16. On or about May 27, 1972 under the supervision of Gordon Liddy and Howard Hunt, McCord, Barker, Martinez, Gonzalez, and Sturgis broke into the DNC headquarters. McCord placed two monitoring devices on the telephones of DNC officials, one on the telephone of Chairman Lawrence O'Brien, and the second on the telephone of the executive director of Democratic state chairmen, R. Spencer Oliver, Jr. Barker selected documents relating to the DNC contributors, and these documents were then photographed.

16.1 James McCord testimony, 1 SSC 128, 156-57.
16.2 E. Howard Hunt testimony, 9 SSC 3710-11.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION
WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., MAY 17, 18, 22, 23, AND 24, 1973
Book 1

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equipment and the cost of photographic equipment and specific items of equipment that would be used against the Democratic Party, the Democratic hierarchy in Washington primarily, but also in Miami, Fla. The electronic devices which he referred to specifically, were of a variety of types.

Mr. Dash: I am not asking specifically what the types were, but how were they to be used, where were they to be placed from your understanding?

Mr. McCord. The initial interests specified by Mr. Liddy in this regard were, No. 1, against Mr. Larry O'Brien, then chairman of the Democratic National Committee in Washington, D.C., at his residence and subsequently at his office in the Watergate office building; perhaps other officers of the Democratic National Committee. The McGovern headquarters in Washington, D.C., were mentioned quite early in 1972. And there was some general reference to the Democratic National Convention facility or site wherever it might be located at this convention in the summer of 1972.

Mr. Dash. All right now, Mr. McCord; in connection with this assignment, in which you were having these discussions with Mr. Liddy, did you come to associate yourself with Mr. E. Howard Hunt, Bernard Barker, Eugenio Martinez, Frank Sturgis, and Virgilio Gonzalez?

Mr. McCord. Yes; I did.

Mr. Dash. And as a result of that association and your agreement with Mr. Liddy, did you with Mr. Barker, Sturgis, Martinez, and Gonzalez illegally enter the Democratic National Committee headquarters on two occasions one on or about May 30, 1972, and the other in the early morning hours of June 17, 1972?

Mr. McCord. I did.

Mr. Dash. On the first occasion on or about May 30, 1972, you installed two telephone interception devices or wiretaps on two office telephones; one on the telephone of Spencer Oliver and the other on the telephone of Lawrence O'Brien?

Mr. McCord. I did.

Mr. Dash. Leaving aside for the time being why you broke into the Democratic National Committee headquarters at the Watergate on the second time on June 17 and what circumstance led to your arrest, you were in fact arrested by plainclothesmen of the District of Columbia Metropolitan Police shortly after you entered; is that true?

Mr. McCord. That is correct.

Mr. Dash. Is that the arrest which led to your reconviction?

Mr. McCord. That is correct.

Mr. Dash. Will you tell the committee, Mr. McCord, why, after a lifetime of work as a law enforcement officer without, as you have testified any blemish on your career, did you agree with Mr. Liddy to engage in his program of burglaries and illegal wiretapping and specifically the two break-ins on May 30 and June 17 of the Democratic National Committee headquarters at the Watergate?

Mr. McCord. There were a number of reasons associated with the ultimate decision of mine to do so. One of the reasons, and a very important reason to me was the fact that the Attorney General himself, Mr. John Mitchell, at his office had considered and approved the operation, according to Mr. Liddy.
Senator Baker, I do not want to lead you into that but I guess what I am really reaching for was whether or not as a result of your previous experience at CIA or otherwise you were acquainted with and thoroughly familiar with electronic surveillance techniques and clandestine operations such as that which was conducted at the Watergate.

Mr. McCord. I am still—basically still—in the same position, sir, respectfully, sir, in face of the split legality of this problem, one of trying to cooperate with you fully and the other one trying to comply with what I previously stated.

Senator Ervin. It is a little difficult to hear you. I believe if you would move the microphone in front of you and just talk a little bit louder it would be better.

Mr. McCord. Yes, sir, I will try to.

Senator Baker. I am not going to spend much time on it but really all I am reaching for is whether or not you were familiar with electronic surveillance techniques, and with clandestine operations such as was conducted at the Watergate regardless of how you knew it.

Mr. McCord. I learned some electronics from the FBI, sir. I think I can answer that question without violating the general problem, the other thing.

Senator Baker. Fine. Did you enter the Watergate complex of the Democratic National Committee on one or more than one occasion?

Mr. McCord. The Democratic National Committee?

Senator Baker. Yes, sir.

Mr. McCord. I believe I have testified that twice and that is correct, sir.

Senator Baker. All right, sir. When was the first time?

Mr. McCord. Memorial Day weekend.

Senator Baker. Do you remember the date?

Mr. McCord. 1972.

Senator Baker. Do you remember the day?

Mr. McCord. I can check it. The evening of May 27, 1972.

Senator Baker. About what time?

Mr. McCord. 1:30 p.m., that evening, or it could have been the following day.

Senator Baker. Who was with you on this first break-in?

Mr. McCord. The other—the seven Cuban Americans that I have testified to previously, I believe, in this committee.

Senator Baker. What did you do?

Mr. McCord. The entire group went into the Democratic National Committee through an entry into the door itself. I went in and joined them to perform the work of the electronic assignment that I had as a member of the team.

Senator Baker. What was the electronic assignment that you had?

Mr. McCord. Installation of the technical bugging devices in the Democratic National Committee that were previously authorized by the Attorney General.

Senator Baker. Did you have instructions as to where they should be placed?

Mr. McCord. Yes.

Senator Baker. Where?
Mr. McCord. In the offices themselves in connection with senior personnel officers of the Democratic National Committee, and specifically, Mr. O'Brien's telephone extension.

Senator Baker. How many bugs did you plant?

Mr. McCord. Two.

Senator Baker. And where were they?

Mr. McCord. Two were in offices that face Virginia Avenue. I think you have a sketch up on the board.

Senator Baker. One of them was on Mr. O'Brien's telephone?

Mr. McCord. That was an extension of a call director, that was identified as Mr. O'Brien's. The second was Mr. Oliver's—

Senator Baker. The second one was where?

Mr. McCord. In a telephone that belonged to Mr. Spencer Oliver, who is an executive director of the democratic State chairman of the organization.

Senator Baker. Were you specifically instructed by someone to plant those two bugs or just the O'Brien bug? Would you give us some detail on that?

Mr. McCord. Sure.

Mr. Liddy had passed along instructions from Mr. John Mitchell. He set the priorities. Mr. Mitchell had stated priorities of the installation were first of all, Mr. O'Brien's offices and such other installations as that might provide information of interest to Mr. Mitchell and to whoever else the monitoring was to go to beyond Mr. Mitchell.

Senator Baker. So the Oliver phone was bugged more or less by your choice, then, as distinguished from the O'Brien phone?

Mr. McCord. No, I think the basic choice was this; the wording from Mr. Liddy was that Mr. Mitchell wanted it placed in a senior official's office, if not Mr. O'Brien's office, some other; in other words, two such installations.

Senator Baker. Did you tape the doors on this first break?

Mr. McCord. No, I did not, Mr. Hunt did.

Mr. Baker. But they were taped?

Mr. McCord. That is correct.

Senator Baker. Now, you weren't apprehended on this first occasion, Memorial weekend. What was the purpose of the second entry into the Democratic national headquarters?

Mr. McCord. You want hearsay information again, of course.

Senator Baker. Yes, as long as it is identified as hearsay.

Mr. McCord. Mr. Liddy had told me that Mr. Mitchell, John Mitchell, liked the "take" in quotes, that is, the documents that had been photographed on the first entry into the Democratic National Committee headquarters and that he wanted a second photographic operation to take place and that in addition, as long as that team was going in, that Mr. Mitchell wanted, had passed instructions to Mr. Liddy to check to see what the malfunctioning of the second device that was put in, second, besides Mr. Oliver's, and see what the problem was, because it was one of the two things—either a malfunction of the equipment or the fact that the installation of the device was in a room which was surrounded by four walls. In other words, it was shielded, and he wanted this corrected and another device installed.

He also said Mr. Mitchell wanted a room bug as opposed to a device on a telephone installed in Mr. O'Brien's office itself in order to trans-
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SENATE RESOLUTION 60

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UNITED STATES SENATE
NINETY-THIRD CONGRESS
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WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973
Book 9

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Mr. Thomson. Do you believe you remember whether or not he told you the particular agency or you just concluded that in your own mind? Did he tell you that it was an agency or did you conclude that in your own mind?

Mr. Hunt. I would go back to our mutual experience in the Plumbers organization at which time we were receiving daily reports from most of the investigative agencies of the Government with relation to the Ellsberg case. Mr. Liddy had on the basis of prior associations with the FBI a private channel, a person or persons who would telephone or send him memorandums from time to time, providing him with information which was not distributed generally within the White House, that is to say there were really two channels of reporting from the FBI into the White House. There was the J. Edgar Hoover channel to, let us say, Mr. Ehrlichman and Mr. Krogh, who would see copies of those memorandums. There were also materials that were coming to Mr. Liddy from Mr. Mardian in the Justice Department, and I believe telephonic information that came to Mr. Liddy from close and old-time associates of his at the FBI. So I had every reason to believe that he was still well plugged into the Bureau.

Mr. Thomson. Did he tell you precisely the source of these foreign monies, the country?

Mr. Hunt. Yes, sir.

Mr. Thomson. And the individual, what did he tell you?

Mr. Hunt. Cuba.

Mr. Thomson. What would be the normal procedure with regard to investigating a matter like that, if any organization in this country was receiving money from a foreign country, especially a Communist country?

Mr. Hunt. The practice normally would be to lay a requirement on the CIA abroad and the FBI at home. However, the President had established the Plumbers unit because certain traditional agencies of the Government had been deemed inadequate in the performance of their duties.

Mr. Thomson. Was the Plumbers unit in any way operative in April of 1972?

Mr. Hunt. Yes, indeed.

Mr. Thomson. Do you know whether or not they were looking into this matter?

Mr. Hunt. No, sir.

Mr. Thomson. You don't know whether or not they were?

Mr. Hunt. I am quite sure they were not.

Mr. Thomson. Nobody else was, as far as you know?

Mr. Hunt. No, sir.

Mr. Thomson. With regard to the actual scene, who was in charge of the various operations on the night of the break-in, the early morning hours of June 17, 1972?

Mr. Hunt. The responsibilities were the same as they were during the prior break-in on May 27, and that is to say I was in overall charge of the entry operation. I planned it, and with Mr. McCord's help surveyed the groundwork, developed the operational plan. Mr. McCord had certain electronic responsibilities, the precise nature of which I was unaware. My team, that is to say, the four men from Miami,
were charged with photographing documents that would bear on the object of our search while Mr. McCord went about his electronic business.

Mr. Thompson. Did you tell any of the Cuban-Americans about the foreign money information that you had?

Mr. Hunt. I did.

Mr. Thompson. Who did you tell?

Mr. Hunt. I told Mr. Barker, and this was the basis on which I secured his cooperation initially.

Mr. Thompson. Do you know whether or not he related this to the people he enlisted to assist him in the operation?

Mr. Hunt. I believe he may have. If I can amplify a bit, Mr. Thompson, when I approached Mr. Barker with the requirement for an entry into Democratic national headquarters I told him that we wanted to verify a report to the effect that Castro money was reaching the Democratic National Committee coffers, and Mr. Barker's immediate response was "there are rumors all over Miami, I have heard all about it, you don't need to tell me anything more."

Mr. Thompson. Did you tell him anything more about it?

Mr. Hunt. I knew nothing more about it.

Mr. Thompson. He operated then on your information?

Mr. Hunt. He did.

Mr. Thompson. Was there any financial reward in any way for Mr. Barker or any of the other Cuban-Americans out of the Watergate break-in?

Mr. Hunt. There was compensation for them for time lost from their normal businesses, yes.

Mr. Thompson. Was there anything additional to that?

Mr. Hunt. Not that I know of; no, sir.

Mr. Thompson. What about the break-in of Dr. Fielding's office, was there any pecuniary benefit coming out of that for them other than just expenses, time, or money for time lost from work, that sort of thing?

Mr. Hunt. No, sir, that was all.

Mr. Thompson. What was told the Cubans with regard to that operation, with regard to the reason and necessity for the break-in in Dr. Fielding's office.

Mr. Hunt. I told Mr. Barker originally in Miami that a break-in would be necessary; an entry operation would be necessary on the west coast as we had information to the effect that a man whom I believe I described as a traitor to the United States was passing classified information to a foreign power.

Mr. Thompson. Were you the one who enlisted Mr. Barker's aid to come to Washington during Mr. Hoover's funeral?

Mr. Hunt. I was.

Mr. Thompson. Did he in turn enlist the aid of other Cuban-Americans to come with him?

Mr. Hunt. He did.

Mr. Thompson. What was the reason for your arrangements for them to come to Washington?

Mr. Hunt. This was in response to an urgent requirement by Mr. Liddy who indicated to me that he had information, and again I
Mr. Hamilton. They were counting on the assistance of
Mr. Hunt?

Mr. Barker. No. They were counting on forming part of
the group that with me would be involved in the eventual
liberation of Cuba. What I said was that I personally
transferred and motivated those men in that manner. They
were self-motivated in that, but I transferred that motivation
to them.

Mr. Hamilton. And all of the men that you brought in,
Mr. Martinez, Mr. Sturgis, Mr. Gonzalez, were experts in
photography, was that what you said?

Mr. Barker. No, sir. Mr. Martinez was
comparatively expert in photography. Mr. Sturgis was more
or less of a guard. Mr. Gonzalez was an expert in -- he was
a locksmith.

Mr. Hamilton. What is your knowledge as to the other
people involved in the Watergate affair, including the
seven of you who were convicted?

Senator Baker. Before you get to that, you are getting
into another line of questioning that obviously ought to be
pursued and pursued at length. But, just so that I can
abbreviate my participation in the examination at this
point, let me make another inquiry to Mr. Barker about the
matter he mentioned. That was the photography operation and
documents involved. Did you, in fact, conduct photography
operations inside of Watergate?

Mr. Barker. Yes, we did, sir.

Senator Baker. Can you tell me how many documents you photographed?

Mr. Barker. I personally selected most of the documents that were photographed.

Senator Baker. What were those?

Mr. Barker. All that I know is there were documents that involved persons that were connected with -- you see, let me explain to you exactly what I was looking for which I did not find. I was looking for people that contributed money. The files and the office that I looked into, I could tell right away that they were not the appropriate things, so I tried to find anything that had numbers in it and that talked about people that could possibly help who contributed to this.

Senator Baker. Just to make sure I understand the events we are talking about, was this on June 17th or was this on a previous occasion?

Mr. Barker. On both occasions.


Mr. Barker. No, no. On the first occasion. On the second occasion we did nothing, sir. Senator, this was on the first occasion. It would have been the same idea on the second occasion.
The United States Senate

Report of Proceedings

Hearing held before

Select Committee on Presidential Campaign Activities

SENATE RESOLUTION NO. 96 -- GENERAL INVESTIGATION

CONFIDENTIAL

Friday, May 11, 1973

Washington, D.C.

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Mr. Butter. They were counting on the assistance of Mr. Bush.

Mr. Butter. No. They were counting on faulty part of the group that with we would be involved in the eventual liberation of the. What I said was that I personally transferred and activated these men in that manner. They were self-motivated in that. But I transferred that activation to them.

Mr. Helton. And all of the men that you brought in.

Mr. Martinez, Mr. Sturgis, Mr. Gonsalez, were experts in photography, was that what you said?

Mr. Butter. No, sir. No, sir. Mr. Martinez was a photography expert in photography. Mr. Sturgis was more or less of a guest. Mr. Gonzalez was an expert in -- he was a locksmith.

Mr. Helton. What is your knowledge as to the other people involved in the Tungate affair, including the.

Snr. Butter. Before you get to that, you are getting into another line of questioning that obviously ought to be transferred to counsel at the.

Mr. Helton. But I am sure that counsel has his own development of this.

Snr. Butter. And no other input to Mr. Butter about the.

Mr. Helton. Can you tell us the photography operation and.

Snr. Butter. Did you. To date, counsel photography.
Excerpts:

Mr. Buckley: I'm, etc., sir.

Senator Baker: Can you tell us how many documents you photographed?

Mr. Buckley: I personally selected some of the documents that were photographed.

Senator Baker: What were those?

Mr. Buckley: All that I knew is there were documents that involved persons such as were connected with — you see, let me explain to you exactly what I was looking for which I did not find. I was looking for people that contributed money. The things and the opinion that I looked into, I could find right now that they were not the appropriate things, so I tried to find another that had nothing in it and then talked about people that could possibly help who contributed to this.

Senator Baker: Just to make sure I understand the words we are talking about, are this on June 17th or was it in a previous session?

Mr. Buckley: On both occasions.

Senator Baker: First to what, sir.

Mr. Buckley: No, no. On the first occasion, on the first occasion we did nothing, no. Senator, this was on the third occasion. You could see the same idea on the second one than.

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17. On May 28, 1972 Alfred Baldwin, an employee of CRP, began intercepting conversations derived from the monitoring devices placed in the telephones at the DNC. Baldwin was unable to pick up the signal from the device placed in Lawrence O'Brien's telephone. Between May 28 and June 16, 1972 Baldwin monitored approximately 200 conversations and each day gave the logs and summaries to McCord. McCord delivered these logs and summaries to Liddy, except on one occasion when Baldwin delivered the logs to the CRP headquarters.

17.1 Alfred Baldwin testimony, 1 SSC 400-01, 410-11.
17.2 Alfred Baldwin testimony, United States v. Liddy, January 17, 1973, 951.
17.3 James McCord testimony, 1 SSC 157, 232-33.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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17.1 Alfred Baldwin testimony
our individual; one of our men is here. He will be in a yellow Volkswagen, keep your eyes open for the Volkswagen, for the man sitting in it—I believe he even mentioned "boy., I do not think he said "man"; he said there is a boy sitting in a Volkswagen.

He said, "We have one of our people inside the headquarters." The problem was there was a man standing outside the headquarters, which was a second-story headquarters above—I believe there were stores—there was a chain across them.

This individual was there. This was late in the evening, approximately 1 or 2 o'clock in the early morning hours, and Mr. McCord was quite upset by the fact that this individual was standing in front of the door. He had no business being there, according to Mr. McCord. He should not have been there.

Senator Weicker. Did you meet any other individuals at that particular address?

Mr. Baldwin. That is correct. Mr. McCord had been in communication over a walkie-talkie unit with some other individuals and at one point, as we proceeded down the same street that McGovern's headquarters is located on, we stopped adjacent to a light-colored car. An individual alighted from the car, came into the front seat of Mr. McCord's car. I slid over so I was between Mr. McCord and this individual.

Senator Weicker. Can you tell me who that individual was?

Mr. Baldwin. That was Mr. Liddy.

Senator Weicker. And did you succeed in getting into the McGovern headquarters on that evening?

Mr. Baldwin. No, they drove around. Mr. McCord and Mr. Liddy did all the talking and they drove around, I do not know the exact length of time. But it was over a half hour. As a matter of fact, we drove up the alleyway adjacent to the building. There was a problem of lights. They discussed whether or not their man was inside. There were several problems. Mr. McCord said, we will abort the mission.

Senator Weicker. What was your primary job during the first 2 weeks of June? We have moved now from the end of May to the first week of June.

Mr. Baldwin. I was instructed to monitor all telephone conversations that were being received over these units that were in the Howard Johnson room and to make a log of all units.

Senator Weicker. With reference to overheard telephone conversation and excluding anything to do with personal lives of those who were overheard, can you tell the committee the content of any conversations of a political nature?

Senator Envin. Senator? I am afraid we made a mistake when we passed the Omnibus Crime Act. It may be illegal for him to say anything about the conversation. I think maybe we were very foolish when Congress passed that law, but I believe it is the law.

Mr. Baldwin. I will decline to answer that respectfully, Senator, based on 18 section 2515, prohibition of the use of evidence of intercepted wire or oral communications, which specifically states under this Federal statute that if I divulge those contents, I am subject to possible prosecution.

Senator Envin. On that basis I would suggest you not ask him.

Senator Weicker. About how many calls did you monitor?
Mr. Baldwin. Approximately 200.

Senator Weicker. Will you describe how you recorded them?

Mr. Baldwin. Initially, the first day, it was on a yellow legal pad. Mr. McCord took the actual log and copy that I had made. Subsequently, he returned to the room. I believe it was on Labor Day Monday, with an electric typewriter. He asked me to transcribe my notes into typewritten form, making up duplicate copies, an original and an onion skin. That is what I proceeded to do.

Senator Weicker. Then, who would you transmit those logs to, Mr. McCord?

Mr. Baldwin. Mr. McCord received both the original and onion skin, that is correct.

Senator Weicker. At any time, did you hand those logs to individuals other than Mr. McCord?

Mr. Baldwin. The one incident where I was telephoned from Miami and told to deliver the logs to the Republican headquarters, the Committee To Re-Elect the President, on Pennsylvania Avenue, which I did.

Senator Weicker. Now, during these first 2 weeks in June, did you engage in any other activities? Physically, did you go over to the Democratic National Committee?

Mr. Baldwin. That is correct, I did.

Senator Weicker. Would you describe that particular incident?

Mr. Baldwin. Mr. McCord appeared in the room on Monday, I believe it was the 12th of June, and advised me that—well, he furnished me a $100 bill and said, you are going to have a ball this week, here. I am going to go over to the restaurant. I want you to hang around in the cocktail lounge, the restaurant, do visual surveillance of anybody from the Democratic headquarters. He gave me a pretext to take a tour of the Democratic headquarters.

I did not agree with his approach and I asked him if I could do it a different way. I followed that way and I was given a tour of the Democratic headquarters that day.

Senator Weicker. Prior to the weekend of June 16 did Mr. McCord discuss the plans for the rest of the weekend and any subsequent plans?

In other words, what was the schedule of events for the weekend of June 16?

Mr. Baldwin. Well, after the tour, Senator, of the McGovern headquarters it was obvious that Mr. Lawrence O'Brien was not in the Washington area, that he had been to Miami and was working in Miami.

Senator Weicker. May I ask you this question, Mr. Baldwin, are you talking about McGovern headquarters or the Democratic National Committee?

Mr. Baldwin. I am talking about the Democratic National Committee headquarters. After my tour there part of the information I received there Mr. O'Brien had not been in Washington for the past month or so or longer. He had been in Miami and Mr. McCord was quite pleased to hear this. And it appeared to me that it called for a rescheduling of the timetable because he got quite upset with the fact that I would have to, he would try to make some arrangement for me to go to Miami. He had already discussed with me the fact
Senator Ervin. Did you ask Mr. Baldwin about what he did with
the information he got from the wiretap?

Senator Weicker. Mr. Chairman, I could have possibly missed
such a question. I will ask him again in any event. To whom did you
give this information, the information on the wiretaps?

Mr. Baldwin. Other than the time I delivered it to the Committee
To Re-Elect the President, I gave it to James McCord at all times.
The onionskins were still in the briefcase the night I took the briefcase.
Some of them, I can't specify that every single copy of the logs were in
his briefcase, but the night I delivered the logs to his home copies of
quite a few of the conversations were in his briefcase.

Senator Weicker. It is your testimony then that you gave these
items to Mr. McCord with the exception of one time when you
delivered them to the Committee To Re-Elect the President?

Mr. Baldwin. That is correct.

Senator Weicker. Whom did you give them to on that occasion?

Mr. Baldwin. I left them with a guard that was in the lobby. I
arrived after 6 o'clock and the guard was stationed in the lobby, the
offices had been closed.

Senator Ervin. I don't know whether it was brought out in what
form he put them in.

How did you take the information which you gave to Mr. McCord
with the exception of that one occasion—what form was it in?

Mr. Baldwin. I am sorry, Senator, do you mean the actual way
of transcribing?

Senator Ervin. The information you got while you were at the
Howard Johnson from the Democratic headquarters, what form was it
in when you gave it to Mr. McCord?

Mr. Baldwin. The initial day, the first day that I recorded the
conversations was on a yellow sheet. On Memorial Day, I believe it
is Memorial Day, on the holiday of May, I believe it was, 28th when
he returned to the room he brought an electric typewriter, he instructed
me in the upper left-hand corner to print, or by typewriter, the unit,
the date, the page and then proceed down into the body and in
chronological order put the time and then the contents of the
conversation.

I used, as unit, I used the exact frequency that we were monitoring
and after about 2 days Mr. McCord came back and said change that,
anybody reading these things is going to know the frequency.

Senator Ervin. And you typed a summary of the conversations
you overheard?

Mr. Baldwin. Well, they weren't exactly a summary, I would say
almost verbatim, Senator.

Senator Ervin. Almost verbatim.

And the names of the people who, as far as you could identify
them, were using the phones?

Mr. Baldwin. Well, that is correct. Initially, it was very hard to
establish names for maybe the first day or two. But subsequent to
that you see the problem was I had never worked one of the units
before and after Mr. McCord instructed me on how to operate it, I
could tune it so that the minute the call was either going out or
coming in I would then be in on the beginning but prior to that I
would receive a little indication on the scope and I would be into the
conversation so I would not know who they asked for or who was calling. Professional, that was correct.

Senator Ervin. Then you gave all the typewritten transcriptions of what you heard to Mr. McCord except on one occasion you mentioned?

Mr. Baldwin. That is correct, Senator.

Senator Ervin. You did not keep any carbon copies?

Mr. Baldwin. No, Mr. McCord had the onionskins and they were still in his briefcase the night I locked it.

Senator Baker. Mr. Baldwin, it is 10 minutes after 5 in the afternoon. Rather than proceed much further with the questioning, I am going to ask you a question or so, or rather, a few questions about a topic or so. Counsel and other members of the committee, necessarily well defer their questions until later. May I assume you are agreeable to returning at the committee's pleasure to answer questions?

Mr. Baldwin. Yes.

Senator Baker. The first witness we have had in a long time who has been able to smile.

On the night in question, or, rather, the morning of June 17, 1972, when you were standing on the balcony of Howard Johnson's, you testified that you saw the lights come on on the eighth floor, you saw two men on the balcony of the sixth floor, you called on your walkie-talkie on the second occasion and said, are you men dressed casually? Someone replied, no, they are dressed in business suits. Did you know whom you were talking to?

Mr. Baldwin. No, I did not, Senator.

Senator Baker. Who had you been talking to previously inside the Democratic National Convention?

Mr. Baldwin. With the walkie-talkie? Well, I hadn't used the walkie-talkie with anybody. Mr. McCord had used the walkie-talkie at all times. As I say, he had gone across the street.

Senator Baker. Could you distinguish from the quality of the reception whom you were talking to? Could you recognize the voice?

Mr. Baldwin. McCord's voice I could recognize. My assumption that I had to make was that there were two other units besides mine in operation, one unit that was turned on and the other unit that was turned off, because it was very obvious that one of the units was not on at a particular point.

Senator Baker. All I am striving for is to know if you could identify the person you were communicating with when you asked, are your men dressed casually?

Mr. Baldwin. I would be taking a—-I am not positive of it, but at this point, I would not want to implicate somebody without being positive of it. I would recognize the voice subsequently as being Mr. Hunt's, since I have heard it on several occasions.

Senator Baker. Hunt was inside the Democratic National Committee?

Mr. Baldwin. Senator, I did not know where any of the individuals were other than Mr. McCord, when he walked across the street. I had no knowledge how many or who were across the street.

Senator Baker. The voice who replied, "No, our men are in business suits," was not Mr. McCord's?

Mr. Baldwin. Absolutely. I would know Mr. McCord's.
Alfred Baldwin testimony,  
U.S. v. Liddy,  
January 17, 1973, 951

A No, I do not. I can’t even say for a fact the memo he typed that day came from the information. He did use a typewriter to type the memo in the room.

Q Did there come a time you learned what telephone was being monitored in the Democratic National Committee?

A Yes, I did.

Q Whose phone was it?

A The phone of Spencer Oliver.

Q Were you monitoring all the calls on that line?

A That is correct, all calls.

Q In-coming and out-going?

A That is correct.

Q From your monitoring of that telephone were you able to identify some of the individuals who used the phone besides Mr. Oliver?

A That is correct.

Q Can you tell us who those individuals were --

(Mr. Morgan: Mr. Charles Morgan, Jr., Esq. representing the ACLU) Your Honor, at this point I would like to interpose an objection. That is content under the statute --

THE COURT: -- You mean disclosing the individuals is disclosing the content of the conversation?

MR. SILBERT: Your Honor, I was going to approach the bench after he identified who it was he overheard.

MR. MORGAN: The identity is specifically covered by
### WITNESSES

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A: Yes, I did.
Q: Whose phone was it?
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A: That is correct, all calls.
Q: In-coming and out-going?
A: That is correct.
Q: From your monitoring of that telephone were you able to identify some of the individuals who used the phone besides Mr. Oliver?
A: That is correct.
Q: Can you tell us who those individuals were --

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The Court: -- You mean disclosing the individuals is disclosing the content of the conversation?

Mr. Silbert: Your honor, I was going to approach the bench after he identified who it was he overheard.

Mr. Morgan: The identity is specifically covered by
Mr. McCord. In the offices themselves in connection with senior personnel officers of the Democratic National Committee, and specifically, Mr. O'Brien's telephone extension.

Senator Baker. How many bugs did you plant?

Mr. McCord. Two.

Senator Baker. And where were they?

Mr. McCord. Two were in offices that face Virginia Avenue. I think you have a sketch up on the board.

Senator Baker. One of them was on Mr. O'Brien's telephone?

Mr. McCord. That was an extension of a call director, that was identified as Mr. O'Brien's. The second was Mr. Oliver's—

Senator Baker. The second one was where?

Mr. McCord. In a telephone that belonged to Mr. Spencer Oliver, who is an executive director of the Democratic State chairman of the organization.

Senator Baker. Were you specifically instructed by someone to plant those two bugs or just the O'Brien bug? Would you give us some detail on that?

Mr. McCord. Sure.

Mr. Liddy had passed along instructions from Mr. John Mitchell. He set the priorities. Mr. Mitchell had stated priorities of the installation were first of all, Mr. O'Brien's offices and such other installations as that might provide information of interest to Mr. Mitchell and to whoever else the monitoring was to go to beyond Mr. Mitchell.

Senator Baker. So the Oliver phone was bugged more or less by your choice, then, as distinguished from the O'Brien phone?

Mr. McCord. No, I think the basic choice was this; the wording from Mr. Liddy was that Mr. Mitchell wanted it placed in a senior official's office, if not Mr. O'Brien's office, some other; in other words, two such installations.

Senator Baker. Did you tape the doors on this first break?

Mr. McCord. No, I did not, Mr. Hunt did.

Mr. Baker. But they were taped?

Mr. McCord. That is correct.

Senator Baker. Now, you weren't apprehended on this first occasion, Memorial weekend. What was the purpose of the second entry into the Democratic national headquarters?

Mr. McCord. You want hearsay information again, of course.

Senator Baker. Yes, as long as it is identified as hearsay.

Mr. McCord. Mr. Liddy had told me that Mr. Mitchell, John Mitchell, liked the "inves" in quotes; that is, the documents that had been photographed on the first entry into the Democratic National Committee headquarters and that he wanted a second photographic operation to take place and that in addition, as long as that team was going in, that Mr. Mitchell wanted, had passed instructions to Mr. Liddy to check to see what the malfunctioning of the second device that was put in, second, besides Mr. Oliver's, and see what the problem was, because it was one of the two things—either a malfunction of the equipment or the fact that the installation of the device was in a room which was surrounded by four walls. In other words, it was shielded, and he wanted this corrected and another device installed.

He also said Mr. Mitchell wanted a room bug as opposed to a device on a telephone installed in Mr. O'Brien's office itself in order to trans-
Mr. McComb. It is accurate and correct to the best of my recollection, yes, sir.

Senator Montoya. Why did you turn down the overtures toward Executive clemency?

Mr. McComb. Well, there are a number of reasons. In the first place, I intended to plead not guilty. I intended to fight the case through the courts of appeal, and I never had any intention of taking Executive clemency or pleading guilty, either; both of which were usually connected together when the terms were used. In other words, if you plead guilty, there will be Executive clemency offered to you. My basic position was essentially that I would not even dispute it, either one.

Senator Montoya. That is all, Mr. Chairman.

Mr. Baker. Thank you, Senator Montoya.

[Whereupon at 12:40 p.m., the committee recessed to reconvene at 2 p.m., the same day.]

Afternoon Session, Tuesday, May 22, 1973

Senator Ervin. The committee will come to order.

Counsel will proceed.

Mr. Dash. Mr. McCord, I just have a few questions. There were many questions put to you for the period of your testimony, and I just have a few, and I do understand Minority Counsel Thompson has some questions.

I think that one of the areas that has not been covered is the role of the person who was on the other side of the wiretap which you installed the end of May 1972. Now, did you employ Mr. Alfred Baldwin for that purpose?

Mr. McCord. Yes, I did.

Mr. Dash. What was his particular assignment with regard to monitoring the wiretap?

Mr. McCord. His assignment was to listen on a radio receiver that received the transmissions from the Democratic National Committee telephones, in which the electronic devices had been installed in connection with the two dates of Memorial Day weekend and June 17, 1972.

Mr. Dash. Where was he located when he was doing this monitoring?

Mr. McCord. On the seventh floor of the Howard Johnson Motel across the street from the Democratic National Committee headquarters.

Mr. Dash. Now, Mr. McCord, can you see the chart on the easel there? [Exhibit No. 12, p. 101.]

Mr. McCord. Yes, sir.

Mr. Dash. The drawing purports to show the Howard Johnson on your right and the Watergate Office Building on your left. Now, does it represent the room 723 which was used by Mr. Baldwin for monitoring of those telephones?

Mr. McCord. Yes, it was.
Mr. Dash. And he was just right across the street in doing that?
Mr. McCord. Yes, sir.
Mr. Dash. In his monitoring how was he recording what he was hearing?
Mr. McCord. He was listening with headphones to the conversations that were being transmitted and would take down the substance of the conversations, the time, the date on the yellow legal-sized scratch pad, and then ultimately would type them up a summary of them by time, chronological summary, and turn that typed log in to me and I would deliver them to Mr. Liddy.

Mr. Dash. Did you deliver them to Mr. Liddy directly?
Mr. McCord. Yes.

Mr. Dash. Now, did there come a time when you were delivering those logs that they were retyped?
Mr. McCord. I know of at least one instance in which that occurred because I saw them being retyped.

Mr. Dash. Was it your understanding that that occurred on more than one occasion, even though you yourself may not know?
Mr. McCord. Yes.

Mr. Dash. What was the purpose of retyping the log, did Mr. Liddy explain that to you?
Mr. McCord. I believe some general explanation, in substance that he wanted them in a more final complete form for discussion with Mr. Mitchell and whoever else received them.

Mr. Dash. Now, who did this retyping?
Mr. McCord. Sally Harmony, H-a-r-m-o-n-y, who was the secretary to Mr. Liddy at the Committee for the Re-Election of the President.

Mr. Dash. Did you have occasion to observe her typing the logs?
Mr. McCord. Yes, I did.

Mr. Dash. Did you have occasion to talk to her while she was doing it?
Mr. McCord. Yes, I did.

Mr. Dash. In that conversation you had with Sally Harmony, did she give you any indication that she understood what she was doing when she was retyping that log?
Mr. McCord. Yes, she did.

Mr. Dash. As a matter of fact, could you briefly describe, without going into any of the contents what a log would be, what actually would be entered on the log which Mr. Baldwin would first type and then be retyped by Miss Harmony?

Mr. McCord. It would be similar to any other telephone conversation that one person might make to another beginning with a statement on his log of the time of the call, who was calling who; a summary of what was said during the conversation itself, including names of persons who were mentioned during the conversations by phone, any thing of sufficient significance to set forth in the log.

Mr. Dash. Then it would be true that anybody reading that would have no difficulty knowing it came from a telephone conversation?
Mr. McCord. That is correct.

Mr. Dash. I think you testified earlier, and I just wanted to get it clear for the record, that your discussions with Mr. Liddy concerning meetings he had with the Attorney General, indicated that Mr.
18. During the first or second week in June 1972, Magruder received transcripts of conversations intercepted from the DNC headquarters. The transcripts were typed on stationery captioned "Gemstone." In addition to the transcripts, Magruder was supplied with prints of the documents photographed during the initial entry into the DNC headquarters. During this period, Magruder handed his administrative assistant, Robert Reisner, documents on the top of which was printed the word "Gemstone." Magruder instructed Reisner to place the Gemstone documents in a file marked "Mr. Mitchell's file," which was to be used for a meeting between Magruder and Mitchell. Shortly after the June 17, 1972 break-in at the DNC headquarters, Magruder told Reisner to remove the Gemstone files containing transcripts of conversations and other politically sensitive documents from the CRP files. Thereafter Reisner destroyed certain of the documents.

18.1 Jeb Magruder testimony, 2 SSC 796-97, 800.
18.2 Robert Reisner testimony, 2 SSC 491, 494, 506-07, 526.
18.3 "Gemstone" stationery, SSC Exhibit No. 16, 2 SSC 877.
18.4 Sally Harmony testimony, 2 SSC 461, 467.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JUNE 5, 6, 7, 12, 13, AND 14, 1973
Book 2

Printed for the use of the
Select Committee on Presidential Campaign Activities
U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

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for the equipment, and the early costs of getting this kind of an operation together. Mr. Mitchell understood, evidently told Mr. Stans it had been approved and the approval was complete.

Mr. Dash. Did you receive, Mr. Magruder, any progress reports after the approval by Mr. Liddy?

Mr. Magruder. No, I did not.

Mr. Dash. Did you know that there was to be an entry in the Democratic National Committee headquarters?

Mr. Magruder. Well, I assumed that it would be. I did not know specifically when Mr. Liddy would do that, as I recall. I do not remember that he discussed the exact date with me, no.

Mr. Dash. Well, do you recall a discussion that you had with Mr. Liddy concerning an effort to enter the McGovern headquarters?

Mr. Magruder. Yes. I think after the, as I recall, it was after the first entry of the DNC headquarters, Mr. Strachan and I were in my office and Mr. Liddy came in, not in a formal meeting sense, just came in and indicated that he had had trouble the night before, that they tried to do a survey of the McGovern headquarters, and Mr. Liddy indicated that to assist this he had shot a light out. At that time both Mr. Strachan and I both become very concerned because we understood from Mr. Liddy that he would not participate himself nor would anyone participate in his activities that could be in any way connected with our committee.

Mr. Dash. Now, after this entry into the Democratic National Committee headquarters, which you have testified to before this committee, which occurred on May 27, or around Memorial Day weekend of 1972, did Mr. Liddy report that to you?

Mr. Magruder. Yes.

Mr. Dash. And what did Mr. Liddy tell you when he reported that?

Mr. Magruder. He simply indicated that he had made a successful entry and had placed wiretapping equipment in the Democratic National Committee.

Mr. Dash. Did he report to you at all that he had a monitoring station at the Howard Johnson motel across the street?

Mr. Magruder. My understanding, my recollection was that he had it in the truck somewhere but I guess he did not. That is, my recollection was that it was in the truck but I gather it was in the Howard Johnson.

Mr. Dash. Were you aware at any time of Mr. Baldwin's participation in this?

Mr. Magruder. No, sir.

Mr. Dash. When did you get any of the fruits or the results of this bugging and photography operation?

Mr. Magruder. Approximately a week, a week and a half after the initial entry we received, I received, the first reports; they were in two forms. One was recapitulation of the telephone conversations. They were done in a form in which you would know they were telephone conversations but they were not direct references to the phone conversations. And the second, photography, the pictures of documents that they had taken at the Democratic National Committee headquarters.

Mr. Dash. Was there any special feature about these photographs?
Mr. Magruder. Well, the famous fingers were on the photographs, the rubber gloves with the fingers.

Mr. Dash. Now, the documents from which you say the capitulation of the telephone conversations—where were they placed and what was the form of those documents?

Mr. Magruder. They were under the Gemstone stationery. You have seen it since I have.

Mr. Dash. Well, perhaps you can identify this for us.

Mr. Magruder. I can see it. I have not seen it since June 19.

Mr. Dash. Take a look at this exhibit which has been entered into the record. Is that the form of the document?

Mr. Magruder. Yes, sir.

Mr. Dash. Do you recall seeing an envelope of this kind?

Mr. Magruder. I think that it did come in that form. I remember seeing the envelope. I can't recall whether the Gemstone material did come in that envelope, but it could have very well.

Mr. Dash. Now, you say you received it in two installments.

Mr. Magruder. Yes, sir.

Mr. Dash. And did both installments include the typewritten telephone conversations and photographs?

Mr. Magruder. As I recall, they both included that.

Mr. Dash. Did you show these so-called Gemstone materials with the photographs to anybody?

Mr. Magruder. Yes, I brought the materials in to Mr. Mitchell in my 8:30 morning meeting I had each morning with him.

Mr. Dash. At that time, where was Mr. Mitchell's office located?

Mr. Magruder. He was now in the campaign, and he had an office in the campaign committee and he had an office in his law firm, and we would meet in either office depending on his schedule, and at that time, I showed him the documents, and I think as Mr. Reiner has discussed, I also had two files. He, as I recall, reviewed the documents, indicated, as I did that there was really no substance to these documents, and at that time, as I recall, it was at that time he called Mr. Liddy up to his office and Mr. Mitchell indicated his dissatisfaction with the results of his work.

Mr. Dash. Well, did he ask for anything more than he was dissatisfied? Did he ask for anything more?

Mr. Magruder. He did not ask for anything more. He simply indicated that this was not satisfactory and it was worthless and not worth the money that he had been paid for it.

Mr. Dash. Mr. Magruder, did he mention anything about the fact of the O'Brien information, he did not see any O'Brien telephone—

Mr. Magruder. There was no information relating to any of the subjects he hoped to receive, and Mr. Liddy indicated there was problem with me wiretap and one was not placed in a proper phone and he would correct these matters and hopefully get the information that was requested.

Mr. Dash. Did you show these documents, the so-called Gemstone documents, to Mr. Strachan?

Mr. Magruder. As I recall, because of the sensitive nature of these documents, I called Mr. Strachan and asked would he come over and look at them in my office rather than sending a copy to his office,
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—

Mr. DASH. That solution came up as a result of that meeting?

Mr. MAGRUDER. Well, I think yes, it was generally concluded that that file should be immediately destroyed.

Mr. DASH. Now, as to Mr. Dean's participation, by the way, in these meetings, was Mr. Dean operating on his own, or what was your understanding of Mr. Dean's role at these meetings?

Mr. MAGRUDER. Mr. Dean was the person who had worked with us on many of these legal matters. He had brought Mr. Liddy to the meeting. He was a close associate of ours through Mr. Mitchell, and, of course, all of us knew Mr. 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 his background.

Mr. DASH. And would he, from your understanding, be representing any White House interest at these meetings?

Mr. MAGRUDER. I think you would really have to ask Mr. Dean that question.

Mr. DASH. Now, did you instruct Mr. Reisner to destroy any other files?

Mr. MAGRUDER. As I recall, I asked Mr. Reisner to call 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 any documents that could be damaging, whether they related at all to the Watergate or not.

Mr. DASH. Mr. Sloan has testified before the committee, Mr. Magruder, that shortly after your return and after the break-in, that you asked him to perjure himself concerning the amount of money that Mr. Sloan had given Mr. Liddy. Could you state your own recollection of that discussion with Mr. Sloan?

Mr. MAGRUDER. Well, 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, give some advice, I think, we talked about what would he do about the money.

My understanding of the new election law indicated that he would be personally liable for cash funds that were not reported. These were not reported funds. So I indicated at that meeting that I thought he had a problem and might have to do something about it.

He said, you mean commit perjury? I said, you might have to do something like that to solve your problem and very honestly, was doing that in good faith to Mr. Sloan to assist him at that time.

Now, later we met three times, twice that week and once after he returned from his vacation. That was on the subject of how much money had been allocated to Mr. Liddy. Now, I, in thinking of about 7 months from the time we authorized the funds to the time of the November election, I thought that Mr. Liddy should have received
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
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SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
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[297]
dicated that Mr. Magruder had a meeting in the Attorney General's office and that it was the intention at the time that this notation was made that Mr. Liddy would accompany Mr. Magruder to that meeting. This does not record the fact that such a meeting would have taken place.

Mr. LENZNER. Now, for the same date, February 4, is there also an indication that reads, file folders ready for AG?

Mr. REISNER. Yes, it does, at 2 o'clock.

Mr. LENZNER. Would you explain what that means?

Mr. REISNER. The nature of Mr. Magruder's, the way in which he prepared himself to go to meetings with Mr. Mitchell, both during the time that he was Attorney General and subsequently, was that he had two large gray file folders. One of them contained documents that Mr. Magruder wished to bring up with Mr. Mitchell, the other contained copies, identical copies of those documents and for Mr. Magruder's convenience so that if he handed Mr. Mitchell a copy of a document he would himself have a copy to refer to, and that is what this refers to. It means that those two folders were prepared with the documents that he wanted to take to the meeting with him.

Mr. LENZNER. Prior to the meeting with Mr. Mitchell, did Mr. Liddy ask you to obtain anything for him in preparation for that meeting?

Mr. REISNER. I am not certain whether this was the meeting. I do not remember Mr. Liddy going to meetings with Mr. Mitchell very often. I presume this was the meeting. I can remember a conversation with Mr. Liddy in which he came to me and indicated that he had something of the nature of a visual presentation that he wished to make and he was interested in being certain that there was an easel or something that he could mount this on in Mr. Mitchell's office. I subsequently tried to determine whether there was such assistance. I do not think I had it myself, I think I asked one of the secretaries to call Mr. Mitchell's secretary to make that determination, and there was none. That was the nature of the conversation and his inquiry.

Mr. LENZNER. Did you ever see Mr. Liddy with any charts or packages?

Mr. REISNER. I saw him with a package that I think might have been charts and might not have been charts. I can't say.

Mr. LENZNER. Do you remember approximately when that was?

Mr. REISNER. I relate it to approximately the same period of time.

Mr. LENZNER. Do you know if anybody else attended this meeting on February 4 or was scheduled to attend it besides Mr. Liddy and Mr. Mitchell and Mr. Magruder?

Mr. REISNER. I do not know. I have been shown the records that were kept by the secretary who worked for me, Vicki Chern, and in those records it indicates that Mr. Dean attended, would have been invited to attend that meeting too. That is what the records show. I have no recollection myself.

Mr. LENZNER. Now, in February or March of 1972, did Mr. Liddy furnish you with a document to give to Mr. Magruder?

Mr. REISNER. I think that we have discussed a document which Mr. Liddy gave to me. He from time to time would come into my office, which was located in front of Mr. Magruder's office, it was adjacent, when Mr. Liddy was unable to get in to see Mr. Magruder, because he was busy or for other reasons or perhaps he just hadn't
subsequent occasion, I think probably these are the documents—I mean, I think that this is the stationery.

Mr. Lenzner. You say the documents you saw at the grand jury are not—

Mr. Reisner. No, no. I have never been shown documents by Mr. Silbert or his staff. He indicated that he might at some future time to that. He, I do not think, has had an opportunity to do that. But at the time, I was asked to try to identify what I saw. And when I did so, I identified it slightly differently than this, but upon seeing this, I think that this is the same document. I am just trying to be accurate on that.

Mr. Lenzner. Now, approximately when did you see these documents and describe the circumstances surrounding your observations?

Mr. Reisner. During the week prior to June 17, and perhaps it was during the 2 weeks prior to June 17—I cannot be certain on exactly the time—I observed documents similar to this here.

Mr. Lenzner. You are referring to the stationery?

Mr. Reisner. I am referring to the stationery with "Gemstone" at the top.

Senator Ervin. The stationery has already been marked for identification.

Mr. Reisner. It is exhibit 16 for identification.

On that occasion, it was simply in Mr. Magruder's hands or lying on his desk. I am not certain. Subsequently, I was handed the document and I was handed it in such a way that it was indicated to me very clearly that it was not for me to observe, that it was not for my conception.

At the time it was handed to me—that was the second time that I saw it. It was during those 2 weeks prior to the 17th.

Mr. Lenzner. It was Mr. Magruder who handed them to you in his office, is that correct?

Mr. Reisner. Yes, he did.

Mr. Lenzner. Did he hand what appeared to be stationery and the envelope together?

Mr. Reisner. My memory of the envelope is that it was slit open and that the stationery was either in it slit open or on top of it and that they were together.

Mr. Lenzner. What were his instructions? What were you supposed to do with these materials?

Mr. Reisner. At that time, I was doing the activity that I described a few moments ago; I was preparing Mr. Mitchell's files for a meeting with Mr. Mitchell. Now, he was campaign director at this time and it was a daily activity.

Mr. Lenzner. You were told——

Mr. Reisner. I was handed the documents and I was asked to put them in Mr. Mitchell's files. The nature of that is that things that Mr. Magruder might have wished to take up with Mr. Mitchell were put in the file marked "Mr. Mitchell's file," and that is all. That does not indicate any more than that.

Mr. Lenzner. Is it accurate also that you saw these on a third occasion in Mr. Magruder's drawer?

Mr. Reisner. Yes, it is.

Mr. Lenzner. On either of those occasions, were there also photographs with the stationery and the envelope?
place at the White House or in the Executive Office Building. If it was a member, more junior member of the staff, it probably took place in our office.

Senator Ervin. What senior members of the White House staff would Mr. Magruder meet with at the White House?

Mr. Reisner. Here, to be precise, he did not meet that frequently. He probably talked on the phone more with senior members of the White House staff. I think that he met with virtually all of the senior members of the White House staff that were concerned with other political activities of one kind or another or the campaign.

Senator Ervin. And who would those senior members be?

Mr. Reisner. That would have been Mr. Colson, Mr. Dent, Mr. Ehrlichman, perhaps later, after the campaign got going and the platform was important, Mr. Haldeman, perhaps. All of these men, of course, were extremely busy. When Mr. Magruder went over there I was not certain whether in fact he had been able to see them or not.

There were others.

Senator Ervin. Which members of the White House staff came down to the committee headquarters of the Committee to Re-Elect the President to see Mr. Magruder?

Mr. Reisner. It would have depended upon the subject of the meeting. If the meeting concerned something that one of them was directly involved in—Mr. Timmons was the man who oversaw the convention. He would have come probably to the committee offices and met with Mr. Magruder and other people concerned with the convention. I would say that the more senior the member of the White House staff the less likely he would have had time to come to the committee and, therefore, they would have come less frequently.

Senator Ervin. Did Mr. Dean ever come to the Committee to Re-Elect the President and consult Mr. Magruder?

Mr. Reisner. Yes, he did, and he did not come that frequently, he came on several occasions that I saw him there.

Senator Ervin. Did you receive any instructions from Magruder about the shredding of documents after June 17, 1972?

Mr. Reisner. Well, yes, sir. I received instructions that related to documents that were later destroyed. What I received were instructions to look through the files and to try to centralize documents that were sensitive politically. The purpose—the instruction was not to find political things and shred them, the instruction was “Go find the sensitive political documents that we have in our files and bring them to me.” And that is what I did. Some of these were subsequently destroyed, because they appeared in his outbox and were marked “destroy" and others I didn’t see again.

Senator Ervin. What was the general nature of them?

Mr. Reisner. Virtually anything—well, I think Mr. Magruder’s secretary and I looked through his own files. I think other people on the committee did similar things and virtually anything that concerned the opposition, contenders, that sort of thing, that would have been awkward or politically damaging to—well, no, even broader than that. Anything that would have concerned the opposition.

Senator Ervin. As I understand one of the files that you gave to Mr. Odle at the time that Mr. Magruder called from California was a file relating to the seven opposing contenders?

Mr. Reisner. I believe it was, yes, sir.
Senator Ervin. In other words, that was done on candidates for the Democratic nomination?

Mr. Reisner. To be specific, I gave Mr. Odle two files, one that was contained inside another. One file was the file that has become known as the Gemstone file and I don't know what the contents were. I know from reading the newspaper now what I presume them to be. The other file was a file concerned—it was called "attack" or "attack strategy." That concerned materials that contained materials concerning the opposition, but I am not certain of exactly what was there on the 17th.

Senator Ervin. Did you receive any documents from Mr. Liddy on June 16, 1972?

Mr. Reisner. Yes, I did.

Senator Ervin. What were they?

Mr. Reisner. I received an envelope that I believe was similar to the one I identified as saying sensitive material on it. Mr. Liddy at that time gave me this envelope, which was sealed and said to me, "Here is an extra" or something like that; Magruder wanted a copy, Magruder wanted an extra. That is the document that I received.

Senator Ervin. And you gave that to Mr. Magruder?

Mr. Reisner. No, I didn't.

Senator Ervin. What became of it?

Mr. Reisner. Here is what happened to it. I put it in my drawer and that clearly would have fallen in the category, I presume, of documents similar to the one I have called the Gemstone file. The reason it would have is that it came in a similar envelope and Liddy had called it a copy.

On Monday morning, I discovered that I had not given that to Mr. Magruder—I mean to Mr. Odle—as I had been instructed to do. It was a copy, I presumed, of the material I had given to Mr. Odle and it was not with it. In fact, I guess I hadn't done what I was asked to do, to get that sensitive material out of the office.

At that point, I did not know Mr. Magruder was going to return that Monday morning; it turns out he was already in Washington. And thinking that it was a copy and sensitive material that should have been gotten out of the office, I destroyed it.

Shortly thereafter, Mr. Magruder came into the office and I realized I could have turned it over to him, so I realized it was a mistake on my part. I am sure he is learning for the first time about this.

Senator Ervin. That was destroyed by shredding?

Mr. Reisner. Yes, sir.

Senator Ervin. And that happened on June 18?

Mr. Reisner. Yes, sir.

Senator Ervin. When were you first interviewed by the prosecuting attorney, Mr. Silbert?

Mr. Reisner. I met Mr. Silbert for the first time on April 8 of this year.

Senator Ervin. And did you make a statement to him, substantially what you have made to the committee today?

Mr. Reisner. Yes, sir. It was not on April 8 that I made this statement. As a matter of fact, I had completely forgotten that action. You are speaking of the shredding of that document or the Gemstone?
fectly legal way, it would have been sensitive, but it would not have been any more sensitive than anything else that was taken home.

I gave it to Mr. Odle because I was told to give it to Mr. Odle and my relationship with Mr. Odle was one of trust. I mean there was no reason not to give it to him. I was just asked to. I am certain I would have taken it home if Mr. Magruder had said it the other way.

Senator Montoya. Did you on that day do any shredding?

Mr. Reisner. No, sir.

Senator Montoya. Did you on any subsequent day do any shredding?

Mr. Reisner. Yes, sir.

Senator Montoya. Tell us about that.

Mr. Reisner. Subsequently, I, on Monday morning, as I have indicated—on Friday I had been given a document. I presumed it was a document. I had been given an envelope which was marked "sensitive material." When I was given that envelope—

Senator Montoya. Who gave you that envelope?

Mr. Reisner. Mr. Liddy. When I was given that envelope by Mr. Liddy, he indicated to me that it was a copy or an extra. It was standard operating procedure for me to get rid of copies. There were five copies made of all the documents that were given to Mr. Mitchell and clearly, that was not necessary for the files. Many of them were sensitive and I would get rid of them.

Now, on that Monday morning following the 17th, I discovered that I had not in fact taken home that copy—I had not given that copy to Mr. Odle as I had been instructed to.

Senator Montoya. I understood that from your testimony, but the point I am trying to make is: did you shred many documents after June 17?

Mr. Reisner. Oh, no; not many. It is conceivable that Mr. Magruder might have put something in his out box and said, "destroy"—just written "destroy" on the thing, or "shred," or something.

Senator Montoya. Did you, on your own, take and examine files and pull out sensitive documents and shred them?

Mr. Reisner. There is a distinction. The distinction is that if it had been an original, it is extremely unlikely that I would have destroyed something that was an original without having Magruder indicate that he did not need it any more. If it was a copy, I am certain I destroyed many copies.

Senator Montoya. Well, after June 17, did you receive any instruction and pursuant to those instructions, if you did receive them, proceed to categorize documents as sensitive or confidential and then proceed to shred them?

Mr. Reisner. No, sir. The instructions were, find those sensitive materials that may be in the files and give them to me, which is what I did.

Senator Montoya. And I think you indicated in the previous testimony that you wanted to centralize the sensitive document in one particular file. That you did, too, did you not?

Mr. Reisner. What I did was I called the files to find things that were sensitive, gave them to Mr. Magruder. It is conceivable that he put them all in one file. It is conceivable he might have given them
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JUNE 5, 6, 7, 12, 13, AND 14, 1973
Book 2

Printed for the use of the
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[303]
INTERROGATION OF WITNESSES BY MEMBERS OF THE COMMITTEE AND COUNSEL

No. 20—Entered into the record on page 535. Chart entitled "transactions as of April 7, 1972, Cash Deposits and Disbursements, including 'committed' items".

No. 21—Entered into the record on page 574. Mexican bank checks dated April 4, 1972, to Sr. Manuel Garrolo, also shown are endorsements of checks.

No. 22—Entered into the record on page 631. Cashiers check from First Bank & Trust Co. of Boca Raton, N.A., to Kenneth H. Dallberg, dated April 10, 1972, also shown is endorsement of check.


No. 25—Entered into the record on page 631. Cashiers check from First Bank & Trust Co. of Boca Raton, N.A., to Kenneth H. Dallberg, dated April 10, 1972, also shown is endorsement of check.


No. 28—Entered into the record on page 631. Cashiers check from First Bank & Trust Co. of Boca Raton, N.A., to Kenneth H. Dallberg, dated April 10, 1972, also shown is endorsement of check.
EXHIBITS SUBMITTED FOR THE RECORD

Exhibit No. 16

GEMSTONE

date

source
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
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[306]
Mr. Dash. I am specifically addressing my question not to content
but to identifying any names. So restrict the question to that.

Mrs. Harmony. The name of Spencer Oliver and another name
given as Maxie.

Mr. Dash. Did you ever receive any telephone logs from Mr.
McCord? Do you know Mr. McCord?

Mrs. Harmony. Yes; I have met Mr. McCord.

Mr. Dash. James McCord. How did you know Mr. McCord?

Mrs. Harmony. He was the security officer for the committee.

Mr. Dash. Did he ever come to you with any memos or telephone
logs for you to type?

Mrs. Harmony. On one occasion, he asked me, stopped at my
desk—Mr. Liddy wasn't in—and asked me for an envelope, put a
piece of paper in it, and put it on Mr. Liddy's desk.

On another occasion, he did give a folded paper to me, which I
looked at and recognized as being in the telephone conversations
that I had done before, that Mr. Liddy had dictated.

Mr. Dash. Did you type these telephone logs on any particular
stationery?

Mrs. Harmony. Yes; Mr. Liddy had printed a stationery with the
name "Gemstone" across the top of it. I don't recall, sir, that all of
these logs were typed on that particular stationery. I think probably—

Mr. Dash. Did you have any directions as to how you were to use
this stationery? When were you to use the so-called "Gemstone"
stationery?

Mrs. Harmony. I used it for the telephone conversations that I
typed.

Mr. Dash. For the telephone conversations?

Mrs. Harmony. Yes.

Mr. Dash. I would like to show you two pieces of stationery. Mrs.
Harmony, do you recognize the stationery as that which had been
delivered to you?

Mrs. Harmony. I recognize the way it is set up, yes, sir.

Mr. Dash. Is that the stationery you used?

Mrs. Harmony. Mr. Dash, I did not think the stationery was
white. It might have been.

Mr. Dash. Did you receive the delivery of the Gemstone stationery?

Mrs. Harmony. Yes, I did.

Mr. Dash. And when was that?

Mrs. Harmony. I cannot recall specifically when it was delivered.

Mr. Dash. Now, did the stationery have a kind of printing on it
like this?

Mrs. Harmony. Yes, sir, I think it did although this at the bottom
I do not remember the warning.

Mr. Dash. Who was the printer who printed the Gemstone
stationery?

Mrs. Harmony. Mr. Post.

Mr. Dash. And do you know at whose direction?

Mrs. Harmony. I do not know.

Mr. Dash. And Mr. Post has submitted under subpoena these
copies of stationery printed under Mr. Liddy's orders and delivered
to you?
Mr. Thompson. The first one, when did you become aware of what was in it?

Mrs. Harmony. Mr. Liddy gave it back to me and asked me to type it.

Mr. Thompson. You recognized the envelope as before?

Mrs. Harmony. No, no, that I cannot make as a factual statement. It was out of the envelope but I assumed it was what Mr. McCord had given since he had given me one after that.

Mr. Thompson. You believe there were eight of these memorandums?

Mrs. Harmony. That is a guess.

Mr. Thompson. When did you use the Gemstone stationery, the printed Gemstone stationery, how many times did you use that?

Mrs. Harmony. Perhaps two or three, Mr. Thompson; I cannot be definite on that.

Mr. Thompson. The printed Gemstone stationery was used only on the illegal or the telephone bug results?

Mrs. Harmony. Yes, as I recall.

Mr. Thompson. Going back again to the second category of the general intelligence information, for a while there I believe you used plain bond paper to type those memorandums?

Mrs. Harmony. Yes, sir.

Mr. Thompson. Did you for a time type the word "Gemstone" across the top of it?

Mrs. Harmony. Yes, sir.

Mr. Thompson. You had Ruby 1 and Ruby 2 references and so forth?

Mrs. Harmony. Yes, sir.

Mr. Thompson. As far as the printing is concerned, that was only used for the telephone bug material.

Let me ask you just another question or two, Mrs. Harmony. You said Mr. Magruder contacted you in March of 1973. Actually, it was after your first interview with the committee staff, was it not? He contacted you on one occasion after?

Mrs. Harmony. Mr. Thompson, as I recall, it probably was after I first talked to two of the people.

Mr. Thompson. That was on March 31, 1973?

Mrs. Harmony. Yes, sir.

Mr. Thompson. Did you discuss with Mr. Magruder the fact that you had talked with the committee staff?

Mrs. Harmony. I do not know whether I discussed it with him or not. He was aware that I had talked to them.

Mr. Thompson. Do you remember how the subject of Mr. Mitchell was first broached?

Mrs. Harmony. No, sir, I do not know how it was first broached.

Mr. Thompson. Had you had any previous conversations with Mr. Magruder from June 17, 1972, or say, July of 1972, when you left the committee, up until this particular time?

Mrs. Harmony. Yes, I had talked with Mr. Magruder previous to that.

Mr. Thompson. What did you talk about?

Mrs. Harmony. Well, at one time, I was out of a job, so I was sent to Mr. Magruder to find another job with the committee.

Mr. Thompson. Did you talk about the Watergate affair during this period of time?
Before June 17, 1972 Liddy, Hunt, Barker and McCord engaged in certain preliminary intelligence activities preparatory to the Democratic National Convention to be held in Miami, Florida.

19.1 E. Howard Hunt testimony, 9 SSC 3688, 3785-86, 3795.
19.2 James McCord testimony, 1 SSC 184-85.
19.3 Alfred Baldwin testimony, 1 SSC 401-02.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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Book 9

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Mr. DASH. All right now, Mr. Hunt, with regard to the Democratic Convention in Miami, did you give any assignments to Mr. Barker?
Mr. HUNT. I did.
Mr. DASH. And what, if any, assignment did you give Mr. Barker?
Mr. HUNT. We are speaking now only of the Democratic Convention.
Mr. DASH. Democratic.
Mr. HUNT. Mr. Barker's principal assignment was to develop a network of informants along the Miami Beach hotel complex who could report to us concerning campaign developments, convention developments, policies of individual Democratic candidates.
Mr. DASH. Did he also have an assignment to procure 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. HUNT. Yes.
Mr. DASH. What were 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. DASH. 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 May 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 Mr. 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?
Mr. HUNT. Yes, sir.
Mr. DASH. Where were you situated when the entry team was arrested?
Mr. HUNT. In room 214 of the Watergate Hotel, which is another building.
Mr. DASH. What did you do immediately after you were made aware that an arrest had taken place?
Mr. HUNT. I closed up Mr. McCord's briefcase, which contained electronic equipment, and with Mr. Liddy, we left the premises. I drove to the White House, where I inserted the briefcase belonging to Mr. McCord, into my two-drawer safe. I went—I believe I called Mr. Douglas Caddy's apartment, he being an attorney.
Mr. DASH. Who is Mr. Caddy?
Mr. HUNT. Mr. Douglas Caddy, an attorney and a former employee of the Mullen Co., and asked him if he could receive me at that early hour of the morning.
Mr. Sachs. I think Mr. Hunt would want me to say that it isn't that he doesn't feel well, but this has been going on for days and days, and I think it is fairly obvious really that he is rundown.

Senator Envin. Let us see.

I think maybe we have counsel also, I was trying to find in addition how many questions the Senators have.

Mr. Sachs. Mr. Chairman, if I might interrupt—

Senator Envin. Yes.

Mr. Sachs [continuing]. I do think it would be Mr. Hunt's preference if it were possible to finish today, assuming he could have some kind of a break now.

Senator Envin. Yes, we will give him a break now and we will see if we can finish. I know Mr. Hunt has been answering questions very freely, I think, and he has been cooperating with the committee, and the committee, I think, should cooperate with him. Whenever you are ready to resume, just let us know.

Mr. Sachs. May we have a 10-minute break?

Senator Envin. Yes.

[Recess.]

Senator Envin. The committee will resume with Senator Talmadge.

Senator Talmadge. Thank you, Mr. Chairman, and I shall be very brief, and this will conclude my questions of Mr. Hunt.

Mr. Hunt, did you engage in any successful clandestine activities that you have not informed this committee about?

Mr. Hunt. Would you care to limit that, Senator, to a particular period of time?

Senator Talmadge. During the time you were engaged in the operation of the Plumbers?

Mr. Hunt. No.

Senator Talmadge. You did not. Now, was there a time when you discovered that Mr. Larry O'Brien, the chairman of the Democratic National Committee, and other officials had reserved a room at the Sonesta Beach Hotel at Key Biscayne?

Mr. Hunt. There came a time, Senator, if you will permit me to answer in the following fashion, that I was told by Mr. Liddy that Mr. Joe Stuart Magruder had informed him that such a reservation had been made.

Senator Talmadge. Did you instruct Mr. Barker to reserve two rooms at the Sonesta Beach Hotel near the room reserved for Mr. O'Brien?

Mr. Hunt. It would have been for the purposes of surveillance.

Senator Talmadge. What type of surveillance?

Mr. Hunt. Electronic surveillance.

Senator Talmadge. Whose idea was that?

Mr. Hunt. That was, as I understood it, Mr. Magruder's idea. However, I would like to add, I was told subsequently by Mr. Liddy in some heat that he had determined Mr. Magruder's initial information to be inaccurate. That, in fact, Mr. O'Brien had not made such reservations.

Senator Talmadge. So that operation was aborted?

Mr. Hunt. It was an operation that had no basis.
Senator Talmadge. Never proceeded, it was aborted, recalled, killed?
Mr. Hunt. No, it never proceeded; yes, sir.
Senator Talmadge. Now, did you tell Mr. Barker to find two safe houses in the area of the Democratic National Convention hall?
Mr. Hunt. I recall telling him specifically to acquire space in one building which was to the rear of Convention Hall. It had been suggested to me that I instruct him to obtain second quarters, a second site. If that is in fact so, I would suggest at this time that he received instructions from Mr. Liddy to acquire space in a second site.
Senator Talmadge. For what purposes were these safe houses to be used?
Mr. Hunt. For visual observation and for the housing of the operational units.
Senator Talmadge. That is the Plumbers Unit?
Mr. Hunt. For Mr. Liddy, myself, and our close associates who would be involved in the Miami Beach activities; yes, sir.
Senator Talmadge. What criteria did you use in choosing these places?
Mr. Hunt. Their accessibility to the convention site, geographical position.
Senator Talmadge. Did you instruct Mr. Barker to obtain information on blueprints of the Fontainebleu Hotel in Miami Beach?
Mr. Hunt. No, sir.
Senator Talmadge. You did not.
Did you recruit Cuban employees at the Fontainebleu for possible intelligence activities within the hotel?
Mr. Hunt. They were not recruited. Senator, Mr. Barker and one of his associates, I believe, approached them with that in mind, but they were not recruited.
Senator Talmadge. That was also aborted. Is that correct?
Mr. Hunt. Yes, sir. Mr. Barker and his friends were in jail by then.
Senator Talmadge. Who gave the order to plan these activities?
Mr. Hunt. I did.
Senator Talmadge. Thank you, sir. I have no further questions.
Mr. Chairman.
Senator Symn. Senator Weicker.
Senator Weicker. Mr. Hunt, when you were responding to the chairman's questioning, you made a statement that I would like to go back to, if I could, and ask you the following question: How did room 16, what was known as room 16 in the old Executive Office Building, know that Dr. Ehrlich had called a psychiatrist?
Mr. Hunt. On the basis of an FBI report.
Senator Weicker. So this would be on the basis of a wiretap?
Mr. Hunt. That was my construction of the source of the report. Senator, based on my familiarity with the terminology and phraseology used when a telephone intercept is being disguised in a report that is for general dissemination.
Senator Weicker. Are you aware of the fact that Mr. Liddy met with Mr. Mardian over at the Internal Security Division from time to time, on the Ehrlich matter?
Senator Montoya. Now, one final question: Do you definitely state to this committee that there was no offer of clemency made to you since June 17 up to the present time?

Mr. Hunt. I so state.

Senator Montoya. Did you have any conversation with anyone at the White House or at the CRP or any conversation communicated to any of these people through your attorney, Mr. Bittman, or his successor, with respect to clemency?

Mr. Hunt. No, sir.

Senator Montoya. Mr. Dean has testified here that there was an offer of clemency made to you, and that the President had authorized such offer to be made to you, and it has also been testified here previously by Mr. Caulfield, by Mr. Dean, that offers of clemency were communicated from higher—people who were in the upper echelons at the White House—that clemency would be extended to Mr. McCord. Are you aware of that situation?

Mr. Hunt. I am aware of such testimony, sir.

Senator Montoya. Yes. Did it appear to you unusual that you did not receive such offers?

Mr. Hunt. When I heard Mr. Caulfield testifying to his efforts to get Mr. McCord to contemplate the reception of Executive clemency, I felt, I believe, an understandable sense of envy.

Senator Montoya. Did you recruit any of the Cubans for the Democratic National Convention at Miami?

Mr. Hunt. The Cuban-Americans with whom I was in contact were to be, were to have been, involved during the Democratic National Convention in Miami. Is that responsive to your inquiry, Senator?

Senator Montoya. Well, did you go around and try to recruit anyone in Miami for certain tasks during the Democratic National Convention?

Mr. Hunt. I personally? Not to the best of my recollection.

Senator Montoya. Did you use an alias in Miami prior to the Democratic National Convention, an alias of Eduardo?

Mr. Hunt. Yes, sir.

Senator Montoya. For what purpose did you use this alias?

Mr. Hunt. That was a hangover from the Bay of Pigs days.

Senator Montoya. Well, what was your mission and when did you use this alias in Miami?

Mr. Hunt. I used that in 1960–61.

Senator Montoya. You didn’t use it prior to the Democratic—immediately prior to the Democratic National Convention?

Mr. Hunt. I was introduced from time to time by Mr. Barker to certain Cuban exiles who—Mr. Barker would, on that occasion would say, “That is Eduardo.”

Senator Montoya. Why were you being introduced to these Cuban exiles as Eduardo?

Mr. Hunt. To indicate—in a nutshell—who I was and what I represented.

Senator Montoya. I didn’t hear you.

Mr. Hunt. To indicate in very brief form who I was and what I represented.
different components that he was interested in, the transmission devices and the receiving devices in particular.

Senator Montoya: And did you discuss with Mr. Liddy at that time as to manpower requirements and other necessary details to carry out the plans?

Mr. McCord: Oh, yes, sir.

Senator Montoya: Give us the substance of those conversations.

Mr. McCord: He was interested in the overall cost, first of all, of these types of operations, specifically referring to electronic operations, what the pieces of equipment would cost, what it took to receive them, what types of receivers were best. He was interested in the best type of equipment in this sense for this operation. He wanted to know how many pieces of equipment it would take for the Democratic National Committee, for example, to transmit and receive transmissions from the Democratic National Committee headquarters; secondly, in connection with the McGovern committee headquarters; and thirdly, in connection with the Democratic National Convention site in Miami, Fla.

Senator Montoya: What was the value of the equipment that you used at the Democratic National Committee?

Mr. McCord: I would guess about $15,000 in total but I am not sure.

Senator Montoya: $15,000?

Mr. McCord: Fifteen, yes, sir.

Senator Montoya: What was the value of the equipment that you used in Miami?

Mr. McCord: I did not use any there, sir.

Senator Montoya: Were you contemplating using the same equipment from the National Committee at the National Convention in Miami?

Mr. McCord: No, sir, that was separate equipment.

Senator Montoya: Where else were you going to use equipment?

Mr. McCord: Those three places that I have stated—the McGovern committee headquarters, Democratic National Committee, and the convention site for the Democratic Party in Miami, Fla.

Senator Montoya: Doesn't it stand to reason that for the expenditure of $65,000, you were going to launch quite a few operations?

Mr. McCord: There were three separate locations and it would take—

Senator Montoya: Well, at the rate of $15,000 apiece, you would have some equipment left for other operations.

Now, why was the budget so high?

Mr. McCord: Well, I think to answer your question, sir, there was planned, for example, for the Democratic National Committee two separate operations there, not just the one that was initially planned. Mr. Liddy budgeted for what he felt was adequate equipment for all three locations and it would not simply take just—you asked the question of how much was the value of the equipment that was installed and I gave the figure of about $15,000.

The additional equipment that was taken in was an additional cost factor there.

Does that answer your question, or have I not?

Senator Montoya: Let me ask you this: Did you assume when you purchased this equipment for an approximate sum of $65,000 that it
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devices and the receiving devices in particular.

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The additional equipment that was taken in was an additional cost
factor there.

Does that answer your question, or have I not?

Senator Montoya. Let me ask you this: Did you assume when you
purchased this equipment for an approximate sum of $65,000 that it
would be used solely for the three operations about which you had testified, or did you assume that this equipment would be used for other operations, to which you would not be related in involvement?

Mr. McCord. Oh, yes, sir. This was a part of it.

Senator Montoya. Sir?

Mr. McCord. Yes, the walkie-talkie equipment, for example, was scheduled, as I understood it, for use in certain surveillance operations by the Cuban individuals referred to against demonstrators and violence-oriented groups in Miami, Fla. So that was an example of my reasons for answering yes to your question.

Senator Montoya. So then am I to assume that other than your own involvement, there could have been other involvements in other parts of the county, or even in Washington?

Mr. McCord. The communications, the walkie-talkie equipment specifically, I knew of no other immediate planned use of the electronic equipment; such could have been possible.

Senator Montoya. How much telephone tapping equipment did you buy and was this just barely sufficient, or was this in surplus after you had serviced the needs for the three places which you had in mind at the time, namely, the Watergate, the Democratic convention in Miami, and the McGovern headquarters?

Mr. McCord. In the neighborhood of $15,000 worth of equipment planned for those three locations and possible other use against demonstrators in Miami.

Senator Montoya. You had $20,000 left in equipment, would you say?

Mr. McCord. Perhaps more than that, sir.

Senator Montoya. How much more?

Mr. McCord. You are referring to the—I mentioned the, $15,000.

Senator Montoya. And then it stands to reason that you could reuse some of this equipment you were using at Watergate and that you intended to use at Miami and also at McGovern headquarters, is that not correct?

Mr. McCord. No sir, I believe they were planned to be used concurrently.

Senator Montoya. Sir?

Mr. McCord. I think it was planned to be used in three separate operations concurrently.

Senator Montoya. Did you have any other employees under you or under your direction who were performing any of the activities within the master plan that you worked on initially?

Mr. McCord. Just Mr. Baldwin.

Senator Montoya. And you stated that one of the purposes or objectives was to gather photographic information. Now who was in charge of this division?

Mr. McCord. Mr. Hunt.

Senator Montoya. And who was in charge of political espionage?

Mr. McCord. Mr. Liddy, as I understand it, and Mr. Hunt were jointly involved in the two. I understood Mr. Liddy was in charge.

Senator Montoya. All right. Who was involved in electronic surveillance?

Mr. McCord. I was.

Senator Montoya. All right.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., MAY 17, 18, 22, 23, AND 24, 1973
Book 1

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Mr. BALDWIN. Approximately 200.

Senator WEICKER. Will you describe how you recorded them?

Mr. BALDWIN. Initially, the first duty, it was on a yellow legal pad. Mr. McCord took the actual log and copy that I had made. Subsequently, he returned to the room, I believe, it was on Labor Day Monday, with an electric typewriter. He asked me to transcribe my notes into typewritten form, making up duplicate copies, one original and an onionskin. That is what I proceeded to do.

Senator WEICKER. Then, who would you transmit those logs to, Mr. McCord?

Mr. BALDWIN. Mr. McCord received both the original and onionskin, that is correct.

Senator WEICKER. At any time, did you hand those logs to individuals other than Mr. McCord?

Mr. BALDWIN. The one incident where I was telephoned from Miami and told to deliver the logs to the Republican headquarters, the Committee To Re-Elect the President, on Pennsylvania Avenue, which I did.

Senator WEICKER. Now, during the first 2 weeks in June, did you engage in any other activities? Physically, did you go over to the Democratic National Committee?

Mr. BALDWIN. That is correct, I did.

Senator WEICKER. Would you describe that particular incident?

Mr. BALDWIN. Mr. McCord appeared in the room on Monday, I believe, it was the 12th of June, and advised me that—well, he furnished me a $100 bill and said, you are going to have a ball this week, here, I am going to go over to the restaurant, I want you to hang around in the cocktail lounge, the restaurant, do visual surveillance of anybody from the Democratic headquarters. He gave me a pretext to take a tour of the Democratic headquarters.

I did not agree with his approach and I asked him if I could do it a different way. I followed that way and I was given a tour of the Democratic headquarters that day.

Senator WEICKER. Prior to the weekend of June 16 did Mr. McCord discuss the plans for the rest of that weekend and any subsequent plans?

In other words, what was the schedule of events for the weekend of June 16?

Mr. BALDWIN. Well, after the tour, Senator, of the McGovern headquarters it was obvious that Mr. Lawrence O'Brien was not in the Washington area, that he had been to Miami and was working in Miami.

Senator WEICKER. May I ask you this question, Mr. Baldwin, are you talking about McGovern headquarters or the Democratic National Committee?

Mr. BALDWIN. I am talking about the Democratic National Committee headquarters. After my tour there part of the information I received there Mr. O'Brien had not been in Washington for the past month or so or longer. He had been in Miami and Mr. McCord was quite pleased to hear this. And it appeared to me that it called for a rescheduling of the timetable because he got quite upset with the fact that I would have to, he would try to make some arrangement for me to go to Miami. He had already discussed with me the fact
that I would be going to both the Democratic and the Republican Conventions but in view of this information that Mr. O'Brien was in Miami, this seemed to change his timetable for the rest of the week. That week at several different points he told me he would like to get my identification sewed up and get me down to Miami. He had to confer with some other individuals regarding this, so if I was approved I would be going to Miami.

Senator Weicker. Now, on June 16, at around 4:30 p.m., did Mr. McCord appear in the room at the Howard Johnson?

Mr. Baldwin. Yes, he appeared at Howard Johnson.

Senator Weicker. What were your activities and his activities between 4:30 in the afternoon and 10 o'clock in the evening?

Mr. Baldwin. Do you want every detail, Senator?

Senator Weicker. I would like you to tell in a broad narrative sense the committee as to what he did.

Mr. Baldwin. He gave me several instructions to buy some items for him, which I did, try to obtain some batteries, regular flashlight batteries, and what he called speaker wire which is regular wire.

I couldn't get the wire, so subsequently he left the room and went out. Part of the activity, he tested some type of a device on the phone. He tested a freestanding device next to the television, the— it has on it, fire alarm unit on it, I believe. So based—and I did some soldering of some batteries together during the course of that time.

He made phone calls, I believe, received one or two phone calls in the room. It was that general activity up to the point where he decided—the difficulty was there was a gentleman working in the Democratic committee.

Senator Weicker. Did you know at that time he had planned to go into the Democratic National Committee?

Mr. Baldwin. No, not until he was on the phone at one point that he said, "We still can't go over there because there is somebody working," and then I looked across and there was someone working in the Democratic headquarters. He then told me, "We don't know whether we are going to abort." Approximately a half hour or so later this individual left and the decision was made to go across the street.

Senator Weicker. At 10 p.m., then, was it your convention that Mr. McCord left the room?

Mr. Baldwin. I don't know the exact time—no, no, he left later than 10 p.m.; you mean to go to the Democratic headquarters?

Senator Weicker. Yes.

Mr. Baldwin. He left at one point to go buy some equipment at a radio discount store or some place and then returned and then subsequent to that he again went across, then he left to go to the—across the street to the Democratic National Committee?

Senator Weicker. Did he give you any instructions as to what your role would be on that particular evening?

Mr. Baldwin. The only instructions that I received was just prior to him leaving, he removed a walkie-talkie unit. I believe hooked onto his belt or he had it inside a belt loop, put it on the table next to the television set and he said:

I am going across the street, we have got some people over there. I want you to watch. If you see anything, anything at all, any activity get on this unit and let us know.
20. On June 17, 1972 at approximately 2:00 a.m., McCord, Barker, Sturgis, Gonzalez and Martinez were arrested for burglary in the Watergate offices of the DNC. On September 15, 1972 Howard Hunt, Gordon Liddy, and the five men who had been arrested at the DNC headquarters were named in an eight-count indictment charging, among other offenses, conspiracy illegally to obtain and use information from the offices and headquarters of the DNC. Hunt, Barker, Sturgis, Gonzalez and Martinez entered pleas of guilty. Liddy and McCord stood trial and were convicted on all charges. On August 16, 1973 Jeb Magruder pled guilty to an information charging, among other offenses, conspiracy unlawfully to obtain and use information from headquarters of the DNC.

20.1 E. Howard Hunt testimony, 9 SSC 3688.
20.2 James McCord testimony, 1 SSC 128.
20.3 United States v. Liddy, indictment, September 15, 1972, 1, 8.
20.4 Paul Leeper testimony, 1 SSC 105-06.
20.5 Carl Shoffler testimony, 1 SSC 118.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973
Book 9

Printed for the use of the
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WASHINGTON : 1973

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Washington, D.C. 20402 - Price 53
Mr. DASH. All right now, Mr. Hunt, with regard to the Democratic Convention in Miami, did you give any assignments to Mr. Barker?

Mr. HUNT. I did.

Mr. DASH. And what, if any, assignment did you give Mr. Barker?

Mr. HUNT. We are speaking now only of the Democratic Convention.

Mr. DASH. Democratic.

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

Mr. DASH. Did he also have an assignment to procure 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. HUNT. Yes.

Mr. DASH. What were 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. DASH. 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 May 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 Mr. 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?

Mr. HUNT. Yes, sir.

Mr. DASH. Where were you situated when the entry team was arrested?

Mr. HUNT. In room 214 of the Watergate Hotel, which is another building.

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

Mr. HUNT. I closed up Mr. McCord's briefcase, which contained electronic equipment, and with Mr. Liddy, we left the premises. I drove to the White House, where I inserted the briefcase belonging to Mr. McCord, into my two-drawer safe. I went—I believe I called Mr. Douglas Caddy's apartment, he being an attorney.

Mr. DASH. Who is Mr. Caddy?

Mr. HUNT. Mr. Douglas Caddy, an attorney and a former employee of the Mullen Co., and asked him if he could receive me at that early hour of the morning.
equipment and the cost of photographic equipment and specific items of equipment that would be used against the Democratic Party, the Democratic hierarchy in Washington primarily, but also in Miami, Fla. The electronic devices which he referred to specifically were of a variety of types.

Mr. Dash. I am not asking specifically what the types were, but how were they to be used, where were they to be placed from your understanding?

Mr. McComb. The initial interests specified by Mr. Liddy in this regard were, No. 1, against Mr. Larry O'Brien, then chairman of the Democratic National Committee in Washington, D.C., at his residence and subsequently at his office in the Watergate office building; perhaps other officers of the Democratic National Committee. The McGovern headquarters in Washington, D.C., were mentioned quite early in 1972. And there was some general reference to the Democratic National Convention facility or site wherever it might be located at this convention in the summer of 1972.

Mr. Dash. All right now, Mr. McComb; in connection with this assignment, in which you were having these discussions with Mr. Liddy, did you come to associate yourself with Mr. E. Howard Hunt, Bernard Barker, Eugenio Martinez, Frank Sturgis, and Virgilio Gonzales?

Mr. McComb. Yes; I did.

Mr. Dash. And as a result of that association and your agreement with Mr. Liddy, did you with Mr. Barker, Sturgis, Martinez, and Gonzales illegally enter the Democratic National Committee headquarters on two occasions one on or about May 30, 1972, and the other in the early morning hours of June 17, 1972?

Mr. McComb. I did.

Mr. Dash. On the first occasion on or about May 30, 1972, you installed two telephone interception devices or wire taps on two office telephones; one on the telephone of Spencer Oliver and the other on the telephone of Lawrence O'Brien?

Mr. McComb. I did.

Mr. Dash. Leaving aside for the time being why you broke into the Democratic National Committee headquarters at the Watergate on the second time on June 17 and what circumstance led to your arrest, you were in fact arrested by plainclothesmen of the District of Columbia Metropolitan Police shortly after you entered; is that true?

Mr. McComb. That is correct.

Mr. Dash. Is that the arrest which led to your reconviction?

Mr. McComb. That is correct.

Mr. Dash. Will you tell the committee, Mr. McComb, why, after a lifetime of work as a law enforcement officer without, as you have testified any blemish on your career, did you agree with Mr. Liddy to engage in his program of burglaries and illegal wiretapping and specifically the two break-ins on May 30 and June 17 of the Democratic National Committee headquarters at the Watergate?

Mr. McComb. There were a number of reasons associated with the ultimate decision of mine to do so. One of the reasons, and a very important reason to me was the fact that the Attorney General himself, Mr. John Mitchell, at his office had considered and approved the operation, according to Mr. Liddy.
The United States District Court for the District of Columbia

Holding a Criminal Term

Grand Jury Sworn in on June 5, 1972

The United States of America v. Criminal No. 18.77-72

George Gordon Liddy,
also known as: Gordon Liddy and George F. Leonard

Everette Howard Hunt, Jr.,
also known as: Howard Hunt, Edward L. Warren and Edward J. Hamilton

James W. McCord, Jr.,
also known as: Edward J. Warren and Edward J. Martin

Bernard L. Barker,
also known as: Frank or Frank Carter

Eugenio R. Martinez,
also known as: Gene or Jene Valdes

Frank A. Sturgis,
also known as: Frank Angelo Fiorini, Edward J. Hamilton, and Joseph D'Alberto or D'Aliberto

Virgilio R. Gonzalez,
also known as: Raul or Raoul Godoy or Goboy

The Grand Jury charges:
FIRST COUNT:

1. At all times material hereto the Democratic National Committee, an unincorporated association, was the organization 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.W., Washington, D.C.

3. At all times material hereto George Gordon Liddy, also known as Gordon Liddy and George F. Leonard and herein-after referred to as defendant Liddy, was employed as counsel for the Finance Committee to Re-Elect the President located at 1701 Pennsylvania Avenue, N.W., Washington, D.C.
THIRD COUNT:

On or about June 17, 1972, within the District of Columbia, the DEFENDANTS Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez entered the rooms, that is, the offices and headquarters of the Democratic National Committee, with the intent to intercept willfully, knowingly, and unlawfully oral communications made within these rooms and wire communications received and sent from telephones located in these rooms. The terms "oral communication" and "wire communication" are used by the Grand Jury as they are defined in Title 18 U.S. Code § 2510.

(In violation of 22 D.C. Code § 1801(b))

FOURTH COUNT:

On or about June 17, 1972, within the District of Columbia, the DEFENDANTS Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez willfully, knowingly, and unlawfully did endeavor to intercept oral communications made within the offices and headquarters of the Democratic National Committee.

(In violation of 18 U.S.Code § 2511)

FIFTH COUNT:

On or about June 17, 1972, within the District of Columbia, the DEFENDANTS Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez willfully, knowingly, and unlawfully did endeavor to intercept wire communications received by and sent from telephones located in the offices and headquarters of the Democratic National Committee.

(In violation of 18 U.S. Code § 2511)
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
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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 Howard Johnson?

Sergeant Leeper. That is correct.

Senator Baker. Where?

Sergeant Leeper. He was out on the balcony. I did not see him,

Senator. It was just called to my attention by Officer Shoffer.

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 Shoffer had his weapon out.

Senator Baker. And you were on the floor of the DNC, 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.

Mr. 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 we 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 Shoffer. Officer Barrett responded up to this area here and I started into this little secretarial cubicle here, Officer Shoffer was somewhere in this area and at this point I heard Officer Barrett yell: "Hold it, come out."

Mr. Dash. Where was that voice coming from?

Sergeant Leeper. Officer Barrett?

Mr. Dash. Yes; 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 out of the cubicle into this cubicle, jumped up on the desk, drawing 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 shoulder high wearing blue surgical gloves.

Mr. Dash. What, if anything, did you see them doing at the time that their hands were up when you had your guns out on them?

Sergeant Leeper. Some of the gentlemen, sir, had tried to remove the gloves by using, you know, taking one hand and trying to throw it off with the other.

Mr. Dash. Did you notice any kind of equipment or paraphernalia in and around where you found the men?

Sergeant Leeper. Yes, sir. One of the men had, was carrying an n.w.o. bag, an overnight bag, semilarge brown bag with his coat
Mr. DASH. Now, just going down toward the corner there from that room where you apprehended the men, the corner toward the bottom right corner, go all the way down to the large office in the corner there.

Sergeant LEEPER. Right in here, sir.

Mr. DASH. No; the large office in the corner, the very edge, whose office is that?

Sergeant LEEPER. That is the office of the chairman at that time of the Democratic Party was Lawrence F. O'Brien.

Mr. DASH. And was there entrance to that office from or access to it from where you found the men you apprehended?

Sergeant LEEPER. Yes, sir. As you can see by the chart, sir, you had access to that office.

Mr. DASH. And next to that office, to the left, whose office was that?

Sergeant LEEPER. That is the deputy chairman, sir, Stanley L. Gray.

Mr. DASH. Now, you at that point, what did you do with the men he apprehended at that point?

Sergeant LEEPER. We ordered them out from behind the desk and lined them up along the wall, hands on the wall, feet spread apart, and at that time I informed them who we were, they were under arrest for burglary and advised them of their rights and at that time, I directed Officer Barrett to begin a systematic search of each man.

Mr. DASH. Did you notice anything unusual about these men when you arrested them, the way they were dressed?

Sergeant LEEPER. They were well dressed, sir, in either suits, sport coats and ties.

Mr. DASH. Now, do you know the names of those people, did they give their names at that time to you?

Sergeant LEEPER. At that time, no, sir.

Mr. DASH. Did they give any names to you?

Sergeant LEEPER. Later, when they were booked in the precinct, taken to headquarters, 2301 L Street, they gave us names which later proved to be false names, aliases.

Mr. DASH. Did you later find out who they were?

Sergeant LEEPER. Yes, sir.

Mr. DASH. Could you name the persons who you arrested in that location by the names that later found out who they were to be?

Sergeant LEEPER. Frank Sturgis, Bernard L. Barker, James McCord, Eugenio Martinez, and I think it was Virgilio Gonzales.

Senator Ervin. Virgilio Gonzales?

Sergeant LEEPER. I believe that is the way he pronounces his name.

Mr. DASH. Did you accompany them down to the station house?

Sergeant LEEPER. Yes, sir, we sent three of them down in a patrol wagon, one was transported, I think Mr. McCord, was transported in 33 scout and I transported Mr. Barker in the old clothes TAC unit, the unmarked cruiser.

Mr. DASH. At a later time did you come back and make any search of any room in the Watergate complex?

Sergeant LEEPER. I came back to the Watergate complex but the search was made by the Mobile Crime Unit. At the time we could
Officer Shoffler, Carl M. Shoffler, sir. Police officer assigned to special services bureau, address is 300 Indiana Avenue NW. 

Mr. Dash. Were you on duty in the early morning hours of June 17, 1972?

Officer Shoffler. Yes, sir.

Mr. Dash. And what particular outfit or unit were you assigned to?

Officer Shoffler. Second district tactical squadron, casual clothes unit.

Mr. Dash. Were you at that time traveling with Sergeant Leeper?

Officer Shoffler. Sergeant Leeper and Officer Barnett and I were partners that particular evening.

Mr. Dash. Did you answer with those other officers a call to come to the Watergate complex?

Officer Shoffler. Yes, sir.

Mr. Dash. I have no further questions of the witness, Mr. Chairman. I think Senator Baker has some questions.

Mr. Thompson. One or two questions.

Officer Shoffler, do you recall when you received the word from headquarters to answer this call at the Watergate? Were you in the car with Sergeant Leeper?

Officer Shoffler. Yes, sir.

Mr. Thompson. Do you know, do you remember whether or not you responded to the effect that a uniform car should not be sent?

Officer Shoffler. On runs on a casual unit response, if a casual clothes unit takes the run normally a uniform car stays out of the area. I do not recall if particular instructions were given to them on that evening to stay out of the area.

Mr. Thompson. But it would not have been unusual for you to make such a request?

Officer Shoffler. No, sir.

Mr. Thompson. What time of the morning was this?

Officer Shoffler. Approximately 1:52 a.m.

Mr. Thompson. Were you working past your regular duty hours on that occasion?

Officer Shoffler. Yes, sir.

Mr. Thompson. What were your regular duty hours?

Officer Shoffler. 4 p.m. to 12 p.m., sir.

Mr. Thompson. Why were you working overtime that particular night?

Officer Shoffler. Our tactical squadron deals with whatever particular crime problem is a problem at that time. We were having, we were experiencing a problem with office larceny and burglaries in the downtown area, and felt that working over might produce results.

Mr. Thompson. When you got there at the Watergate who did you meet at the Watergate complex?

Officer Shoffler. The guard, Mr. Frank Wills.

Mr. Thompson. What did Mr. Wills say to you at that time?

Officer Shoffler. Mr. Wills stated that he had discovered the doors had been taped in a manner as to allow entrance.

Mr. Thompson. Did he state anything else to you?

Officer Shoffler. I asked him if there had been any prior burglaries. We were aware of prior burglaries in the building but not at the particular floors. Mr. Wills related to us there had been burglaries, I believe, on the sixth and eighth floors.
<table>
<thead>
<tr>
<th>CRIMINAL DOCKET</th>
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<tbody>
<tr>
<td>United States District Court for the District of Columbi</td>
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<tr>
<td>United States vs. GEORGE GORDON LIDDY, Sr. Al. Cr. No. 1827-72</td>
</tr>
<tr>
<td>Preceding Supplemental Page No.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>CASES</th>
<th>DEFENDANTS</th>
<th>ATTORNEYS</th>
<th>DATE</th>
<th>BOND</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>GEORGE GORDON LIDDY, aka</td>
<td>1. Peter L. Marouilis</td>
<td>(11/30/30)</td>
<td>$10,000.00 - 10% Dep.</td>
</tr>
<tr>
<td></td>
<td>Gordon Liddy, aka</td>
<td>11 Cannon St.</td>
<td></td>
<td>$310 Ivanhoe Road</td>
</tr>
<tr>
<td></td>
<td>George F. Leonard</td>
<td>1819 H St., NW</td>
<td></td>
<td>Oxon Hill, Maryland</td>
</tr>
<tr>
<td>2.</td>
<td>EVERETTE HOWARD HUNT, JR., aka</td>
<td>2. William G. Bittman</td>
<td>(10/9/18)</td>
<td>$10,000.00 - 10% Dep.</td>
</tr>
<tr>
<td></td>
<td>Howard Hunt, aka</td>
<td>815 Cooper Ave., N.W.</td>
<td></td>
<td>11120 River Road</td>
</tr>
<tr>
<td></td>
<td>Edward L. Warren and as co-counsel</td>
<td></td>
<td></td>
<td>Potomac, Maryland</td>
</tr>
<tr>
<td></td>
<td>Edward S. Hamilton</td>
<td>815 Cooper Ave., N.W.</td>
<td></td>
<td>$100,000.00 - 10% Dep.</td>
</tr>
<tr>
<td></td>
<td>(10/9/18)</td>
<td></td>
<td></td>
<td>Peerless Ins. Co.</td>
</tr>
<tr>
<td></td>
<td>William Ohlhausen (RET)</td>
<td></td>
<td></td>
<td>11120 River Road</td>
</tr>
<tr>
<td></td>
<td>Bernard Fensterwald, Jr. (RET)</td>
<td></td>
<td></td>
<td>Potomac, Md. 20854</td>
</tr>
<tr>
<td>3.</td>
<td>JAMES W. McCORD, Jr., aka</td>
<td>3. John Albert Johnson</td>
<td>9-19-72</td>
<td>$100,000.00 - 10% Dep.</td>
</tr>
<tr>
<td></td>
<td>Edward J. Warren and as co-counsel</td>
<td>815 Cooper Ave., N.W.</td>
<td></td>
<td>11120 River Road</td>
</tr>
<tr>
<td></td>
<td>Edward J. Martin</td>
<td>1511 K St., NW</td>
<td></td>
<td>Potomac, Maryland</td>
</tr>
<tr>
<td></td>
<td>(1/26/24)</td>
<td></td>
<td></td>
<td>Rockville, Maryland</td>
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<tr>
<td></td>
<td>(1/26/24)</td>
<td></td>
<td></td>
<td>Personal $50,000 - 10% dep.</td>
</tr>
<tr>
<td>4.</td>
<td>BERNARD L. BARKER, aka</td>
<td>4. James B. Southard</td>
<td>(3/17/77)</td>
<td>$10,000.00 - 10% Dep.</td>
</tr>
<tr>
<td></td>
<td>Frank or Fran Carter</td>
<td>815 Cooper Ave., N.W.</td>
<td></td>
<td>11120 River Road</td>
</tr>
<tr>
<td></td>
<td>(3/17/77)</td>
<td></td>
<td></td>
<td>Miami, Florida</td>
</tr>
<tr>
<td>5.</td>
<td>EUGENIO F. MARTINEZ, aka</td>
<td>5. Andrew B. Southard</td>
<td>(3/17/77)</td>
<td>$10,000.00 - 10% Dep.</td>
</tr>
<tr>
<td></td>
<td>Gene or Gene Valdes</td>
<td>815 Cooper Ave., N.W.</td>
<td></td>
<td>11120 River Road</td>
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<tr>
<td></td>
<td>(3/17/77)</td>
<td></td>
<td></td>
<td>Miami, Florida</td>
</tr>
<tr>
<td>6.</td>
<td>FRANK A. STURGIS, aka</td>
<td>6. Henry B. Rothblatt</td>
<td>7-28-72</td>
<td>$50,000.00, Wisconsin</td>
</tr>
<tr>
<td></td>
<td>Frank Angelo Fiorini, aka</td>
<td>815 Cooper Ave., N.W.</td>
<td></td>
<td>11120 River Road</td>
</tr>
<tr>
<td></td>
<td>Edward J. Hamilton, and as co-counsel</td>
<td></td>
<td></td>
<td>Miami, Florida</td>
</tr>
<tr>
<td></td>
<td>Joseph G. Albietro or D'Alberto</td>
<td>808 Woodward Bldg.</td>
<td></td>
<td>Miami, Florida</td>
</tr>
<tr>
<td></td>
<td>(12/9/24)</td>
<td></td>
<td></td>
<td>2515 Northwest 1220 St.</td>
</tr>
<tr>
<td>7.</td>
<td>VIRGILIO R. GOVEZAL, aka</td>
<td>7. Henry B. Rothbalt</td>
<td>3-22-72</td>
<td>$40,000.00 - 10% Dep.</td>
</tr>
<tr>
<td></td>
<td>Raul or Saul Godoy or Gebov</td>
<td>815 Cooper Ave., N.W.</td>
<td></td>
<td>930 Northwest 23rd Ave., Miami, Fla.</td>
</tr>
<tr>
<td></td>
<td>(5/18/26)</td>
<td></td>
<td></td>
<td>808 Woodward Bldg.</td>
</tr>
<tr>
<td>#4, 5, 6, 7 Daniel E. Schultz (RET.)</td>
<td>83 John Truman</td>
<td>1990 M St., NW #510</td>
<td></td>
<td>Center Plaza, Boston, Mass.</td>
</tr>
</tbody>
</table>
**SIRICA, C.J.**

**CRIMINAL DOCKET**

United States District Court for the District of Columbia

<table>
<thead>
<tr>
<th>PARTIES</th>
<th>ATTORNEYS</th>
<th>CRIMINAL NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNITED STATES</td>
<td>U. S. ATTORNEY Silbert/Glanzer</td>
<td>1827-72</td>
</tr>
<tr>
<td>VS.</td>
<td>Campbell</td>
<td></td>
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</tbody>
</table>

**CHARGE:** 18 USG 371, 2511; 22 D.C.C.

<table>
<thead>
<tr>
<th>DATE</th>
<th>PROCEEDINGS</th>
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<tbody>
<tr>
<td>1972Sep 15</td>
<td>EACH: INDICTMENT FILED (8 Counts)</td>
</tr>
<tr>
<td>1972Sep 15</td>
<td>EACH: Presentment of indictment made &amp; filed in open Court; oral motion by Earl Silbert, Asst US Atty, to have case specially assigned, heard &amp; granted; Judge to whom case will be assigned will be made known at a later date. SIRICA, C.J. Rep-Nicholas Sokol</td>
</tr>
<tr>
<td>1972Sep 18</td>
<td>EACH: ORDER assigning case to Chief Judge Sirica for all purposes. SIRICA, C.J.</td>
</tr>
<tr>
<td>1972Sep 19</td>
<td>#1(Liddy): Appearance of Peter L. Maroulis, as counsel for deft.</td>
</tr>
<tr>
<td></td>
<td>#2(Hunt): Appearance of William O. Bittman, as counsel for deft.</td>
</tr>
<tr>
<td></td>
<td>#3(McCord): Appearance of Austin S. Mottler, as co-counsel for deft.</td>
</tr>
<tr>
<td></td>
<td>#4, #5, #6 &amp; #7(Barker, Martinez, Sturgis &amp; Gonzalez): Appearance of Henry B. Rothblatt as counsel for deft.</td>
</tr>
<tr>
<td></td>
<td>EACH: Copy of indictment given deft.</td>
</tr>
<tr>
<td></td>
<td>ARRAIGNED: Plea of Not Guilty entered. (a.m.) #1, #2(Liddy, Hunt) Oral motion by deft for release on personal recognizance heard in part; deft released in custody of counsel for purpose of obtaining report from D.C. Bail Agency; further hearing in matter continued until 2:00 p.m.</td>
</tr>
<tr>
<td>1972Sep 15</td>
<td>#4, #5, #6, #7: Motion by Govt. for separate Counsel</td>
</tr>
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[Continued]
### CRIMINAL DOCKET

**United States District Court for the District of Columbia**

**United States vs. GEORGE GORDON Liddy, ET AL**

<table>
<thead>
<tr>
<th>Date</th>
<th>ROBBERY E. Allen, ET AL.</th>
<th>CRIMINAL DOCKET</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973Jan 15</td>
<td>#4, 5, 6, 7: PLEA not Guilty withdrawn; Plea Guilty entered to Count 1</td>
<td>(Conspiracy - 18 USC 371); Counts 2 and 3 (Burglary II - 22 DCC 1801(b); Counts 4 and 5 (Interception of oral and wire communications - 18 USC 2511); and Counts 6 and 7 (Unlawful Possession of Intercepting Devices - 23 DCC 543a); referred; surety bond of $100,000.00 set by Court pending sentencing; commitment; commitment issued.</td>
</tr>
<tr>
<td></td>
<td>H. Rothblatt, D. Cope, A. Newmyer, Attys. #4, 5, 6, 7</td>
<td>SIRICA, C.J. Rep: N. Sokal P. Maroulis, Atty. #1; G. Alch, Atty. #3</td>
</tr>
</tbody>
</table>

**1973Jan 15**

#1,3: Trial resumed; same jury and 5 alternates; respite until Jan. 16, 1973; bond. (Reps. J. Maher, B. Hatch)

#1,3,4,5,6,7: Transcript of Proceedings of 1-12-73, pages 300-352, including Court's copy; pages 302-352 included ORDERED SEALED AND ARE FILED IN OPEN SAFE.

#4, 5, 6, 7: Carbon copy of letter dated Jan. 12, 1973 signed by all 4 defendants addressed to Henry Rothblatt, relative to desires of defendants to plead guilty, etc., previously referred to as Court Exhibit #1 and ORDERED SEALED: UNSEALED this date and filed.

SIRICA, C.J.

**1973Jan 16**

#1,3: Trial resumed; same jury and 5 alternates; respite until 1-17-73; bond. SIRICA, C.J. Reps: N. Sokal, J. Maher, E. Kaufman, N. Sokal P. Maroulis, Atty. #1; G. Alch, B. Shankman, Attys. #2

**1973Jan 16**


In re: Robert E. B. Allen, et al: Certified copy of ORDER USCA dated 1-12-73 ORDERING that no evidence of the contents of any of the allegedly illegally intercepted communications shall be admitted except under certain conditions; further ORDERED that, in the event of appeal, the transcript of the in camera hearing, plus any evidence submitted in connection therewith, shall be sealed and delivered to the USCA.

Attachment (1).

"CONTINUED"
<table>
<thead>
<tr>
<th>Date</th>
<th>#</th>
<th>Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973Jan 26</td>
<td>1 &amp; 3</td>
<td>Transcript of Proceedings- excerpt of 1-23-73, pages 1277 thru 1298; Rep.-N.Sokal Clerk's copy (Bond Motion)</td>
</tr>
<tr>
<td>1973Jan 26</td>
<td>4</td>
<td>Trial resumed; same jury and five alternates, Respited until 1-26-73 at 9:30 a.m., bond.</td>
</tr>
<tr>
<td>1973Jan 26</td>
<td>6</td>
<td>1 &amp; 3: Trial resumed; same jury &amp; five alternates; defts' motion for mistrial heard and denied; respited until 1-29-73 at 9:30 a.m.; bond.</td>
</tr>
<tr>
<td>1973Jan 26</td>
<td>8</td>
<td>4, 5, 6, 7: Record on Appeal delivered to USCA; Deposit of $7,000 by Don E. Schultz; Receipt from USCA for Original record.</td>
</tr>
<tr>
<td>1973Jan 29</td>
<td>1</td>
<td>1, 3: Trial resumed; same jury and five (5) alts.; respited until 1-30-73: bond. Accommodations of Jurors filed.</td>
</tr>
<tr>
<td>1973Jan 29</td>
<td>3</td>
<td>#1: Motion by deft Liddy to dismiss the first count of the indictment. C/M 1-29-73. SIRICA, C.J.</td>
</tr>
<tr>
<td>1973Jan 30</td>
<td>4</td>
<td>1, 3: Trial resumed; same jury and alts.; alts. excused; Verdict as to each: GUILTY as INDICTED; jury polled and discharged; each deft bond review; each deft referred &amp; committed; commitments issued.</td>
</tr>
<tr>
<td>1973Jan 30</td>
<td>5</td>
<td>Verdict of jury filed; accommodations of jurors filed.</td>
</tr>
<tr>
<td>1973Jan 31</td>
<td>7</td>
<td>Mr. Aich &amp; Mr. Shankman, Atty.</td>
</tr>
<tr>
<td>1973Jan 31</td>
<td>8</td>
<td>1: Proposed instructions of the Govt. SIRICA, C.J.</td>
</tr>
<tr>
<td>1973Jan 31</td>
<td>9</td>
<td>Proposed instructions of the deft. SIRICA, C.J.</td>
</tr>
<tr>
<td>1973Jan 31</td>
<td>10</td>
<td>#1 et al: EACH: Order vacating as moot the Court's Order of 10-4-72, the amended Order of 10-6-72; and the Order of 1-8-73 -- all relating to extrajudicial statements. (W) SIRICA, C.J.</td>
</tr>
<tr>
<td>1973Jan 31</td>
<td>11</td>
<td>#1: Motion for release of deft pending sentencing. c/s</td>
</tr>
<tr>
<td>1973Jan 31</td>
<td>12</td>
<td>#3: Motion for admissibility of bail pending sentence. C/S Attachment (1)</td>
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<tr>
<td>1973Feb 1</td>
<td>1</td>
<td>#1: Response of Govt to motion of deft Liddy for bail pending sentence.</td>
</tr>
<tr>
<td>1973Feb 1</td>
<td>2</td>
<td>#3: Govt's response to motion for bail pending sentence, c/s</td>
</tr>
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</table>
UNITED STATES OF AMERICA 

v. 

JEB STUART MAGRUDER

Violation of 18 U.S.C. § 371  
(Conspiracy to unlawfully intercept wire and oral communications, to obstruct justice, and to defraud the United States of America)

INFORMATION

The United States of America, by its Attorney, the Special Prosecutor, Watergate Special Prosecution Force, charges:

1. At all times material herein, the Democratic National Committee, an unincorporated association, was the organization responsible for conducting the affairs of the Democratic Party of the United States. Its offices were at the Watergate Office Building, 2600 Virginia Avenue, N.W. in the District of Columbia.

2. At all times material herein, the Committee for the Re-Election of the President was conducting campaign activities on behalf of the re-election of Richard M. Nixon as President of the United States, with office and headquarters at 1701 Pennsylvania Avenue, N.W. in the District of Columbia.

3. 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, an agency of the United States.

4. On June 5, 1972, a Grand Jury of the United States District Court for the District of Columbia was duly
impaneled and sworn, and at all times material herein beginning June 23, 1972, the said Grand Jury was conducting an investigation in conjunction with the United States Attorney’s office for said District and the Federal Bureau of Investigation to determine whether violations of federal statutes had been committed in the District of Columbia and elsewhere, involving unlawful conspiracies (18 U.S.C. § 371), unlawful interception of wire and oral communications (18 U.S.C. § 2511), burglary (22 D.C. Code 1801[b]) and unlawful possession of intercepting devices (22 D.C. Code 543[a]), all statutes of the United States and of the District of Columbia, and to identify the individual or individuals who had committed such violations.

5. From May 1971 through November 1972, JEB STUART MAGRUDER, the DEFENDANT, was the Deputy Campaign Director of the Committee for the Re-Election of the President. Thereafter, he became Executive Director of the President’s Inaugural Committee.

6. From May 1971 through November 1972 Herbert Lloyd Porter was the Director of Scheduling for the Committee for the Re-Election of the President. Thereafter he became Assistant Executive Director of the President’s Inaugural Committee. JEB STUART MAGRUDER, the DEFENDANT, was his immediate superior in both positions.

7. Beginning in or around November 1971 and continuing thereafter through March 23, 1973, in the District of Columbia and elsewhere, JEB STUART MAGRUDER, the DEFENDANT, unlawfully, willfully, and knowingly did agree, combine, and
conspire with co-conspirators unnamed herein to commit offenses against the United States, to wit: (a) to unlawfully obtain and use, by illegal means and for illegal ends, information from the offices and headquarters of the Democratic National Committee and from related political entities and individuals, in violation of 18 U.S.C. § 2511 and other statutes of the United States and the District of Columbia; (b) to conceal, cover up, hinder, frustrate, impede and corruptly endeavor to influence, obstruct, and impede the investigation, apprehension, and conviction of certain of the individuals involved in the planning, implementing and carrying out of the above described activities, in violation of 18 U.S.C. §§ 1503 and 1510; and (c) to defraud the United States of America and its Departments and Agencies, and more particularly the Department of Justice, by hindering, frustrating and impairing the lawful functions of the said Department by craft, deceit, and dishonest means, in violation of 18 U.S.C. § 371.

8. It was a part of the conspiracy that JEB STUART MAGRUDER, the DEFENDANT, and others unnamed herein would and did devise, implement, and carry out a strategy to unlawfully break into the above described headquarters of the Democratic National Committee, and the offices of related political entities and individuals, and unlawfully intercept various wire and oral communications taking place in said offices.

9. It was a further part of said conspiracy that JEB STUART MAGRUDER, the DEFENDANT, and other co-conspirators
The matter having come before the Court on an information filed by the Special Prosecutor as Attorney for the United States, and defendant Jeb Stuart Magruder having appeared in open court, represented by counsel, and waived indictment and entered a plea of guilty, and the Court having accepted the plea of guilty on August 16, 1973, it is now by the Court on this 20th day of August, 1973, with the consent of the Special Prosecutor, ORDERED that having considered all the factors governing release pending imposition of sentence, the Court imposes the following conditions of release pursuant to 18 U.S. Code 3146(b) as necessary to assure the appearance of defendant as required:

1. Defendant may travel anywhere within the Continental United States but may not travel outside the United States without prior leave of the Court.

2. Defendant must report weekly, in person or by telephone, to the District of Columbia Bail Agency, any plans for travel within the United States and outside the Metropolitan area of the District of Columbia.
3. Defendant is to surrender his passport to the District of Columbia Bail Agency within one week of the entry of this Order.

4. Defendant is to remain in regular contact with his attorneys and his attorneys are to assure his appearance in court when and as required.

[Signature]
Chief Judge

Consent: [Signature]
Special Prosecutor