

Judiciary Unit Lists

Schedule of things required to be produced pursuant to subpoena dated April 11, 1974:

All tapes, dictabelts or other electronic recordings, transcripts, memoranda, notes or other writings or things relating to the following conversations:

1. Certain conversations between the President and Mr. Haldeman or Mr. Ehrlichman or Mr. Dean in February, March and April, 1973, as follows:

a) Conversations between the President and Mr. Haldeman on or about February 20, 1973, that concern the possible appointment of Mr. Magruder to a government position;

b) Conversations between the President, Mr. Haldeman and Mr. Ehrlichman on or about February 27, 1973, that concern the assignment of Mr. Dean to work directly with the President on Watergate and Watergate-related matters;

c) Conversations between the President and Mr. Dean on March 17, 1973, from 1:25 to 2:10 p.m. and March 20, 1973, from 7:29 to 7:43 p.m.

d) Conversations between the President and Mr. Ehrlichman on March 27, 1973, from 11:10 a.m. to 1:30 p.m., and on March 30, 1973, from 12:02 to 12:18 p.m.; and

e) All conversations between the President and Mr. Haldeman and the President and Mr. Ehrlichman during the period April 14 through 17, 1973, inclusive.

2. All conversations between the President and Mr. Kleindienst and the President and Mr. Petersen during the period from April 15 through 18, 1973, inclusive.

Memorandum to Committee on the Judiciary respecting conversations requested on February 25, 1974:

The following sets forth the facts and bases underlying the requests for the conversations specified in the letter of February 25, 1974 from Mr. Doar to Mr. St. Clair:

1. Conversation between the President and Mr. Haldeman on or about February 20, 1973, that concern the possible appointment of Mr. Magruder to a government position.

Jeb Magruder was deputy director of the Committee to Re-elect the President and participated in meetings at which plans for the electronic surveillance of the President's political opponents were discussed. . . . Mr. Magruder has testified that he committed perjury before the grand jury investigating the break-in at the Democratic National Committee Headquarters and at the trial of the seven defendants in *United States v. Liddy, et al.* . . . Mr. Magruder has testified that he informed Mr. Haldeman in mid-January, 1973 that he was going to commit perjury during the trial. . . . Mr. Haldeman does not recollect this discussion but does state that he met with Mr. Magruder on February 14, 1973 and on March 2, 1973 about Mr. Magruder's future. . . .

Mr. Dean testified that in January and February of 1973 there were discussions about a job for Mr. Magruder. . . . Hugh Sloan, the former treasurer of the President's Campaign Finance Committee, testified he told Mr. Dean that if Mr. Magruder (who Sloan testified made efforts to persuade him to commit perjury) . . . were given an appointment requiring Senate confirmation, Mr. Sloan would voluntarily seek out the Senate Committee and testify against Mr. Magruder. . . . Mr. Dean has further testified that on or about February 19, 1973 he was asked by Mr. Haldeman to prepare an agenda of topics which the President could use as a basis for a meeting with Mr. Haldeman. . . . That agenda raised as a topic the question of White House position for Mr. Magruder. The

agenda stated that Mr. Magruder "[m]ay be vulnerable (Sloan) until Senate Hearings are completed" . . . Mr. Dean has testified that on or about February 20, 1973, Mr. Haldeman met with the President to discuss the topics covered by the memorandum. . . .

Mr. Haldeman testified that at the time he received the agenda he had already told Magruder that a White House job would not be possible "but I think the point here was to check that decision with the President to be sure he concurred." . . . In March 1973, Mr. Magruder was appointed to a \$36,000 a year government post which did not require Senate confirmation. . . .

2. Conversations between the President, Mr. Haldeman and Mr. Ehrlichman on or about February 27, 1973, that concern the assignment of Mr. Dean to work directly with the President on Watergate and Watergate-related matters.

Both Mr. Haldeman and Mr. Ehrlichman have testified that the President decided toward the end of February 1973, that Mr. Dean would work directly with the President on Watergate-related matters and that this decision was discussed with them. . . . Mr. Dean has testified that when he met with the President on February 27, 1973, the President told him that Watergate "was taking too much time from Haldeman's and Ehrlichman's normal duties and

. . . they were principals in the matter, and I, therefore, could be more objective than they." . . .

3. Conversations between the President and Mr. Dean on March 17, 1973, from 1:25 to 2:10 p.m. and March 20, 1973, from 7:29 to 7:43 p.m.

(a) March 17

The President has stated that he first learned at this meeting of the break-in of the office of Daniel Ellsberg's psychiatrist which the White House Special Investigation Unit committed in September 1971. . . .

The White House has also stated that Mr. Dean told the President on this date that no White House aides were involved in the Watergate burglary except possibly Mr. Strachan and that the President suggested that Mr. Dean, Mr. Haldeman and Mr. Ehrlichman testify before the Senate Select Committee. . . .

(b) March 20

The White House has said that in the course of this phone call from the President to Mr. Dean, Mr. Dean stated that there was not a "scintilla of evidence of White House involvement" in Watergate. . . . President Nixon confirmed this statement. . . . Mr. Dean has testified that during this call he scheduled a meeting with the President to discuss the facts of Watergate and the obstruction of the Watergate investigation. . . .

4. Conversations between the President and Mr. Ehrlichman

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ichman on March 27, 1973, from 11:10 a.m. to 1:30 p.m. and on March 30, 1973 from 12:02 to 12:18 p.m.

a) March 27

Mr. Ehrlichman has testified that on March 27, 1973, he met with the President and discussed White House involvement in the break-in at the Democratic National Committee headquarters . . . Mr. Ehrlichman has testified that the President instructed him to inform Attorney General Kleindienst that the President had no information that Mr. Ehrlichman, Mr. Colson, Mr. Dean, Mr. Haldeman or any other White House staff had any prior knowledge of the Watergate burglary . . . Mr. Ehrlichman has also testified that the President asked him to inquire of the Attorney General about the procedures for granting immunity. . . .

(b) March 30

The President has said that after Mr. Dean's disclosures of March 21 he ordered new investigations . . . The President has stated that on this date the President asked Mr. Ehrlichman to take over that investigation from Mr. Dean. . . .

5. All conversations between the President and Mr. Haldeman and the President and Mr. Ehrlichman from April 14 through 17, 1973, inclusive.

6. All conversations between the President and Mr. Kleindienst and the President and Mr. Petersen from April 15 through 18, 1973, in-

clusive.

(a) April 14, 1973

The President's records indicate that the following meetings and telephone conversations took place between the President and Mr. Haldeman and the President and Mr. Ehrlichman on April 14, 1973:

8:55-11:31 a.m. — Meeting between the President and Mr. Ehrlichman in the President's EOB office. (The President's daily diary shows that Mr. Haldeman was present from 9:00 to 11:30 a.m.)

1:55-2:13 p.m. — Meeting between the President and Mr. Haldeman.

2:24-3:55 p.m. — Meeting among the President, Mr. Ehrlichman and Mr. Haldeman in the Oval Office.

5:15-6:45 p.m. — Meeting among the President, Mr. Ehrlichman and Mr. Haldeman in the President's EOB office.

Mr. Ehrlichman reported to him the results of the inquiry of the Watergate matter which the President, on March 30, 1973, ordered Mr. Ehrlichman to conduct . . . Mr. Ehrlichman testified that it was on April 14 that turned over to Mr. The President, according to Mr. Ehrlichman, ordered Kleindienst. . . .

The President has stated that he informed the President that Messrs. Dean, Magruder and Mitchell were involved in the planning of the Watergate break-in . . .

11:02-11:16 p.m.—Telephone conversation between

the President and Mr. Ehrlichman.

11:22-11:53 p.m.—Telephone conversation between the President and Mr. Haldeman.

It was on April 14 that Mr. Magruder informed Mr. Ehrlichman that he was giving the prosecutors new information with respect to the Watergate break-in and its aftermath . . . Mr. Ehrlichman and Mr. Haldeman knew that Mr. Dean already had been talking to the prosecutors and on April 14 Mr. Dean told them that Mr. Ehrlichman and Mr. Haldeman were targets of the grand jury investigation . . . Thus, when Mr. Ehrlichman telephoned Mr. Kleindienst on the evening of April 14 and was advised by the Attorney General to turn over all information to the Department of Justice to avoid being charged with obstruction of justice, Mr. Ehrlichman stated that "it doesn't really make any difference nfgg(NUPJ QYLI ODWKA anymore" since Mr. Dean and Mr. Magruder were talking to the prosecutors . . .

April 15, 1973

The President's records indicate that the following meetings and telephone conversations took place among the President, Mr. Haldeman, Mr. Ehrlichman, Mr. Kleindienst and Mr. Petersen:

10:13-10:15 a.m.—Telephone conversation between the President and Mr. Kleindienst.

10:35-11:15 a.m.—Meeting between the President and Mr. Ehrlichman.

1:12-2:22 p.m.—Meeting between the President and Mr. Kleindienst.

2:24-3:30 p.m.—Meeting between the President and Mr. Ehrlichman.

3:27-3:44 p.m.—Telephone conversation between the President and Mr. Haldeman.

3:48-3:49 p.m.—Telephone conversation between the President and Mr. Kleindienst.

4:00-5:15 p.m.—Meeting among the President, Mr. Kleindienst and Mr. Petersen.

7:50-9:15 p.m.—Meeting among the President, Mr. Haldeman and Mr. Ehrlichman.

8:14-8:18 p.m.—Telephone conversation between the President and Mr. Petersen.

8:25-8:26 p.m.—Telephone conversation between the President and Mr. Petersen.

9:39-9:41 p.m.—Telephone conversation between the President and Mr. Petersen.

10:16-11:15 p.m.—Meeting among the President, Mr. Ehrlichman and Mr. Haldeman.

11:45-11:53 p.m.—Telephone conversation between the President and Mr. Petersen.

It was on April 15 that Mr. Kleindienst and Mr. Petersen directly brought to the attention of the President the new information which was being conveyed

See TEXT, A20, Col. 1

TEXT, From A19

to the prosecutors by Mr. Dean and Mr. Magruder . . . April 15 was also the date on which the President, beginning at 9:17 p.m., had an important conversation with Mr. Dean that the President has stated was not recorded because the tape had run out . . . According to Mr. Dean the President stated at that conversation that he was joking when he said earlier that it would be no problem to raise \$1,000,000 . . . Following the conversation with Mr. Dean the President had a meeting with Mr. Ehrlichman and Mr. Haldeman at which Mr. Ehrlichman called Mr. Gray with respect to what happened to documents from Mr. Hunt's safe which were given to Mr. Gray in June 1972. Mr. Gray informed Mr. Ehrlichman that the documents were destroyed. . .

As the listing of conversations indicates, immediately following each of his various conversations with Mr. Kleindienst or Mr. Petersen, the President had conversations, some of which were quite lengthy, with Mr. Haldeman or Mr. Ehrlichman or both. It was on April 15 that Mr. Petersen suggested to the President that Mr. Haldeman and Mr. Ehrlichman be fired . . . The President stated that he owed an obligation of fairness to Mr. Haldeman and Mr. Ehrlichman . . .

c) April 16, 1973

The President's records indicate that the following meetings and telephone conversations took place among the President, Mr. Haldeman, Mr. Ehrlichman, Mr. Kleindienst and Mr. Petersen:

12:08-12:28 a.m.—Telephone conversation between the President and Mr. Haldeman.

8:18-8:22 a.m.—Telephone conversation between the President and Mr. Ehrlichman.

9:50-9:59 a.m. — Meeting among the President, Mr. Haldeman and Mr. Ehrlichman.

10:50-11:04 a.m.—Meeting among the President, Mr. Haldeman and Mr. Ehrlichman.

12:00-12:31 p.m.—Meeting among the President, Mr. Ehrlichman and Mr. Haldeman.

1:39-3:25 p.m. — Meeting between the President and Mr. Petersen (Mr. Ziegler present from 2:25-2:52 p.m.).

3:27-4:02 p.m. — Meeting between the President and Mr. Ehrlichman (Mr. Ziegler present from 3:35-4:04 p.m.).

8:58-9:14 p.m.—elephone conversation between the President and Mr. Petersen.

9:27-9:49 p.m.—Telephone conversation between the President and Mr. Ehrlichman.

On April 16, according to Mr. Dean's testimony, the President asked Mr. Dean to sign a letter of resignation, but Mr. Dean said he would not resign unless Mr. Ehrlichman and Mr. Haldeman also resigned . . . The President had further discussions with Mr. Petersen about the prosecutors' evidence of Mr. Haldeman and Mr. Ehrlichman's possible involvement in the Watergate matter and the possibility of granting immunity to Mr. Dean . . . Again, prior to and subsequent to his conversations with Mr. Dean and Mr. Petersen the President had a number of conversations with Mr. Ehrlichman and Mr. Haldeman.

(d) April 17, 1973

The President's records indicate that the following meetings and telephone conversations took place among the President, Mr. Haldeman, Mr. Ehrlichman, Mr. Kleindienst and Mr. Petersen:

9:47-9:59 a.m. — Meeting between the President and Mr. Haldeman.

12:35-2:30 p.m. — Meeting among the President, Mr. Haldeman and Mr. Ehrlichman (Mr. Ziegler present from 2:10 to 2:17 p.m.).

2:39-2:40 p.m. — Telephone conversation between the President and Mr. Ehrlichman.

2:46-3:49 p.m.—Meeting between the President and Mr. Petersen.

3:50-4:35 p.m. — Meeting among the President, Mr. Haldeman and Mr. Ehrlichman.

5:50-7:14 p.m. — Meeting among the President, Mr. Haldeman and Mr. Ehrlichman (Mr. Rogers present from 5:20-6:19 p.m.).

On April 17 the President issued a statement that there were "major developments" in the Watergate case and that "real progress has been made on finding the truth." The President also stated that "no individual holding, in the past or at present, a position of major importance in the administration should be given immunity from prosecution."

See TEXT, A21, Col. 1

TEXT, From A20

Mr. Dean has testified that by the "no immunity" provision in the April 17 statement, the President was "quite obviously trying to affect any discussion I was having with the government regarding my testimony." Mr. Dean has stated that Mr. Garment, another Presidential Assistant, believed that the "no immunity" provision was inserted into the President's statement by Mr. Ehrlichman.

Also, on April 17, the pattern of the previous few

President has stated that he first learned of it on March 17, 1973, and that on April 18 he instructed Mr. Petersen to stay out of the matter because it involved national security.

In calling for the above conversations the committee is seeking to determine:

Whether any of the conversations in any way bear upon the knowledge or lack of knowledge of, or action or inaction by the President and/or any of his senior administration officials with

Also, on April 17, the pattern of the previous few days is repeated in that prior to and subsequent to conversations between the President and Mr. Petersen there are numerous conversations between the President and Mr. Haldeman and the President and Mr. Ehrlichman.

(e) April 18, 1973

The President's records indicate that the following meetings and telephone conversations took place between the President and Mr. Petersen:

2:50-2:56 p.m. — Telephone conversation between the President and Mr. Peterson.

6:28-6:37 p.m.—Telephone conversation between the President and Mr. Petersen.

On April 18, the President learned from Mr. Petersen that Mr. Dean had informed the prosecutors of the break-in by Messrs. Hunt and Liddy of the office of Dr. Fielding, Daniel Ellsberg's psychiatrist . . . There was also a continuation of the discussion respecting possible immunity for Mr. Dean during which the President said he had a tape to prove that Mr. Dean had told the President he had received immunity . . . With respect to the Fielding break-in the

and/or any of his senior administration officials with respect to, the investigation of the Watergate break-in by the Department of Justice, the Senate select committee, or any other legislative, judicial, executive or administrative body, including members of the White House staff;

Whether any of the conversations in any way bear upon the President's knowledge or lack of knowledge of, or participation in, the acts of obstruction of justice and conspiracy charged or otherwise referred to in the indictments returned on March 1 in the District Court for the District of Columbia in the case of U.S. v. Haldeman, et al.; and

Whether any of the conversations in any way bear upon the President's knowledge or lack of knowledge of, or participation in, the acts charged or otherwise referred to in the informations or indictments returned in the District Court for the District of Columbia in the cases of U.S. v. Magruder, U.S. v. Dean, U.S. v. Chapin and U.S. v. Ehrlichman, or other acts which may constitute illegal activities.