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

15.1 John Ehrlichman testimony, 6 SSC 2612-13.
15.2 John Dean testimony, 3 SSC 934.
15.5 Charles Colson draft statement prepared for delivery to the SSC, September 1973.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JULY 18, 19, 20, 23, 24, AND 25, 1973
Book 6

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Mr. Erhardtman. I take it, Senator, and here I am speculating, I am not speculating. Here's an episode with Mr. McCord, which comes out through Mr. McCord back through Caulfield to Dean. Now, how does John Dean justify having sent Mr. Caulfield to talk to McCord? I don't know whether that is the explanation or not, but it certainly was suggested to me as I watched Mr. Dean at this table spinning this tale.

Senator Gurney. Let us go to another area which involved you and Mr. Dean and that is the papers that were taken from Hunt's safe after it was opened by Dean's people. Some of these papers, as you know, were very sensitive. Some were contained in a briefcase of Mr. Hunt's. The testimony, of course, here is that Dean had a conversation with you about this and you made some suggestions about disposing of the papers that were in the briefcase. My recollection is that you advised Mr. Dean to deep-six these papers. Would you care to tell us about this meeting?

Mr. Erhardtman. That was a meeting, if I heard the testimony correctly, which was also attended by other people and should be susceptible of determination from independent witnesses. To correct an assumption in your question, Senator, I did not know the contents of Mr. Hunt's safe except in the most general terms. I was told, and I can't say who told me—probably Mr. Dean—that there was a pistol and a tape recorder and a number of documents, some of which had nothing to do with Watergate but were very politically sensitive. Now, that was the general description. I had no occasion to look at them, I never saw them except as a few of them were sealed in an envelope and handed to Pat Gray.

The conversation has to be weighed, the probability of such a conversation where I said, run out and throw this in the river, has to be weighed against what I actually did, which I think the witnesses who were in the meeting on the 12th will tell you that I did.

We had had a meeting for two purposes on the 19th, which included Mr. Colson, Mr. Kehrl, staff secretary, and Ken Clawson on the White House staff. The meeting was for, as I say, two purposes—one, to try to determine what the facts were about Howard Hunt's employment status, which was very murky at that point in time, because of some lack of documents or some confusion of documents, and things of that sort.

The other purpose was to talk about what to do about this safe which had been found on the premises, and apparently had things in it that related to Howard Hunt, who was then, if not arrested, at least a prime suspect.

The instructions which we agreed upon at that meeting were that a number of people should be present at the opening of that safe. We knew we had to have something from the GSA because they had to open the safe. But in addition to that, I specified to Mr. Kehrl, being present, that Mr. Dean be present and take custody. Then I think Mr. Kehrl suggested that a Secret Service agent be present under the circumstances, because we were breaking into a safe in the White House. And that was the arrangement that was agreed upon when we broke in on the 19th.

My purpose in doing that was twofold. One, this was a kind of extraordinary procedure and I thought there ought to be people who
could, one, later on tell what had happened; two, I was concerned about the custody of these documents, the chain of evidence, the perfectibility of proof if the time came and there were documents in there that bore on Mr. Hunt's liability.

So that was done, and it was done, I believe, that same day or that evening.

Senator Gurney. Yes.

Mr. Ehrlichman. Now, it seems to me that it would have been folly for me at some later time, then, to suggest that the briefcase be thrown into the floodtide of the Potomac or that these papers be thrown in the river, or something of this kind.

Now, there was in this story also the suggestion of shredding. I don't think in my life that I have suggested to anybody that a document be shredded. Shredding is just not something that I have ever resorted to under any circumstances, nor proposed to anybody under any circumstances. As I said, we have a great disposal system at the White House. If you really want to get rid of a document, you put it in a burn bag and you seal it up and it's never opened again, and it goes into a furnace and that is the end of it.

Senator Gurney. But to get back to this second meeting when John Dean comes to you and tells you, we have got some pretty sensitive papers here, and as he alleges, you say, well, deep-six this briefcase. What's your testimony on that?

Mr. Ehrlichman. I did not. I have no recollection of that kind of a conversation.

Senator Gurney. Did you make any other suggestion to him that he dispose of these papers in any other way?

Mr. Ehrlichman. We discussed what to do about some papers which he told me about in the safe which really should not be leaked. Again, we have to come back to our FBI problem. And he was genuinely concerned and when he explained it to me, I shared his concern. If these documents were simply wholesaled to the Washington field office the FBI, we were reading about it in Time magazine in very short order.

Senator Gurney. Now you are talking about the ones that were turned over to Gray?

Mr. Ehrlichman. And so Mr. Dean came up with this idea, turning them over to Pat Gray personally. And I certainly concurred in it. I thought that was an ideal solution to the problem.

Senator Gurney. Did that come up in this meeting when supposedly the deep-six conversation came up?

Mr. Ehrlichman. Well, I gathered that that meeting was supposed to have been the meeting when Mr. Keiril and the others were there. It would have necessarily been at that meeting, because the die was cast thereafter. You know, the 20 bishops had witnessed the opening of the safe at this point. So it had to be that meeting.

Now, I do not know what meeting he is referring to.

Senator Gurney. I think he said it was the 21st.

Mr. Ehrlichman. The 21st.

I met with Mr. Dean on the 21st in the afternoon. The only thing that I can say to you is that I certainly would not have and did not propose the destruction of those documents.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
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UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JUNE 25 AND 26, 1973
Book 3

Printed for the use of the
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WASHINGTON : 1973

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instructed by Haldeman to go through all of Mr. Haldeman's files over the weekend and remove and destroy damaging materials. He told me that this material included such matters as memorandums from the reelection committee, documents relating to wiretap information from the DNC, notes of meetings with Haldeman, and a document which reflected that Haldeman had instructed Magruder to transfer his intelligence gathering from Senator Muskie to Senator McGovern. Strachan told me his files were completely clean.

I spoke with Mr. Kleindienst and he told me that both the FBI and the D.C. Metropolitan Police were investigating, and he assumed that the FBI would take full jurisdiction of the case shortly. He also alluded to his encounter with Liddy at Burning Tree Country Club, but did not explain this in full until I later met with him. I do not have a record of when I met with Mr. Kleindienst, but it was either on Monday, the 19th, or the next day. I will describe that meeting shortly.

I met with Ehrlichman in the mid-afternoon and reported in full my conversation with Liddy. I also told Ehrlichman about the earlier meetings I had attended in Mitchell's office in late January and early February and my subsequent conversation with Haldeman. He told me he wanted to meet later with Colson and told me to attend. Ehrlichman also requested that I keep him advised and find out from the Justice Department on what was going on. I did not mention my conversation with Strachan because I assumed that Ehrlichman was aware of this from Haldeman himself.

Later that afternoon I attended a second meeting in Ehrlichman's office with Colson. I recall Ehrlichman asking where Hunt was. I said I had no idea and Colson made a similar statement. At that point, before the meeting had started, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this, without even thinking. Shortly after I made the call, however, I realized that no one in the White House should give such an instruction and raised the matter. A brief discussion ensued between Ehrlichman and myself.

As I recall, Ehrlichman said that he was not a fugitive from justice, so why not. I said that I did not think it was very wise. At this point, Colson chimed in that he also thought it was unwise and Ehrlichman agreed. I immediately called Liddy again to retract the request but he informed me that he had already passed the message and it might be too late to retract.

Following this brief telephone skirmish regarding Hunt's travel plans, the meeting turned to Hunt's status at the White House. I had learned from Fred Fielding, who I had asked to check on it, that Hunt had not drawn a check from his White House consultancy since late March of 1973. But as far as I knew, the records indicated that Hunt was still a White House consultant to Colson. After discussions of this by Colson, who at this point was disowning Hunt as a member of his staff, Ehrlichman called Mr. Bruce淮iri and requested that he bring Hunt's personnel records up to Ehrlichman's office. Before淮iri arrived, Colson raised the matter of Hunt's safe. Colson, without getting specific, said it was imperative that someone get the contents of Hunt's safe. Colson suggested, and Ehrlichman concurred, that I take custody of the contents of the safe.
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DEPARTMENT NATIONAL COMMITTEE, et al.,
Plaintiffs,

vs.

JAMES W. MCCORD, et al.,
Defendants.

FRANCIS L. DALE, et al.,
Plaintiffs,

vs.

LAWRENCE F. O'BRIEN,
Defendant.

MAURICE H. STANS,
Plaintiff,

vs.

LAWRENCE F. O'BRIEN,
Defendant.

Washington, D. C.
Tuesday, May 15, 1973

FRED W. WALTER, Attorney
DEPARTMENT NATIONAL COMMITTEE
WASHINGTON, D. C.
Deposition of

BRUCE KEHRLI,

a witness, called for examination by counsel for the plaintiffs Democratic National Committee and Strauss, pursuant to notice, a copy of which is attached to the court copy of this deposition, at the offices of Cohen and Uretz, 1730 M Street, N. W., Washington, D. C. beginning at 4:15 o'clock p.m. before Betty Munever, a Notary Public in and for the District of Columbia:

In Civil Action No. 1233-72:

For the Plaintiffs Democratic National Committee and Strauss:

BULMAN, GOLDBEIN, FELD & DUNIE
BY: MAURICE R. DUNIE, ESQ.

COHEN AND URETZ
BY: SHELDON S. COHEN, ESQ.
ROBERT E. WEISS, ESQ.

For the Plaintiff O'Brien:

WELCH & MORGAN
BY: CHARLES A. McNEILIS, ESQ.

For the Defendants Committee for the Re-Election of the President, Finance Committee to Re-Elect the President and Francis L. Dale:

JACKSON, LASKEY & PARKINSON
BY: KENNETH WELLS PARKINSON, ESQ.

For the Defendant Sloan:

STONER, TREISE & RUFNER
BY: JAMES R. STONER, ESQ.
Q And you desire to proceed without an attorney?
A That is right.

Q What are your duties at the White House, Mr. Kehrli?
A Basically administrative. My title is Special Assistant to the President. My position is one of a staff secretary which is kind of the operations officer for the White House on a day-to-day basis.

It involves making sure that papers that the President sees, official papers, are staffed correctly; handling the paper flow to the President such as official documents, bills, proclamations, things of this nature. Handling the administration of the White House staff in terms of payroll, office space, things of this nature.

Q How long have you held this position?
A Since January 1, 1972.

Q Who do you report to in this capacity?
A Well, I did report to Bob Haldeman. I now report to General Haig.

Q Let me direct your attention to June 19th of 1972. You had an occasion at that time to go to an office in the Old Executive Office Building isn't that correct?
Q Yes, that is correct.

Q Is that Room 338?
A Yes, it is.

Q That was the office of Howard Hunt?
A Yes.

Q What caused you to go to that office, Mr. Kehrli?
A I was requested by John Dean to go to that office.
Q When did he make that request to you?
A In the afternoon at about 2:00 o'clock, I think. I am not sure of the correct time. Early afternoon on that day.

Q Would you relate that conversation to us, what took place?

A He just asked me to go to the office and see if there were any materials or papers left and clean them out. I went up to the office. I checked to find only stationery and other things of that nature in the desk but found a safe in the office.

I had put the stationery in a large box and had it removed to a room in EOB, Executive Office Building. I had the safe taken to that same area.

Q Did you do this by yourself?
A No, I did that with GSA personnel.

Q Do you recall who they were?
A No, I don't.
Q What time was this you removed this, about 2:30 in the afternoon? Is that correct?
A It was probably around -- immediately after my discussions with Mr. Dean.

Q What happened when you took the safe to the Old Executive Office Building?
A We were in the Old Executive Office Building. We took it to the fifth floor. I then checked with the GSA representative and with the Secret Service representative to see if they had a combination for the safe.

Q What did you find out?
A That they did not.

Q Was it a GSA safe?
A It was.

Q And they did not have the combination?
A No, which is not unusual.

Q Then what took place?
A Then I asked them to open the safe and to give me a call because John Dean had said he wanted to be there when the safe was opened and I waited. I got a call, let's see at about -- it was early evening, from one of the -- I think it was the FBI agent.

When the safe was opened they had a Secret Service agent there and the fellow actually opened the safe. They had people
to protect themselves against any problems, things missing out of the safe.

Q: Do you know who the Secret Service agent was?
A: Baker, as I remember.

He called and said, "We have opened the safe. There is a gun in the safe. You better come up and take a look at it."

So at that point I tried to reach Mr. Dean. I was unable to reach him and reached Mr. Fielding and we went up. We both arrived. It took me a couple of hours to track down Fielding and we went up there I think around 7:30 or 8:00 o'clock. At that point —

Q: Were you there before he was?
A: No.

Q: You got there at the same time?
A: Approximately the same time. I think we may have seen each other coming down the hall toward the safe. I don't really remember at this point but it was approximately the same time.

From there the GSA or the fellow who opened the safe and the Secret Service agent left. We took the material out of the safe, put it in a couple of boxes that we had there, called GSA people to come up and take it from there to my office because that was the most secure area there in the
In the United States District Court
for the District of Columbia

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Filed

MAY 21, 1979

James E. Davey, Clerk

Civil Action

No. 2233-72

Democratic National Committee, et al.,

Democratic National Committee, et Al.

Plaintiff,

Plaintiffs,

vs.

James W. McCord, et Al.

James W. McCord, et Al.

Defendant,

Defendants,

Francis L. Dale, et al.

Francis L. Dale, et al.,

Plaintiff,

Plaintiffs,

vs.

Lawrence F. O'Brien,

Lawrence F. O'Brien,

Defendant.

Maurice H. Stans,

Maurice H. Stans,

Plaintiff,

Plaintiff,

vs.

Lawrence F. O'Brien,

Lawrence F. O'Brien,

Defendant.

Washington, D.C.

May 21, 1979

Monday May
Exposition of

Fred F. Fielding,

FRED F. FIELDS,

a witness, called for examination by counsel for the plaintiffs Democratic National Committee and Strauss, pursuant to notice, a copy of which is attached to the court copy of this exposition, at the offices of Cohen and Uretz, 2750 K Street, N.W., Washington, D.C., beginning at 10:15 o'clock a.m., before Hilmar N. Klamann, Jr., a Notary Public in and for the District of Columbia:

In Civil Action No. 1233-72:

For the Plaintiffs Democratic National Committee and Strauss:

BULMAN, GOLDSTEIN, FEAD & DUNIE
BY: MAURICE R. DUNIE, ESQ.

COHEN AND URETT
BY: SHELDON S. COHEN, ESQ.
ROBERT E. WEISS, ESQ.

For the Plaintiff O'Brien:

WELCH & MORGAN
BY: CHARLES A. MCNELIS, ESQ.

For the Defendants Committee for the Re-Election of the President, Finance Committee to Re-Elect the President and Francis L. Dale:

Francis

JACKSON, LASKY & PARKINSON
BY: KENNETH WILLS PARKINSON, ESQ.
Kenneth Wells Parkinson, ESQ.

For the Defendant Sloan:

HECHER, GREEN & HUFFNER
BY: JAMES R. OULIN, ESQ.
Stoner, Treese & Ruffner
BY: JAMES R. STONER, ESQ.
MR. WEISS: For the record, I would like to indicate that it is now approximately 10:15 a.m., May 15, 1973. This deposition is called pursuant to notice to all attorneys involved and a subpoena having been served on Mr. Fielding. Mr. Fielding is represented by counsel.

MR. WERTHEIM: At this time, I would like to note that Mr. Fielding does not waive examination and signing of the transcript.

MR. WEISS: We are on daily copy and we have been trying to get 24 hours return on it by agreement of counsel since we are under a June 6 discovery deadline at this point. We would appreciate all efforts that can be made on your behalf upon your receipt to get it back to us.

MR. WERTHEIM: We will make every effort possible.

Thereupon ...

FRED P. FIELDING,

a witness, was called for examination by counsel for the plaintiffs Democratic National Committee and Strauss and, after having been sworn by the notary, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR PLAINTIFFS DEMOCRATIC NATIONAL COMMITTEE AND STRAUSS

BY MR. WEISS:

Q What is your name?
Q: Was there a deputy at that point?
A: No, there was not.
Q: So you were the second in command at that point?
A: Yes.
Q: Were you hired by Mr. Dean?
A: Yes, sir. Well, I was hired by Mr. Dean. He is the one who interviewed me and offered me the position.
Q: Had you known Mr. Dean prior to this?
A: I had not.

Q: Let's address your attention to June 19, 1972. On that occasion, you had the occasion to go to Mr. Hunt's office; is that correct?
A: That is not correct. To the best of my knowledge, I have never been in Mr. Hunt's office. June 19th, just so I am sure, that was Monday?
Q: Yes, it would have been Monday, the 19th.
A: I just wanted to make sure. On June the 19th, the evening of June the 19th, I had occasion to go to the fifth floor of the Old Executive Office Building to a room. I am just not sure of the room number. It was not Mr. Hunt's office. It was no one's office. It was a GSA storeroom.

Q: It is not the office Mr. Hunt occupied when he was at the White House, is that correct?
A I am sure it wasn't. It was a GSA storeroom.

Q Would Room 522 be the room that you went to in the Old Executive Office Building?

A Yes, to the best of my knowledge.

Q Would you tell us what happened when you arrived there.

A When I arrived there, Mr. Bruce Kehrli, who was at that time a staff secretary at the White House office, was present, a GSA representative, I believe, was in the hallway and, to the best of my recollection, there was a Secret Service agent present. There was a safe in that room which had just been drilled by a team of people from one of the safe companies.

Q Do you know who they were?

A No.

Q Do you know who the Secret Service man was?

A No, I don't.

Q The only person you knew was Mr. Kehrli?

A And the GSA representative.

Q You knew him?

A Yes.

Q Who was that?

A Mr. Charles Rothford, I believe.

Q When you arrived in the room, the safe was already open?

A The safe had been drilled and was open approximately
Fred Fielding Deposition, May 15, 1973

an inch. One of the drawers was open approximately an inch.

Q The team had already left that drilled the safe; is that correct?
A Yes.

Q Approximately what time was this?
A I would say it was approximately 7:30. 7:30 to 8:00 o'clock in the evening.

Q What caused you to go to that room in the Old Executive Office Building?
A I was in my office working sometime around 7:00 o'clock. I got a phone call from Mr. Kehrli who was trying to reach Mr. Dean. Mr. Dean was not in the office at the time. I tried to reach him and couldn't. Mr. Kehrli advised me that they had Mr. Hunt's safe in this room, 522, and it had been drilled and that Mr. Dean had asked that he be present when the safe was opened. I then tried to find Mr. Dean and could not, and I knew that Mr. Kehrli had come in from his home upon advice that the safe was open, so I said, "Well, if Mr. Dean wants somebody to be up there, I'll come up there." That's how I ended up in Room 522.

Q The safe was then open, I assume, when you were there?
A Yes. By way of background, it is my understanding, and I didn't know this at the time, that the Secret Service

retyped from indistinct original
Q. The team had already left that drill? The only— was that correct? The locking mechanism on your door, that's how the safe was opened.

A. Yes. It would take about half an hour to do that.

Q. Approximately what time was this?

A. I would say it was approximately 7:30 to 7:45 o'clock in the evening.

Q. What caused you to go to that room in the old Executive Office Building?

A. I was in my office working sometime around 7:00 o'clock. I got a phone call from Mr. Kahrli who was trying to reach Mr. Dean. Mr. Dean was not in the office at the time. I tried to reach him and couldn't. Mr. Kahrli advised me that they had Mr. Hunt's safe in this room, 522, and it had been drilled and that Mr. Dean had asked that he be present when the safe was opened. I then tried to find Mr. Dean and couldn't, and I knew that Mr. Kahrli had come in from his home, upon advice that the safe was open, so I said, "Well, if Mr. Dean wants somebody to be up there, I'll come up there." That's how I ended up in Room 522.

Q. The safe was then open, I assume, when you were there?

A. Yes. By way of background, it is my understanding, and I didn't know this at the time, that the Secret Service
Opening Statement of Charles W. Colson
Before Select Committee on Presidential Campaign Activities, United States Senate

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

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

AS TO THE FACTS:

I first heard that there had been a burglary at the Democratic National Committee headquarters on the radio. It was Saturday, June 17, 1972. I thought it was no more than an ordinary burglary -- one more addition to the D. C. crime
take steps to formally process Hunt's termination, such as the cancellation of his White House pass, the surrender of documents, etc.

3. We learned -- to my surprise -- that Mr. Hunt still maintained a safe in an office in the Executive Office Building. I suggested to Dean that he take custody of the safe. I was certain in my own mind that there would be an investigation if the facts established that Hunt had had any connection with the Watergate break-in. It was my view that the White House counsel had a responsibility to secure the safe and any other evidence. Contrary to Mr. Dean's testimony (TR 2169), I had had no communications from Hunt over that weekend; no one suggested that I remove anything from the safe. I never saw the safe nor was I aware of the contents of the safe. As a matter of fact, it was not until late June, after publication of a Scripps-Howard
16. Immediately before the meeting specified in paragraph 14, John Dean asked Gordon Liddy to advise Howard Hunt that he should leave the country. Liddy contacted Hunt and told him that "they" wanted Hunt to get out of town. Dean states that he took this action on instructions from Ehrlichman, and that Dean retracted his instruction shortly after he gave it. Ehrlichman has denied that he gave such instructions.

16.1 John Dean testimony, 3 SSC 934.


16.3 Howard Hunt testimony, 9 SSC 3690.

16.4 John Ehrlichman testimony, 7 SSC 2718-19.

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

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

16.7 Indictment, United States v. Mitchell, March 1, 1974, paragraph 3.

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

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instructed by Haldeman to go through all of Mr. Haldeman's files over the weekend and remove and destroy damaging materials. He told me that this material included such matters as memorandums from the reelection committee, documents relating to wiretaps from the DNC, notes of meetings with Haldeman, and a document which reflected that Haldeman had instructed Magruder to transfer his intelligence gathering from Senator Muskie to Senator McGovern. Strachan told me his files were completely clean.

I spoke with Mr. Kleindienst and he told me that both the FBI and the D.C. Metropolitan Police were investigating, and he assumed that the FBI would take full jurisdiction of the case shortly. He also alluded to his encounter with Liddy at Burning Tree Country Club, but did not explain this in full until I later met with him. I do not have a record of when I met with Mr. Kleindienst, but it was either on Monday, the 19th, or the next day. I will describe that meeting shortly.

I met with Ehrlichman in the mid-afternoon and reported in full my conversation with Liddy. I also told Ehrlichman about the earlier meetings I had attended in Mitchell's office in late January and early February and my subsequent conversation with Haldeman. He told me he wanted to meet later with Colson and told me to attend. Ehrlichman also requested that I keep him advised and find out from the Justice Department on what was going on. I did not mention my conversation with Strachan because I assumed that Ehrlichman was aware of this from Haldeman himself.

Later that afternoon I attended a second meeting in Ehrlichman's office with Colson. I recall Ehrlichman asking where Hunt was. I said I had no idea and Colson made a similar statement. At that point, before the meeting had started, Ehrlichman instructed me to call Liddy to have him tell Hunt to get out of the country. I did this without even thinking. Shortly after I made the call, however, it occurred to me that he should not dictate that. I spoke to Hunt's staff. Ehrlichman called Mr. Bruce Kohrli and requested that he bring Hunt's personnel records up to Ehrlichman's office. Before Kohrli arrived, Colson raised the matter of Hunt's safe. Colson, without getting specific, said it was imperative that someone get the contents of Hunt's safe. Colson suggested, and Ehrlichman concurred, that I take custody of the contents of the safe.
were apprehended inside the offices of the Democratic National Committee --

Mr. Hunt. Yes, sir.

Mr. Lackritz. Could you please describe from that point on what your reaction was, and what you did after that?

Mr. Bittman. You want to go through the whole thing again?

Mr. Lackritz. Off the record.

(Discussion off the record.)

Mr. Lackritz. Back on the record.

Mr. Hunt. After the men were apprehended and I had gone over to the Howard Johnson Motel, I then went to the White House and took out $10,000 from the cash box. I put $1,500 in my own pocket, took $8,500, and after making a call from my Mullen Company office to Mrs. Barker in Miami to advise her of the situation, and to suggest she get in touch with Mrs. Caddy; I then went to Mr. Caddy's apartment and gave him $8,500. After he had secured an attorney named Rafferty, after many hours of telephoning members of his firm that might, or might not be available, I departed for my home.

I'm trying to keep it in the money context. On Monday, the 19th, I was told by Mr. Liddy that they wanted me to get out of town.

Mr. Lackritz. Now, Monday the 19th, when did you see Mr. Liddy?

Mr. Hunt. It was, I gather, around 11, 11:30 in the morning.
morning. He called me and asked me to meet him down at the
corner by the USIA Building, which is about 19th and Pennsylvania
Avenue.

It was very mysterious, we walked, and he talked; and he
said, "We want you to get out of town right away", and I expressed
surprise at that.

I said, "Well, what is the purpose, where do you want me
to go", and he said, "Well -- I said, "What excuse would I
have for going". He said, "Well, your wife is in Europe, why
don't you go over and visit her for a while, spend the rest of
the summer over there, it's a free vacation".

I said, "Well, I still have two children here in the
United States"; so we went on in that vain and it had been
decided. He wasn't specific as to who had instructed him to
get in touch with me, but he said, "All expenses will be paid,
everything will be taken care of"; and I said, 'What I need right
now is an attorney, you know, he has been out to visit me;
I communicated with him telephonically over the weekend."

I went home in due course and began packing, and within
a period of 45 minutes --

Mr. Lackritz. Before you get into that, when you met with
Mr. Liddy on the street corner he said "they wanted you to get
out of town", who were "they"?

Mr. Hunt. I assumed it to be the Mitchell, Magruder, Dean
group, whom I identified as the principals.

Retyped from indistinct original.
Mr. Lackritz. You identified these individuals that you just named as being Mr. Liddy's principals?

Mr. Hunt. Yes.

Mr. Lackritz. I see. Did you ask Mr. Liddy specifically who "they" were?

Mr. Hunt. No, I did not at that time. We, both of us, were in a pretty emotional state at that point, and he felt it was imperative, he was relaying instructions to me to get out of town. I resisted that instruction, I wanted legal representation.

He overcame my reluctance and I said, "All right, I've got a pretext for going up to New York over night - in fact I did have a conference slated for the following day in New York. So, I went up to New York and telephoned my wife in London the following day - oh, it was after I got home that Mr. Liddy rescinded the order. I was just about packed, though I had no intention of going abroad; I didn't actually take my passport out of the drawer.

I said, "Well, I'm very concerned over the mental processes, or the rationale of people who tell me to get out of town, nothing else will do; and suddenly, 45 minutes later, the order is rescinded."

I said, "What I'm going to do, you persuaded me that there may be a reason for me to get out of town." I said, "I've already told my employer I'm going out of town, so I'm in
The United States Senate

Report of Proceedings

Hearing held before

Select Committee on Presidential Campaign Activities

SENATE RESOLUTION 60 -- GENERAL INVESTIGATION

CONFIDENTIAL

Thursday, July 27, 1972

Washington, D.C.

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WARD & PAUL
410 FIRST STREET, S.E.
WASHINGTON, D.C. 20003
Mr. East. Yes, sir.

Mr. Lackland. — Can you please describe how that went on what your reaction was, and what you did after that?

Mr. Dickinson. You went through the whole thing again.

Mr. Lackland. Off the record.

(Discussion off the record.)

Mr. Lackland. Back on the record.

Mr. Hunt. After the men were apprehended and I had gone over to the Howard Johnson Hotel, I then went to the Milton Hotel and took out $12,000 from the cash box. I put $1,200 in my own pocket. Took $10,000, and after making it all, I left my Milton company office to Mr. Barker in Mind to advise how of the situation, and to suggest he put in touch with you. Cody.

I then went to Mr. Cody's apartment and gave him $3,000. After he had secured an attorney named Bolster, after many hours of telephone conversations of his files and night, we might not be completed in 2 minutes for my time.

Mr. Boothby left \\

Mr. Beginning to cross-examine Mr. Hunt. Did you.

Mr. Mr. Boothby. Did you do.

Mr. Mr. Boothby.

Mr. Mr. Boothby.

Mr. Mr. Boothby.

Mr. Mr. Boothby.

Mr. Mr. Boothby.
morning. He walked me and talked to me until he drove us to the
corner by the Old Building, where he gave both and Pennsylvania
around.

It was very mysterious, we walked, and he talked; and he
said, "We want you to get out of town right away". And I expressed
surprise at that.

I said, "Well, what is the purpose, where do you want me
to go", and he said, "Well ... I said, "What am I going to
have for going". He said, "Well, your wife is in Europe, why
don't you go over and visit her for a while, spend the rest of
the summer over there, it's a fine vacation".

I said, "Well, I still have the children here in the
United States"; so we went on in that vain and it had been
decided. He wasn't specific as to why he had instructed him to
run in touch with me, but he said, "All expenses will be paid,
everything will be taken care of", and I said, "Okay, I need right
now to an attorney, you know, he has been one to visit me;
I communicated with him telephonically over the weekend."

I was kept in the same hotel, very warm, and within
a short while,
Mr. America. You know that those individuals were your
just loud as being Mr. Giddy's principals?

Mr. Kind. Yes.

Mr. Mackrite. Yes. Did you ask Mr. Giddy specifically
who "they" were?

Mr. Kind. No, I did not at that time. We, both of us,
were in a pretty excitable state at that point, and he felt
it was imperative, he was relaying instructions so we he got
out of town. I resisted that instruction, I wanted legal
representation.

He overrode my reluctance and I said, "All right, we've got
a plane for going up to New York this night — in fact I DID
have a conviction granted for the following day in New York.

So, I went up to New York and telephoned up while in London the
following day — oh, it was after I got home that Mr. Giddy
resisted the order. I was just about packed, though I had no
intention of going abroad; I didn't actually take my passport
out to the station.

"Well, Well, I'm very much pleased over the small amount
I've made... in the charge for your coat and hat and my
train fare."

I said, "Then the order to, you know, the condition of your
coat, hat, and train fare..."
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

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WASHINGTON : 1973

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[523]
Mr. DASH. Now, did you hear from Mr. Liddy during this period of time?

Mr. HUNT. What period of time?

Mr. DASH. Shortly after, around June 19 or around that time?

Mr. HUNT. Yes, sir, I did.

Mr. DASH. What, if anything, did he tell you?

Mr. HUNT. Toward midafternoon of the 19th, I got a telephone call from him at my Mullen Co., office saying that he needed urgently to meet me. We met at the corner of the CSA building, which I believe is at 17th and Pennsylvania Ave. We met, walked around the block. During the course of the conversation, he told me that it was necessary for me to get out of town. That “they” wanted me to get out of town.

Mr. DASH. Did he indicate who “they” were?

Mr. HUNT. I believe not at that time.

Mr. DASH. Then, was it a fact that that particular order was rescinded?

Mr. HUNT. He told me that it was.

Mr. DASH. Now, in fact, you did leave Washington, did you not?

Mr. HUNT. I did.

Mr. DASH. And did you ultimately go to California?

Mr. HUNT. I did.

Mr. DASH. At that time, did you make arrangements to obtain counsel?

Mr. HUNT. I obtained local counsel in California, but not Washington counsel.

Mr. DASH. Well, in California, who did you meet, what California counsel?

Mr. HUNT. I was staying at the home of an attorney, an old friend named Morton B. Jackson. Mr. Liddy appeared out there unannounced on June 21. I reiterated my request to him that he or somebody obtain counsel for me in the Washington area. Mr. Liddy gave me $1,000 and said, this will help with Jackson.

I thereupon gave the $1,000 in cash to Mr. Jackson, retaining him as my counsel on the west coast.

Mr. DASH. And did Mr. Jackson refer you to any Washington lawyer?

Mr. HUNT. In due course, he did.

Mr. DASH. Yes, and what lawyer was that?

Mr. HUNT. He referred me some time later to two attorneys, neither of whom were known to me, I believe either Mr. Jackson or myself. Simply through an alphabetical process. I decided to retain, to inquire of Mr. Bitman whether or not he would be interested in representing me.

Mr. DASH. And did you retain Mr. William Bitman?

Mr. HUNT. I did.

Mr. DASH. And when did you first meet Mr. Bitman in Washington?

Mr. HUNT. On the night of July 3.

Mr. DASH. What was your understanding, Mr. Hunt, concerning legal fees and support of your family that you would receive? What general understanding did you have?

Mr. HUNT. At the time Mr. Liddy appeared at the home of Mr. Jackson on June 21, I raised the question with him, as I had with
office, but our office also works 18 hours a day. I have got some very
loyal, hard-working, dedicated people on my staff but they don't work
in a vacuum. Every one of them knows what the other one is doing,
and in our office we don't keep secrets from each other, and when
something of importance arises that they think I, as a U.S. Senator
from Georgia, ought to know, they don't conceal it. They bring it to me
and inform me, and I can act on it intelligently and not in the dark.

Mr. Chairman, I yield the floor.

Senator Ervin. Senator Gurney.

Senator Gurney. Thank you, Mr. Chairman.

On June 19, Mr. Ehrlichman, you had a meeting, I believe, with
Mr. Colson and Mr. Dean. And there has been testimony here that
there was some discussion at that meeting about instructions to Mr.
Hunt to leave the country. Can you shed some light on this?

Mr. Ehrlichman. I believe I can, Senator. There were two other
people at that meeting also, Mr. Kehrli, the staff secretary, and Mr.
Clawson. I think the first time I heard this story about getting Hunt
out of the country, and I take it that is what you are referring to,
was sometime this year, either late in March or early in April, when
Mr. Dean in my office told me I had said that. He said very dramatically,

I went to that telephone over there to the corner of your office and I picked
it up and called somebody and sent Hunt out of the country and you remem-
ber that just a half hour later we decided that we shouldn't do that and I went
back and called it off.

Senator Gurney. When did this meeting occur?

Mr. Ehrlichman. Dean is recounting this to me this year.

Senator Gurney. Yes.

Mr. Ehrlichman. Sometime late March, early April, someplace in
there, I said, "John, I don't think that ever happened. When is that
supposed to have happened?"

He said, "That was at the meeting where we talked about Hunt
and his plight and his safety and you remember that."

And I said, "No, sir. I sure don't."

Now, coming off of that encounter, I thought it was a dead issue
until after the President had talked with Henry Petersen around
April 15, someplace in there, and the President then said to me, "The
prosecutor says you tried to get Hunt out of the country."

And I said, "No, sir."

Now, I called Mr. Kehrli and I called Mr. Clawson and I called
Mr. Colson, and I said, "What do you remember about this meeting,
this is supposed to have happened?"

Senator Gurney. This is after you and Dean had your confrontation.

Mr. Ehrlichman. And after I had been informed that he had ap-
parently given this story to the prosecutor. And each of them, Kehrli
and Clawson said, no. Clawson said first, "What do you want me to
remember" or something to that effect, and I said, "I want you to
remember everything that happened four square because this is some-
thing I am drawing a plan on."

And he said, "It didn't happen as far as I can recall."

But anyway I got to Mr. Colson and he said, "What didn't happen
in your office, that happened in my office." And he said, "I had a con-
versation with John Dean about that and I told John Dean, 'For good-
ness sake, if you try to send Hunt out of the country turn it off. It is a dumb idea. And he did.”

Senator GUNNEY. How did Colson know that Dean had tried to tell Hunt to get out of the country or told him to get out of the country?

Mr. EHRlichMAN. Because Colson said, “He tried to peddle that story to me.”

Senator GUNNEY. When did he try to peddle that story?

Mr. EHRlichMAN. He didn’t tell me. But then in checking around a bit I discovered that in this time era, Mr. Dean was apparently salting the mine a little bit. He was getting around and suggesting events to different people. He did the same thing with Mr. Haldeman, I understand, and these—

Senator GUNNEY. On the Hunt again?

Mr. EHRlichMAN. No; this was on something else, and I can’t remember what it was but I just remember Haldeman saying, “Well, that happened, you know he was in here peddling one of these stories to me.”

Senator GUNNEY. This is all during the period of March and April, somewhere in there.

Mr. EHRlichMAN. This was after the Camp David attempt by Mr. Dean to collect his thoughts.

Senator GUNNEY. Is so.

Mr. EHRlichMAN. And so, anyway, Colson told me this, and that concluded the matter as far as I was concerned in corrobating my absence of any recollection of such a thing having happened. But apparently there was a pattern through those weeks of Dean trying to assert these sort of antics to the landmark across the landscape.

Senator GUNNEY. Did you go back to Dean after that and say, “I checked this story on you and it never happened. Why are you telling me this?”

Mr. EHRlichMAN. No; by that time Mr. Dean and I were not communicating with one another.

Senator GUNNEY. What other things did he try to peddle, to whom?

Mr. EHRlichMAN. Other than this particular tale to Mr. Colson and me and the one about Mr. Haldeman which I am sorry to say I can’t recall. The deep-six business of the disposal of the document was also given to the prosecutors and came back to me the same way. That he did not try to plant on me that I can recall.

Senator GUNNEY. Why would he plant the Hunt story, I mean what purpose would that serve?

Mr. EHRlichMAN. I confess, I don’t know except—well, this is really remote, but I do understand that in fact Mr. Dean did make the call to have Hunt leave the country, and like some other episode that we discussed the other day he has tried apparently to tie events of that kind to someone else’s authority.

Now, I don’t know the date of the actual call but I have heard and, as I say this is really secondhand, that Hunt got such a call, either got it from Dean or on Dean’s say-so and it’s a little bit like the McCordCaulfield situation, he is tying it back to me.

Senator GUNNEY. As far as you are concerned you never gave him that instruction?

Mr. EHRlichMAN. Correct.

Senator GUNNEY. At this June 19 meeting or any other meeting?

Mr. EHRlichMAN. That is correct.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION
WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JULY 26, 27, AND 30, 1973
Book 7

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No. 95—(2054) IRS cover sheet dated April 1973 entitled “Statistics—Requests for Inspection of Income Tax Returns or Data From Returns by Federal Agencies for the 6-Month Period July 1—December 31, 1972”, with attachment. 2011
No. 97—(2713) Memorandum for the record of Gen. Vernon A. Walters (CIA) dated July 6, 1972, re: Meeting with Acting FBI Director L. Patrick Gray at 10:05 hours on July 6, concerning Watergate matter. 2013
No. 98—(2730) Ehrlichman’s handwritten notes re: His investigation into Watergate affair. 2015
No. 99—(2740) Ehrlichman/Reindienst taped telephone conversation. 2014
No. 100—(2773) Notes of meeting with Herb Kalmbach, April 5, 1973, in San Clemente, Calif. 2047
No. 102—(2790) Ehrlichman taped telephone conversation with Pat Gray, March 7 or 8, 1973; also taped telephone conversation with John Dean immediately following Gray conversation. 2950
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No. 104—(2790) Letter from Robert W. Barker to Senator Ervin concerning “Million Dollar Secret Fund” allegation, with attachments. 2954
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No. 105—(2800) Congressional Record insert (pages S3911-S3924) re: “Principle by Executive Branch of Conducting Individual Tax Returns.” 2978
No. 106—(2810) White House “Eve’s Only” memorandum dated October 2, 1972, from John Ehrlichman to John Dean re: Herbert Kalmbach written retainer agreement enclosing hand-written draft letter. 3003
No. 107—(2810) Ehrlichman taped telephone conversation with Clark MacGregor. 3007
No. 108—(2820) Ehrlichman taped telephone conversation with Ken Clawson. 3009
No. 109—(2820) Ehrlichman taped telephone conversation with Charles Colson on April 17, 1973. 3010
No. 109A—(2820) Sworn statement of Bernard Fensterwald, Jr. 3012

Note. Figures in parentheses indicate page that exhibit was officially made part of the record.
Conversation with Ken Clawson

C. Clawson.
E. Ehrliehman.

E. You called me?
C. No I didn't call you.
E. I'm sorry, I got a message at home to call you. I'll be jiggered. Is this Ken Clawson.
C. Unless it was Jim Clawson.
E. Couldn't have been. Isn't that strange. Gee I hope I didn't wake you up.
C. I'm out of it with this damn cold.
E. Oh, that's too bad. Well I've you could I ask you something. I'm awfully sorry to bother you. You may recall a meeting in my office which I think you sort of convolved to talk about a press report during the Watergate afternoon, when it broke, a press report about Hunt's safe being in the White House. And you and Chuck and Bruce Kohri came up here and met with Dean and me to talk about what you know what our response should be and so forth. Do you remember that?
C. Vaguely. I remember better an earlier meeting in which the question was should we give out Hunt's dates of employment and what Charley's role was in hiring him.
E. Yeah. Well, this focuses particularly on what we ought to do about the contents of the safe, what we ought to say to the press, what we ought to do about Hunt and so forth. Do you have any present recollection of that?
C. A vague memory, yeah, but I don't recall any of the details of it.
E. Well, it's interesting because Dean who as you know has talked to the U.S. Attorney at great length, cites some comments of mine in that meeting as evidence of corrupt attitude on my part and I'm looking for anybody who can help me to recall what took place there.
C. That's a helluva note, John.
E. I agree.
C. If you want me to be forthwith and straightforward with you, I'll recollect anything you want me to.
E. Well, no, let me let me tell you what my problem is and then you can ... I've got to tell what I recall and what I don't recall. He charges that I said two things at that meeting. One that we ought to keep six the contents of the safe, quote, unquote. And, two, that we ought to get Hunt to leave the country.
C. Oh, I could ... Ken, John, if anything like that. If either one of those two things were said that would be vivid in my mind.
E. I would think so, I would think so.
C. And that's objectively.
E. Now, in point of fact, Dean phoned Liddy and asked Liddy to have Hunt leave the country.
C. That's new news to me.
E. Yeah, but you see this ... and what he's doing is saying well I was just being a good German and carrying out orders.
C. No, I would have absolutely no trouble in remembering either one of those two things had that been said.
E. Well, OK.
C. I would just remember that.
E. Yeah, that's a fairly dramatic event. OK, thank you very much. Awfully sorry to have bothered you. I just don't understand.
C. If there's anything I can do in this thing, please let me ... 
E. I will, I will. Thank you, Ken.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 69

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

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JULY 25, 27, AND 29, 1973
Book 7

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Conversation with Chuck Colson, April 17, 1973.

C. Colson.
H. Holly Holm (Colson's secretary).
E. Ehrlichman.

E. Hello.
H. Hello, Mr. Colson's office.
E. Yes, this is John Ehrlichman.
H. Hi, Mr. Ehrlichman.
E. Mr. Colson in?
H. Yes, just a minute please.
C. Hello.
E. Hi,
C. Hi, John. I'll be over about 11 if that's convenient.
E. Fine, that's very good.
C. Two quick questions, though. One thing I should tell you is that our great
and last night really started accelerating. Something coming out this morn-
ing. Dean involved. Now I notice the LA Times has it this morning but
the people that Ehrlich has been getting information from, you know, the-
town is buzzing with, is alive with the story, so I don't think we have a
helluva lot of time.
E. All right.
C. I just thought I'd let you know that.
E. I appreciate it.
C. Did he, when he went over there, was he given any immunity?
E. Not yet.
C. What they've done, apparently.
E. They shouldn't give it to him.
C. I know it. What they said to him is that unless he turns up corroborated
evidence against Haldeman and me.
E. Is that who he's trying to make?
C. Sure.
E. Who, Dean is?
C. Yes.
E. That's John Mitchell again. Son of a bitch.
C. Unless he does that he doesn't get immunity. Now my grapevine tells me that
you are going to be summoned over there today.
E. Oh, really?
C. Yes. And that they're going to ask you about a meeting in my office which
Dean has highlighted as the central question in the case against me and
so just in case you get hauled over there before 11 o'clock, maybe I'd better
tell you about it. It was a meeting that Beurl, Clawson, you, Dean and
I had here.
C. I wasn't there.
E. In my office.
C. I was not there. Dean tried this one out on me Friday night, and I said the
only thing I can ever recall, John, is I once told you I thought it was a
stupid, red-ding thing for Hunt to be unavailable.
E. Well, that's the meeting where supposedly I ordered him to tell Hunt to
leave the country.
C. Never heard that. And I will SO state under oath.
E. Or that I admonished everyone that we ought to figure out some way to
depository the contents of Hunt's safe.
C. No. No way. I was the one who said go get Hunt's safe and be sure it's
preserved for the FBI.
E. Right.
C. A. and B it's stupid to get another country. But that was in my office, not yours. And you weren't present.

C. I can handle that one easily.

E. But you were not in a meeting here?

C. Well, I may have been but I sure don't remember that.

E. That's the way. OK.

C. All right? I can handle that.

E. Thank you. I'll see you at 11.

C. There's a couple of things you and I need to do to protect each other's flank here but we'll talk about that, but no, I'm serious.

E. Fair enough.

C. Let's get it clearly understood that son of a bitch doesn't get immunity.

C. I want to nail him.

E. Well I'm doing my best.

C. No, I want to nail him. I'll take immunity first.

E. OK.

C. All right?

E. All right.

C. Thanks.
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

JOHN N. MITCHELL, HARRY R. HADDEMAN, JOHN D. BIRLICHEIN,
CHARLES W. COLSON, ROBERT C. MARDIAN, KENNETH W. PARKINSON,
and GORDON STRACHAN,

Defendants.

Criminal No. 74-30

Violation of 18 U.S.C. §§ 371, 1001, 1503, 1621, and 1623 (conspiracy, false statements to a government agency, obstruction of justice, perjury and false declarations.)

INDICTMENT

The Grand Jury charges:

Introduction

1. On or about June 17, 1972, Bernard L. Barker, Virgilio R. Gonzalez, Eugenio R. Martinez, James W. McCord, Jr. and Frank L. Sturgis were arrested in the offices of the Democratic National Committee, located in the Watergate office building, Washington, D.C., while attempting to photograph documents and repair a surreptitious electronic listening device which had previously been placed in those offices unlawfully.

2. At all times material herein, the United States Attorney's Office for the District of Columbia and the Federal Bureau of Investigation were parts of the Department of Justice, a department and agency of the United States, and the Central Intelligence Agency was an agency of the United States.

3. Beginning on or about June 17, 1972, and continuing up to and including the date of the filing of this
of Columbia, both prior to and subsequent to the return of the indictment on September 15, 1972.

(f) The conspirators would make and cause to be made offers of leniency, executive clemency and other benefits to E. Howard Hunt, Jr., G. Gordon Liddy, James W. McCord, Jr., and Jeb S. Magruder.

(g) The conspirators would attempt to obtain CIA financial assistance for persons who were subjects of the investigation referred to in paragraph three (3) above.

(h) The conspirators would obtain information from the FBI and the Department of Justice concerning the progress of the investigation referred to in paragraph three (3) above.

18. In furtherance of the conspiracy, and to effect the objects thereof, the following overt acts, among others, were committed in the District of Columbia and elsewhere:

OVERT ACTS

1. On or about June 17, 1972, JOHN N. MITCHELL met with ROBERT C. MARDIAN in or about Beverly Hills, California, and requested MARDIAN to tell G. Gordon Liddy to seek the assistance of Richard G. Kleindienst, then Attorney General of the United States, in obtaining the release of one or more of the persons arrested in connection with the Watergate break-in.
2. On or about June 18, 1972, in the District of Columbia, GORDON STRACHAN destroyed documents on the instructions of HARRY R. HALDEMAN.

3. On or about June 19, 1972, JOHN D. EHRLICHMAN met with John W. Dean, III, at the White House in the District of Columbia, at which time EHRLICHMAN directed Dean to tell G. Gordon Liddy that E. Howard Hunt, Jr., should leave the United States.

4. On or about June 19, 1972, CHARLES W. COLSON and JOHN D. EHRLICHMAN met with John W. Dean, III, at the White House in the District of Columbia, at which time EHRLICHMAN directed Dean to take possession of the contents of E. Howard Hunt, Jr.'s safe in the Executive Office Building.

5. On or about June 19, 1972, ROBERT C. MARDIAN and JOHN N. MITCHELL met with Jeb S. Magruder at MITCHELL's apartment in the District of Columbia, at which time MITCHELL suggested that Magruder destroy documents from Magruder's files.

6. On or about June 20, 1972, G. Gordon Liddy met with Fred C. LaRue and ROBERT C. MARDIAN at LaRue's apartment in the District of Columbia, at which time Liddy told LaRue and MARDIAN that certain "commitments" had been made to and for the benefit of Liddy and other persons involved in the Watergate break-in.

7. On or about June 24, 1972, JOHN N. MITCHELL and ROBERT C. MARDIAN met with John W. Dean, III, at 1701 Pennsylvania Avenue in the District of Columbia, at which time MITCHELL and MARDIAN suggested to Dean that the CIA be requested to provide covert funds for the assistance of the persons involved in the Watergate break-in.
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DEMOCRATIC NATIONAL COMMITTEE, et al.,
Plaintiffs,

vs.

JAMES W. MCCORD, et al.,
Defendants.

FRANCIS L. DALE, et al.,
Plaintiffs,

vs.

LAWRENCE F. O'BRIEN,
Defendant.

MAURICE H. STANS,
Plaintiff,

vs.

LAWRENCE F. O'BRIEN,
Defendant.

Washington, D. C.,
Thursday, April 19, 1973.
Deposition of

ROBERT FOSTER BENNETT,
a witness, called for examination by counsel for the plaintiffs Democratic National Committee, et al., and defendants O'Brien, pursuant to notice, at the offices of Cohen and Uretz, 1730 M Street, N.W., Washington, D.C., beginning at 2:25 o'clock p.m., before Hilmar K. Klamans, Jr., a Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

In Civil Action No. 1233-72:

For the Plaintiffs:

BULMAN, GOLDSTEIN, FELD & DUNIE
BY: MAURICE R. DUNIE, ESQ.

COHEN AND URETZ
BY: SHELDON S. COHEN, ESQ.

For the Defendant James W. McCord:

FENSTERWALD & OHLHAUSEN
BY: BERNARD FENSTERWALD, JR., ESQ.

For the Defendants Committee for the Re-Election of the President, Finance Committee to Re-Elect the President, Maurice H. Stans and Francis L. Dale:

JACKSON, LASKEY & PARKINSON
BY: KENNETH WELLS PARKINSON, ESQ.

For the Defendant Hugh W. Sloan, Jr.

STONER, TREESE & RUFFNER
BY: JAMES R. STONER, ESQ.
White House.

Q. In what context did that interest express itself?
A. He said a friend of his had developed a device, which, as he described it, was very, very sophisticated in the realm of electronic surveillance. He said it could be attached to a piece of furniture, that it was voice actuated so that the batteries or whatever power source it had would be preserved and that it was invulnerable to an electronic sweep and suggested that maybe some of our clients would be interested in knowing about the existence of this device. If they were, he said he could introduce them to the individual who had developed it. I checked and none of our clients had any interest in it.

Q. Did he ever show you one of these devices?
A. No.

Q. Did he ever show you any kind of electronic equipment?
A. No.

Q. When was the first time after June 17, 1972, when you saw Mr. Hunt?
A. The following Monday morning when I got to work.

Q. Was he already there?
A. Yes.

Q. What time did you get to work that morning?
A. I can't recall specifically. 9:00, 9:15.
Q Prior to this conversation with Mr. Gregory on that Wednesday, had you had any indication of any of the kinds of work that Mr. Hunt was doing?
A Only that he was involved in the campaign.
Q You had no indication then that his work may have involved bugging, wiretapping and the like?
A No.
Q On Monday, the 19th, when you saw Mr. Hunt, did you have any discussion with him then concerning the problem that Tom Gregory was having?
A No.
Q Did you raise the question with him?
A No.
Q Did you have the opportunity on that Monday to discuss that problem with him?
A I suppose I did, but, that not being the principal item of concern that day, I didn't think to bring it up.
Q The principal item that day was the newspaper reports, the stories about the Watergate break-in?
A That's correct, plus the fact that there were two FBI agents that came to the office to see Mr. Hunt. That kind of cleared everything else away.
Q What time did those FBI agents get there?
A Around noon.
Q Prior to noon, you talked to Mr. Hunt, but he did not want to discuss anything; is that correct?
A That's correct.
Q You did not take that opportunity at that time to discuss Mr. Gregory's problem?
A That's correct.
Q What did Mr. Hunt do at the office that morning?
A I don't know. I had a very busy morning, which was why I couldn't take the time to probe with him further and spent the morning in my own office working on my own problems.
Q Did Mr. Hunt remain at the office all day?
A No. As I left for lunch, he joined me on the elevator saying that he was going out to his oculist to get his glasses and that he might not be back that afternoon, the oculist shop being in Rockville. When I got back from lunch, the FBI agents were there and Howard was not.
Q Did you go to lunch with Mr. Hunt?
A No.
Q You simply left the building together; is that correct?
A Yes, that's correct. He came back later that afternoon and I told him that the FBI was looking for him.
Q What did he say?
A: He said, "I have no reason to talk to them." "I don't have to talk to them," I think was his exact phrase.

Q: Did he again leave the office that afternoon?
A: Yes, he did.

Q: Thereafter, did you receive any telephone calls from anyone?
A: Yes. Gordon Liddy called.

Q: About what time did Mr. Liddy call?
A: I would guess this would be in the late afternoon, 3:30 or 4:00 o'clock.

Q: On what telephone did Mr. Liddy call?
A: He called through the regular switchboard. That is, through the regular phone system.

Q: How busy was Mr. Hunt's private telephone that afternoon while he wasn't there?
A: I do not know.

Q: What did Mr. Liddy want to do? Did he want to talk to Mr. Hunt?
A: Yes.

Q: Did you speak with Mr. Liddy?
A: Yes.

Q: Did he ask to speak to you after he found out that Mr. Hunt was not present?
A I believe so. Again, that would have been handled by the secretary.

Q What was the nature of the conversation?
A He wanted to know where Howard was.

Q What did you tell him?
A I told him that as far as I knew Howard was at home, that he had left the office telling me that he had planned to leave town until the concern about the Watergate had blown over and that he was going home to pack.

Q Did that satisfy Mr. Liddy?
A Mr. Liddy said, "Will you get in touch with him and tell him that the signals have changed and he's to stay put." I called Mr. Hunt's home and gave him that message, whereupon he commented, "I wish they'd make up their minds."

Q You called him at home and he was at home at that time?
A That's right.

Q Approximately what time was that?
A That would be in the afternoon immediately after the call from Gordon.

Q Give us that time.
A 3:30 or 4:00 o'clock.

Q Did you have any further conversation that day or that night with Mr. Hunt or Mr. Liddy?
of Mr. Barker at the White House, a phone call on June the 19th.
Can you tell us a little more about who Mr. Barker is and what
position he had in the White House?

A    Mr. Barker is -- in private life, Mr. Barker is the
head of Barker & Jorgenson, a Salt Lake City advertising agency
and public relations firm. He worked with Ken Clawson and Herb
Klein and Chuck Colson. I was never sure of the exact report-
ing relationship in the White House. As I say, I have known
him since I was a freshman in college back in 1951 and it was
not unusual at all for us to have conversations about a number
of things.

Q    Had he been at the White House a considerable period
of time in June of 1972?

A    No. His total service at the White House was less
than 18 months and he left in December of '72 or January of '73.

Q    Do you know where he is today?

A    In Salt Lake City.

Q    Do you know who his immediate superior would have bee
A    I believe it would have been Chuck Colson, but I
couldn't say for sure.

Q    Do you know by whom he was recruited for the White
House?

A    I believe Colson hired him. He was recommended for
the job by me, among others.

Q Could you relate again for me so I can get it straight the conversation you had with him on Monday, June 19th?

A As I say, I don't recall the conversation because it had nothing to do with this, but in the course of the conversation, responding to the question was the subject brought up, I do recall that he expressed great disgust at how stupid the break-in had been over the weekend and his personal distaste for it. Beyond that, I don't recall whether we discussed this or anything else.

Q Do you know who initiated that call?

A I can't recall.

Q He, as I remember your answer, asked you if Mr. Hunt had come to work that morning?

A Yes. He asked if Howard had come in that day.

Q Did he give you any reason for wanting to know?

A No.

Q Was that in any way connected with your conversation about the Watergate? What I am trying to get at is perfectly obvious. Was there anything in your mind that would connect that question with his statement about the Watergate?

A This is difficult because he and I have had a number of conversations about this since then, as I am sure is obvious
17. On the evening of June 19, 1972 John Mitchell met at his apartment in Washington, D. C. with John Dean, Jeb Magruder, Robert Mardian and Fred LaRue and discussed the break-in at the DNC headquarters.

17.1 John Mitchell testimony, 4 SSC 1622.
17.2 Jeb Magruder testimony, 2 SSC 799-800.
17.3 Robert Mardian testimony, 6 SSC 2355.
17.4 Fred LaRue testimony, 6 SSC 2303-04.
being because I have never quite got to the bottom of it, was after Mr. Mar- 

dian and Mr. LaRue had met with Mr. Liddy and Mr. Liddy provided them with quite an extensive story on Mr. Liddy's activities.

Mr. Dash. Will you tell us briefly what that extensive story included?

Mr. Mitchell. Well, it included the fact that he was involved with other individuals in the Watergate activity, that he had also made surveillance of McGovern headquarters, I believe it was, and that he had previously, as part of what has since become known as the Plumbers group, acted extensively in certain areas while he was at the White House in connection with the Ellsberg matter, in the Dita 

Bear matter and a few of the other little gems.

Mr. Dash. When you say the Ellsberg matter what specifically are you referring to?

Mr. Mitchell. Well, I am referring to, well, it certainly wasn't the prosecution.

Mr. Dash. No.

Mr. Mitchell. Obviously it had to do with the surreptitious entry of the doctor's office in California.

Mr. Dash. And when you refer to the Dita Beard matter what specifically did you learn through Mr. LaRue and Mr. Mardian?

Mr. Mitchell. Well, if my recollection is correct he was assisting in spiriting her out of wherever they spirited her out of, either New York or Washington.

Mr. Dash. Was there a meeting in your apartment on the evening that you arrived in Washington on June 19, attended by Mr. LaRue, Mr. Mardian, Mr. Dean, Mr. Magruder?

Mr. Mitchell. Magruder and myself, that is correct.

Mr. Dash. Do you recall the purpose of that meeting, the discussion that took place there?

Mr. Mitchell. I recall that we had been traveling all day and, of 
course, we had very little information about what the current status 
was of the entry of the Democratic National Committee, and we met 
at the apartment to discuss it. They were, of course, clamoring for a 
response from the committee because of Mr. McCord's involvement, 
et cetera, and we had quite a general discussion of the subject matter.

Mr. Dash. Do you recall any discussion of the so-called either Gem-

stone files or wiretapping files that you had in your possession?

Mr. Mitchell. No; I had not heard of the Gemstone files as of that 
meeting and, as of that date. I had not heard that anybody there at 
that particular meeting knew of the wiretapping aspects of that or 
that any connection with it.

Mr. Dash. Did either you or anybody in your presence at that meet-
ing discuss Mr. Liddy having a good fire at his house?

Mr. Mitchell. Not in my recollection was there any discussion of 
destruction of documents at that meeting.

Mr. Dash. You are aware of the testimony of Mr. Magruder that 
he did get the idea to destroy the documents and he did in fact burn 
the Gemstone documents?

Mr. Mitchell. I am aware of his testimony and I think his testi-

mony was one of these general things "It was decided that" or some-
thing to that effect but, to my recollection, there was no such discus-

sion of it.
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

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since this break-in was done in a rather amateurish way, that possibly there was some double-agent activity going on here, and we were honestly concerned about our own files.

I did ask Mr. Reiner to remove certain files—my advertising file, the budget file, our strategy file, and the Gemstone file. Then I talked with him and Mr. Odle, and Mr. Odle took the Gemstone file home.

Mr. DASH. Did you talk to anybody else from California?

Mr. MAGRUDER. Well, yes, I talked to Powell Moore, as I recall. I cannot recall any other specifically—

Mr. DASH. Did you call Mr. Strachan?

Mr. MAGRUDER. Oh, yes, I called Mr. Strachan that evening.

Mr. DASH. What did you tell Mr. Strachan?

Mr. MAGRUDER. I told him—of course, he knew no more than we knew—He knew that they had been apprehended, and we had a problem and just discussed it in a sense that we had a problem, and we did not quite know what to do about it. At that time, we had heard that there was some money at that time found on the individuals, and we had hoped that it was money that had been found at the Democratic National Committee, but unfortunately, it was our money. So, we, in effect, just discussed the problem. We had no answers, obviously, at that time.

Mr. DASH. Did you receive a call from Mr. Haldeman?

Mr. MAGRUDER. Yes. The next morning, on Sunday, I received a call from Mr. Haldeman. He asked me what had happened. Again, I told him basically—

Mr. DASH. From where was he calling?

Mr. MAGRUDER. Key Biscayne, Fla.

He just asked me the basic background of the break-in and what had happened. I just told him what had happened. He indicated that I should get back to Washington immediately, since no one in any position of authority was at the committee, and to talk with Mr. Dean and Mr. Strachan and Mr. Sloan and others on Monday to try to find out what actually had happened and whose money it was and so on.

Mr. DASH. Now, you did return to Washington?

Mr. MAGRUDER. Yes, I did.

Mr. DASH. And would you tell us briefly, but as specifically as you can, what you did as soon as you returned to Washington and who you met with?

Mr. MAGRUDER. Well, on Monday, I met with Mr. Dean, Mr. Strachan, Mr. Sloan, Mr. Liddy, Mr. Liddy, and I did not really have too much to say to each other. He said he had gone and I accepted that on face value. There really was not much to discuss at that time.

I determined from Mr. Sloan that the money was our money, not someone else's money.

Mr. Dean and I discussed the problem in terms of what we were going to do as to Mr. Strachan and I.

Mr. DASH. Did you have a meeting on that evening, the evening of June 19, when you came back to Washington, in Mr. Mitchell's apartment?

Mr. MAGRUDER. Yes. Mr. Mitchell flew back that Monday with Mr. LaRue and Mr. Mardian. We met in his apartment with Mr. Dean. That would have been Mr. Mitchell, Mr. LaRue, Mr. Dean, Mr. Mardian, and myself; and the general discussion then was, what were we going to do about the problem? It was again, we had very little
information. We did not, of course, know what type of investigation
would then be held. And we talked about types of alternative solutions.
One solution was recommended in which I was to, of course, destroy
the Gemstone file. So I called my office and—
Mr. Dash. That solution came up as a result of that meeting?
Mr. Macomber. 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. Macomber. 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 of his background.
Mr. Dash. And would he, from your understanding, be represent-
ing any White House interests at these meetings?
Mr. Macomber. I think you would really have to ask Mr. Dean that
question.
Mr. Dash. Now, did you instruct Mr. Reiner to destroy any other
files?
Mr. Macomber. As I recall, I asked Mr. Reiner to pull 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 Demo-
cratic 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.
Macomber, 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. Macomber. 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, 1, 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

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Book 6

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I am very much gratified by this information. I think the information will enable the committee to expedite its investigation, and I think it was a very wise decision on the part of the President.

Senator Baker. Mr. Chairman, may I join in expressing my great delight at the decision of the President communicated to you by Secretary Shultz. I want to commend you as well as the members of the committee for handling this matter in a way that permitted this accord and this agreement to take place. The committee, I believe, foresaw from trying to create a legal confrontation that might have jeopardized the possibility of negotiating a settlement to this controversy. It would appear that the White House has shown its spirit of cooperation and response.

I have nothing but commendation for the committee, especially for the chairman and for the President, in negotiating a rather delicate situation involving the most fundamental concept, that is, the doctrine of separation of powers, in a way that avoided a confrontation and will apparently give this committee access to relevant parts of extremely important information bearing on critical features of this inquiry.

Thank you.

Senator ERVIN. I would like to take this occasion to add these words. I do not believe that any investigating committee in the history of the Congress has been able, as we have been thus far, to investigate such highly controversial matter as we have been investigating with such unanimity of agreement among the committee members as to the steps to be taken, and with more wonderful cooperation on the part of all the members of the committee.

Counsel may resume the interrogation of the witness.

Mr. Hamilton. Mr. Mardian, when we broke for lunch we were discussing the meeting in Mr. Mitchell's apartment on the evening of June 19, and I would like to return to that in my questioning.

Who was present at that meeting?

Mr. Mardian. Based upon my reconstructed recollection, I would say Mr. Mitchell, Mr. Magruder, Mr. Dean and I. I believe, there was one PR person present from the office of public information; I am not sure of that.

Mr. Hamilton. Was Mr. LaRue at that meeting?

Mr. Mardian. Mr. LaRue.

Mr. Hamilton. Now, is there a possibility that the PR person, the press spokesman, actually met the party at the airport and did not return to Mr. Mitchell's apartment?

Mr. Mardian. It is possible because I do not have a very clear recollection of that meeting.

Mr. Hamilton. Would you give us, to the best of your recollection, the topics that were discussed at this meeting?

Mr. Mardian. The only two things I recall of that meeting is that there was a need for a statement from the office of public information for Mr. Mitchell. I do not recall discussing it or participating in it. I do not recall what the event was. I recall discussing the need for obtaining the resources of a law firm, because I believe it was announced that day, or we were informed that night, that a lawsuit was going to be filed the next morning by the Democratic National Committee against the Committee To Re-Elect the President. And my best recollection is that there was a discussion as to who we should retain.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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[555]
Mr. LaRue. As I recall, Mr. Thompson, it would be, that would be, on Tuesday or Wednesday.

Mr. Thorroson. All right, the 30th was on a Thursday. The following Tuesday or Wednesday. All right. What did you do when you returned? Did you resume your duties at the Committee To Re-Elect, did you go into the office the first day you returned, did you take a little more time off? What did you do?

Mr. LaRue. No, I resumed my duties.

Mr. Thorroson. All right. Do you recall when the first time you saw Magruder was after you returned?

Mr. LaRue. I would assume certainly that day.

Mr. Thorroson. Let me ask you this. In discussing the matter with Magruder, is it your understanding either from what he told you or from your own independent recollection that this telephone call came before or after March 30?

Mr. LaRue. I cannot relate it to that timeframe but any particular timeframe, but since the call allegedly involved the approval of the Liddy budget I would assume that it came after or——

Mr. Thorroson. If we are following logic and it did have to do with the Liddy budget it would be before?

Mr. LaRue. It would be prior; yes, prior to the Key Biscayne meeting, yes, sir.

Mr. Thompson. All right. Did Magruder tell you whether or not he remembered that it had come before?

Mr. LaRue. I do not recall that kind of discussion. Mr. Thompson.

Mr. Thorroson. It is not exactly a completely unrelated sequence of events. It looked like in reconstructing this matter if there was outside pressure that perhaps caused him to go down to Key Biscayne, that would be significant. If, on the other hand, this was a conversation which took place 5 or 6 days after the plan had already been put into effect, it would have completely different significance, I would think.

Mr. LaRue [confering with counsel]. Mr. Thompson, I think my testimony before, to Mr. Dash, was that my recollection of this conversation occurred after—that this conversation occurred after the June 17 break-in. It was related——

Mr. Thorroson. The conversation with Magruder when you were talking about the phone call?

Mr. LaRue. Yes, sir. In relating to speculation as to who may have been involved and who may have had knowledge of the break-in, and Magruder related this phone call indicating that Mr. Coleen had been concerned about Mr. Liddy's budget being approved, and I do not recall any discussion on the time period when the call was made.

Mr. Thompson. You do not know whether it came before or after March 30?

Mr. LaRue. No, sir. I do not.

Mr. Thompson. This meeting of June 19, there is a conflict of testimony on this point. Mr. Mitchell and Mr. Dean have both testified that there was no discussion, as far as they can remember, of the destruction of any records or burning anything. Magruder has testified and you have testified that such a discussion did take place. Now, the four of you were there, plus Mr. Mardian. Let us talk about that in a little more detail. Did you arrive there together?
Mr. Larue. As I recall, we did not.
Mr. Thompson. Do you recall who arrived first, when you arrived?
Mr. Larue. I went to the apartment with Mr. Mitchell from the plane. My best recollection is that Mr. Marlan and his wife got off at their apartment, which was a couple of blocks before you got to the Watergate, and so to reconstruct the sequence of events, I would say I arrived with Mr. Mitchell and then later in the evening the other participants arrived, and I could not specifically say in what order and what time period.
Mr. Thompson. Do you know who arrived last?
Mr. Larue. No, sir, I do not.
Mr. Thompson. Was there any substantive discussion about what you were to do and the problem that you had before all the participants arrived?
Mr. Larue. Mr. Thompson, I have a very hazy recollection of that meeting. In fact, were it not for the thing that sticks in my mind, the statement about "you might have a good fire," if it were not for that, I do not think I could recall any details of that meeting at all.
Mr. Thompson. Do you recall who was present when that statement was made?
Mr. Larue. No, I do not.
Mr. Thompson. I realize this is a difficult thing for you to have to go back to do. Mr. Larue, but these are matters, of course, we have to clean up if we can.
Let me ask you this. I believe you said after the break-in, you discussed this matter with Magruder. I take it that the first time you discussed it with him was after you discussed it with Liddy on the 20th, some time after that?
Mr. Larue. Yes, sir, I am sure that is correct.
Mr. Thompson. All right. And Liddy had told you what with regard to who had gotten him involved and who was pushing him?
Mr. Larue. I don't recall any specific statements or conversations by Liddy of who got him involved. As I recall Liddy's reasoning for the second entry of the break-in, in which they got caught, was that he had been getting pressure from Magruder to improve the surveillance, they weren't getting proper coverage under electronic surveillance.
Mr. Thompson. All right, then, the only person he mentioned as having applied any pressure to go back in the second time was Magruder.
Mr. Larue. That is to the best of my recollection, yes.
Mr. Thompson. Did he mention Mr. Mitchell to you?
Mr. Larue. No, sir, not that I recall.
Mr. Thompson. We have had testimony from Mr. McCord that Liddy was telling him that Mr. Mitchell had approved it—I mean that Mitchell was telling Liddy; Liddy was telling McCord that Mitchell was involved and had approved the project, but Liddy did not tell you that?
Mr. Larue. Not that I can recall, no, sir.
Mr. Thompson. All right.
18. On June 19, 1972 Ronald Ziegler, the President's press secretary, described the break-in at the DNC headquarters as "a third-rate burglary attempt."

Washington Post, June 20, 1972:

White House spokesman Ronald L. Ziegler told reporters in Florida with the President that we would not comment on "a third-rate burglary attempt." In addition Ziegler said that "certain elements may stretch this beyond what it is."

Retyped from indistinct original
White House Consultant
Tied to Bugging Figure

By Bob Woodward
and E. J. Bachinski
Washington Post Staff Writers

A consultant to White House special counsel Charles W. Colson is listed in the address books of two of the five men arrested in an attempt to bug the Democratic National headquarters here early Saturday.

Federal sources close to the investigation said the address book contains the name and telephone number of Howard E. Hunt with the notation, "W. House" and "W.H."

In addition, a stamped, unmailed envelope containing Hunt's personal check for $8 and a bill for the same amount from the Lakewood Country Club in Rockville also were found among the suspects' belongings, sources said.

Hunt worked for the Central Intelligence Agency from 1949 to 1970. All five suspects in what Democratic Party chairman Lawrence F. O'Brien has called an "incredible act of political espionage" have had links to the CIA.

In other developments yesterday:

- It was reported that one of the five suspects, Eugenio Martinez, contacted University of Miami officials two weeks ago seeking housing for about 3,000 Young Republicans during the Republican National Convention.

- Former CIA employee and FBI agent James W. McCord Jr., a suspect who worked for the Republicans as a security coordinator, served until four months ago in a special 13-member military reserve unit. The Washington-based unit develops lists of radicals and draws up contingency plans for censorship of the news media and U.S. mail.

- White House spokesman Ronald L. Ziegler told reporters in Florida with the President that he would not comment on "a third-rate burglary attempt." In addition Ziegler said that "certain elements may try to stretch this beyond what it is."

- Senate Democratic leader Mike Mansfield said he didn't think the Republican party had anything to do with the bizarre bugging incident.

- O'Brien said his party might take civil court action against the suspects because the party's First Amendment rights and civil rights were violated.

The White House personnel office confirmed yesterday that Hunt is a consultant to Colson and has an office in the "old Executive Office Building. Colson is said to specialize in delicate assignments for the President."

See BUG, A4, Col. 1

[560]
White House Consultant Tied To Suspect in Bugging Case

BUG From A1

Ken W. Clawson, current White House aide who until recently was a reporter, wrote in February, 1971, in The Washington Post that Colson had been "whited" as one of the "original back-room boys"...the brokers, the guys who fix things when they break down and do the dirty work when it's necessary.

When Hunt was asked by a reporter yesterday why two of the suspects had his phone number, he said, "Good God!" He then paused and said, "Is it likely that the latter matter is under adjudication, I have no comment." He then hung up the telephone.

Clawson, now deputy director of communications for the White House, said yesterday that Hunt worked as a White House consultant in declassification of the Pentagon papers and most recently on narcotics intelligence.

He said Hunt last worked for the White House on March 29, 1972, for a regular daily consultant fee. These fees are generally $100 a day, other sources said.

"I've looked into the matter very thoroughly and I am convinced that neither Mr. Colson nor anyone else at the White House had any knowledge of, or participation in, this deplorable incident at the Democratic National Committee," Clawson said in a prepared statement.

Hunt is employed as a writer with the public relations firm of Robert R. Mullen & Co., 1790 Pennsylvania Ave. NW, directly across from both Mr. Nixon's re-election campaign headquarters and the main White House offices.

GET INSERT B

The was a sequence of events when a "Washington Post" reporter called the White House and asked to speak to Howard E. Hunt early yesterday.

A switchboard operator rang an extension, and when no one answered, she told the reporter: "There is one other place he might be—in Mr. Colson's office." She dialed Colson's office, where a secretary said, "Mr. Hunt is not here now." She then gave the reporter Hunt's number at the public relations firm across the street.

Hunt's name and phone number was in the pop-up address book of Eugenio Martinez, a real estate agent and notary public who has been active in the anti-Castro movement in Miami. A small black address book of one of the other suspects also has Hunt's name and phone number, the sources said.

Also taken by police was a savings-account book that shows Martinez has $57,159 in a Miami bank, according to the sources.

Another name in one of the address books is that of James Grimm, head of housing for the University of Miami. Grimm yesterday told Post reporter Kaye Schafenberg in Miami that Martinez contacted him about two weeks ago, seeking housing for about 3,000 Young Republicans during the Republican National Convention.

Grimm said he could not provide the rooms because classes would soon begin. Republican officials said they had no knowledge of Martinez's efforts to secure housing for Young Republicans.

Martinez works in the real estate agency of another of the suspects, Bernard L. Barker, who is said by Cuban exiles to have worked for the CIA since the Bay of Pigs invasion in 1961.

Barker is a joint investor in several apartment house developments in Miami with Miguel A. Suarez, a Republican who ran unsuccessfully for Dade County mayor in 1970.

In addition to Martinez and McCord, the other three suspects, all Miami residents, have been identified as Frank Sturgis, also known as Frank Florio, an American who served in Fidel Castro's revolutionary army and has since been a leader in the anti-Castro guerrilla movement; Filippo R. Gonzalez, a locksmith; and Bernard L. Barker, a native American said by exiles to have worked on and off for the CIA.

McCord was still being held on $10,000 bond yesterday, and the other four on $50,000 bond.

They are charged with attempted burglary and attempted interception of telephone and other communications.

All five suspects, well-dressed, wearing rubber surgical gloves and armed only with tear gas pens, were arrested about 2:30 a.m. Saturday by D.C. police inside the sixth floor office suite of the Democratic headquarters in the Watergate, 2600 Virginia Ave. NW.

Though the alleged bugging attempt at first appeared to be very sophisticated and professional, experts in the field of wiretapping have since said it was amateurish.

Capt. Richard L. Franz of the Navy reserves acknowledged that McCord was a member of the Office of Emergency Preparedness' special analysis division, a 15-member reserve unit that meets monthly at 504 17th St. NW, across from the Executive Office Building.

Franz said he could not discuss the work of the unit. However, other sources in the unit said that one of its functions is to develop a list of radicals and contingency plans for censorship of the news media and U.S. mail in event of war.

McCord dropped out of the unit about four months ago. He is a lieutenant colonel in the Air Force reserves.

Meanwhile, the International Association of Chiefs of Police reported yesterday that they paid McCord about $750 in March for teaching a five-day course in security at an association conference.

Robert F. Bennett, president of the public relations firm at which Hunt works, said yesterday that the firm also has an Affiliate, called Interprogress, that is attempting to increase American trade with Communist countries.

Hunt worked for the White House a total of 82 days in 1971 and another 34 days so far this year, according to White House spokesman Clawson.

Hunt was brought into the White House by Colson because of his CIA expertise, Clawson said. He said Colson met Hunt in 1968 at the Brown University Club.

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Former Attorney General John N. Mitchell, head of the Nixon campaign committee, said in a prepared statement released Sunday, that the President's committee is experiencing its own security problems.

Pressed for elaboration on Republican security problems, Devon L. Shumway, director of public relations for the committee, declined to give details yesterday. He said investigations are underway, but refused to disclose who was conducting them.

Shumway said that one of the things that led the committee to suspect a deterioration of security was an Associated Press story last week that disclosed quotes from a closed-door meeting between Mitchell and a senior committee staff member.

"The story alleging that the Republicans were 'targeting in' on Sen. McGovern, was not true, Shumway said.)

Shumway said that as of yesterday morning, McCord was no longer on the committee payroll.

In response to a reporter's question, Shumway said that McCord had been hired through the committee's personal office, whose director is Robert Odle.

Shumway said he would not make Odle available to a reporter "because he is not a public figure." Odle referred a reporter's questions to Shumway.

Shumway said that McCord was dismissed by Odle because of the allegations stemming from the "delicate situation." He said that it had been Odle's responsibility to make the original check of McCord's qualifications, and to make the decision to hire.

McCord had been working out of the committee's security office on the third floor, Shumway said. "I assume he was in the office on a daily basis," he said.

As security chief, McCord was responsible for setting up the committee's internal security system and "would have the knowledge of whether we were under electronic surveillance," Shumway said.

Meanwhile, security precautions at Republican committee headquarters have been tightened as a result of the Watergate bugging attempt, Shumway said. He demurred when asked for details of the new precautions.

"When you get into the area of political campaign these days, you can't discuss such things (security) in depth," Shumway said.

Joseph A. Rafferty Jr., a counsel for the five suspects, said last night that he would file a motion in D.C. Superior Court today seeking to reduce the bail of his clients.

Rafferty said he is seeking to have the five suspects, who were Washington Post Staff Writers Kirk Schreifser and Martin Weil.

Evidence that would link the Republican party or its leaders to the weekend incident.

Contributing to this story were Washington Post Staff Writers Kirk Schreifser and Martin Weil.

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

19.1 H. R. Haldeman calendar, June 20, 1972 (received from SSC).
19.2 John Ehrlichman log, June 20, 1972 (received from SSC).
19.3 John Mitchell log, June 20, 1972 (received from SSC).
19.4 H. R. Haldeman testimony, 8 SSC 3039-40.
19.5 John Ehrlichman testimony, 7 SSC 2822.
19.6 President Nixon's daily diary, June 20, 1972, Exhibit No. 13, In Re Subpoena Ducas Tecum.
19.7 Meetings and conversations between the President and H. R. Haldeman, June 20, 1972 (received from White House).
19.8 Transcript of Proceedings, In Re Subpoena Duces Tecum, November 26, 1973, 1302; H. R. Haldeman handwritten notes of meeting, June 20, 1972, Exhibit No. 61, In Re Subpoena Duces Tecum.

19.9 Transcript of proceedings, In Re Subpoena Duces Tecum, January 18, 1974, 2499-2500.


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**Personal:**
- Evening, June 20
- Leaving Kansas City, June 21
- Leaving Denver, June 22
- Evening, Thursday, June 23

**1971 H.M. Haldeman Calendar**
FRIDAY, JUNE 16, 1972

8:00  HRH office
3:30  Cabinet meeting
10:20  President, Secretaries Richardson, Hodgson (HR 1)
12:25  Dr. Ed David
1:00  President
2:20  Tennis with Cole, Hullin, Harper
4:00  Roosevelt Room - p.r. group
7:00  Black tie dinner with Mrs. Shouse followed by
8:30  Wolf Trap opening

MONDAY, JUNE 19, 1972

8:15  Roosevelt Room
10:30  Dave Young, Walt Mianich
12:00  John Dean
12:45  Lunch in Mass with Dr. William Walsh (HOPE)
1:45  AG Kleindienst
2:10  Ambassador William Middendorf
4:00  Colson, Dean, Kehrl, Ken Clawson
5:15  Mark Evans, Clarence Arata, Cong. Ken Gray,
     John Statler (Pres., DC Board of Trade), Sallyanne Puyton
     (DC Arena)
8:30  Motion Picture Association - "Butterflies are Free"

TUESDAY, JUNE 20, 1972

8:00  HRH office
8:15  Roosevelt Room
9:00  HRH, Mitchell
9:45  Joined by John Dean
9:55  Joined by AG Kleindienst
10:30  President
12:00  William Lane (per John Connally)
1:00  Lunch with Roy Wilkins - JDE office
2:25  Car at west basement
2:35  Senator Griffin, Tom Korologos, Ed Morgan
3:00  Senator Bennett, Tom Korologos
4:00  Social Security - MacGregor, Cook, Korologos, Cole,
     Evans, Weinberger, O'Neill
5:00  Haircut
6:00  Jim Gannon (Wall Street Journal)
Mr. Mitchell — Tuesday, June 20, 1972

8:15  AG attended White House meeting.
9:00  AG attended White House meeting.
10:30 AG ret. to office
10:32 AG SAM J eb Magruder, Fred LeRue, and Rob Mardian
11:25 AG SAM Bob Cole
11:40 AG SAM Van Shumway
12:30 AG talked with Mrs. Mitchell
1:05  AG SAM Mardian
2:05  AG SAM Hess, Timmons and Magruder (Timmons)
2:30  AG SAM Van Shumway (Van Shumway)
2:45  AG SAM Glenn Sedam (Glenn Sedam)
3:05  AG ret. Bill Gifford's call and t.
3:20  AG ret. Secy Volpe's call and t.
3:45  AG ret. Gov. Rockefeller's call and t.
4:00  AG ret. Aub. John Pritzlaff's call and t.
4:15  AG SAM Secy Stans (Secy Stans)
4:25  AG called Molly Johnson
5:00  AG SAM Pete Dailey and Sam Glenn Sedam and Jeb Magruder
5:30  AG SAM Glenn Sedam and Jeb Magruder
6:00    AG saw Fred LaRue and Bob Hardian with the above
6:50    AG called John Dean and t.
7:15    John Dean ret. AG's call and t.
7:45    AG left office
Mr. DASH. Now, Mr. Haldeman, when and how did you learn of the break-in on June 17, 1972?

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

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

Mr. Haldeman. Nothing.

Mr. DASH. Nothing?

Mr. Haldeman. No.

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

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

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

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

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

Mr. Haldeman. Yes.

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

Mr. Haldeman. Yes.

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

Mr. Haldeman. I think on the evening of—on Monday evening, which would be the 19th.

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

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

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

Mr. Haldeman. I think, and I have got sort of a capsule of my record here that is subject to correction by the details, but I think there was a meeting the morning of the 20th, in which I was present with Mr. Mitchell and Mr. Ehrlichman, and that Dean was, Mr. Dean was, in part of that meeting and Attorney General Kleindienst was there part of that meeting.
Mr. Dash. At that meeting do you recall that there was a general discussion as to what happened, what information was current concerning the break-in and the relationship with the committee?

Mr. Halderman. I have no specific recollection of the contents of that meeting but I am sure, that given the time situation, that it must have been in regard to the Watergate break-in.

Mr. Dash. Now, it is true, if you look at your record that during that period right after you get back there are about two or three meetings on different days.

Mr. Halderman. Yes.

Mr. Dash. I think you met with him on the 20th, on the 23rd, and on the 26th. Does your record show that?

Mr. Halderman. I show there is an example now of my log of June 20 that does not show a meeting with those people that I have identified, that I have got in my summary here as a result of information from other sources. What my log shows is a meeting in John Ehrlichman's office which is all my secretary would know. She didn't know who was in the meeting.

Mr. Dash. Right.

Mr. Halderman. I am sorry then you were going—

Mr. Dash. I was saying do you have a record of a meeting with Mr. Dean on the 23rd and again on the 26th after the meeting with him on the 20th?

Mr. Halderman. Not in the log, no. The 23rd?

Mr. Dash. Yes.

Mr. Halderman. It doesn't show me I don't believe.

Mr. Dash. Do you have it in the summary that you have received from other sources?

Mr. Halderman. No; that doesn't show a meeting with Dean, either. I think I talked with Dean on the phone that day, that morning. I don't believe I met with him but I am not sure.

Mr. Dash. You indicated in your earlier testimony that Mr. Dean did give you a report of what happened and told you at that time that he had told you earlier about telling you after one of the meetings. Could you place in any one of those meetings when he told you?

Mr. Halderman. No; I can't.

Mr. Dash. Would it be your recollection that it would be during that week when you got back?

Mr. Halderman. Not necessarily, no. As I say, the only meeting that I see with Dean during that week was the meeting in Mr. Ehrlichman's office on the 20th apparently.

Mr. Dash. Did the President either communicate with you or did you have a meeting with the President prior, shortly prior, to June 23, 1972?

Mr. Halderman. I am sure I did. Do you want me to check?

Mr. Dash. You met frequently with the President so you—

Mr. Halderman. Yes, sir.

Mr. Dash. So you are pretty sure you can find such a meeting?

Do you recall prior to that meeting on June 23, the President having a discussion with you concerning the investigation that would be ongoing with regard to the Watergate break-in and a concern he had that such an investigation by the FBI might include the work of the special investigating unit in the White House and also the CIA?
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

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

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

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WASHINGTON : 1973

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Washington, D.C. 20402 - Price 13
Mr. DASH. Did he not at that time report to you that he had spoken to Mr. Liddy?
Mr. EHRlichman. No, I don’t believe so.
Mr. DASH. He made no report at that time to you as to any of the investigations he had made during the day of the 19th?
Mr. EHRlichman. I have the impression that Mr. Dean hadn’t been at work very long at that time, and that he was just getting started.
Mr. DASH. All right.
Mr. EHRlichman. Now, at 4 p.m., what was the purpose of the meeting with Mr. Dean, Mr. Clawson, Mr. Colson, and Mr. Kehrl?
Mr. EHRlichman. The principal purpose, as I recall, was to be in a position to answer inquiries which, I guess, Mr. Clawson was getting or the press people were getting, about Hunt’s White House status, or whether he was still an employee of the White House, if not when he had terminated and under what circumstances, and so forth.
Mr. DASH. And isn’t that when Mr. Kehrl was brought up to check the record? Would Mr. Kehrl have the record of that?
Mr. EHRlichman. Mr. Kehrl was the staff secretary and would have to be involved in any discussion of that kind. There was another subject or two discussed at the time but as I recall, that was the precipitating question.
Mr. DASH. Well, aside from Mr. Hunt on the payroll, wasn’t the focus at that meeting on the question of Hunt himself? Hunt’s status at the White House and also the question that Mr. Hunt had a safe in the White House and that the safe ought to be opened?
Mr. EHRlichman. Yes, it was, as I previously testified.
Mr. DASH. Yes. And actually that safe was opened at that time on the evening of the 19th?
Mr. EHRlichman. I don’t know. I think it must have been either that evening or the next morning.
Mr. DASH. Now, what was the concern and who brought up the concern of what the contents of Mr. Hunt’s safe would show?
Mr. EHRlichman. I don’t recall, Mr. Dash. Somebody at the meeting.
Mr. DASH. I think the way it came up was not so much a personal concern as it was an inquiry by the investigation—either the Metropolitan Police and/or the FBI, as to whether Hunt had any belongings in the White House.
Mr. DASH. Now, on June 20, 1972, you met at 9 o’clock with Mr. Haldeman and Mr. Mitchell joined by Mr. Dean at 9:45, joined by Attorney General Kleindienst at 9:55, and then at 10:30 you had a meeting with the President.
Mr. DASH. Was that also a followup to find out what was going on in terms of Watergate?
Mr. EHRlichman. I think this was the process of trying to get everybody together who might know anything, to try and get a picture of what the investigation was going to be, whether there might be other people involved, just what the—to try and get the campaign director and the head of the Department of Justice and everybody together in one place to ask questions.
**THE WHITE HOUSE**

**WASHINGTON, D.C.**

**June 20, 1972**

**TIME** | **Phone P. Pured E. Recvd** | **ACTIVITY**
--- | --- | ---
8:40 |  | The President had breakfast.
9:00 |  | The President went to the Oval Office.
9:01 | 9:04 | The President met with his Deputy Assistant, Alexander P. Butterfield.
10:20 |  | The President went to his office in the EOB.
10:25 | 11:20 | The President met with his Assistant, John D. Trenchman.
10:51 | 10:54 P | The President talked with his Deputy Assistant, Edward L. Morgan.
11:26 | 12:45 | The President met with his Assistant, H. R. Haldeman.
12:32 | 12:33 R | The President talked with his daughter, Tricia.
12:46 | P | The President telephoned Senator Margaret Chase Smith (R-Maine). The call was not completed.
12:53 | 12:55 P | The President talked with Senator Smith.
1:27 | 2:10 | The President met with his Deputy Assistant, Maj. Gen. Alexander M. Haig, Jr.
1:30 | 1:35 P | The President talked with Senate Minority Leader Hugh Sc (R-Pennsylvania).
1:38 | 1:39 P | The President talked long distance with Joseph Trerotola, Vice President of the International Brotherhood of Teamsters, in New York City.
1:45 | 1:49 P | The President talked with his Counsel, Clark MacGregor.
2:16 | 2:17 P | The President talked with his Special Counsel, Charles Colson.
2:20 | 3:30 | The President met with Mr. Colson.
3:33 | P | The President telephoned Staff Assistant Stephen B. Bull. President talked with Beverly J. Kaye, Mr. Bull's secretary.
4:09 | 4:14 P | The President talked with his Special Assistant, Patric Buchanan.
4:25 | 5:25 | The President met with Mr. Haldeman.
5:25 |  | The President went to the Barber Shop.
<table>
<thead>
<tr>
<th>TIME</th>
<th>PRINCIPAL ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>5:50</td>
<td>5:53 The President met with Mr. Butterfield.</td>
</tr>
<tr>
<td>6:01</td>
<td>The President returned to the second floor Residence.</td>
</tr>
<tr>
<td>6:03</td>
<td>6:12 The President talked with John N. Mitchell, Campaign Director for the Committee for the Reelection of the President.</td>
</tr>
<tr>
<td>6:30</td>
<td>The President and the First Lady had dinner in the Yellow Oval Room.</td>
</tr>
<tr>
<td>7:36</td>
<td>The President returned to his office in the EOB.</td>
</tr>
<tr>
<td>7:52</td>
<td>7:59 The President talked with Mr. Haldeman.</td>
</tr>
<tr>
<td>8:04</td>
<td>8:21 The President talked with Mr. Colson.</td>
</tr>
<tr>
<td>8:42</td>
<td>8:50 The President talked with Mr. Haldeman.</td>
</tr>
<tr>
<td>11:22</td>
<td>The President returned to the second floor Residence.</td>
</tr>
<tr>
<td>11:33</td>
<td>12:05 The President talked with Mr. Colson.</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>June 17, 1972</td>
<td>AM 10:58</td>
<td>President placed long distance call to Haldeman</td>
</tr>
<tr>
<td>June 18, 1972</td>
<td>PM 12:01</td>
<td>President placed a local call to Haldeman</td>
</tr>
<tr>
<td>June 19, 1972</td>
<td>AM 9:22</td>
<td>President placed local call to Haldeman</td>
</tr>
<tr>
<td></td>
<td>AM 9:59</td>
<td>President placed local call to Haldeman</td>
</tr>
<tr>
<td></td>
<td>AM 11:50</td>
<td>President met with Haldeman</td>
</tr>
<tr>
<td></td>
<td>PM 7:26</td>
<td>Helicopter Manifest - Key Biscayne to Homestead AFB</td>
</tr>
<tr>
<td></td>
<td>PM 7:48</td>
<td>Spirit of '76' - Homestead AFB to Andrews</td>
</tr>
<tr>
<td></td>
<td>PM 8:52</td>
<td>President met with Haldeman in flight</td>
</tr>
<tr>
<td>June 20, 1972</td>
<td>AM 11:26</td>
<td>President met with Haldeman - EOB</td>
</tr>
<tr>
<td></td>
<td>PM 4:35</td>
<td>President met with Haldeman - EOB</td>
</tr>
<tr>
<td></td>
<td>PM 7:52</td>
<td>President placed local call to Haldeman</td>
</tr>
<tr>
<td></td>
<td>PM 8:42</td>
<td>President received local call from Haldeman</td>
</tr>
<tr>
<td>June 21, 1972</td>
<td>AM 9:30</td>
<td>President met with Haldeman - Oval Office</td>
</tr>
<tr>
<td></td>
<td>AM 10:38</td>
<td>Butterfield - Oval Office</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Coleson - Oval Office</td>
</tr>
<tr>
<td></td>
<td>PM 1:24</td>
<td>President met with Haldeman - Oval Office</td>
</tr>
<tr>
<td></td>
<td>PM 3:11</td>
<td>Ziegler - Oval Office</td>
</tr>
</tbody>
</table>

**SOURCE:** WHITE HOUSE

3/4/74

3/9/74
Monday, November 26, 1973

The above-entitled cause came on for further hearing at 1100 a.m., before THE HONORABLE CHIEF JUDGE JOHN J. Sirica.

APPEARANCES:

On Behalf of the Special Prosecutor Force:

LEON JAGORSKI
RICHARD BEN-VENISTE
PHILIP LACOVARA
JILL WINE VOLLER
PETER RIEFT
GERALD GOLDBERG
GEORGE FRANKTON
LAWRENCE JACOB

On Behalf of President Richard M. Nixon:

LEONARD GARMENT
DOUGLAS M. PARKER
RICHARD HAUER
GREGORY KAYES

Also Present: (On Behalf of Witness Woods)

CHARLES REYN
WILLIAM RYTHE

NICHOLAS SCHAL
OFFICIAL COURT REPORTER
4208 - F UNITED STATES COURT HOUSE
WASHINGTON, D. C. 20541
426 - 7454
something about delegates, or convention, or Democratic
Convention, something like this.

I didn't have to take down, I didn't need it.

Q. What followed that?

A. That is as far as I listened.

Q. You didn't listen to the end of the Haldeman tape?

A. No, ma'am, I didn't listen to the end the Haldeman
tape. I think it had already been copied to be turned in and
I didn't need to hear it.

MRS. VOlNER: Your Honor, if there are no objections
I would like to introduce Exhibit 61.

THE COURT: Any objection?

MR. GARMENT: No objection.

THE COURT: It may be received.

[Government Exhibit No. 61 was
received in evidence.]

BY MRS. VOLNER:

Q. I would like to point out Exhibit 61, that the
meeting of Mr. Haldeman with the President began with a
conversation which lasted approximately four minutes and
ended with a conversation as to the first page of Mr. Haldeman's
notes concerning Bally, Nevada.

It is reflected that the conversation turned to
Watergate and that following the Watergate discussion there
2nd page

198 H.R. Haldeman notes

6/20

1130 EOB

Around Aug 3-4=
   ck on a weekend at Walkers
   if good weather - to get sun etc.

hold higher ed. to Fri.

Gov SD expressed concern re his election
P. wants ltr to him
   Whittaker-make-stmt-re-tourists

Dear Gov
   Mrs N told me of yr very warm welcom
   on what was undrstbly very sad day for
   people of SD -
   She tld me of concern you expressed
   (re tourists) --

   Mrs N and I have alwys had spec plac
   in our hrts for SD b/c. her parents
   were married al Leeds SD shpere
   before they later moved to Ely Nov, her
   birthplace.

2nd page

be sure EOB office is thoroly ckd re bugs
   at all times - etc.

what is our counter-attack?
   PR offensive to top this --
   hit the opposition w/ their activities
   pt. out libertarians have created public [unreadable]
   do they justify this less than
   stealing Pentagon papers, Anderson file etc?

we shld be on the attack - for diversion -

   what is sched on SFR SALT hearings?

D   go to Calif on Fri - w/ PN -
   Julie come out later
   PN not to the shower

Retyped from indistinct original
No. 24 expressed concern re his health. Parents like to have a chance to attend. Ask copy:

May not need too wait too long. Can usually get along okay and do okay if asked.

W. to G. cover you appreciate (no thanks).
he sure EBS office to mony and it says at all times - et.

What is our counter-attack?

PR offensive to stop this

Hit the opposition with their activities

Put our ideologists over ahead of the action.

Do they justify this? Less than

Kerry Pentagon paper, Anderson etc.

we should be in the attack - for diversion

- what is ahead on PR DNT hearings?

Go to Calif or FL - up PH

Julie come over late

PM not to the shower
The above-entitled cause came on for further hearing at 10:00 a.m., before THE HONORABLE CHIEF JUDGE JOHN J. Sirica.

APPEARANCES:

On Behalf of the Special Prosecutor Force:

RICHARD BEN-VENISTE
JILL WINE VOLKER
CARL FELDBAUM
GERALD COLEMAN
LARRY IASON
GEORGE FRAMPTON

On Behalf of President Richard M. Nixon:

JAMES D. ST. CLAIR
RICHARD HAUSER
JOHN A. MC CAHILL

On Behalf of Rosemary Woods:

CHARLES RYNE
WILLIAM RYNE
RICK BACIGALUPO
DON CARR

ADVISORY PANEL ON WHITE HOUSE TAPES:

RICHARD H. BOLT
FRANKLIN S. COOPER
JAMES L. FLAMAGAN
JOHN G. MC KNIGHT
THOMAS G. STOCHAM, JR.
MARK R. WEISS

NICHOLAS SOKAL
OFFICIAL COURT REPORTER
4800 F UNITED STATES COURT HOUSE
WASHINGTON, D. C. 20001
426-7454
Fred Buzhardt testimony, In Re: Summons Duces Tecum, January 18, 1974, pp. 2499-2500.

Noontime approximately. What actually happened both from the logs and from the tape the two of them did not meet together with the President. Mr. Ehrlichman met with him, the log shows at 10:25 till 11:20. Then there was an interval when no one met with the President. Mr. Haldeman came in at 11:26 until 12:45 and you can hear between the conversations, you can hear -- the first one is nothing wrong with Mr. Ehrlichman's conversation. Then you can hear noises for three minutes and some seconds and then you can tell when Mr. Haldeman comes in. From the moment he enters -- and we have been stop watching these things -- there is three minutes and 40 seconds until this signal comes in, continuous for 18 minutes and 15 seconds according to my timing and then the conversation picks back up and continues.

"The Court: What conversation continued after 18 minutes?

"Mr. Buzhardt: Between the President and Mr. Haldeman.

"The Court: It would indicate Mr. Haldeman was there talking to the President?

"Mr. Buzhardt: Yes.

Retyped from indistinct original.
"The Court: Then there is a lapse?

"Mr. Buzhardt: Yes. Then the circumstances is even a little worse than that, Your Honor.

"The Court: I don't know how it could get much worse.

"Mr. Garment: Just wait.

"Mr. Buzhardt: As you know, Your Honor, the notes were subpoenaed too. We found Mr. Haldeman's notes of this meeting. They consist of two legal pads of paper. On the first page the notes start at the beginning and come to the end and they reflect directions or instructions of the President given during the part of the first three minutes and 40 seconds of that conversation. If the page and at the top of the page the first two-thirds of the page the notes reflect that the discussion was about Watergate. The first thing my recollection is something about making sure the EOB office was not bugged and went on from there. When you get past the Watergate type notes, or that could reasonably be concurrent, you know, on that subject, I think the first one after is about a Senate Foreign Relations Committee hearing on SALT. I think that is where the tape picks up.

"Mr. Ben-Veniste: May I ask a question?

Retyped from indistinct original
noon time approximately. What actually happened both from the logs and from the tape the two of them did not meet together with the President. Mr. Burlichman met with him, the log shows at 10:25 till 11:20. Then there was an interval when no one met with the President. Mr. Haldeman came in at 11:26 until 12:45 and you can hear between the conversations, you can hear -- the first one is nothing wrong with Mr. Burlichman's conversation. Then you can hear noises for three minutes and some seconds and then you can tell when Mr. Haldeman comes in. From the moment he enters -- and we have been stop watching these things -- there is three minutes and 40 seconds until this signal comes in, continuous for 18 minutes and 15 seconds according to my timing and then the conversation picks back up and continues.

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[ tail of text clipped, possibly discussing Watergate proceedings ]

"Mr. Han-Voniste: May I ask a question?"
January 15, 1974

Report to Chief Judge John J. Sirica

From the Advisory Panel on the White House Tapes

In response to your request we have made a comprehensive technical study of the White House tape of June 20, 1972, with special attention to a section of buzzing sounds that lasts approximately 18.5 minutes. Paragraphs that follow summarize our findings and indicate the kinds of tests and evidence on which we base the findings.

Magnetic signatures that we have measured directly on the tape show that the buzzing sounds were put on the tape in the process of erasing and re-recording at least five, and perhaps as many as nine, separate and contiguous segments. Hand operation of keyboard controls on the Uher 5000 recorder was involved in starting and again in stopping the recording of each segment. The magnetic signatures observed on the tape show conclusively that the 18.5-minute section could not have been produced by any single, continuous operation. Further, whether the footpedal was used or not, the recording controls must have been operated by hand in the making of each segment.
The erasing and recording operations that produced the buzzing section were done directly on the tape we received for study. We have found that this tape is 1814.5 feet long, which lies within a normal range for tapes sold as 1800 feet in length. We have examined the entire tape for physical splices and have found none. Other tests that we have made thus far are consistent with the assumption that the tape is an original and not a re-recording.

A Uher 5000 recorder, almost surely the one designated as Government Exhibit #60, was used in producing the 18.5-minute section. Support for this conclusion includes recorder operating characteristics that we measured and found to correspond to signal characteristics observed on the evidence tape.

The buzzing sounds themselves originated in noise picked up from the electrical power line to which the recorder was connected. Measurements of the frequency spectrum of the buzz showed that it is made up of a 60 cycles per second fundamental tone, plus a large number of harmonic tones at multiples of 60. Especially strong are the third harmonic at 180 and the fifth harmonic at 300 cycles per second. As many as forty harmonics are present in the buzz and create
its "raucous" quality. Variations in the strength of the
buzz, which during most of the 18.5-minute section is either
"loud" or "soft," probably arose from several causes including
variations in the noise on the power line, erratic functioning
of the recorder, and changes in the position of the operator's
hand while running the recorder. The variations do not appear
to be caused by normal machine operations.

Can speech sounds be detected under the buzzing? We
think so. At three locations in the 18.5-minute section, we
have observed a fragment of speech-like sound lasting less
than one second. Each of the fragments lies exactly at a place
on the tape that was missed by the erase head during the
series of operations in which the several segments of erasure
and buzz were put on the tape. Further, the frequency spectra
of the sounds in these fragments bear a reasonable resemblance
to the spectra of speech sounds.

Can the speech be recovered? We think not. We know of
no technique that could recover intelligible speech from the
buzz section. Even the fragments that we have observed are
so heavily obscured that we cannot tell what was said.

The attached diagram illustrates the sequence of sound
events in the 18.5-minute section. Also illustrated is a
sequence of Uber operations "erase-record on" and "erase-record off" that are consistent with signatures that we measured on the evidence tape. The five segments that can be identified unequivocally are labeled "1" through "5." In addition, the diagram shows four segments of uncertain ending.

In developing the technical evidence on which we have based the findings reported here, we have used laboratory facilities, measuring instruments, and techniques of several kinds, including: digital computers located in three different laboratories, specialized instruments for measuring frequency spectra and waveforms, techniques for "developing" magnetic marks that can be seen and measured directly on the tape, techniques for measuring the performance characteristics of recorders and voice-operated switches, and statistical methods for analyzing experimental results.
In summary we have reached complete agreement on the following conclusions:

1. The erasing and recording operations that produced the buzz section were done directly on the evidence tape.
2. The Uher 5000 recorder designated Government Exhibit #60 probably produced the entire buzz section.
3. The erasures and buzz recordings were done in at least five, and perhaps as many as nine, separate and contiguous segments.
4. Erasure and recording of each segment required hand operation of keyboard controls on the Uher 5000 machine.
5. Erased portions of the tape probably contained speech originally.
6. Recovery of the speech is not possible by any method known to us.
7. The evidence tape, in so far as we have determined, is an original and not a copy.

Respectfully submitted,
Richard H. Bolt
Franklin S. Cooper
James L. Flanagan
John G. (Jay) McKnight
Thomas G. Stockham, Jr.
Mark R. Weiss
**Symbols:**
- ✖ ERASE-RECORD OFF
- ✗ ERASE-RECORD ON
- ✗ ERASE-RECORD ON AND OFF

**Short Segment of Speech-Like Sound Under Buzz:**

**Start/Stop Click Within Buzz:**

**Erasure-Head-Off Signature of UHER 5000:**

**Erasure-Head-Off Signature Partially Erased:**

**Segment with Uncertain Ending:**

**Playback Time in Seconds From Start of Buzz:**

**Sequence of Operations on UHER 5000 Recorder**

**Sequence of Sound on the Tape**
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

IN RE GRAND JURY SUBPOENA DUces TECUM )
ISSUED TO RICHARD M. NIXON, OR ANY ) Misc. No. 47-73
SUBORDINATE OFFICER, OFFICIAL OR )
EMPLOYEE WITH CUSTODY OR CONTROL OF )
CERTAIN DOCUMENTS OR OBJECTS )

ANALYSIS, INDEX AND PARTICULARIZED CLAIMS OF EXECUTIVE PRIVILEGE FOR SUBPOENAED MATERIALS

Pursuant to the special court procedures issued on October 30, 1973, the President of the United States through his counsel submits herewith an analysis and an index of the subpoenaed materials, and particularized claims of executive privilege where applicable.

All materials subpoenaed are primarily identified in the subpoena as related to one of a series of specified conversations, one of which was a telephone conversation and the remainder of which were conducted in personal meetings. For each conversation, the subpoena demands production of "1. All tapes and other electronic and/or mechanical recordings or reproductions, and any memoranda, papers, transcripts or other writings, relating to" the specified conversation.

This submission treats each conversation covered by the subpoena separately, in the order of the subparagraphs of Paragraph 1 of the subpoena. (The materials covered by Paragraphs 2 and 3 of the subpoena were voluntarily provided by the President to the Special Prosecutor for the Grand Jury's use when the subpoena was issued.)

PART I

Item 1(a) of the subpoena relates to "Meeting of June 20, 1972, in the President's Executive Office Building ("EOB") office involving Richard Nixon, John Ehrlichman and H. R. Haldeman from 10:30 a.m. to noon (time approximate)."
(d) **Particularized Claim of Executive Privilege**

The conversation on the tape recording of the meeting between H. R. Haldeman and the President consists of advice to the President by a senior advisor on official decisions then pending before the President. None of the conversation recorded relates to Watergate.

The President believes that the conversation is subject in its entirety to a claim of Executive Privilege in order to protect the confidentiality of advice given to the President. There is nothing in this conversation "concerning possible criminal conduct or discussions of possible criminal conduct" as to testimony concerning which the President announced he would not invoke Executive Privilege on May 22, 1973.

This particularized claim of Executive Privilege should be sustained as to Item I.B.1., and this tape recording should not be submitted by the Court to the Grand Jury.

(2) **Memorandum (Notes of H. R. Haldeman)**

A file search has disclosed handwritten notes of H. R. Haldeman, which from the identifying markings and the content indicate the notes were made by H. R. Haldeman during the meeting with the President on June 20, 1972, between 11:26 a.m. and 12:45 p.m. The notes are on two pages of paper from a yellow legal pad. These notes are being submitted as Item I.B.2. covered by the subpoena.

(a) **Analysis**

The notes to be submitted to the Court as Item I.B.2. reflect that the President gave instructions to Mr. Haldeman to take certain actions of a public relations character which related to the Watergate incident.

(b) **Index**

None necessary.
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE: SUPPLEMENTAL THCUI ISSUED
TO PRESIDENT RICHARD H. NIXON
FOR PRODUCTION OF TAPES

HISC. NO. 47-73

Monday, November 26, 1973

The above-entitled cause came on for further hearing
at 1100 a.m., before THE HONORABLE CHIEF JUDGE JOHN J. STINCH.

APPEARANCES:

On Behalf of the Special Prosecutor Force:

LEON JACONSKI
RICHARD BERVENSTE
PHILIP LACOWA
JILL WITE VOLKER
PETER KRIET
GERALD GOLDHAN
GEORGE FRAMPTON
LAWRENCE JASON

On Behalf of President Richard H. Nixon:

LEONARD GARMIS
DOUGLAS M. FARKER
RICHARD NAGGER
GREGORY HAYNE

Also Present: (On Behalf of Witness Woods)

CHARLES REEVE
WILLIAM RYDE
request re the meeting on June 30th. [Unreadable] said Erlichman/Haldeman meeting. What he wants is the segment on June 20th from 10:25 to 11:20 with John Erlichman alone. Al Haig."

By Mrs. Volner:

Q. Now, you then listened to the Erlichman portion of the tape and you first heard the Haldeman portion on October 1st at the White House?

A. That is right. That was when I was ending the Erlichman one.

Q. I am sorry?

A. That was when I was ending the Erlichman one and wanting to be sure that I had.

Q. And you said you listened to just a few minutes of Haldeman?

A. That is right.

Q. At what point did you stop listening to Haldeman?

A. Well, I started to stop listening to Haldeman when they started talking about scheduling matters, about going to a state where Pat Nixon's mother and father had lived, were married before they moved to Ely, Nevada, where she was born. And there was something about tourism. I don't know whether some Governor had called and asked. I don't remember. And that is the last I heard on that tape. And that is the time that through some error on my part some way in turning around to reach one of my phones, which buzzes and buzzes and buzzes,
I pushed the record button down. Now, whether I held my foot on the pedal or whether the button stuck down I couldn't tell you. I thought it was something like 4-4 1/2 to 5 minutes and I so told the President as soon as I could go in to see him.

Q You told the President exactly what?
A That I was afraid that I had caused a gap in the Haldeman tape and he said, there is no problem because that is not a subpoenaed tape.

Q You told him that on October 1st?
A That is right.

Q And did you have any other conversation with the President on October 1st?
A I haven't the slightest idea.

Q Did you listen to the portion that you had, as you testified, perhaps erased?
A No. The last word I heard on the Haldeman was Ely, Nevada, or Ely, and the next thing when I pushed the button back I got as far as Ely again and that is when there is this shrill noise.

Q And what follows the shrill noise?
A What follows the shrill noise is again something -- This is what I listened to on Saturday or Friday, whichever day. What follows is something about Democratic Convention or seating of delegates or -- I didn't try to take it down at all.

Q Was there anything concerning the --
pushing the pound higher even, 24d, almost 1 half my left
of the mind or taking the bullhorn black from I couldn’t sell
you. I checked on the price with the bull to 10 minutes
and I told the President — as if it was I would go in to see him.
Q. Did you tell him it was entirely right?
A. That I was under the impression that
the President was ready. I gave the President data
that is not a better one.
Q. When did he meet Senator longitud
A. That is right.
Q. Did you have any other conversation with the
President on October 10th?
A. I thought the administration.
Q. Did you go on to the parties where you had, as you
previously, until 10:30?
A. No. The last time I was at the Waldorf was 1:00,
Ravens, 0:00, a 1:00 and 0:00 when I pressed the button
back 1 you as far as 9:00 in 0:00 into when there is this
stranger in 0:00.
A. And that morning it will remain.
A. When do you ever — the same morning —
This is not a interesting or very soP Privacy, whichever say.
But isolation in a moment, — there are the connection or making
of digital net — I think we will stay at all.
20. On June 20, 1972 Gordon Strachan met with H. R. Haldeman and showed him a copy of a Political Matters Memorandum Strachan had sent to Haldeman prior to April 4, 1972 concerning approval of a "sophisticated intelligence system with a budget of $300,000." Haldeman acknowledged to Strachan that he had read the political intelligence item in the memorandum. Strachan also showed Haldeman political intelligence reports referring to "Sedan Chair II" which had been attached to the memorandum. Haldeman said he had not previously read the attachment, and proceeded to read it. According to Strachan, Haldeman directed him to destroy all of the documents. Haldeman has testified that he could not recall giving Strachan any such instruction.

20.1 Gordon Strachan testimony, 6 SSC 2452-53, 2457-58.

20.2 H. R. Haldeman testimony, 8 SSC 3096-97.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JULY 18, 19, 20, 23, 24, AND 25, 1973

Book 6

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

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price 53
Stock Number 0770-05566
that would strike me as far more sensitive a matter to send through the normal messenger channels than some file which other witnesses have indicated was not patently illegal on its face.

Mr. Dash. In other words, what you are saying is that you never did see the Gemstone file, Mr. Magruder never invited you over to see it, and that prior to March 30, you had no knowledge of any so-called Liddy intelligence plan?

Mr. Strachan. That is correct.

Mr. Dash. Now, did that change, at least after March 30?

If it did, could you tell us how it changed?

Mr. Strachan. Yes; I was aware that Mr. Magruder would be going down to Key Biscayne to review several campaign decisions that had accumulated during John Mitchell's working on the ITT problem. He called me up in an apparently fairly brief telephone conversation and reviewed the 30 or so pending campaign decisions. I took notes on that telephone conversation and prepared shortly thereafter a political matters memorandum for Mr. Haldeman, summarizing that telephone conversation as well as other information.

Mr. Dash. And what did that include? I mean did it include a Liddy intelligence plan?

Mr. Strachan. Yes; Mr. Magruder told me that a sophisticated political intelligence gathering system had been approved and I reported that to Mr. Haldeman.

Mr. Dash. Were you aware that that was one of the items for decision that went down to Key Biscayne with Mr. Magruder?

Mr. Strachan. No; I was not.

Mr. Dash. So that it was after he came back that he reported that to you?

Mr. Strachan. That is correct.

Mr. Dash. Can you recall approximately when he made that report to you?

Mr. Strachan. Well, it was shortly thereafter, I would guess either Friday, March 31, maybe Saturday. My secretary recalls having typed the memorandum on Friday.

Mr. Dash. And it is clear in your mind that Mr. Magruder reported that Mr. Mitchell had in fact approved a sophisticated intelligence plan?

Mr. Strachan. Well, I concluded that Mr. Mitchell had approved it. I believe that when Mr. Magruder was going through the decisions and the way I would usually report it to Mr. Haldeman would be that Mr. Magruder reports that Mr. Mitchell has approved the following matters, and I would put a colon, and then I would list the items.

Mr. Dash. But did you do it with regard to this plan?

Mr. Strachan. Yes; that was one of the 30 items that was listed.

Mr. Dash. I think in your statement you referred to a sophisticated intelligence system with a budget of 300. Three hundred what?

Mr. Strachan. Well, it is $300,000. On almost all of the memorandums that I wrote to Mr. Haldeman, I would leave off the last three zeroes, because usually the figures that we were dealing with were very, very large.

Mr. Dash. Now, you say that you then prepared a political matters memorandum for Mr. Haldeman, and you included this approved...
sophisticated intelligence plan, that $500,000 budget, in that political matters memorandum.

Do you recall the number of that memorandum?

Mr. Strachan. Yes; it was political matters memorandum No. 8.

Mr. Dash. And how many political matters memorandums did you write after that, if you can recall approximately?

Mr. Strachan. Well, through the campaign and toward the end of the campaign, they got a little further apart, but I wrote 28.

Mr. Dash. Did you receive any information or indication that Mr. Haldeman, in fact, read the political matters memorandum No. 18 with specific reference to the sophisticated intelligence plan with a budget of $500,000?

Mr. Strachan. Yes; it was Mr. Haldeman's practice when he would read such a memorandum to make notes and check off those paragraphs which he had indicated and then he would write it up in the upper right-hand corner, "To Strachan," in this case indicating the memorandum should be returned directly to me, and I would go through his memorandums after he had read them, and this particular one I reread, and noted his checking off of all the paragraphs that I had prepared for him.

Mr. Dash. Was there any other comment besides that particular one?

Mr. Strachan. Besides the paragraph that you are concerned about that was simply a blank check.

Mr. Dash. Now, did there come a time shortly afterwards when you were asked to do anything about that particular matter?

Mr. Strachan. I am sorry.

Mr. Dash. Did there come a time shortly afterward when you were asked to write either any other paper or memorandum or take any further action with regard to that particular matter?

Mr. Strachan. I am sorry. I do not understand the

Mr. Dash. Well, you testified that you submitted to Mr. Haldeman a report on your political matters memorandum concerning this sophisticated intelligence plan, and that this was checked off, indicating to you that he had read it. What happened afterward concerning that particular matter? Did that just stay in your file or did Mr. Haldeman take any further action on it to your knowledge?

Mr. Strachan. Well, after the memorandum came back out Mr. Haldeman was going to meet with Mr. Mitchell on April 4.

Mr. Dash. How did you learn about that?

Mr. Strachan. Mr. Haldeman had a system on his telephones where he could push a button and have one of his personal aides monitor the telephone conversation.

Mr. Dash. Would this be similar to an extension phone where somebody would be asked to get on an extension phone and just listen in?

Mr. Strachan. Well, it would be different from an extension phone because you could not detect the fact that it was picked up, and there was no way that the person listening on the phone could make any noise either by talking or by a secretary typing to indicate that there was someone else on the phone.

Mr. Dash. How were you notified or how was it indicated to you that you were to pick up the line?
Mr. STRACHAN. No, I did not.
Mr. DASH. Did you later learn from Mr. Magruder anything about this event?
Mr. STRACHAN. Well, I called him that afternoon and then tried to call him again that evening, and did not reach him. Placed a third call on Sunday about noon, Washington time, and asked him if he knew anything about this since I had rather expected a phone call from Mr. Haldeman, and he said “Don’t worry about it, I have been on the phone this morning with Bob, and you needn’t know anything about it.”
Mr. DASH. All right. What did you do after that?
Mr. STRACHAN. I called Mr. Higby, because I didn’t really believe that Magruder had talked to Mr. Haldeman, Haldeman was down in Key Biscayne. Mr. Higby told me yes, in fact Magruder had talked with Mr. Haldeman and Mr. Ehrlichman was handling the entire matter.
Mr. DASH. All right. Now, at that point were you concerned about any particular thing?
Mr. STRACHAN. Pardon?
Mr. DASH. At that point having learned that Mr. Haldeman now had spoken to Mr. Magruder and was informed, did a concern come into your mind?
Mr. STRACHAN. Yes, I expected over the entire weekend Mr. Haldeman to call me and ask me what I knew, if I knew anything why I had not reported it to him, the usual very tough questions he would ask.
Mr. DASH. Did you begin at that time to suspect any problem that Mr. Haldeman may have with regard to this?
Mr. STRACHAN. Well, you have to draw one of three conclusions: Either he knew about it ahead of time; either he didn’t except me to report to him, or he had received a report and had calmed down.
Mr. DASH. Did you arrive at any one conclusion?
Mr. STRACHAN. It was either one of the latter two, either he knew or he didn’t expect me to report to him.
Mr. DASH. What did you do after you learned that he had heard about it, what did you do yourself?
Mr. STRACHAN. I didn’t do anything. The White House logs indicate that I was in the White House for a minute Sunday, I don’t know what that was for.

The next day, Monday——
Mr. DASH. Monday was June 19, 1972?
Mr. STRACHAN. That is correct.
Mr. DASH. All right.
Mr. STRACHAN. I began going through my files, Mr. Haldeman’s files, to see if there were any indications of any information that would be in any way related to this act.
Mr. DASH. Well, did you come to any conclusion as to whether there was anything in the files that would be in any way related?
Mr. STRACHAN. Yes. I pulled out several documents, most particularly the political matters memorandum No. 18.
Mr. DASH. And that was the one that referred to the sophisticated intelligence plan?
Mr. STRACHAN. That is correct.
Mr. DASH. Did you also pull out that memorandum or these little notes that you had taken concerning the communication that you had from Mr. Haldeman to contact Mr. Liddy about his capabilities being switched from Muskie to McGovern?

Mr. STRACHAN. Well, I pulled that document out but I did not take that up to Mr. Haldeman.

Mr. DASH. All right.

Now, what did you believe at that time when you took the document out?

Did you believe that a break-in at the Democratic National Committee headquarters was in fact related to this plan?

Mr. STRACHAN. I didn't know for sure, but I had pretty strong suspicions.

Mr. DASH. Did you meet with Mr. Haldeman shortly after you pulled that file out?

Mr. STRACHAN. Yes, I did.

Mr. DASH. Could you tell us when?

Mr. STRACHAN. I believe it was the morning of June 20. He had returned from Florida; I had given a note to Mr. Higby that I thought I should see Mr. Haldeman. Mr. Haldeman summoned me to his office, and I walked in with the political matters memorandum.

Mr. DASH. I think you had indicated that you were somewhat concerned about Mr. Haldeman's reaction to you about not being informed. Were you still concerned when you met with Mr. Haldeman on June 20?

Mr. STRACHAN. Yes, I was scared to death. I thought I would be fired at that point for not having figured that out.

Mr. DASH. Were you fired or did he berate you?

Mr. STRACHAN. No, he did not berate me. He said almost jokingly, "Well, what do we know about the events over the weekend?" And I was quite nervous and retreated to sort of legal protective terms and I said, "Well, sir, this is what can be imputed to you through me, your agent," and opened the political matters memorandum to the paragraph on intelligence, showed it to him. He acknowledged his check and that he had read that, and said that he had not read the tab, which had been attached, turned, began reading it, said, maybe I should have been reading these, these are quite interesting, and read the tab.

Mr. DASH. What tab was that?

Mr. STRACHAN. That was Sedan Chair II.

Mr. DASH. Then what, if anything, did you tell him or did he tell you after he had gone through this memorandum again?

Mr. STRACHAN. He told me, "Well, make sure our files are clean."

Mr. DASH. What did that mean to you?

Mr. STRACHAN. Well, I went down and shredded that document and others related.

Mr. DASH. Now, did you do that on your own initiative as such, or did you feel that you were making sure that you were following Mr. Haldeman's instruction that you should make sure the files are clean?

Mr. STRACHAN. No, I believed I was following his orders.

Mr. DASH. And you shredded all of No. 18, the political matters memorandum No. 18?

Mr. STRACHAN. That is correct.

Mr. DASH. What about the memorandum that you had made on the communication with regard to Mr. Liddy?
Mr. Haldeman, March 21.

Senator Talmadge. Yes.

Mr. Haldeman. I don't believe that Mr. Dean implicated me on March 21 except to say that there was a potential problem that could develop in connection with the transference of the $350,000.

Senator Talmadge. Did he question you about it extensively? The President?

Mr. Haldeman. The President? He asked me about the matter of the $350,000; yes, sir.

Senator Talmadge. Mr. Ehrlichman testified that Mr. Petersen had pressed the President to fire you on April 15 because of the implications of the matter. Mr. Ehrlichman said that he voluntarily resigned under no pressure from the President. How about you? Did the President ask you to resign?

Mr. Haldeman. No, sir. The President and I discussed, as I testified this morning to the—this committee, that at that time it became apparent to me, and I am sure it was apparent to the President, that I was not in a position to carry out my duties effectively and properly, and the question was discussed in terms—during the period of the last couple of weeks of April—in terms of a leave of absence or a resignation and ultimately decided on my part that a resignation was the proper course. The President agreed with that.

Senator Talmadge. Now, you have been implicated by both Mr. Dean and the Assistant Attorney General, Mr. Petersen, and you were not asked to resign. That is your testimony, is it?

Mr. Haldeman. I don't believe that I had been implicated, Senator.

Senator Talmadge. I am talking about what others have said.

Mr. Haldeman. Yes, sir, but I mean—

Senator Talmadge. Dean so testified. I understand the Assistant Attorney General had urged the President to fire you on April 15. Do you know anything about that?

Mr. Haldeman. Well, you are basing that, as I understand it now, on Mr. Ehrlichman's testimony. My recollection is slightly different but—

Senator Talmadge. You disagree with Mr. Ehrlichman at this point.

Mr. Haldeman. No, sir. I would like to explain my point. My recollection is slightly different and perhaps not substantially different in that it was my understanding that Mr. Petersen's recommendation was that the President place us on leaves of absence because the testimony, the information that he had, concerned or contained matters that would be embarrassing to us in terms of our continuing in our position. He specifically, as I understand it, informed the President that he did not have anything that legally implicated us on that basis and the President, it is my understanding, asked him—said that he would not take action to place us on leaves of absence in the absence of specific charges or information that did implicate us which Mr. Petersen, as I understand it, never produced.

Senator Talmadge. Thank you, Mr. Haldeman. My time has expired and I must go to the floor to cast a vote also.

Senator Gurney.

Senator Gurney. Thank you.

Mr. Haldeman, your statement was very full and comprehensive and so were the questions by counsel today.
I have more—mostly bits and pieces of information I would like to ask you about to sort of fill in.

On this business with Mr. Strachan, cleaning up the files, and his later shredding, I think he testified, as I recall, that later on during an airplane trip on Air Force One he brought up this question with you. Do you recall that?

Mr. Haldeman. No, sir. As I said, I don't recall a report from him. I don't recall requesting him to do—to clean up the files nor do I recall a report that he had done so.

Senator Gurney. Did you ever discuss with Mr. Mitchell anything about the break-in or the coverup of Watergate? And now I am—of course, I know you did late this year, in March, but I am talking about earlier, after the break-in, or during 1972?

Mr. Haldeman. After the break-in I am sure there were discussions—there were discussions regarding the break-in and the ongoing developments in the Watergate case and I am certain that Mr. Mitchell was in some of those discussions. So the answer regarding the break-in would be yes.

Senator Gurney. I should have phrased my question a little better. Did you ever discuss any matters with him that indicated to you that there was a coverup, is what I really intended to ask.

Mr. Haldeman. No, sir; I attempted in my statement to try to draw a distinction between what now is termed coverup, which I feel is a loose term, that is not maybe defined in each person's mind the same as in each other person's, and it has so generally come to mean the illegal acts that have been made forth here, that when you say coverup, if by coverup you mean any of the illegal actions that were or have been alleged to have been taken, then my answer would be very clearly no.

Senator Gurney. I did intend that. I did intend to refine it to include the illegal actions.

Mr. Magruder worked for you as a staff man in the White House; did he not?

Mr. Haldeman. He did for a short period of time. He came in to the White House as a special assistant under my direct responsibility as a project man and continued in that role for approximately 4 months, I believe, at which time he moved over to Herb Klein's office as Deputy Director of Communications, which was a post he held for a year, over a year I believe, before he went to the reelection committee.

Senator Gurney. Were you at all close to him during this period of time in the White House? Were you close personal friends, see a lot of each other?

Mr. Haldeman. No. He was a member of my staff. During the time he was a member of my staff and I saw him fairly frequently on a business basis but I had no social relationship with him.

Senator Gurney. Did he do any reporting to you when he was in his capacity of the Committee To Re-Elect the President as deputy campaign director?

Mr. Haldeman. Some, yes; but he primarily reported to Mr. Mitchell and I dealt primarily with Mr. Mitchell on matters relating to the reelection committee.

Senator Gurney. Again in any conversations that you had with Mr. Magruder in the year 1972, did you discuss any of the illegal aspects of the coverup of Watergate?