman met with the
President and discussed what public statements the President should
make about the White House and CRP involvement in the June 17th break-
in. The President decided that he would state that there was no in-
volve ment of present White House employees. On August 29, 1972 in
a press conference the President stated that John Dean, under the
President's direction, had conducted a complete investigation of all
leads that might involve any present members of the White House
staff or anybody in the Government. The President said, 'I can say
categorically that his investigation indicates that no one in the
White House staff, no one in this Administration, presently employed,
was involved in this very bizarre incident.' John Dean has denied
conducting that investigation. The President also stated that the
EBI and the Department of Justice had had the total cooperation of
the White House and that CRP was continuing its investigation.

52.1 John Ehrlichman testimony, 7 SSC 2726 588
52.2 President Nixon news conference, August 29, 1972,
8 Presidential Documents 1306...
52.3 John Dean testimony, Watergate Grand Jury, November
19, 1973, 48-50 (received from Watergate Grand
Jury)#........................................590

(587)
tually the management elements of the campaign and then, as I say, I
left earlier than the others about a week or 10 days to go and look
after the platform.

Wly belief, and I am only stating my belief, my assumption is that
prior to the commencement of the convention that idea was set aside
as a poor idea because the Watergate was not our issue. It was their
issue, and one did not talk about their issue. One only talked about
our issues, and that we would be prejudicing the rights of individuals
who might be involved, and we could not do that, and there were other
reasons of that kind that were apparently advanced in discussion, and
it simply didn't ever get off the ground.

At the time, I didn't forget the idea. After our convention, when the Pres-
ident went to California, it seemed to me still very legitimate for us
to make very clear the fact that the White House was not involved,
even if we could not take the other leg of the argument and say that
the Committee To Re-Elect had had a similar investigation itself. So
I discussed this with the President. He agreed that this would be a
very good thing. He questioned me closely on how certain he could
be of the soundness of that assertion and I told him what I knew dating
from July 31 through any subsequent events, and I vouched to him
that everything that had been reported to me corroborated that what
he was about to say if he were asked at this press conference, and so
on August 29 he went out and spoke as to the White House only with

_..reR^ard to this.

Now, by way of some corroboration if it is needed on the matter
of the Committee To Re-Elect side, Blr. Dean, in fact, wrote up a
few pages of what Clark MacGregor might say if he did go out and
have a press conference on this subject. Either on the date I suggested
or some other date, and Mr. MacGregor, I think, does remember hav-
ing received that memo, it was his opinion that it was very bland,
innocuous, and did not make a case convincingly. Blr. MacGregor had
conducted his own inquiry at the Committee and had interviewed
everybody in the hierarchy over there, and had more or less satisfied
himself, but he did not feel he was in a position to personally vouch.

Senator GJR:N-F.Y. Just one question there. At that time, of course,
you knew that Sir. Dean and Blr. Kalmbach were engaged in raising
money to pay these defendants, and we will use their version, for legal
fees and family support. Now, there was certainly some White House
involvement in this business whether it was legal or illegal, it was
White House involvement. Did you ever tell the President about that?

Mr. EHRICHMAif. I do not know that I ever did, Senator, and I
think the inquiry here—and I do not think this is an artificial dis-
tinction—that the whole focus here at this time was on how this thing
happened, and we were talking about this thing being the break-in.
I do not think that there was anybody who realized I felt that there was,
at least I did not feel that there was any kind of a coverup going on
at that time. I did not—it just did not dawn on me and I considered
what Blr. Kalmbach was doing perfectly proper. But the President
spoke to the question, "How did this break-in occur?" And he said,
"Nobody in the White House had anything to do with the planning
or discussion of this break-in," which was the subject that everybody
was focusing on at that point in time and in which Mr. Dean's investi-
gation went to.
Withdrawal of United States Troops From Vietnam

Statement by the White House Press Secretary Announcing the Withdrawal of Additional Troops.

August 29, 1972

The President asked me to announce this morning that after consultation with the Government of the Republic of Vietnam, and after a thorough review of the Indochina situation, President Nixon has decided to continue our withdrawal program to an authorized level of 27,000 by December 1, 1972.

This new level of 27,000 which will be achieved by December 1, 1972, will bring the total number of troops withdrawn by President Nixon to 522,000 or 95 percent of the authorized level when President Nixon took office.

NOTE: Press Secretary Ronald L. Ziegler made the statement at his morning news conference on Tuesday, August 29, 1972, at San Clemente, Calif. It was not issued in the form of a White House press release.

THE PRESIDENT'S NEWS CONFERENCE OF AUGUST 29, 1972

THE PRESIDENT. We will go right ahead with your questions, because I know you want to cover perhaps some international as well as domestic matters, including, I understand, for the first time, political matters.

HANDLING OF CAMPAIGN FUNDS

Q. Mr. President, are you personally investigating the mishandling of some of your campaign funds, and do you agree with former Secretary Connally that these charges are harmful to your reelection?

THE PRESIDENT. Well, I commented upon this on other occasions, and I will repeat my position now.

With regard to the matter of the handling of campaign funds, we have a new law here in which technical violations have occurred and are occurring, apparently, on both sides. As far as we are concerned, we have in charge, in Secretary Stans, a man who is an honest man and one who is very meticulous, as I have learned from having him as my treasurer and finance chairman in two previous campaigns, in the handling of matters of this sort.

Whatever technical violations have occurred, certainly he will correct them and will thoroughly comply with the law. He is conducting any investigation on this matter, and conducting it very, very thoroughly, because he doesn't want any evidence at all to be outstanding, indicating that we have not complied with the law.

INVESTIGATIONS OF CONTRIBUTIONS AND WATERGATE CASE

Q. Mr. President, wouldn't it be a good idea for a special prosecutor, even from your standpoint, to be appointed to investigate the contribution situation and also the Watergate
THE PRESIDENT. With regard to who is investigating it now, I think it would be well to notice that the FBI is conducting a full field investigation. The Department of Justice, of course, is in charge of the prosecution and presenting the matter to the grand jury. The Senate Banking and Currency Committee is conducting an investigation.

The other point that I should make is that these investigations, the investigation by the GAO, the investigation by the FBI, by the Department of Justice, have, at my direction had the total cooperation of the—not only the White House—but also of all agencies of the Government. In addition to that, within our own staff, under my direction, Counsel to the President, Mr. Dean, has conducted a complete investigation of all leads which might involve any present members of the White House Staff or anybody in the Government. I can say categorically that his investigation indicates that no one in the White House Staff, no one in this Administration, presently employed, was involved in this very bizarre incident.

At the same time, the committee itself is conducting its own investigation, independent of the rest, because the committee desires to clear the air and to be sure that as far as any people who have responsibility for this campaign are concerned and that there is nothing that hangs over them. Before Mr. Mitchell left as campaign chairman he had employed a very good law firm with investigatory experience to look into the matter. Mr. MacGregor has continued that investigation and is continuing it now. It will say in that respect that anyone on the campaign committee, Mr. MacGregor has assured me, who does not cooperate with the investigation or anyone against whom charges are leveled where there is a prima facie case that those charges might indicate involvement will be discharged immediately. That, of course, will be true also of anybody in the Government. I think under these circumstances we are doing everything we can to take this incident and to investigate it and not to cover it up. What really hurts in matters of this sort is not the fact that they occur, because overzealous people in campaigns do things that are wrong. What really hurts is if you try to cover it up. I would say that here we are, with control of the agencies of the Government and presumably with control of the investigator agencies of the Government with the exception of the GAO, which is independent. We have...
Q And what did you tell Mr. Ehrlichman?

A Well, I reported to Mr. Ehrlichman everything that Liddy had told me and I recall recounting back to him, trying to put all the pieces I had available at that point together, by telling him about the meetings which had occurred in the Attorney General's Office in January and February of '72.

Q Those were the meetings at which Liddy presented his intelligence programs?

A That's correct.

Q Did Mr. Ehrlichman again mention that he was going to meet with Mr. Colson later that afternoon?
A He did. He mentioned that Mr. Colson was seeking a meeting and that he wanted me to be present in that meeting when it took place.

Q Did Mr. Ehrlichman also mention to you, on June 19th at some time, that you ought to contact the Justice Department to find out what was going on in the investigation?

A Yes, he did.

Q

A Mr. Kleindienst and I later saw Mr. Kleindienst.

And what did you do about that, if anything?

I called Mr. Kleindienst and had a conversation with

Q Now, during these first few conversations with Mr. Ehrlichman, after the Watergate break-in, did he instruct you to conduct an investigation and to determine whether anyone in the White House was responsible or had knowledge of the

(590)
Watergate break-in? Give you a specific instruction to conduct a Watergate investigation?

A I wouldn't say it was an instruction to conduct an investigation. He just told me to keep my eyes and ears open and learn what I could.

Q Did Mr. Ehrlichman, or anyone else in the White House, ever give you a specific instruction to conduct an investigation into this matter, telling you that it was your responsibility to make a determination of the facts and determine whether anyone in the White House was involved or responsible?

A Well, I wouldn't say that it was really until late August, when it was reported that I had conducted such an investigation, that there ever became any semblence of such an investigation and, after that, when it had been put on the public record that I had conducted an investigation, I began to pretend like I had conducted an investigation.

But I am unaware of ever being instructed to do an investigation, because I would have proceeded much differently if I was investigating. I would merely sort of catch as catch can.
Was this -- did it naturally fall to you, as counsel to the President, as a person who had had formal liaison with the Justice Department, and the informal contacts there, to be the person at the White House most aware of what was going on

(591)
"VP" in the Watergate investigation?

A Well, with things like this, what would generally happen is that after Mr. Haldeman and Mr. Ehrlichman would either lose interest or get consumed in something else, it would fall to me to be the man to follow up and continue the liaison and keep them abreast of what I was learning.
Q Are you speaking now about legal matters and Justices Department matters, generally?

A No, I can't say that generally, no, because, for example, antitrust areas were something I very seldom got

Q I mean you are not speaking simply of Watergate?

A No, I'm not. I'm thinking of other instances where things were rather active for a while and they died off. I'm thinking of the Lithuanian defector problem, where everyone had their hands in it for a while and then, when it fell to the dailytof of keeping abreast of what was happening, when it wasn't in the headlines, that was my job.

I'm thinking of the Calley case, where there was a great flurry of activity, and when it got down to, you know, following daily what indeed was happening to Mr. Calley, that was my office. That's the way things generally happened there

Q Now, on June 19th, did you also have a meeting with Gordon Strachan?

A Yes, I did.
53. On September 15, 1972 the President met with H. R. Haldeman and John Dean. Certain subjects were discussed in the course of the September 15, 1972 meeting:

Filing of indictment against seven Watergate defendants

Manner in which Dean has handled Watergate matter

Human frailties and bitterness between Finance Committee and Political Committee

Governmental power and political opponents

White House and Watergate matter

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53.1 Tape recording of a meeting among the President, H. R. Haldeman and John Dean on September 15, 1972 and House Judiciary Committee transcript thereof....

53.2 H. R. Haldeman's notes of meeting with the President on September 15, 1972 (received from Watergate Grand Jury)....

53.3 H. R. Haldeman's notes of listening to tape recording of a meeting with the President and John Dean on September 15, 1972 (received from Watergate Grand Jury)...

(593)
PRESIDENT: [Unintelligible]

HALDEMAN: John, he is one of the quiet guys that gets a lot done.

That was a good move, too, bringing Dean in. But it's --

PRESIDENT: It -- He'll never, he'll never gain any ground for us.

He's just not that kind of guy. But, he's the kind that enables other people to gain ground while he's making sure that you don't fall through the holes.

PRESIDENT: Oh. You mean --

HALDEMAN: Between times, he's doings he's moving ruthlessly on the investigation of McGovern people, Kennedy stuff, and all that toot I just zn7.'t bn>v.7 hnv7 mlloh 7Ern~rncQ he's making, 'cause I --

PRESIDENT: The problem is that's kind of hard to find.

(594)
HALDEMAN: Chuck, Chuck has gone through, you know, has worked on

the list, and Dean's working the, the thing through

IRS and, uh, in some cases, I think, some other [unintelligible] things. He's -- He turned out to be
tougher than I thought he would, which is what

PRESIDENT: Yeah.

HALDEMAN:

PRESIDENT:

HALDEMAN:

You put anybody else that you want to run in in the morning, you can. [Unintelligible] I'm going to stick around here for awhile. I don't think I can do this finance group in the morning. I think it's too quick after the Watergate. Let's do it next Monday or Tuesday. That ought to be about it.

Let me check and see.

PRESIDENT: You know who he's, uh [unintelligible]

HALDEMAN: There isn't, I don't think, anything pending, but I'll

check.

PRESIDENT: You know, we ought to get something together.

Shriver's
put out his financial statement now, too. While you're at it, I'd deliberately raise mine other than in [unintelligible]
HALDEMAN:
PRESIDENT:
HALDEMAN:
PRESIDENT:
HALDEMAN:
PRESIDENT:
HALDEMAN:
PRESIDENT:
HALDEMAN:
PRESIDENT:
HALDEMAN:

Oh yeah, we're pushing that hard. The Vice President was delighted with that.

Did he get the point?

Yeah absolutely.

[Unintelligible]. Now we want -- in that regard, I don't think he [unintelligible] wife, did she?

I don't know, but I would guess his wife probably doesn't have any and so it won't make any difference.

Make any dif-- she might.

She must.

Make him report it.

But this Shriver one, we --

The Shriver one, the -- Yeah. She'll have to report [unintelligible] to the organization
Yeah, it's all in trust. She only has about twenty thousand dollars. Kennedy put his stocks up, tried for the trust to put, you know, what it was worth.

[Dean enters room]

(596)
PRESIDENT: Hi, how are you?

DEAN:

PRESIDENT: Well, you had quite a day today, didn't you? You got,

uh, Watergate, uh, on the way, huh?

DEAN:

Quite a three months.

HALDEMAN: How did it all end up?

DEAN:

Uh, I think we can say "Well" at this point. The, uh, the press is playing it just as we expect.

HALDEMAN: Whitewash?

DEAN:

No, not yet; the, the story right now --

PRESIDENT: It's a big story.

DEAN: Yeah.

PRESIDENT: [Unintelligible]

HALDEMAN: Five indicted,

DEAN: Plus,

HALDEMAN: They're building up the fact that one of --

DEAN: plus two White House aides.

HALDEMAN: Plus, plus the White House former guy and all that.
That's good. That, that takes the edge off whitewash

(597)
really -- which -- that was the thing Mitchell kept saying that,

PRESIDENT: Yeah.

HALDEMAN: that to those in the country, Liddy and, and, uh, Hunt

are big men.

DEAN: That's right.

PRESIDENT: Yeah. They're White House aides.

DEAN: That's right.

HALDEMAN: And maybe that -- Yeah, maybe that's good.

PRESIDENT: How did MacGregor handle himself?

DEAN: I think very well. He had a good statement. Uh, he said

that the, uh, the Grand Jury indictment speaks for itself

and that, uh, it's now time to realize that some apologies

may be due.

HALDEMAN: Fat chance.

[Laughs]

DEAN: Yeah.

[Unintelligible].

PRESIDENT: We couldn't do that [unintelligible] just remember all
the trouble they gave us on this. We'll have a chance
to get back at them one day. How are you doing on
your other investigations? Your -- How does this

[iunintelligible]

—5—

(598)
DEAN:

HALDEMAN:

PRESIDENT:

HALDEMAN:

DEAN:

PRESIDENT:

DEAN:

[Unintelligible] end of the, uh --

What's happened on the bug?

Hard, hard to find -- on the what?

The bug.

The second bug. There was another bug found in the phone of, uh, the first --

You don't think it was one left over from the previous job?

We're -- Absolutely not. The, the Bureau has, uh, checked and re-checked. The man who checked the phone first said that his first check was thorough and it was not there in the instrument [clears throat] and that indeed it had to be planted after -

PRESIDENT: What the hell do you think is involved? What's your guess?

DEAN:

I think the DNC planted it, quite
clearly.

PRESIDENT: You think they did it?

(599)
DEAN: Uh huh.

PRESIDENT: Deliberately?

DEAN: [Unintelligible]

PRESIDENT: Well, what in the name of Christ -- who do they think --

that anybody was -- They really Unintelligible want to

believe that we planted that?

HALDEMAN: Did they get anything on the fingerprints?

DEAN: No they [unintelligible]

HALDEMAN: There weren't any?

DEAN: neither on the telephone or on the, uh, on the bug. The,

uh, well, the FBI has unleashed a full blast investigation

over at the DNC starting with O'Brien right now.

HALDEMAN: [Laughs] Using the same crews now that they have

nothing to do in Washington.

[Unintelligible] the same Washington Field Office.

PRESIDENT: What are they doing? Asking them what kind of questions?

DEAN:
Anything that they can think of because what happened, OtBrien has charged the Bureau with failing to, uh, find all the, all the bugs, whenever [unintelligible]

–7–

(600)
HALDEMAN: Good, that'll make them mad.

DEAN:

So, so, Gray is pissed now and his people are kind of pissed off. So they're moving in because their reputation's on the line. That's, uh, do you think that's a good development?

PRESIDENT: I think that's a good development because it makes it look so God damned phony, doesn't it? The whole

DEAN:

Absolutely.

PRESIDENT: Or am I wrong?

DEAN: No, no sir. It, it --

PRESIDENT:

DEAN:

-- looks silly.

If we can, if we can find that the DNC planted that, the whole story is going to -- the whole -- just will reverse.

PRESIDENT: But how could they, how could you possibly find it, though?

DEAN:

PRESIDENT: Oh.

DEAN:

Well, there's a way. They're, they're trying to
ascertain who made the bug.

If they -- It's a custom-made product.

—8—

(601)
PRESIDENT:

DEAN:

PRESIDENT:

DEAN:

PRESIDENT:

DEAN:

HALDEMAN:

PRESIDENT:

HALDEMAN:

PRESIDENT:

HALDEMAN:

53.1 TRANSCRIPT OF SEPTEMBER 15, 1972
MEETING

Oh.

If they can get back to the man who manufactured it, then they can find out who he sold it to, and how it came down through the chain.

Boy, you know, you never know. When those guys get after it, they can find it. They -

The resources that have been put against this whole investigation to date are really incredible. It's truly a, it's truly a larger investigation than was conducted against, uh, the after inquiry of the JFK assassination.

Oh.

And good statistics supporting that. Kleindlenst is going to have a -

Isn't that ridiculous though?

What is?

This silly ass damn
thing.

Yeah.

That kind of resources against --

(602)
PRESIDENT: Yeah for Christ's sake
[unintelligible]

HALDEMAN: Who the hell cares?

PRESIDENT: Goldwater put it in context, he said "Well, for

Christ's sake, everybody bugs everybody else.

We

know that."

DEAN: That was, that was priceless.

HALDEMAN: Yeah. I bugged --

PRESIDENT: Well, it's true. It happens to be totally true.

DEAN:

[Unintelligible ]

PRESIDENT: We were bugged in '68 on the plane and bugged in '62,

uh, even running for Governor. God damnedest thing you

ever saw.

DEAN: It was a shame that, that, evidence to the fact that that

happened in '68 was never preserved around. I understand

that only the former Director had that information.

HALDEMAN: No, that's not true.
DEAN:

PRESIDENT: Yeah.

There was direct evidence of it?

HALDEMAN: There's others who have that information.

(603)
PRESIDENT: Others know it.

DEAN:

DeLoach?

PRESIDENT: DeLoach, right.

HALDEMAN: I've got some stuff on it, too, in the bombing halt study.

Cause itts all -- that's why, the, the stuff I've got we don't --

PRESIDENT: The difficulty with using it, of course, is that it reflects on Johnson.

DEAN: Right.

PRESIDENT: He ordered it. If it weren't for that, I'd use it. Is there any way we could use it without reflecting on Johnson? How -- Now, could we say, could we say that the Democratic National Committee did it? No, the FBI did the bugging, though.

HALDEMAN: problem.

DEAN: Is it going to reflect on Johnson or Humphrey?

HALDEMAN: Johnson. Humphrey didn't do it.
DEAN:

Humphrey didn't do it?

PRESIDENT: Oh, hell no.
HALDEMAN: He was bugging Humphrey, too.
[Laughs]

PRESIDENT: Oh, God damn.

HALDEMAN: [Laughs]

PRESIDENT: Well, on the other hand, maybe, uh -- I'll tell you who
to call. I want you to ask Connally. Whatever he thinks,
maybe we ought to just, just let that one fly. I mean,

I don't think he will, I don't think he will
[unintelligible]

Johnson. [Unintelligible]. And also it reflects on the

Bureau. [Unintelligible]

DEAN:
[Unintelligible]

PRESIDENT: They, they, they hate to admit that

HALDEMAN--: It's a rough one on them with, with all this stuff
about

they don't do Congressmen, and all that

PRESIDENT:

HALDEMAN: sort of stuff
[unintelligible]

PRESIDENT:

HALDEMAN: do a presidential
[unintelligible]

PRESIDENT: It isn't worth it. It isn't worth it, damn it. It
isn't

worth -- the hell with it. What is the situation on
your,

-12-

(605)
uh, on the, on the little red box? Did they find what

the hell that, that is? Have they found the box yet?

DEAN:

Gray has never had access to the box. He is now going to pursue the box. I spoke with him just, just about, uh, oh, thirty minutes ago and Pat said, "I don't know about the box. Uh, don't know where it is now. We never had an opportunity before, when it was, first, uh, released in the press there was a box, to go in. But," he said, "I think we have grounds now to go in and find out what it's all about."

HALDEMAN: The last public story was that she handed it over to

Edward Bennett Williams.

DEAN:

That's right.

PRESIDENT: Perhaps the Bureau ought to go over

HALDEMAN: The Bureau ought to go into Edward Bennett Williams and

let's start questioning that son-of-a-bitch. Keep him tied up for a couple of weeks.

PRESIDENT: Yeah, I hope they do. They -- The Bureau better get

over pretty quick and get that red box. We want it cleared up. [Unintelligible]
DEAN:

That's exactly the way

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(606)

I gave it to Wray. I, uh, oh ~-
PRESIDENT: Did he?

DEAN: We want it cleared up. We want to get to the bottom of it. If anybody is guilty over here we want to know.

[Unintelligible] in the news. I laughs

Another interesting thing that's developed is, regarding the private litigation we've got is, uh, the Stans' libel action was assigned to Judge Richey.

Oh, Christ.

Well, now, that's good and bad. Uh, Judge Richey is not known to be one of the intellects on the bench. That's conceded by many that he is uh, uh —

[Unintelligible] in his own stupid way he's sort of,

uh —

Well, he's been thoroughly candid in his dealing with people about the case. He's made several entrees, uh, off the bench, to, to, uh, (1) to Kleindienst (2) to, uh, his old friend Roemer McPhee, to keep Roemer abreast of what his
thinking is. He told Roemer he thought that Maury ought to file a libel action.

[Laughs]

PRESIDENT: Good.

-14-

(607)
DEAN: Uh--

HALDEMAN: Well, can he deal with that case concurrently with the other case?

DEAN: Yeah. The, the fact that the, the civil case came to a halt, that the depositions were halted and he--

HALDEMAN: opened his calendar for a few days.

DEAN: Well, it did that, and more than that. He had been talking to Silbert, and Silbert, uh, the U. S. Attorney down here the Assistant U. S. Attorney was saying, "We are going to have a hell of a time drawing these indictments up because of the fact these civil depositions keep coming out and the Grand Jury's got one eye on this civil case because they don't want to get themselves caught, uh, coming out with indictments and the civil case'll do something differently, so--"

UNIDENTIFIED: Would you like to take Clark now, sir?

HALDEMAN: MacGregor's call?

PRESIDENT: Yeah. Go ahead.

DEAN: So, based, based on that, uh, uh, when Silbert had told Richey this and had a casual encounter -- in fact, uh, it
was just in the hall -- Richey, the next thing he does is he stops the civil case so Silbert can get the indictment down.

[Telephone rings]

PRESIDENT: Hm.

DEAN:

So it's, it's, uh -- he's got, he's got the abuse of Process suit also. [Unintelligible]

PRESIDENT: Yeah. Hello.

Well you still alive?

Yeah, yeah.

I was just sitting here with John Dean and he tells me that, uh, that you, that you're going to probably be sued or some damn thing, I don't know.

DEAN or HALDEMAN: Oh, God. Now don't say that.

PRESIDENT: Did you put that last bug in?

Yeah. [Unintelligible] suit.

[Unintelligible]. Yeah.

Yeah.
That's right, that's right.

[Unintelligible]

Yeah.

Good.

Sure.

-16-

(609)
Well, I'll tell you, uh, just don't let this keep you or your colleagues from concentrating on the big game. Yeah, that's right. I mean this, uh, this thing is just, uh, you know, one of those side issues and a month later everybody looks back and wonders what the hell the shouting was about. Yeah. Yeah. Okay, well, anyway get a good night's sleep. And don't bug anybody without asking me. Okay? Yeah.

DEAN:

Three months ago I would have had trouble predicting where we'd be today. I think that I can say that fifty-four days from now that, uh, not a thing will come crashing down to our, our surprise.

PRESIDENT: Say what?

DEAN:

Nothing is going to come crashing down to our surprise, either --

PRESIDENT: Well, the whole thing is a can of worms. As you know, a lot of this stuff went on. And, uh, and, uh, and the people who worked [unintelligible] awfully embarrassing. And, uh, and, the, uh, but the, but the way you, you've handled it, it seems to me, has been very skillful, because you -- putting your fingers in the dikes every time that leaks have sprung here and sprung there. [Unintelligible] having people straighten [unintelligible]. The Grand Jury is dismissed now?

DEAN:
That is correct. They'll, they will have completed and

(610)
they will let them go, so there will no continued investigation prompted by the Grand Jury's inquiry. The, uh, GAO report that was referred over to Justice is on a shelf right now because they have hundreds of violations. They've got violations of McGovern's; they've got violations of Humphrey's; they've got Jackson violations, and several hundred Congressional violations. They don't want to start prosecuting one any more than they want the other. So that's, uh -

PRESIDENT: They damn well not prosecute us unless they prosecute all the others.

DEAN: That's right. That's right. Well, we are really talking about technical violations that were referred over also.

PRESIDENT: Sure. Sure. What about, uh, uh, watching the McGovern

contributors and all that sort of thing?

DEAN: Yeah.

DEAN: We've got a, we've got a hawk's eye on that.

And, uh, uh, he is, he is not in full compliance.

PRESIDENT: He isn't?

DEAN: No.

PRESIDENT: Well, now, he has his three-hundred committees; have they
all reported yet? Have we -- we reported ours
DEAN:
Yes we -- Well, we have a couple of delinquent state committees out, uh -

PRESIDENT: [Unintelligible] if it's done, huh?

DEAN:
If they -

PRESIDENT: [Unintelligible] paper committees all reported, the three-hundred or so committees he's supposed to have.

DEAN:
No, they have not.

PRESIDENT: Can we say something about that, or have we?

DEAN:
Well, one of the things that he has not done, is he has never disclosed the fact that he's got some three-hundred committees. This has been a Wall Street Journal piece that picked it up and carried it and, uh -

PRESIDENT: [Unintelligible] say that publicly?

DEAN:
No, he hasn't. And it's been employed as a tax sham that he set it up for. And -- It is hard to comprehend why he set up three-hundred committees, frankly. Uh, he doesn't need that many, he doesn't have that sort of large contributors, where they have to disburse small [unintelligible]
HALDEMAN: Unless someone's giving nine hundred thousand dollars.

DEAN: That's right.

PRESIDENT: Which could be very possible.

(612)
HALDEMAN:

PRESIDENT:

HALDEMAN:

PRESIDENT:

HALDEMAN:

PRESIDENT: Union?

DEAN:

PRESIDENT: Union?

DEAN:

He may be getting nine hundred thousand dollars from somebody.

From two or three. He may have some big angels. I don't think he is getting a hell of a lot of small money. I don't think so. I don't believe this crap. I mean if he -- Have you had your Post Office check yet?

That John was going to do. I don't know.

That's an interesting thing to check.

Yeah.

You know how little
[unintelligible]

[Unintelligible] is right, because as I see it, now, the only problems that, uh, that we have are, are the human problems and we'll keep a close eye on that.

Human.

PRESIDENT: Oh.

DEAN:

[Unintelligible]

HALDEMAN: People -- Human frailties, where people fall
DEAN:

Human frailties -- people getting annoyed and some finger-pointing and false accusations, and any internal dissension of that nature.

PRESIDENT: You mean on this case?

DEAN:

On this case. Uh, there is some bitterness between, for example, the Finance Committee and the Political Committee. They feel that they're taking all the heat, and, and, uh, all the people upstairs are bad people and they're not being recognized.

PRESIDENT: Ridiculous.

DEAN: It is -- I mean --

PRESIDENT: They're all in it together.

DEAN: That's right.

PRESIDENT: They should just, uh, just behave and, and, recognize this, this is, again, this is war, We're getting a few shots and it'll be over. And, we'll give them a few shots, It'll be over. Don't worry. [Unintelligible], I wouldn't want to be on the other side right now. Would you? I wouldn't want to be in Edward Bennett Williams', Williams' position after this election.
DEAN: No. No.

PRESIDENT: None of these bastards --

DEAN:

PRESIDENT: Yeah?

DEAN:

He, uh, he's done some rather unethical things that have come to light already, which in a- again, Richey has brought to our attention.

He went down --

HALDEMAN: Keep a log on all that.

DEAN: Oh, we are, on these. Yeah.

PRESIDENT:

HALDEMAN:

PRESIDENT:

HALDEMAN:

DEAN:

PRESIDENT:

DEAN:

PRESIDENT:

Yeah.

Because afterwards that is a guy, We're going after him.

that is a guy we've got to ruin.

He had, he had an ex parte - You want to remember, too, he's an attorney for the Washington Post.

I'm well aware of that.

I think we are going to fix the son-of-a-bitch.
Believe me. We are going to. We've got to, because he's a bad man.

DEAN:
Absolutely.

PRESIDENT: He misbehaved very badly in the Hoffa matter.
Our --

some pretty bad conduct, there, too, but go ahead.

DEAN:
Well, that's, uh, along that line, uh, one of the things

I've tried to do, is just keep notes on a lot of the

people who are emerging as,

PRESIDENT: That's right.

DEAN:

PRESIDENT: Great.

DEAN:
as less than our friends.
Because this is going to be over someday and they're -We shouldn't forget the way some of them have treated us.

PRESIDENT: I want the most, I want the most comprehensive notes on

all of those that have tried to do us in. Because they
didn't have to do it.

DEAN:
That's right.

PRESIDENT: They didn't have to do it. I mean, if the thing had been a clo--, uh, they had a very close election

(616)
everybody on the other side would understand this game.

But now they are doing this quite deliberately and they are asking for it and they are going to get it. And this, this--

We, we have not used the power in this first four years, as you know.

DEAN:

That's right.

PRESIDENT: We have never used it. We haven't used the Bureau and we haven't used the Justice Department, but things are going to change now. And they're going to change, and, and they're going to get it right __

DEAN:

That's an exciting prospect.

PRESIDENT: It's got to be done. It's the only thing to do.

HALDEMAN: We've got to.

PRESIDENT: Oh, oh, well, we've just been, we've been just God damn fools. For us to come into this election campaign and not do anything with regard to the Democratic Senators who are running, and so forth. [Characterizations deleted] That'd be ridiculous. Absolutely ridiculous. It's not going, going to be that way
any more, and,

-24-

(617)
Really, it's ironic, you know, because we've gone to such extremes to do everything. You know, you, you and your damn regulations with

Right.

Everybody worries about,
That's right.

about picking up a hotel bill or anything.

Well, I think, we can, I think, I think we can be proud of the White House staff. It really has,

That's right.

had no problems of that --

Well, that's right.

And they're looking, this GAO audit that's going on right now, uh, I think that they have got some suspicion, uh, in even a cursory investigation, which is not going to discover anything, that they're going
to find something here. I learned today, incidentally, that, that, uh, I haven't confirmed this because it's -- came from the GO, GAO auditor, investigator who's down here, that he is down here at the Speaker of the House's request, which surprised me.
HALDEMAN: Well, God damn the Speaker of the House. Maybe we better put a little heat on him.

PRESIDENT: I think so too.

HALDEMAN: Because he's got a lot worse problems than he's going to find down here.

DEAN: That's right.

PRESIDENT: I know.

Thats the kind of thing --

[Unintelligible] let the police department [unintelligible]

That's the kind of thing that, you know, you -- What we really ought to do is call the Speaker and say, "I regret to see you ordering GAO down here because of what it's going to cause us to require to do to you."

Why don't you just have Harlow go see him and tell him that?

Because he wouldn't do it.

Huh?
'Cause he wouldn't do it.

PRESIDENT: Harlow wouldn't do it, you mean.

HALDEMAN: Harlow would say, "Mr. Speaker --"

PRESIDENT: Yeah.

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(619)
DEAN:

I, I suppose the other area we are going to some publicity on in the coming weeks because, uh, I think after the, now that the indictments are down, there's going to be a cresting on that. The whitewash charge of course, but, uh, I think we can handle that while the civil case is in abeyance. But Patman's hearings, uh, his Banking and Currency Committee, and we've got to -- whether we will be successful or not in turning that off, I don't know. We've got a plan whereby Rothblatt and Bittman, who are counsel for the five men who were, or actually a total of seven, that were indicted today, are going to go up and visit every member and say, "If you commence hearings you are going to jeopardize the civil rights of these individuals in the worst way, and they'll never get a fair trial," and the like, and try to talk to members on, on that level. Uh -

Why not ask that they request to be heard by, by the Committee and explain it publicly?

How could they -- They've planned that what they're going to say is, "If you do commence with these hearings, we plan to publicly come up and say what you're doing to the rights of individuals." Something to that effect.

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(620)
PRESIDENT: As a matter of fact they could even make a motion in court to get the thing dismissed.

DEAN:

That's another thing we're doing is to, is

PRESIDENT: Because these hearings --

DEAN:

bring an injunctive action against, uh, the appearance, say --

HALDEMAN: Well, going the other way, the dismissal of the, of the, of

the indictment --

PRESIDENT: How about trying to get the criminal cases, criminal charges dismissed on the grounds that there, well, you know --

HALDEMAN: The civil rights type stuff.

DEAN:

Civil rights -- Well that, we're working again, we've got somebody approaching the ACLU for these guys, and have them go up and exert some pressure because we just don't want Stans up there in front of the cameras with Patman and Patman asking all these questions. It's just going to be the whole thing, the press going over and over and over again. Uh, one suggestion was that Connally is, is close to Patman and probably if anybody could talk turkey to Patman, uh, Connally might be able to. Now I don't know if that's, uh, a good idea or not. I don't think he -- don't know if he can. Uh, Gerry Ford is not really taking an active interest in this matter
that, that is developing, so Stans can go see Gerry

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(621)
Ford and try to brief him and explain to him the problems he's got. And then the other thing we are going to do is we're looking at all the campaign reports of every member of that Committee because we are convinced that none of them have probably totally complied with the law either. And if they want to get into it, if they want to play rough, some day we better say, "Well, gentlemen, we think we ought to call to your attention that you haven't complied A, B, C, D, E, and F. and we're not going to hold that a secret if you start talking campaign violations here."

PRESIDENT: Uh, what about Ford? Do you think so?

{Unintelligible}

do anything with Patman? Connally can't be sent up there.

HALDEMAN:
[Unintelligible]

PRESIDENT:

DEAN:

If anybody can do it
--

PRESIDENT: [Unintelligible]

Patman.

DEAN:

But if, if Ford can get the minority members, uh, together on that one, it's going to be a lot -

PRESIDENT: They've got very weak man in Widnall, unfortunately.

Heckler is all right.
HALDEMAN: Heckler was great.

DEAN:

She was great, with, uh --

PRESIDENT: That's what I understand, but you see, Widnall -- let's take somebody -- Gerry could talk to him. Put it down, uh, Gerry should talk to Widnall and, uh, just brace him, tell him I thought it was [unintelligible] start behaving.

Not let him be the chairman of the Committee in the House.

That's what you want?

DEAN:

That would be very helpful, to get our minority side at least together on the thing.

PRESIDENT: Gerry has really got to lead on this. He's got to be really be [unintelligible]

HALDEMAN: Gerry should, damn it. This is exactly the thing he was talking about, that the reason they are staying in is so that they can
PRESIDENT: That's right.

HALDEMAN: run investigations.

PRESIDENT: Well, the point is that they ought to raise hell about this, uh, this -- these hearings are jeopardizing the --

-30-

(623)
I don't know that they're, that the, the, the counsel calling on the members of the Committee will do much good. I was, I -- it may be all right but -- I was thinking that they really ought to blunderbuss in the public arena. It ought to be publicized.

DEAN: Right.

HALDEMAN: Good.

DEAN: Right.

PRESIDENT: That's what this is, public relations.

DEAN: Yeah.

PRESIDENT: Yeah.

DEAN:

That's all it is, particularly if Patman pulls the strings off, uh -- That's the last forum that, uh, uh, it looks like it could be a problem where you just have the least control the way it stands right now. Kennedy has also suggested he may call hearings of his Administrative Practices and Procedure Subcommittee. Uh, as, as this case has been all along, you can spin out horribles that, uh, you, you can conceive of, and so we just don't do that. I stopped doing that about, uh, two months ago.

We just take one at a time and you deal with it based on --
TRANSCRIPT OF SEPTEMBER 15, 1972

MEETING

PRESIDENT: And you really can't just sit and worry

DEAN: No.

PRESIDENT: about it all the time, thinking, "The worst may

happen,"

but it may not. So you just try to button it up as well

as you can and hope for the best. And,

DEAN:

Well if Bob --

PRESIDENT: and remember that basically the damn thing is just

one of those unfortunate things and we're trying to cut

our losses.

DEAN:

Well, certainly that's right and certainly it

had no

effect on you. That's the, the good thing.

HALDEMAN: It really hasn't.

PRESIDENT: [Unintelligible]

HALDEMAN: No, it hasn't. It has been kept away from the White

House almost completely and from the President
totally.

The only tie to the White House has been the Colson
effort

they keep trying to haul in.

DEAN:

And now, of course,

HALDEMAN: That's falling apart.

(625)
DEAN:

HALDEMAN: No.

the two former White House people, low level, indicted, one consultant and one member of the Domestic Council staff. That's not very much of a tie.

PRESIDENT: Well, their names have been already mentioned.

DEAN: Oh, they've been -

PRESIDENT: Voluminous accounts.

HALDEMAN: And it's, it's been discounted --

PRESIDENT: You know, they've already been convicted in the press.

DEAN: Absolutely.

HALDEMAN:

PRESIDENT:

DEAN:

Yep.

God damn it, if they'd been communists you'd have the Washington Post and the New York Times raising hell about their civil rights.

That's right.

PRESIDENT: Or Manson.

DEAN: Thats right.

PRESIDENT: Jesus Christ. If they'd been killers, wouldn't --
DEAN:
That's right.
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(626)
PRESIDENT: Isn't that true?

DEAN: It's absolutely true.

PRESIDENT: These poor bastards are -- well they've been -- they've got no way they can ever -- In fact, they ought to move the, uh, move the trial away from the --

DEAN:

PRESIDENT: Yeah.

Well, there has been extensive clipping by the counsel in this case, and I've gone through some of these clippings and it's just phenomenal the, uh,

DEAN: the amount of coverage this case is getting. They may never get a fair trial, may never get a fair trial. They may never get a jury that can convict them or pull it together. And the Post, as you know, has got a, a, a real large team that they've assigned to do nothing but this,

PRESIDENT: Sure.

DEAN:

PRESIDENT: Sure.
this case. Couldn't believe they put Maury Stans' story about his libel suit, which was just playing so heavily on the networks last night, and in the evening news, they put it way back on about page eight of the Post.

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(627)
DEAN:

and didn't even cover it as a -- in total.

PRESIDENT: I expect that. That's all right. We've
[unintelligible]

HALDEMAN: The Post is -

PRESIDENT: The Post has asked -- it's going to have its problems.

HALDEMAN: [Unintelligible]

DEAN:

The networks, the networks are Rood with Maury coming back three days in a row and -

PRESIDENT: That's right. Right. The main thing is the Post is going to have damnable, damnable problems out of this one.

They have a television station

DEAN: That's right, they do.

PRESIDENT:

HALDEMAN:

PRESIDENT:

DEAN:

and they're going to have to get it renewed.

They've got a radio station, too.

Does that come up too? The point is, when does it come up?

I don't know. But the practice of non-licensees filing on top of licensees has certainly gotten more,
PRESIDENT: That's right.

DEAN:

more active in the, in the area.

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(628)
And it's going to be God damn active here.

Well, the game has to be played awfully rough. I don't know -- Now, you, you'll follow through with -- who will over there? Who -- Timmons, or with Ford, or --

it going to operate?

I'll talk to Bill. I think -- yeah.

Dick Cook has been working

Cook is the guy.

Dick has been working on it.

Maybe Mitchell should --

Well, maybe Mitchell ought to -- would, could Mitchell do it?

No.
DEAN:

PRESIDENT: No.

I don't really think that would be good.

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(609)
DEAN:

PRESIDENT: Yeah.

DEAN:

I hate to draw him in.

I think Maury can talk to Ford if that will do any good, but it won't have the same impact, of course, 'cause he's the one directly involved, but I think Maury ought to brief Ford at some point on, on exactly what his whole side of the story is.

HALDEMAN: I'll talk to Cook.

PRESIDENT: Oh, I think Ehrlichman should talk to him.

Ehrlichman understands the law, and the rest, and should say, "Now God damn it, get the hell over with this."

HALDEMAN: Is that a good idea? Maybe it is.

PRESIDENT: I think maybe that's the thing to do [unintelligible].

This is, this is big, big play. I'm getting into this thing. So that he -- he's got to know that it comes from the top.

HALDEMAN: Yeah.

PRESIDENT: That's what he's got to
know,

DEAN: Right.

PRESIDENT: and if he [unintelligible] and we're not going to my I can't talk to him myself -- and that he's got to get at this and screw this thing up while he can, right?

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(630)
DEAN:

PRESIDENT:

DEAN:

Well, if we let that slide up there with the Patman Committee it'd be just, you know, just a tragedy to let Patman have a field day up there.

What's the first move? When does he call his wit-- , witnesses?

Well, he, he has not even gotten the vote of his Committee; he hasn't convened his Committee yet on whether he can call hearings. That's why, come Monday morning, these attorneys are going to arrive, uh, on the doorstep of the Chairman and try to tell him what he's doing if he proceeds. Uh, one of the members, Gary Brown, uh, wrote Kleindienst a letter saying, "If the Chairman holds Committee hearings on this, isn't this going to jeopardize your criminal case?"

PRESIDENT: Brown's a smart fellow. He's from, he's from Michigan

DEAN:

That's right.

PRESIDENT: and some tie into Ford. He's very, he's a very smart fellow.

Good.

DEAN:

Good lawyer and he's being helpful. He is anxious to help.

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PRESIDENT: Right, just tell him that, tell, tell, tell Ehrlichman to get Brown in and Ford in and then they can all work out something. But, they ought to get off their asses and push it. No use to let Patman have a free ride here.

DEAN: Well, we can, we can keep them well briefed on moves if they'll, if they'll move when we provide them with the, the strategy. And we will have a raft of depositions going the other way soon. We will be hauling the, the, O'Briens in and the like, and, uh, on our abuse of process suit.

PRESIDENT: What are you going to ask him? [unintelligible] questions?

DEAN: No. This fellow, this fellow Rothblatt, who has started deposing, uh, he's quite a character. He's been setting into the sex life of some of the members of the DNC and --

PRESIDENT: Why? How can -- What's his justification?
DEAN: Well, he's working on an entrapment theory that, uh, uh, they were hiding something or they had secret information, affairs to hide and they, they could, some way, conspire to bring this thing about themselves.
It's a, it's a way-out theory that, uh, no
one had [unintelligible]

HALDEMAN: {Laughs}

DEAN:

Uh, and he, he had scheduled Patricia Harris and she
didn't show up. She went to the beauty parlor instead
so he went down to the Court House and she had, had
been directed to show up and then the next day the
Judge cut all the depositions off. But he had a host
of wild questions including, you know, where O'Brien
got his compensation when he was Chairman. Not that
he knows anything about that, but, uh, it was just an
interesting question he thought he might want to ask
the, the Chairman under oath.

HALDEMAN: That's -- It gives us, uh, the same hunting license
that

it gave them.

DEAN:

That's
right.

HALDEMAN: So we can play the same game they are playing,
but we

ought to be able to do better at it.

PRESIDENT: Well --

HALDEMAN: Are those depositions
sealed?

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(633)
DEAN: That's right.

HALDEMAN: They are?

DEAN:

PRESIDENT: Yeah.

DEAN:

But that argues that, uh, they won't want them unsealed. They'll want them unsealed less than we will, and we may be arguing at some point to get them unsealed.

I think what's going to happen on the civil case is the Judge is going to dismiss the pending complaint down there right now. They will then turn around and file a new complaint which will be [unintelligible] come back to Richey again. That, uh, that'll probably happen the twentieth, twenty-first, twenty-second.

Then twenty days will run until any answers will have to be filed and these depositions will be commenced so we're, what, we're eating up an awful lot of time for those next fifty-four days.

HALDEMAN: On the other side.

PRESIDENT: Why will they have to dismiss the present --

DEAN:

Uh, probably on, on a dual ground, uh, both on the substantive ground that they haven't stated a good cause
of action -- that there is an improper class action file and that O'Brien indeed doesn't represent any class. Uh, and he'll just dismiss it on the merits. It's not a good complaint. He's already shaved it down to almost nothing on his original order. They will then have to re-design it into a much narrower action, but the Judge himself can't suggest something to counsel. But it's -- you've got a good res judicata argument here. If he dismisses on the merits, uh, that they can't file another suit. They're out of the court totally.

HALDEMAN: But our suits do still hang?

DEAN: Our suits are still -- We have two suits, and we have

the abuse of process and

HALDEMAN: -- the libel --

DEAN:

the libel suit.

HALDEMAN: We can take depositions on both of those?

DEAN: Absolutely.

PRESIDENT: Hell yes.

HALDEMAN: [Laughs]

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PRESIDENT: [Unintelligible] depositions.

DEAN: It's a, it's a glimmer down the road anyway, but,

uh --
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LOWER PORTION OF PAGE 2 OF H R HALDEMAN'S
NOTES
OF SEPTEMBER 15, 1972

John Dean

Ask Conn if we shed let out
the
68 bugging

E       P.O. ck re McG
mall?

T/Cook     Ford - brace Widnall
re
          Patman hearings

E

must get minority together
raise hell re jeopardizing
defendants

P. can't talk to you
-
but it must be done

E       get Garry Brown & Ford
in

December 19,
1973

I hereby certify that the above is a true copy of
the pen and ink notes of H. R. Haldeman relating to
the meeting between the President, Mr. Haldeman & John
W. Dean, III, on September 15, 1972, in the Oval
office from 5:27 to 6:17 PM, submitted as Item IV B.
White House Analyses.

JAMES F DAVEY,
Clerk

By
James P Capitanio
Deputy Clerk

Indistinct document
retyped by
House Judiciary Committee
staff
Sept 15, 1972

- well you had quite a day today wa[unreadable]
  mos. - went well - press playing as we'd expect
  D - quite a 3

Mac hdld well -

the other bug - O'B's complaint
maybe DNC planted that - wld blow it
resources agst invstg are incredible - grtst since
Ken

we were bugged in '68 & '62
D - shame '68 evid not around
H - Others know it too
P - trbl w/ using is it reflects on LBJ
   ask Conn what he thks - shld we use
   it not worth it - too many probs

q. re little red box - D DK where it stds w/FBI

re Richey - both good &
   bad w1 keep R McPhee
   abrast
   told McPhee Stans shld file libel action
   Richey tlkd to Silbert - re civ case
   depositions

takes Mac. call don't let this keep you
   from the big game it's just a side
   issue

lose voice sound - then picks
up

Page two

nothing w1 come out to our surprise

P-way you hdld very skilful - kept finger on
dike

no cont. invstg. of SJ
GAO report on shelf have 100's of violations

{hat about watching McG contribs
D - we have hawk's eye on that
   have a few violations - of comms.
   etc tax sham re 300 comms -
   doesn't need
P - re post office ck on McG mail - # of pieces
   (to see whether getting lot of small contribs)
D. - have human probs - get annoyed - finger ptg -
   [unreadable] ic bitterness btn fin. comm & pol. comm.
P. - they shld all work together

H-
Keep a log on vieffi what the Dems do

D - tried to keep notes on people emerging who are not [unreadable]
P - want comp. notes on those who tried to do us in cause didn't have to do it they're going to get it we haven't used Bur & Just - but that will change
D - that's an exciting prospect

**Indistinct document retyped by**
House Judiciary Committee staff ~

(639)
Page three

D - can be proud of WH staff has no probs -
GAO audit - Spkr sent him to audit WH -
H - we shld put heat on him
shod fight back
D - pub wl be whitewash chg
now Patman hearings

Rothblatt & Bittman wl try to turn efforts of dfts
Get ACLU in don't want Stans up in fnt of cameras
Suggs Conn tlk to Patman Gerry Ford chg campaign
reports of all membs of Comm - get rough
P analyzes members of Comm.
D - that's the last forum Kenn may do something
can spin out horribles - stopped doing
that just take one at time P - worst may
happen - can't plan on that D - its had
no effect on P
H - kept away frm WH almost completely - P
totally Cots. effort fell thru
D - two low levels indicted may never get fair trial
Post wl have probs - TV stn renewed - radio stn
too has to be played rough - re Patman who wl
fl thru - cld M - no

Page four

P - maybe E shld talk to Ford - get at this & screw it up

D. Gerry Brown wrote Kldst ltr - very helpful

D - re depositions of Dems - that they conspired to do
this
H gives us the same hunting license they
have

Page five

P - maybe E shld talk to Ford - get at this & screw it up

D. Gerry Brown wrote Kldst ltr - very helpful

D - re depositions of Dems - that they conspired to do
this
H gives us the same hunting license they
have

P - lks forward to Just. under
control
ref IRS doing him
D - can't get Kimmelman's file - [unreadable]
Shultz prob - so many Dens - we can't get in
round & round for two years
H - don't take risk before elect - after f/u
complaints
disc. of cleaning house - after elect need a
plan to chaff appts - have to do it fast all
resigs rt. after elections w- project going
full tilt

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House Judiciary Committee staff
D - you Urn a lot about people when the crunch is
on you get some surprises disc re bad
effect of education - draft dodgers etc D.
re reading book about Aust

P. anyway we'll fixtem.
53.3 H.R. HALDEI<AN NOTES OF LISTENING
TO TAPE RECORDING
OF SEPTEMBER 15 1972 MEETING

D: 't~/

Avet /D / //v/

7 D

...
54. On October 5, 1972 the President held a press conference. He stated that the P131 had conducted an intensive investigation of Watergate because "I wanted to be sure that no member of the White House staff and no man or woman in a position of major responsibility in the Committee for Re-Election had anything to do with this kind of reprehensible activity."

President Nixon news conference, October 5, 1972, 8 Presidential Documents 1486, 1489 648 (647)
I have often stated my strong belief that the millions of older men and women who did so much to build this Nation should share equitably in the fruits of that labor, and that inflation should not be allowed to rob them of the full value of their pensions. By providing a 20 percent benefit increase without adequate financing, however, this bill goes far beyond reasonable equity.

In passing this bill, the Congress has mistakenly assumed that railroad retirement benefits should be increased by the same percentage as social security benefits. In fact, the two systems are entirely different. Railroad benefits are much higher than social security benefits—full-career workers receive benefits that are twice as high.

The railroad retirement system payments are a combination of social security benefits augmented by the equivalent of a private pension. Thus, the private pension equivalent necessarily should be increased whenever social security benefits are raised. Other industries have not raised their pension benefits by 20 percent as a result of social security increases, even though many of them provide less adequate benefits.

The argument that these “temporary” benefits do not require a tax increase, in my judgment, is a delusion. I cannot imagine that the Congress would find it possible or desirable to slash railroad retirement benefits next year or any year.

The imprudence of H.R. 15927 is underscored by the recent report of the Commission on Railroad Retirement. This Commission was chartered by the Congress in 1970 to study the troubled railroad retirement system and recommend measures necessary to place it on a sound actuarial basis. Yet the Congress acted on H.R. 15927 before it had an opportunity to consider and act on the recommendations of its own Commission for basic changes in the railroad retirement system.

The Commission’s findings do not support H.R. 15927 and a majority of the Commissioners recommended against such legislation.

The Commission found that existing railroad retirement benefits are adequate, particularly for workers retiring after a full career. Retired single couples receive higher benefits than 9 out of every 10 retired couples in the country. The Commission also reached the sobering conclusion that the enactment of an across-the-board 20 percent increase, without adequate financing, would bankrupt the system in 13 years.

I believe that railroad beneficiaries should now receive the same dollar increases in benefits as social security recipients with similar earnings. A 20 percent increase in the social security portion of railroad retirement benefits can be financed without worsening the financial position of the Railroad Retirement Trust Fund. The Congress followed this sound approach when it increased railroad retirement benefits in 1968.

Therefore, I propose that the Congress enact a bill which again applies this principle, instead of H.R. 15927. The 1972 increase, under my proposal would average $28 per month for single retired railroad workers and would be about $37 a month for married couples. It would not deepen the presently projected deficits of the Railroad Retirement Trust Fund.

I urge the Congress to adopt this prudent alternative, which would give those deserving pensioners an equitable benefit increase on a timely basis and which—would still preserve the flexibility for basic adjustments that will be needed later in the railroad retirement system.

Working together, I hope that we can constructively reform this system so it can continue to serve the needs of railroad workers and their families for decades ahead.

Ric-eup Node: The White House.

October, 1972.

NOTES: On the 31st day, the Resolution was introduced by the Senate of the 92nd Congress. It was the 92nd R.S. 9267. (See Public Law 92-460, without the President’s signature)
Q: Mr. President, what are you planning to do to defend yourself against the charges of corruption in your Administration?

THE PRESIDENT. I have noted such charges, as a matter of fact, I have noted that this Administration has been charged with being the most corrupt in history, and I have been charged with being the most deceivful President in history.

The President of the United States has been compared in his policies with Adolf Hitler. The policies of the U.S. Government to prevent a Communist takeover by force in South Vietnam have been called the worst crime since the Nazi extermination of the Jews in Germany.

And the President who went to China and to Moscow, and who has brought 100,000 home from Vietnam, has been called the number one warmonger in the world.

Needless to say, some of my more partisan admirers feel that I should respond in kind. I shall not do now, nor, not throughout this campaign. I shall not dignify such comments.

In view of the fact that one of the very few Republicans who is publicly and actively supporting the opposition ticket in this campaign has very strongly, yesterday, called this kind of tactics, it seems to me it makes it not possible for me to respond.

I think the responsible members of the Democratic Party will be turned off by this kind of campaigning, and I would suggest that responsible members of the
to rely on the possibility that there was going to be a deal until one was made.

If he did rely on it, he may not, in this instance, come out all. He could have come out the other way.

PROPERTY TAX RELIEF

Q. Mr. President, on the question of property taxes, Mr. Ehrlichman has said that the Administration's long-term goal is to reduce property taxes by 50 percent, which would mean about $16 billion from the Federal Government presumably to States to make up for the property tax loss. How far do you feel that $16 billion without having to increase Federal taxes?

THE PRESIDENT. I repeat, Mr. Warren, what I have said previously in San Clemente and at San Francisco. Until the

Q. Mr. President, don't you think that your Administration and the public would be served considerably and that the men under indictment would be treated better, if you people would come through and make a clean breast about what you were trying to get done at the Watergate?

THE PRESIDENT. One thing that has always puzzled me about it is why anybody would have to hide anything out of the Watergate. But be that as it may, that decision having been made of lesser levels, with which I had no knowledge, and as I pointed out under the circumstances that we have got to look at what has happened and to put the matter into perspective.

Now, the grand jury has handed down indictments. It has indicted incidentally two who were with the Committee for the Republication and one who refused to cooperate and another who was apprehended. Under these circumstances, the grand jury is going to be a lot of evidence and the evidence to be presented.

Now, we have arrived at a clean breast. Let's look at what has happened. The FBI assigned 133 agents to this investigation. It followed 1,800 leads. It conducted 1,500 interviews.

Incidentally, I conducted the investigation of the Hiss case. I know that is a very unpopular subject to raise in some quarters, but I conducted it. It was successful. The FBI did a magnificent job, but that investigation involved the security of this country, was basically a Sunday school exercise compared to the amount of effort that was put into this.

I agreed with the amount of effort that was put into it. I wanted every lead carried out to the end because I wanted to be sure that no member of the White House staff and no one in a position of major responsibility in the Committee for the Republication had anything to do with the kind of reprehensible activity...

Now, the grand jury has handed down indictments. It has indicted incidentally two who were with the Committee for the Republication and one who refused to cooperate and another who was apprehended. Under these circumstances, the grand jury now having acted, it is now time to have the judicial process go forward and for the evidence to be presented.

I would say finally with regard to commenting on any of those who have been indicted, with regard to saying anything about the judicial process, I am going to follow the good advice, which I appreciate, of the members of the press corps, my content, and I trust you always continue to be very responsible antics.

Q. Surely you know now, sir.

THE PRESIDENT. I stepped into one on that when you recall I made inadvertently a comment in Dover about an individual who had been implicated in the Watergate. I have set as a goal 50 percent reduction.

Now, let me indicate to you the priorities that I see developing with regard to property tax relief. We have to start first with the elderly. When I met with Mr. Moakley, as you know, in the professional working with the Advisory Committee on Intergovernmental Relations, he gave me some statistics, which I found very terrifying. There are 10 million retired people in this country who have incomes of less than $2,000 a year, and, after, on the average, pay a property tax of 33% of that income.

Now that is locally wrong, morally wrong, and certainly an WTong. We must begin by hitting that burden from these people who have worked all their lives, are now retired on what is basically an inadequate amount; and are paying one-third of their taxes (income) for property taxes to send, basically, children to school.

I have discussed this matter not only with Mr. Moakley, but Mr. Heinz, and I have had, as you have had, a number of meetings on this in the past few weeks. We hope to have a plan which we can present as an early date. I cannot indicate to you what that date will be, but I will tell you this: One, we are going to propose to the next Congress a plan that will relieve--what will still maintain the trend of reducing the burden of property taxes.

The first priority will be to reduce the burden of property taxes on the elderly, and second, whatever step we take, one condition must not require any increase in other taxes. We think we have found a formula to do that.

PROPERTY TAX RELIEF

Q. Mr. President, when are you going to begin intensive campaigning, and are you going to begin intensive campaigning?

THE PRESIDENT. I repeat, Mr. Warren, what I have said previously in San Clemente and at San Francisco. Until the Congress adjourns, my primary responsibility is to stay here and particularly to stay here to fight the battle against bigger spending that would lead to bigger taxes.

I have made a commitment, and I make it here again today. There will be no tax increase in 1973. However, there is one problem with that commitment. There will be no Presidential tax increase. But, we need the cooperation of the Congress, and there could be a congressional tax increase. If the Congress, for example, does not approve the $376 billion ceiling that we
55. On December 15, 1972 John Ehrlichman met with CIA Director Richard Helms, William Colby of the CIA, and John Dean. They discussed answers to questions posed by Assistant Attorney General Henry Petersen and Assistant U. S. Attorney Earl Silbert. Colby had disclosed on November 27, 1972 to the Federal prosecutors that Ehrlichman was the person who had requested CIA assistance for Howard Hunt in 1971. They also discussed the materials turned over by the CIA to the Justice Department on October 24, 1972.

55.1 John Ehrlichman log, December 15, 1972 (received from SSC) 652
55.2 William Colby testimony, Senate Armed Services Committee, nomination of William Colby to be Director of Central Intelligence Agency, July 25, 1973, 163, 164, 166..............................
55.3 William Colby testimony, Senate Armed Services Committee Executive Session, May 14, 1973, 110 656
55.4 Henry Petersen testimony, 9 SSC 3622-23...............................................................................................................657
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1 56:1 JOHN WILLIAMSON LOC.
Question: Did the CJ 4 receive any indication if [the Justice Department] ever at any time held any sensitive material at all? If so, to whose chief of staff?

Answer: The Justice Department representative agreed with our concerns over the sensitivity of the material and indicated they would hold the material but would discuss it with the pros or Chaps.

Question: Did the CJ 4 receive any indication from the Justice Department not to press certain questions to the prosecution until the time of the Me trial? If so, KGB a yes or no?

Answer: No.

Question: Again it was agreed that the prosecution would not be briefed until shortly before the trial to minimize chances for an opportunity of leakage.

Question: If the security of CIAs operation were at issue and the prosecution wished to see it for that reason, would it be the case? If so, the Justice Department would not be briefed until shortly before the trial to minimize chances for an opportunity of leakage.

Answer: Yes, but the risk of leakage would be lessened and it might not be necessary.

Question: Did you and Mr. Helms discuss at any point that action the Justice Department might imply an inclination to minimize the interests of potential criminal conduct?

Answer: No.

Question: Mr. Colby, I would like to read briefly from the memorandum which relates to your meeting with Mr. Petersen, Mr. Silbert, and Mr. Larrance Brown of November 27, 1972.

Answer: The meeting was with Mr. Petersen, Mr. Silbert, and Mr. Warner, not Mr. Houston, on 27 November 1972.

DEEDNBEB 18.- 1DZ

MEMORANDUM FOR THE RECORD

Subj: 1Meeting at the White House on December 18, 1973, re. Watergate Case

Participants: Richard Helms and William Colby, CIA; John Ehrlichman and John Dean, the White House.

1. After preliminary remarks, Colby gave a summary of CIA's dealings with the FBI and the Department of Justice—two respects to Howard Hunt. He said the first response at the FBI level to certain normal questions about Hunt's and friends' earlier association with the Nixon campaign was to call upon the FBI to respond at the top level of the FBI rather than at the working level. This was done, to Acting Director Gray, and the reply included a response to a follow-up question of the Department as to any other alias or documentation. In this description was referred to the names "Warren" and "Leonard" and certain additional assistance given in July and August 1972 as authorized by an extra-slide official. Colby pointed out that there was no specification of the against who, but Gray had allowed one or individual to know of this material. Mr. Felt, and it was our impression that that did not go any further.

2. Ehrlichman further explained that Mr. Silbert, in charge of the case, had generated sole additional questions, including some about the alias "Warren" and a "Mr. [deleted]" whose name and telephone number appeared in Mr. Elston's materials. Again, the Agency had wanted to respond at the highest level only, and the Director and Mr. Houston voiced Attorney General Kennedy's views as hostile any reply to those questions. The Attorney General had directed that the material not go to the FBI, to Attorney General Kennedy, directed Mr. Henry Petersen to handle the matter.

3. Ehrlichman stated that the Attorney General had directed not to press certain questions to the prosecution until the time of the Me trial. He had also directed that the material not go to the pros until shortly before the trial to minimize chances for an opportunity of leakage. He had directed that the material not go to the pros until shortly before the trial to minimize chances for an opportunity of leakage.
55. 2 WILLIAM COLBY TESTIMONY, JULY 25, 1973, SENATE ARMED SERVICES

COMMITTEE: COLBY XOENAZION HE-167GS, 163-64, 166

164

1. I said the remaining phone call being on 24 August 1971. Sir. Ehrlichman

stated (after remembering the first one as of 24, 1971) Helms and Colby said

that no new information (1) General Cushman's memory that there had been

a second phone requesting some form of general help for Hunt; (2) Helms stated

that he would not have been likely to respond to Hunt's second request without

some such accreditation, as our rules about issuing false declassification are

RCS strict. Sir. Dean asked a few questions about our procedures and whether or

not we had retrieved the false documents, to which he was not the answer was given

that we had not, although normally we are supposed to do so. A short summary

of the events of the type of assistance implied in the phone call on 24 July and 24

August and the fact that the demand for a backstopped telephone had triggered

our decision to cut off assistance for Hunt was given. Sir. Dean asked whether

the phone call was one of the "specials," as he believes he was first brought into it

when Hunt had a staff for a secretary to be assigned to him from our Paris

station. He had considered the details of the date and further assistance should be

negative. Sir. Ehrlichman took down the dates of the two alleged phone calls and

said he would check up on his schedule, etc., to see whether there was any possibility

of Hunt's involvement. He said that Hunt at that time was working for Colson and

that he had not joined Ehrlichman's staff until later. Ehrlichman said that he thought

Hunt had been working on the tracing of document leaks during that period.

4. The point was brought out that it is our understanding the material

was all made available to Sir. Silbert as a preparation against possible questions

raised by the defense but that he was now talking in some that different terms.

Sir. Dean said that he probably would want to use this material to prove that

Hunt and Liddy operated in alias and that it would be easier to prove it by a

CUES testimonial than by witnesses. It was agreed all around this would be a

mistake, as the entire matter was totally irrelevant to the main trial and would

be a red herring.

5. Sir. Dean was shown the material prepared for passage to Sir. Petersen

in response to Sir. Silbert's latest question. It has agreed that these would

be held up. At Sir. Ehrlichman's request, Colby agreed to ask General Cushman

to phone him so they could discuss the details of the alleged telephone calls.

6. As an aside, Sir. Ehrlichman recalled a discussion with Sir. Helms in which

the latter had given him some "fatherly advice" that Hunt was [deleted]. Sir.

Helms said that he had perhaps kept Mr. Hunt on a little longer than he should

have but that he had several years ago begun to remove him from more operational

tasks. It was considered that this conversation probably took place after the

events discussed above, i.e., later in the fall of 1971.

7. Mr. Ehrlichman congratulated Sir. Helms on the Zalameff decision and said

that he had instructed Mr. Hampton of the Civil Service Commission to look

into the possibility of applying this technique more broadly. Mr. Helms agreed

to the suggestion and said that he would look into the matter further and take

some steps that could be taken. Mr. Ehrlichman said that he had had a "sore" but

critical letter from Mr. Eisenhower, in which Sir. Ehrlichman said that he had added

of his own asking that Helms as forthcoming as possible. Mr. Helms said that he

would be responding to these in good time. He explained that the intelligence business

depended on a symbiotic relationship of continued secrecy and that we cannot develop

sources if we acquire the reputation of declassifying their identities and exposing them to

difficulties.

TV. E. COLBY, Executive Director (3 copies)

Air. Colby called General Shulman and said that Air. Ehrlichman did not tell whether the 24th profile call was the/;h call or whether it was arranged that General Cushman should call Sir. Ehrlichman to discuss the matter. General Cushman said that he would do so.

November 8, 1971

Memoranda for the record. Subject: Watergate Case.


Sir. Earl J. Silbert. Principal assistant United States attorney for the District

(654)
Any funds. Mr. Silbert asked if there was any concurrence in [deleted] retiring on 15 June since he had been in touch with both Mr. Cord and Hunt. Mr. Colby said there is no connection; but [deleted] simply sent names and resumes in response to requests.

Mr. Colby pointed out that the Agency would cooperate on every request but felt that the sensitivity of the matter required that it be done at the Petersen and Mr. Silbert level and not at the normal FBI investigatory level. Both Mr. Petersen and Mr. Silbert appeared to fully understand the Agency's position, this it - and.

Acting Gen. Couns?

Q - re: mem. to both of these memoranda accurate account of your meeting 6/17.

As written. I believe that both of these memoranda were reasonable account of what occurred at that meeting.

Q - any connection in retiring on 15 June since he had been in touch with both Mr. Cord and Hunt? A - no connection. I simply sent names and resumes in response to requests.

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Q - re: both of these memoranda accurate account of your meeting 6/17 with Mr. Petersen and Mr. Silbert?

I - not, I believe that both of these memoranda were reasonable account of what occurred at that meeting.

Q - if Mr. Silbert or Mr. Silberrt's assistant to Mr. Ehrlichman was acting in that capacity specific or about the identity of the person whose recommendation lrt. Ehrlichman sent to the Agency?

A - it was the first time outside the Agency.

Q - If it was fair to say that Mr. Ehrlichman had made the call to General Cushman before Mr. Hunt's visit to General Cushman.

Answer: I did not mention the transcript but I did indicate that Mr. Ehrlichman had made the call to General Cushman before Mr. Hunt's visit to General Cushman.

Q - First time outside the Agency.

Answer. This was the first time outside the Agency.

Q - This is apparent in the December 13th meeting with Mr. Helton, Mr. Ehrlichman re: request for assistence in July 1973; and then in the first meeting I stated to General Cushman that we would be sure of the identity of the White House person who hailed Mr. Hunt's request for assistance in July 1973; and then in the first meeting I stated to General Cushman the identity of the White House person who hailed Mr. Hunt's request for assistance in July 1973.

Answer. This was the first time outside the Agency.

Q - DId you mention to Mr. Silbert that Mr. Ehrlichman re: request for assistance in July 1973; and then in the first meeting I stated to General Cushman that we would be sure of the identity of the White House person who hailed Mr. Hunt's request for assistance in July 1973.

Answer. No.

Q - Did you meet with General Cushman at the White House?

Answer. No.

Q - This is apparent in the December 13th meeting with Mr. Helton, Mr. Ehrlichman re: request for assistance in July 1973; and then in the first meeting I stated to General Cushman the identity of the White House person who hailed Mr. Hunt's request for assistance in July 1973.

Answer. In preparing the answers to Mr. Silbert's questions I felt it desirable to check General Cushman's memory of these events.

Q - Did you meet with General Cushman at the White House?

Answer. No.

Q - Did you meet with General Cushman at the White House?

Answer. Yes.

Q - Did you mention to Mr. Silbert that Mr. Ehrlichman re: request for assistance in July 1973; and then in the first meeting I stated to General Cushman the identity of the White House person who hailed Mr. Hunt's request for assistance in July 1973.

Answer. This was the first time outside the Agency.

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Answer. Yes.

Q - If it was fair to say that Mr. Ehrlichman had made the call to General Cushman before Mr. Hunt's visit to General Cushman.

Answer. I did not mention the transcript but I did indicate that Mr. Ehrlichman had made the call to General Cushman before Mr. Hunt's visit to General Cushman.

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Answer. Yes.

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Answer. I did not mention the transcript but I did indicate that Mr. Ehrlichman had made the call to General Cushman before Mr. Hunt's visit to General Cushman.

Q - Did you mention to Mr. Silbert that Mr. Ehrlichman re: request for assistance in July 1973; and then in the first meeting I stated to General Cushman the identity of the White House person who hailed Mr. Hunt's request for assistance in July 1973.

Answer. Yes.
I contact, as I understand then later you were requested by

To Al

Colby or someone so write a

General Cushman. Yes, sir.

I zernora-adum about the matter.

Senator Thurmond. This was done at the request of the prosecutor or somebody in the Justice Department?

General Cushman. Yes, sir.

I would have to defer to Or. Collie I think he may know why the memoranda were being prepared.

Senator Thurmond. I will be glad for him to answer.

The Colby, well, at the time that we first started talking to the Justice Department we had some impression in the agency that it was Mr. Ehrlichman who had called and we had used that name with the prosecutor, Mr. Zilbert, and with the Attorney General. Air didn't really have direct evidence of that and in mid-December Mr. Helms and I were asked to go see Mr. Ehrlichman and Mr. Dean and I recounted the material that

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16

17 had been forwarded to the Justice Department or summarized

18 it and mentioned that we had told them we thought the name was

19 Ehrlichman that had made the original call, Mr. Ehrlichman

20 I said that he didn't recall that particular phone call, he just

21 I didn't recall, and he seemed perplexed about it, and I said,

22 that, well, we didn't have any really good evidence on it. the

23

24

25 I only fellow on our side Who would, know anything about it would be General Cushman, aired Mr. Ehrlic'nm man asked me to get

in

touch with General Cushman, so they could refresh their raem..ories
Mr. DASH. Were you aware the Patman committee was in fact planning to call or subpoena a number of the witnesses that would be involved in the criminal prosecution?

Mr. PETERSEN. Only from the public press.

Mr. DASH. Was it your position that such a congressional committee might prejudice the criminal prosecution?

Mr. PETERSEN. Yes, and I sent a letter. The letter was prepared by my staff in the office of legal counsel, it was sent to Congressman Patman setting forth our position and the fact that lurking the Delaney case the Government is regarded as a monolith and the actions of a congressional committee are attributable to the prosecution in that and it might result in prejudicial publicity yes.

Mr. DASH. Did you later learn what happened to the subpoenas that were proposed to be sent in the Patman committee investigation?

Mr. PETERSEN. I have no idea about that.

Mr. DASH. As a matter of fact, the vote was against subpoenaing them and-

Mr. PETERSEN. I understand

Mr. DASH. It never got off the ground.

Mr. PETERSEN. I understand there was such a vote.

Mr. DASH. On October 24, 1972, do you recall receiving certain documents from Mr. Eleindienst which had been turned over to Mr. Eleindienst by CIA relating to Mr. Hunt's activities?

Mr. DASH. Are these just documents or did they include photographs, do you know?

Mr. PETERSEN. My recollection is that there was a series of photographs attached to the package. I guess to recount the situation I was called up to Mr. Eleindienst's office, Mr. Helms and his counsel, Larry Houston, were there, they expressed some reservations about potential embarrassment to the CIA and that they were there with certain information as a result of questions generated by Mr. Silbert, they hoped it would not be necessary to disclose them. I took the information and left with Larry Houston, sat down and examined their concerns and their concerns related to the hope that had been furnished to CIA and there was one possible wholly unrelated valid CIA activity involved which they were most desirous of protecting. I assured them they would try and do that, made all available to Mr. Silbert and there were questions generated by Mr. Silbert over the documents, we studied those photographs and me couldn't make any sense of them at all.

Mr. DASH. To refresh your recollection, do you recall that there were actually two times you may have received certain documents, once documents alone from Mr. Eleindienst on October 24, and some documents in which photographs were attached sometime in the early part of November?

Mr. PETERSEN. No, I don't recall. If Mr. Dash. We got some documents from CIA in December.

Mr. DASH. Nolv, I could be mistaken, they may have been attached to the October documents but my recollection is they were in the October package.

Mr. PETERSEN. Ably I show you a copy of a memorandum dated December 5, 1972, and attached to it are Xerox copies of photographs and see if these are the records that I'm talking about?
Mr. PETERSEN. I recognize one which is a picture of Mr. Liddy in
front of a stationery store which has the sign on the window "Xerox
Copies While You Wait." I recognize that one. I recognize another
one in which there is an address 11923 on the building, a car outside.
I recognize another one in which there is written [illegible]—two auto-
mobiles—see z-ed Mr. Fielding's resed VI: Rohlbre.

Mr. DASH. Actually what you did receive were Xeroxes of photo-
graphs, not photographs themselves?

Mr. PETERSEN: That is right.

Mr. DASH. And do they appear something like these Xeroxes I have
shown you?

Mr. PETERSEN. Those I have mentioned to you; yes, sir.

Mr. DASH. All when you received these, was there any indication to
Jou as to what investigation these drafts related to q

Mr. PETERSEN: 5're. Me were investigating, of course, activities of
Hunt and Liddo out in California, trying to figure out why what its
relationship to Watergate was, and Silbert and I sat down and went
over these documents and we couldn't relate them to an—thign. Later
we asked CLK, I guess, and they didn't have any descriptive data or
negatives or actual photographs or anything that would assist us.

Mr. DASH. Were you aware of the special investigating emit which
had been called the Plumbers that nvas in the AlrJuite House?

Mr. PETERSEN: No. Mr. DASH. Did your Criminal Division play any role in the investi-
gation of the Pentagon Papers leak?

Mr. PETERSEN: No.

Mr. DASH. Were you aware of the investigation that this so-called
investigating unit was makeings of Dr. Ellsberg or his psychiatrist?

Mr. DASH. And when you noticed, I think there was some evidence,
some of these photographs referred to a Dr. Fielding in did you know
who Dr. Fielding was?

Mr. PETERSEN: No.

Mr. DASH. Or whether or not he was related in any lways to Mr. Ells-
berg. So that in receiving these documents, would it be fair to say that
they did not put you 011 notice of any break-in or effort to break into

Mr. Fielding's office?

Mr. PETERSEN: No. Mr. DASH. Or had any relation to the investigation by the Justice
Department investigation of Mr. Ellsberg or the prosecution that was
Groins on?

Mr. PETERSEN: TVe didn't relate those documents to the Ellsberg
case, I think, until the time of Mr. Krogh's affidavit in connection
with the Ellsbera matter.

Mr. DASH. Fir. Chairman. I would like to have the memorandum
Of December 5, 1970, with the accompanying Xerox copies of photo-
graphs marked Opl iatel rned in evidence.

Senator Favors: IXet the leportet nSsigfl it the ailrpropriate exhibit
numbei.
cThe doellmellts refer red to severe malke(l exnil)it No. 14fl. t

Sen p 541

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56. On January 8, 1973 former CIA Deputy Director Cushman sent a memorandum to John Ehrlichman identifying as the person who requested CIA assistance for Howard Hunt in 1971 one of the following: Ehrlichman, Charles Colson or John Dean. On January 10, 1973 after discussions with Ehrlichman and Dean, Cushman changed the memorandum to state that he did not recall the identity of the White House person who requested assistance for Hunt.

56.1 John Dean testimony, 3 SSC 977-78.......  
56.2 Robert Cushman testimony, 8 SSC 3295-97.....  
56.3 Memorandum from Robert Cushman to John Ehrlichman,  
      January 8, 1973, SSC Exhibit No. 125, 8 SSC  
      .3390 .....................Z  
56.4 Memorandum from Robert Cushman to John Ehrlichman,  
      January 10, 1973, SSC Exhibit No. 126, 8 SSC

56.5 Partial transcript of telephone call from John Ehrlichman to General Robert Cushman, July 7, 1971 with accompanying CLK employee affidavit, February 5, 1974 (received from CIA) 667
response, which Krogh wrote down for his secretary and she returned
the call. I have submitted to the committee the document prepared by
Xtr. IZrogh's secretary after the call divas returned to ZIr. Liddy—and
I might note that divas not in the exhibits when I assembled them last
night but ;I do know where it is, on the table at home.

Senator BAKER. I take it you will supply that document later in your
testimony 2

Sir. DEAN. Yes, Senator; I will. ; ;

Senator BAR Thank you very much.

[The document referred to avas marked exhibit No. 34 31.*]

Sir. DELVN. On Friday afternoon, January 5,eI received a report
from O'Brien that Middy had been rather miffed and annoyed that
Erogh had been unwilling to speak with him. I reported this to lArogh,
who asked if I would personally see what I could do, because Erogh
felt sorry for Liddy but just couldn't talk with him. I agreed I would
do something and on Saturday, January 6, I called Liddy from my
house at his home. It was a brief call in which I told him the reason
Erogh had not called and told him that lrogh had great sympathy
for his plight. Liddy said he understood. The only thing I can recall
Liddy saying to me was that he hoped that there would be some money
forthcoming for his lawyer. I said q would pass that message along.
I also expressed sympathy over his situation and the call ended. I
later reported to Erogh that Liddy understood why he did not speak
with him personally and Erogh appreciated it. :

RETRIEXING f IA MABEL FROM ~ DEPONENT OF Jussa

Now I am going to turn to the receiving, the retrieving CLK maF
trials from the Department of Justice in connection with the
investigation.

As a result of a conversation I had with Ehrlichman, I svas asked
to attempt to have the CIA retrieve from the Department of Justice
information relating to Hunt’s dealings with the CT~. To understand
Ehrlichman’s request, I must provide some background. During the
course of the Watergate investigations, the prosecutors had requested
material from the (I--- ands because of the fact that this material
related to the White Housez the CLIP had informed the White Hou^-
of the request. The first incident ashen this came llp lvas regarding
the fact of who had made the initial request to the OL-t to assist Hunt.
General Cushman had been t.he Deputv Director of the CIA at the
time the matter occurred, and when he svas asked, he reported that
he had been requested from John Ehrlichman. AVhen Ehrlichman svas
informed of this, I believe by General Cushman, he denied the fact
that he had ever made such a requests and told Cushman that he had
never been asked for such assistance.

SilbseqtleItlv, General Clishman prepared a memorandum that indi
cated that the request hall come from either Ehrlichman, Colson, or
myself. RREEhlichman lorvs-ar[e]l a cops of this document to me and
asked if I would •net this matter taken care of. I told him I thought
it svas somewhat strange that mV name Novas 011 the memorandum from
(q.usllman in that I had never spel–ell with Cushman in my life.

*See p. 1238.

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He then asked me if I did not think it would be better that Cushman mentioned no one since he could not remember who it was. I remember suspecting at the time, as I do today, that Ehrlichman had had my name inserted in the memorandum as a means of betting me to make sure that Cushman would have no names in the memoranda at all. I remember calling General Cushman and telling him that I had received from Ehrlichman a copy of his memorandum and that I was some what surprised to find my name in it—because this was the first time I had ever spoken with him. He agreed that we had never talked and I said that Ehrlichman had suggested to me that, if he could not remember who it was, he, Cushman, probably should not mention anyone.

A short time later, another memorandum on this subject of who to ask for Hunt to have the assistance of the CIA was forwarded from General Cushman and this time no names were mentioned at all. It was after this episode in getting the Cushman statement corrected that I had an occasion to discuss this with Colson. Colson told me that he had been present when Ehrlichman had made the call to t_~IIStEt.

The other CIA material relating to Hunt's dealing with the CLS emanated from a series of questions that had been asked by the Watergate prosecutors. I recall a discussion with CIA Director Helms and one of his deputies in Ehrlichman's office when Slav Vent over the type of material that they would be providing to the Department of Justice.

I subsequently had occasion, while at the Department of Justice, to talk with Henry Petersen about the CLS material and he showed me a copy of the information the CIA had provided him. He told me Mr. Gray had the same material. I remember that the document had attached to it a number of photographs which had come from a camera—again my text has gotten confused—had come from a camera, the camera which had been returned by Hunt to the CIA. It is a camera that had been borrowed by Hunt from the CIA. The pictures, which had been processed by the CIA, included a picture of Liddy standing in front of Ellsberg's psychiatrist's office.

I informed Ehrlichman about this and that is the reason that he subsequently requested that I seek to retrieve the documents before the Senate investigators got a copy of the material.

I discussed this with Petersen, but he said that they had received a letter in early January of this year from Senator Atansfield regarding the maintenance of all records relating to the case and that the only thing that he could do would be to extract the document and leave a card to the effect that the document had been returned to CIA.

I resorted this to Ehrlichman and he told me that he thought that the CIA ought to get all of the material back and that no card should be left in the file and that national security grounds should be used to withhold release of the information.

On February 9, 1973, I spoke with Director Schlesinger of the CIA and asked him if it would be possible to retrieve the material that had been sent to the Department of Justice in connection with the Watergate investigation. I told him that I had described to this with the Department of Justice and they indicated that they would merely leave

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Mr. HAMILTON. When did you first learn of the break-in of Dr. Ewing's psychiatrist's office?

General BUSMAN. I think it was when I was in Europe just before being called back to testify to the oversight committees of the CIA, which was May 13. I think I heard about it about the 10th when it appeared in the newspapers.

Mr. HAMILTON. That was May of which year?

General BUSMAN. 1973, sir.

Mr. HAMILTON. Did you have an occasion in January of this year, to prepare two memorandums to Mr. Ehrichman on your contacts with Mr. Hunt?

General BUSMAN. I did, sir.

Mr. HAMILTON. I would like to show you memorandums that are dated January 8 and January 10, 1973, on the subject contact with Mr. Hunt, and I will pass these copies over to you. I believe the committee has already been provided with copies of these memorandums. General BUSMAN, are these the two memorandums that you prepared?

General BUSMAN. Yes, sir; they certainly look like copies of them.

Mr. HAMILTON. Mr. Chairman, I would ask that these memorandums be submitted into the record at this time.

Senator ERVIN. Without objection, it is so ordered.

[The documents referred to were marked exhibits Nos. 10a and 126.]

Mr. HAMILTON. Do these memorandums contain a summary of your experience with Mr. Hunt that you have just given us in testimony?

General BUSMAN. Yes, sir; they do.

Mr. HAMILTON. Would you give us the circumstances that surrounded the preparation of these memorandums, in your own words, please, sir?

General BUSMAN. Yes, sir.

I believe the date was December 13, 1972. I was Commandant of the Marine Corps at the time, and Mr. Colby came to see me, he was then the No. 3 man in the CIA, he came to see me and stated that the Agency had been directed to prepare a summation of their contacts with Howard Hunt.

This had been directed, I gathered, by the Department of Justice, the prosecutors in the case. So he refreshed my memory on the phone call. I could not remember in December of 1972 who had telephoned me from the White House. I thought it was Mr. Ehrlichman, but I was not sure. When I had conversation on July 22 with Howard Hunt a number of names had been dropped in the conversation, Air. Colson's, Mr. Ehrlichman's, maybe Mr. Dean's. I do not know; in any event, I could not be very certain. I refreshed my memory from the transcribed conversation, and while Ehrlichman's name appeared in it, I did not know whether this was sufficient for me to go putting it in writing or not; and the tape, of course, was the property of the Agency, so I did not know just where I stood on that.

I then prepared the first memo which is dated January 8, 1973. I have to go back a little bit. Apparently these papers were the subject later of conversation between Mr. Colby and the prosecutor and, I rather. Mr. Ehrlichman, I do not know. The next thing that happened,
to my own knowledge, was along about January 7 or 8 this year, Mr. Colby called and said that Mr. Ehrlichman disputed the phone call incident, and would I prepare a memorandum stating to the best of my recollection, what had happened. So I prepared the first memorandums in which I said Ehrlichman, Mr. Colson, or perhaps Mr. Dean. I simply cannot recall at this late date which one it is, of my own knowledge.

I then got a call, as I remember it, from John Ehrlichman saying, I can't recall prior to July 22 and, in fact, my records show I was out of town for a considerable length of time.

Well, this shook up my recollection even worse, and so I offered, without being asked, I offered to take names out of it since I did not think it would be fair when I could not swear to it. And then, I wrote the second memorandum in which I said that I could not recall who placed the call at this late date but it was someone whom I recognized at the White House.

The fact of the matter was that I had not combed through the minutes of the daily staff meetings. I had checked my own files and in the office at CI to see whether there was any record of this phone call and I could not find one. However, in preparing the statement before the committees that Dr. Schlesinger had to make in May he had a thorough search made of all possible documents and came up, I believe his secretary found them, came up with the minutes of the meeting of July 8, in which I definitely stated that Mr. Ehrlichman had called. So, based upon that I swore out an affidavit I believe it is May 13 and used that affidavit before the CIA oversight committees, the three of them before whom I had to testify.

Mr. HAMILTON. So the record will be clear I would like to read the relevant portions from these two memorandums, a sentence or two from each.

The January 8 memorandum states:

I received a call over the White House line from either Mr. Ehrlichman, Mr. Colson, or perhaps Mr. Dean (I simply cannot recall at this late date just which one it was) stating that Mr. Hunt would call on me to ask for some support and that he was working on a matter for the person calling.

Now, in the January 10 memorandum this sentence appears:

I cannot recollect at this late date who placed the call, but it was someone with whom I was acquainted, as opposed to a stranger.

General GESARAKAN-KHOR.

Mr. HAMILTON. Now, if I could ask you just a few questions on these two documents. First of all, since you reviewed the transcript of your conversation with Mr. Hunt on December 13 and because on page 4 of that transcript it is stated that it was Mr. Ehrlichman who had called you, why did you have any doubt that indeed it was Mr. Ehrlichman who had made the telephone call to you in July 1971?

General CxJ:

Mr. Ehrlichman, but I was more concerned with putting it down on a piece of paper. I didn't know, as I say, that I could verify the transcript of the tape— I didn't have this transcript. The Agency had it and showed it to me. And the fact that it was a tape recording and that it belonged to the Agency made me a little worried. I wanted something to cor-
And it wasn't until May of this year that we found what I consider to be corroborating entry in the records.

Mr. HAMILTON. Stow, after the January 8 memorandum was sent to the White House, did you also receive a call from Mr. Dean?

genral CUSHtL&N. XS I recall, I did get a call from ZIr. Dean in which he said that we didn't know each other and he was certain he hadn't talked to me, and I had to agree with him, that we had not met, and that I couldn't explain why I put his name in, frankly.

But, his name was in the papers a lot and Mr. Hunt I think may have mentioned him sometime during the conversation I had with him but I am not sure of that.

Mr. HAMILTON. Well, I don't believe in the transcript which we have, which admittedly is a partial transcript because some of these sections are blocked out, not typed, I don't believe, in that transcript that Mr. Dean's name appears in it.

Do you have any other explanation at this time why his name did appear in the January 8 memorandum 2

General CUS+IAN. No, I don't, only what I have said.

Mr. HAMILTON. Noxv, I believe vou stated that you removed these three names from the memorandum voluntarily ?

General CES1IMAN. Yes, sir. --

Mr. HA3tlenton. Is it your testimony that Mr. Ehrlichman put no pressure at all on you to have his name removed ?

General CUSHMAN. No, sir.

Mr. HAMILTON. In your press conference that you had when you came back from Europe, you stated at page 19 that you tore up the first memorandum at Mr. Ehrlichman's request, and did Mr. Ehrlichman make a request to you that the first memorandum be torn up and that a second memorandum be substituted a

General CUSHMAN. Is not precise.

Sir. HAMILTON [continuing]. Is inaccurate.

My final question, and I think this may be of some interest to the committee. If you tore up your copy of the memorandum, how did you produce for us last night the copy of the January 8 memorandum that eve noxv have ?

General ChShMAN. The secretary who tool; it when I dictated it over at the Agency had retained her stenographic notebook.

Sir. HA3tjLTON. AlIF. Chain man, I have no more questions.

Senator ERVIN-. Alr. Thompson.

ZIr. THOMPSON. General Cushman, as I understand it, you reviewed the transcript of this conversation with Hunt on December 13,19z2.

General CUSHMAN. Of this year.

Air. T210Arrso>. Of this year?

General CXJSSZIZIAN. I mean——

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56. 3 ROBERT CUSHING MEMORANDUM, JANUARY 8, 1973, SSC EXHIBIT NO. 125, 8 ssc 3390.

3390

EXHIBIT No. 125

1. I wrote a letter on 27th day of July 1973. At some point during this period I was about to leave for Washington. At about 10:30 on July 24th, I received a call over the White House line from either Mr. Colson, Mr. Erlichman, or perhaps both. Mr. Nixon said something to that effect; that he was working on a request for this person called a support and a request for this person called a support.

2. At this point I stated that I would not issue a support check to anyone under an alias and requested to me personally the statement. I did not ask for any support.

3. On 27 August I found that Mr. Colson was requesting an out-of-state support check for a credit card and a New York phone number which he would send through an answering service.

4. In my opinion, this tended to draw the Agency into the sensitive and forbidden area of operations of Americans and I could not comply with his request. Consequently, at 11:00 on 27 August I called Mr. Colson and explained why I could not meet these requests. Mr. Colson indicated consent to cease support for Mr. Hunt.

56. 3 ROBERT CUSHING MEMORANDUM, JANUARY 8, 1973, SSC EXHIBIT NO. 125, 8 ssc 3390.
ROBERT CUSHNEN MEMORANDUM, JANUARY 10, 1973, SSC EXHIBIT NO. 126

E–W No. 126
10 january 1973

1. Mr. Hunt stated that he would like to elicit information from an individual whose identity he wished to keep confidential for reasons of national security. He stated that he would require some support and that he was working on a matter for the person calling. I cannot recall at this point who placed the call, but it was someone with whom I was acquainted, as opposed to a stranger.

2. Mr. Hunt stated that he wanted to elicit information from an individual whose identity he wished to keep confidential for reasons of national security. He stated that he would require some support and that he was working on a matter for the person calling. I cannot recall at this point who placed the call, but it was someone with whom I was acquainted, as opposed to a stranger.

3. On 27 August I found that Mr. Hunt was requesting further support in the form of credit cards and a New York phone number which he could use to contact an associate of his.

4. I was not contacted by the Agency about the request but I advised Mr. Hunt to use the same method of communication and indicated that I would not meet the request. I indicated to Mr. Hunt that I would not meet the request and indicated that I would not meet the request.
Ivan: I want to alert you that an old acquaintance, Mrs. Hunt, has been asked by the President to oversee some special counsel work on security problems. He may be contacting you sometime in the future for assistance. I wanted you to know the extent of the President’s involvement and some steps he has taken for the President. He is a long-time acquaintance with the people here. Ele may want some help on computer rules and other things.

You should consider he has pretty much carte blanche.
COUNZOF FIEAX ) Dv

I, (3 being first duly sworn, state:

1. I was born on 8 March 1924 in Milwaukee, Wisconsin. After serving as an Army officer in World War II and completing my college education, I joined the Central Intelligence Agency in October 1950. I have held the position of Executive Assistant to the Deputy Director of Central Intelligence since November 1969.

2. This affidavit is submitted at the request of Mr. William E. Colby to explain the circumstances of my discovery on February 4, 1974 of a file of stenographers' notes among which was the attaché note of Miss S summarizing a telephone conversation between Lt. General Robert E. Cushman, Jr. and Mr. John Dean on 7 July 1971.

3. Director Colby's secretary, Miss S came to my office on Monday morning, February 4, 1974. She said that Mr. Colby would like me to go through my files once more to make certain that there were no misplaced transcripts of conversations which had been recorded in the Office of the Deputy Director of Central Intelligence. The recording of visitors' conversations had been done on a very selective basis and this practice was discontinued after General Cushman left CIA in December 1971.

DJ

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During the morning of February 5, 1974, I went through the papers in my safe in order to determine if any misplaced transcripts of conversations were located there. At the bottom of the second drawer were two folders of material that contained information used in General Walters’ orientation briefings after he was appointed Deputy Director of Central Intelligence in April 1972. Under these briefing files I found a briefing folder containing ten stenographic notes summarizing General Cushman’s telephone conversations with members of the White House staff in 1969, 1970 and 1971. In this folder was a summary of General Cushman’s 7 July 1971 conversation with Mr. John Dean.

5. These stenographic notes in this folder included summaries of General Cushman’s conversations with Dr. Kissinger on leaks of intelligence reports in the press, at Dr. Kissinger’s request for an analytical paper on Cambodia. These were also conversations with other White House officials on intelligence leaks and on requests for name checks of foreigners. The conversations with Dr. Kissinger were on top of the file of ten stenographic notes and one memorandum initiated by the CIA General Counsel. The note of General Cushman’s conversations with Mr. Ehrlichman on 7 July 1971 was included about two-thirds of the way down in the file. I had looked at this file in May 1973 when Dr. Schlesinger requested employees to search files for material which might have been related to Howard Hunt and the Watergate affair. As that file was related to records of the conversations with Dr. Kissinger and others on matters which were completely unrelated to Watergate, I did not see the single page item on General Cushman’s conversations with Mr. Ehrlichman about Howard Hunt, and presumably, inadvertent.

6. I failed to locate it when I was paging through these papers.
The file of summary notes of General Cushman's conversations were maintained by his secretary. I usually did not read them when they were made because they were chiefly used by the secretaries to clarify questions which might be raised later.

In December 1971, Miss Z, General Cushman's secretary, and I reviewed General Cushman's papers after he left CIA to become Marine Commandant. I decided to retain only those papers which related to General Cushman's conversations with members of the White House.

SUBSCRIBED and SWORN to before me this 11th day of February, 1974.

Q.Sav. (5? S'y9= lily CarurdeEs*an ban:: winch 15, 1977
A./Notary Public

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Saud
Early in 1973 John Dean met with Assistant Attorney General Petersen. Petersen showed Dean documents delivered by the CIA to the Department of Justice, including copies of the photographs connecting Howard Hunt and Gordon Liddy with Dr. Fielding's office. On a second occasion prior to February 9, 1973 Dean met with Petersen and discussed what the Department of Justice would do if requested by the CIA to return materials. Petersen told him that an indication that the materials had been sent back to the CIA would have to be made in the Departments files.

57.1 John Dean testimony, 3 SSC.....................978 672
He then asked me if I did not think it would be better that Cushman mentioned no one since he could not remember who it was. I remember suspecting at the time, as I do today, that Ehrlichman had had my name inserted in the memorandum as a means of getting me to make sure that Cushman would have no names in the memorandum at all. I remember calling General Cushman and telling him that I had received from Ehrlichman a copy of his memorandum and that I was somewhat surprised to find my name in it. Because this was the first time I had ever spoken with him. He agreed that we had never talked and I said that Ehrlichman had suggested to me that, if he could not remember who it was, he, Cushman, probably should not mention anyone.

A short time later, another memorandum on this subject of who had asked for Hunt to have the assistance of the CIA came forward from General Cushman and this time no names were mentioned at all. It was after this episode in getting the Cushman statement corrected that I had an occasion to discuss this with Colson. Colson told me that he had been present when Ehrlichman had made the call to Cushman.

The other CIK material relating to Hunt’s dealings with the Cut emanated from a series of questions that had been asked by the Water-gate prosecutors. I recall a discussion with CIA Director Helms and one of his deputies in Ehrlichman’s office when they went over the type of material that they would be providing to the Department of Justice.

I subsequently had occasion, while at the Department of Justice, to talk with Henry Petersen about the CIK material and I e showed me a copy of the information the CIA had provided him, and he told me Mr. Gray had the same material. I remember that the document had attached to it a number of photographs which had come from a camera—again my text has gotten confused—had come from a camera, the camera which had been returned by Hunt to the CIA. It is a camera that had been borrowed by Hunt from the CIA. The pictures, which had been processed by the CIA included a picture of Liddy standing in front of Ellsberg’s psychiatrist’s office.

I informed Ehrlichman about this and that is the reason that he subsequently requested that I seek to retrieve the documents before the Senate investigators got a copy of the material.

I discussed this with Petersen, but he said that they had received a letter in early January of this year from Senator Z[ansfield regarding the maintenance of all records relating to the case and that the only thing he could do would be to extract the document and leave a card to the effect that the document had been returned to CIK.

I reported this to Ehrlichman and he told me that he thought that the CIA ought to get all of the material back and that no card should be left in the file and that national security grounds should be used to withhold release of the information.

On February 9, 1973* I spoke with Director Schlesinger of the CIA and asked him if it would be possible to retrieve the material that had been sent to the Department of Justice in connection with the Water-gate investigation. I told him that I had discussed this with the Department of Justice and the indicated that the would merely lease-e

(672)
58. On February 9, 1973 Dean called CL/i Director James Schlesinger. Dean suggested that the CL/i request the Department of Justice to return a package of materials that had been sent to the Department of Justice in connection with the Watergate investigation. Deputy CIA Director Walters contacted Dean on February 21, 1973 and refused Dean's request.

58.1 James Schlesinger memorandum for the record, February 9, 1973, SSC Exhibit No. 135, 9 SSC 3R2S-2C..........

58.2 James Schlesinger testimony, Senate Armed Services Committee, May 14, 1973, 146-47 676


58.4 John Dean testimony, 3 SSC 978-79 .. . .......

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This evening at 6:10 I received a telephone call from John Dean at the White House. Dean indicated that he wanted to discuss two topics.

First, he alluded to a package of material that Ladd sent to the Department of Justice in connection with the Watergate investigation. He suggested that Justice be requested to return this package to the Agency. The only item that would be left at Justice would be a card in the files indicating that a package had been returned to the Agency, since the material in the package was no longer needed for purposes of the investigation. He indicated that the Agency had originally provided these materials to the Department of Justice at the request of the Attorney General and her. Howard Peterson.

The second subject that he raised was the pending investigation by the Senate of the ITT affair in relation to the Chilean problem. He felt that this investigation could be rather explosive. He also indicated that there might be some sensitive cables at the Agency that might be requested by the Senate investigators. I indicated to him that while I had not seen any cables, I had been briefed on the subject and that the role of the government appeared to be clean. He expressed his delight at hearing this assessment. I indicated that I would look into the cables further.

In this connection he mentioned that there is a hot story being passed about in the press, primarily instigated by Seymour Hersh of the New York Times. The story suggests that Sturgis, who sometimes goes by the code name Federini, is the individual responsible for the burglarizing of the Chilean Embassy in Washington. He also indicated that he expected Senator Fulbright to request the Justice Department to produce Sturgis for the Senate hearings.
I indicated that I would look further into the matter. He closed with some jovial remarks about being the bearer of bad tidings, and I inquired what the good news might be. Further references were made to pending appointments at the AEC.

Shortly thereafter I discussed these matters with Bill Colby who indicated that Sturgis has not been on the payroll for a number of years and that whatever the allegations about the Chilean Embassy, the Agency has no connection at all. We also agreed that he would discuss the question of the package relating to the Watergate investigation with General Walters and a decision would be made with regard to the appropriate action.

cc: General Walters

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Senator Nunn. Mr. Dean asked you on the 9th of February?

Mr. Schlesinger. Yes, sir.

Senator Nunn. Would you repeat that part, what did he ask you?

Mr. Schlesinger. Mr. Dean called me on the 9th of February.

I believe it was the 9th, and he indicated that there was a package of material in the hands of the FBI or Department of Justice. I was not familiar with the package at the time of the call, though I became familiar with it shortly thereafter.

It referred to the package of material referring to the provisioning of Mr. Hunt in July and August of 1971 which had been presented to the FBI or the Department of Justice in the summer and fall of 1972.

I was not familiar with it at that time, so I told them that I would become familiar with it. He asked me to have that package withdrawn and to place in it a card which stated that this material had been withdrawn at the request of the Central Intelligence Agency since it no longer served any useful purpose in the investigation. As I indicated on Friday when I discussed this matter, I believe, Senator, you were not here at the time, that this struck me at the time as a very strange maneuver.

I discussed the matter with Mr. Colby and General Walters probably within a half hour after the time of receiving this call from Mr. Dean and instructed General Walters to go back.
the next morning and tell Mr. Dean that we could not possibly do such a thing. As I mentioned also Friday, this would seem to me to be inconsistent with the letter that had been sent to a number of Federal agencies, including the Central Intelligence Agency, by Senator Mansfield instructing [sic] all agencies to do nothing to eliminate any material that bore on [the Watergate affair].

Senator Nunn. Well, I was just really probing to see what do you suspect the motivation for that was? It seems to me it could have been one of two things [sic]. Number 1, to implicate the CIA as having gotten the evidence back, therefore, by innuendo you had something to hide, or, number 2, to get rid of the actual evidence itself. Which one of those or --

Mr. Schlesinger. Of course, a number of thoughts occurred to my mind at the time which I discussed subsequently with General Walters. The obvious amongst the two alternatives that you have presented, Senator, it is obvious I think that it had to be number 1 rather than number 2. Everybody at the FBI was familiar with this material at that point. The withdrawal of that material and leaving a card in the file saying that the material had been withdrawn to Langley would quite obviously point an arrow at Langley, Virginia and this thought did not escape me at the time or did not escape General Walters.

Senator Nunn. So this could have been a last effort to
MEMORANDUM OF CONVERSATION ON FEBRUARY 21, 1973

At the request of the Director, Dr. Schlesinger, I called on Mr. John Dean at his office at the White House at 1430. I explained to him that, in connection with his request that the Agency ask the Department of Justice to return a package of material that had been sent to them in connection with the Watergate investigation, it was quite impossible for us to request the return of this, as this would simply mean that a note would be left in the Department of Justice files that the material had been sent back to the Agency, and we had been asked not to destroy any material in any way related to this case. I again told him that there was no Agency involvement in this case and that any attempt to involve the Agency in it could only be harmful to the United States. He seemed disappointed. I then left.

Vernon A. Walters
Lieutenant General, USA
Deputy Director

(678)
He then asked me if I did not think it would be better that Cushman mentioned no one since he could not remember who it was. I remember suspecting at the time, as I do today that Ehrlichman had had my name inserted in the memorandum as a means of vetting me to make sure that Cushman would have no names in the memorandum at all. I remember calling General Cushman and telling him that I had received from Ehrlichman a copy of his memorandum and that I was somewhat surprised to find my name in it because this was the first time I had ever spoken with him. He agreed that we had never talked and I said that Ehrlichman had suggested to me that, if he could not remember who it was, he, Cushman, should not mention anyone. A short time later, another memorandum on this subject of Hunt had asked for Hunt to have the assistance of the CIA come forward from General Cushman and this time no names were mentioned at all. It was after this episode in getting the Cushman statement corrected that I had an occasion to discuss this with Colson. Colson told me that he had been present when Ehrlichman had made the call to Cushman.

The other CIA material relating to Hunt's dealings with the CIA emanated from a series of questions that had been asked the Watergate prosecutors. I recall a discussion with CIA Director Helms and one of his deputies in Ehrlichman's office when they went over the type of material that they would be providing to the Department of Justice. I subsequently had occasion, while at the Department of Justice, to talk with Henry Petersen about the CIA material and he showed me a copy of the information the CIA had provided him. He told me Mr. Gray had the same material. I remember that the document had attached to it 89 number of photographs which had come from a camera—again my text has gotten confused—had come from a camera. The pictures, which had been processed by the CIA, included a picture of Liddy standing in front of Ellsberg's psychiatrist's office. I informed Ehrlichman about this and that is the reason that he subsequently requested that I seek to retrieve the documents before the Senate investigators got a copy of the material. I discussed this with Petersen, but he said that they had received a letter in early January of this year from Senator Mansfield regarding the maintenance of all records relating to the case and that the only thing that he could do would be to extract the document and lease a card to the effect that the document had been returned to CIA. I reported this to Ehrlichman and he told me that he thought that the CIA ought to get all of the material back and that no card should be left in the file and that national security grounds should be used to withhold release of the information.

On February 9, 1973, I spoke with Director Schlesinger of the CIA and asked him if it would be possible to retrieve the material that had been sent to the Department of Justice in connection with the Watergate investigation. I told him that I had discussed this with Solstice and the indicates that they should not leave

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a card in their files indicating that the material had been returned
to the CIA.

I subsequently had a visit from General Walters in late February
at which time he told me that the CIA was opposed to retrieving the
material and leasing a card indicating that they had so retrieved it
because they also had been requested by the Senate not to destroy any
material relating to the case. I told Walters that I did not suggest that
the material Abe destroyed; rather I thought that national security
grounds might justify withholding release of the information to Senate
investigators. He said it simply could not be done and I dropped the
matter.

As I will explain later in a meeting with Xvir. Irrogh, the fact that
this material was in the possession of the Department of Justice meant
to me that it was inevitable that the burglary of Ellsberg's psJrchia-
trist's office would be discovered. I felt that any investigator worth his
salt would certainly be able to look at the pictures in the files at the
Department of Justice and immediately determine the location and
from there discover the fact that there had been a burglary of the
office that was in the picture.

I would now like to turn to the White House plans for dealing with
this committee.

Even before the Watergate criminal trial in January of this year,
there had been press reports and rumors that the Senate planned
independent hearings on the Watergate and related matters. The White
House Congressional Relations Staff reported that the subject of the-
tergate hearings was being discussed in the Senate Democratic Policy
Committee, but they did not know the substance of those discussions.
I was aware of the interest of Ehrlichman and Haldeman in the pros-
pects of such hearings because they had discussed it with me, and
Bill Timmons told me they had discussed it with him.

On December 13, 1972* Timmons informed me that Senator Jackson
was coming to the White House for a meeting with the President.
Timmons said that Senator Jackson was a member of the Senate
Democratic Policy Committee and had an excellent rapport with the
President. Timmons asked me what I thought about having the Presi-
dent inquire of Senator Jackson regarding the potential of a Senate
inquiry into the Watergate. I responded that I thought it was a good
idea, but would have to check. Timmons said the meeting with Senator
Jackson was going to be without staff present, and asked me to draft
a memorandum to the President raising the issue. I told him I would
check with Haldeman.

I prepared a memorandum for the President and went to Halde
man's office, but he was not there. He was in the President's office with
AIDE. Ann Armstroms who Ens discussing with the President joinin
the White House staff. A meeting had been scheduled in Sir. Hald-
man's office at which Ehrlic]~man. Alonso, Ziegler, and I were to attend.
Helen Chrlcmlnl came to Haldeman's office for the meeting I raised
the matter of the President's asking Senator Jackson about the hear-
ings because I did not have nitllllo iv to send memorandllls dixYcl--

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