

Excerpts From Haldeman's Testimony Before

the Senate Committee on Watergate

AUGUST 2, 1973

Special to The New York Times

WASHINGTON, Aug. 1— Following are excerpts from the transcript of testimony today by H. R. Haldeman, former White House chief of staff, on the 33d day of hearings on the Watergate case before the Senate Select Committee on Presidential Campaign Activities:

MORNING SESSION

SENATOR ERVIN: At a meeting of the committee this morning it was decided that the committee will call the following witnesses: Mr. Helms, General Walters, Assistant Attorney General Petersen, former Attorney General Kleindienst, former acting director of the F.B.I. Gray, and General Cushman and then recess.

SENATOR TALMADGE: Mr. Haldeman, we have had evidence here before the committee concerning White House requests for audits into individual's tax returns. Will you comment on that?

MR. HALDEMAN: There was a concern, or a feeling, that the I.R.S. had been, during the time of our Administration being out of office and subsequently, even during the time that this Administration came into office, there had been considerably more zeal shown by the I.R.S. [Internal Revenue Service]. In looking into potential questions of those who were supporters of this Administration than zeal shown in looking into inquiries that were directed or raised regarding those who were known and vocal opponents of the Administration.

These factors would be brought to the attention of various people at the White House from time to time with a query as to why there wasn't some kind of investigation into the dealings of some particular person with regard to some matter and those would be referred to the I.R.S.

Q. Here is believe is a talking paper prepared for you to use with [the Secretary of the Treasury] and here is paragraph (C) "H.R. Haldeman" or "H.R.M." I assume that means you, "should tell Secretary Walters [that he] must be more responsive in two key areas, personnel and political actions. First, Walters should make personnel changes to make I.R.S. responsive to the President, sponive to the President, Fred Malek immediately to accomplish this goal (Note: there will be an opening for general counsel I.R.S. in the near future. This should be the first test of Walters's cooperation."

Did you use this talking paper?

'I Don't Recall Seeing It'

A. This doesn't indicate by whom it was prepared or to whom it was directed. I agree with you it does refer to "H.R.H. should tell the secretary." I don't recall seeing it.

Q. That was one of the exhibits that Mr. Dean placed in the record when he testified here, and I think that was reported to be a talking paper for you to use in discussions with the Secretary of the Treasury to try to make the Internal Revenue Service more responsive politically and more responsive to the request from the White House about audits of foes of the White House tax returns.

MR. WILSON: Would you mind indicating the time factor here, the relevancy of this within your resolution, if the chairman will permit it.

Q. It all has relevance, I think, to the 1972 election. Apparently that is what it was geared up for and it is within the purview of our committee if it relates to that. I would think certainly that if you have a paper relating to trying to make the Internal Revenue Service more politically responsive that it certainly would be within the purview of this resolution that created their committee.

Did you ever have any conversations at any time with the Secretary of the Treasury or anyone else about making the Internal Revenue Service more politically responsive?

Previous Administrations

A. Such conversations, they would have been in the context that the I.R.S. bureaucracy at the lower levels was very strongly staffed with people whose positions were due to previous Administrations and whose interests were in the policies and philosophy of previous Administrations, and that the diligence with which they pursued cases that had been referred to them relating to potential misdoings by opponents of this Administration were not pursued with the diligence that they were pursuing matters relating to supporters of this Administration.

Q. Did you or anyone within the White House ever request the White House to make a political, an audit of any taxpayer? A. In the sense of referring information that had come to our attention or information that appeared to indicate a reason for an audit, it is quite possible that that was done. I recall no specific such request.

Q. Now would they be foes of the Administration or friends of the Administration? A. These would be inquiries or information that would

come in from friends of the Administration regarding foes of the Administration.

Q. Do you remember a particular effort to "get," Clark Clifford. A. No, I don't.

Q. You don't recall that. A. I know that there was considerable—now wait a minute, Clark Clifford.

Washington Attorney

Q. He is a prominent Washington attorney, as you know.

A. I am sorry, I was thinking of a different person.

Q. Do you recall any effort to quash an audit of any friendly taxpayer? A. No.

Q. I am the second ranking member of the Senate Finance Committee and our jurisdiction is the Internal Revenue Service among others. And we have tried our dead level best to keep that totally nonpolitical and nonpartisan, totally objective, without favor, without fear to any taxpayer in the United States, and I certainly hope we can continue to keep it that way.

A. I am sure, sir that you have attempted to do so and I hope that you have been successful.

SENATOR INOUE: I have here a copy of a memorandum dated Jan. 20, 1970, labeled "Administratively Confidential," for Mr. Haldeman from Mr. Butterfield relating to Mr. A. Ernest Fitzgerald. I would just like to read the first three paragraphs and ask for your comments.

MR. WILSON: Mr. Chairman, may I ask the Senator from Hawaii to indicate the relevancy of this document dated Jan. 20, 1972?

Q. Would you care to read the third paragraph? I would like to know if that is the attitude of the people at the White House. I will read it for you, sir.

"I may be beating a dead horse at this late date but it was only a few days ago that [I received a call] to ask if we had arrived at any particular Administration line regarding Mr. A. E. Fitzgerald and someone else asked the same question at about the same time. You will recall that I relayed to you my personal comments while you were at San Clemente, but let me cite, then, once again partly for the record and partly because some of you with more political horse sense than I will probably want to review the matter prior to next Monday's press conference."

'Low Marks in Loyalty's

And the third paragraph: "Fitzgerald is no doubt a top notch cost expert but he must be given very low marks in loyalty, and after all, loyalty is the name of the game." *

Was this the top priority in the White House, sir?

MR. WILSON: I am still in the dark on relevancy to this investigation.

SENATOR ERVIN: Mr. Wilson, I would say I am not familiar with that entire document but you and I as trial lawyers will recall that testimony is also admissible to show the attitude of a witness.

MR. WILSON: If I were in a court of law, I would take an exception to that, Mr. Chairman.

SENATOR ERVIN: Yes, well, we will note your exception and admit the evidence.

SENATOR INOUE: Mr. Haldeman, was loyalty the name of the game at the White House and was loyalty much more important than the truth?

Figures in Senate Inquiry

Special to The New York Times

WASHINGTON, Aug. 1—Following are the names of individuals who figured today in hearings by the Senate select committee on the Watergate case:

COMMITTEE MEMBERS

Sam J. Ervin Jr., North Carolina Democrat, chairman.
Herman E. Talmadge, Democrat of Georgia.
Daniel K. Inouye, Democrat of Hawaii.
Joseph M. Montoya, Democrat of New Mexico.
Howard H. Baker Jr., Republican of Tennessee.
Edward J. Gurney, Republican of Florida.
Lowell P. Weicker Jr., Republican of Connecticut.

COMMITTEE COUNSEL

Samuel Dash, chief counsel and staff director.
Fred D. Thompson, chief minority counsel.
Rufus L. Edmisten, deputy counsel.
Terry F. Lenzner, assistant chief counsel.
James Hamilton, assistant chief counsel.
David M. Dorsen, assistant chief counsel.
H. William Shure, assistant minority counsel.

WITNESS and COUNSEL

H. R. Haldeman, former White House chief of staff.
John J. Wilson, counsel for John D. Ehrlichman and Mr. Haldeman.

PERSONS NAMED IN TESTIMONY

Alexander P. Butterfield, F.A.A. administrator and ex-White House aide.
John J. Caulfield, former employe of the re-election committee.
Clark Clifford, former Secretary of Defense.
John W. Dean 3d, former counsel to the President.
Mr. Ehrlichman, former White House adviser.
L. Patrick Gray 3d, former director of the F.B.I.
Daniel Schorr, C.B.S. newsman.
Lawrence M. Higby, deputy assistant to the President.
J. Edgar Hoover, former Director of the Federal Bureau of Investigation.
E. Howard Hunt Jr., ex-White House aide, pleaded guilty in the Watergate break-in.
A Ernest Fitzgerald, Defense Department cost analyst.
Edward M. Kennedy, Democratic Senator from Massachusetts.
G. Gordon Liddy, former White House aide convicted in Watergate break-in.
Jeb Stuart Magruder, former deputy director of the Com-Fred Malik, White House aide.
mittee for the Re-election of the President.
Robert C. Mardian, former aide of re-election committee.
John N. Mitchell, former Attorney General and former chief of the re-election committee.
Donald H. Segretti, accused of conducting sabotage campaign against the Democrats.
Gordon C. Strachan, former assistant to Mr. Haldeman.
Anthony T. Ulasewicz, former aide to John J. Caulfield.
Johnnie Walters, former Commissioner of Internal Revenue.

Witness's Version

Q. Well, I guess the first thing to ask here is I would like to get your version as to what this first paragraph means, "We need to get our people to put out the story on the foreign or Communist money that was used in support of demonstrations against the President in '72. We should tie all 1972 demonstrations to McGovern and, thus, to the Democrats as part of the peace movement."

A. I think there was, or I know that there was, some information, I don't know how good it was, that there was foreign money used to support the financing of demonstrations. The point here

was to develop the facts on it.

In other words, this was to determine the facts and get out the story with the objective of tying, where the facts did so, tying those demonstrations to those who were responsible for them.

Q. What are you tying the Democratic party to? Let's

be specific. Are you trying to tie the Democratic party to Communist money or foreign money?

A. I am trying to tie the demonstrations that were instigated by McGovern or McGovern campaign people to those people. I am trying to get out the story of what the facts were in regard to the instigation of and financing of demonstrations.

Q. I had my impression of your opening statement in trying to tie the Democratic party and George McGovern to the image of being soft on Communism and being soft on law and order and all of a sudden this memorandum

appears and here you are suggesting as a counteroffensive that these entities, this individual, and this party be tied in with foreign and Communist money and that it be tied into the demonstrations. Is this what you believed during the course of the campaign of 1972? Was this to be the thrust of the attack?

References Not Understood

A. Let me—I don't understand your references to soft on Communism and soft on law and order. Is there something that I have said that leads to that.

Q. Well, I think that you're definitely trying to make a link-up here. I just have your own memorandum before me on that point. A. My own memorandum makes no reference to McGovern being soft on Communism.

Q. Do you mean to tell me that as a man closest to the President of the United States, you issued a directive linking the Democratic party, and the Democratic candidate to Communist money, to demonstrations because you thought that was the case, that you are willing to go ahead and do that as the man closest to the President of the United States, you were willing to throw that party and that name around in that fashion?

A. Only if it is the case, Senator.

Q. Isn't it your job before you issue a memorandum to make sure that it either is or is not the case? Isn't that what this country is about? A. That is why the memorandum was directed to the counsel to the President who had the facts, as I understood it, on this case.

Q. "We need to get our people to put out the story." This is not a request for an investigation. If it were a request for an investigation, wouldn't this be the type of thing which certainly we should put into the hands of our law enforcement branches here in the United States, either the F.B.I., C.I.A., the national security group or any valid law enforcement branch. This isn't a request for an investigation of these facts. This is to put out the story.

A. It was my understand-

pened that would certainly be a major step in the direction of trying to unravel this whole thing. And that unfortunately now as it gets talked about gets misplayed.

Q. In any of your meetings with Mitchell or in any phone calls that you had with him in this time-frame, say, now, look, John, didn't you really know about this break-in and weren't you deeply involved in this cover-up and don't you think it is time to take the lead and unravel all this?

A. I did not. That was, I believe, the essence of John Ehrlichman's meeting with Mr. Mitchell on April 14.

SENATOR WEIKER: Now, Mr. Haldeman, I had pre-

sented to you two documents. You briefly went over the first. Now, let me read it [the second]. Dated, Feb. 10, 1973. Memorandum for John Dean from H. R. Haldeman:

"We need to get our people to put out the story on the foreign or Communist money that was used in support of demonstrations against the President in 1972. We should tie all 1972 demonstrations to McGovern and, thus, to the Democrats as part of the peace movement.

'Good Counteroffensive

"The investigation should be brought to include the peace movement which leads directly to McGovern and Teddy Kennedy. This is a good counteroffensive to be developed. In this connection we need to itemize all the disruptions such as the Century Plaza, San Francisco, Statue of Liberty, and so on.

"You should definitely order Gray to go ahead on the F.B.I. investigation against those who tapped Nixon and Agnew in 1968.

"We need to develop the plan on to what extent the Democrats were responsible for the demonstrations that led to violence or disruption.

"There's also the question of whether we should let out the Fort Wayne story now—that we ran a clean campaign compared to theirs, libel and slander such as against Rebozo, et cetera.

"We could let Evans and Novak put it out and then be asked about it to make the point that we knew and the President said it was not to be used under any circumstances.

"In any event, we have to play a very hard game on this whole thing and get our investigations going as a countermove."

Is that a memorandum that you prepared?

A. I will accept responsibility for the memorandum, although because of some bad English and other problems in it, I would point out that it is not initialed by me, which it would have been had I written the memorandum and sent it. I believe that this was a memorandum prepared from notes or from telephonic instructions to a staff member who then wrote it up and sent it out over my name. Having said that, I am disclaiming responsibility for the English and typos; and accepting over-all responsibility for the memorandum.

ing that there were facts that led to these points.

Q. What are the facts? Q. I don't know.

AFTERNOON SESSION

MR. DASH: Now besides the particular Sept. 15, 1972, tape [that Mr. Haldeman took home] you mentioned that you had other tapes. Would you tell us what dates those tapes referred to?

A. I am not sure. I was asked that this morning and I am not sure what dates they were. They were dates within that sequence of meetings in the period from Feb. 27 through April.

Q. You testified that you listened only to the Sept. 15 tape but you did not listen to the others, and I think—

A. That is correct.

Q. I think you indicated you were not a party to those conversations. A. That is correct.

Q. You had listened to the March 21 tapes that part of it which you were not a party when Mr. Dean was with the President. Why when you had the tapes over a period of time now we know, overnight, and had time to do so, actually what prevented you, why did you not listen to the tapes?

A. I simply decided not to because I had not attended the meetings and I didn't feel comfortable listening to those tapes.

Q. But you were under no instruction not to, were you not? There was no instruction you shouldn't listen to the tapes. A. That is correct. This was not conveyed to me.

Q. Because you were actually given those tapes: A. The tapes were given to me.

Q. And for the purpose of, I take it, to hear. A. That is correct.

Q. And you made your own decision then not to listen to them. A. That is correct.

SENATOR BAKER: Before you go on just so I am clear in my own mind do we have for the record the tapes that the witness did have in his possession?

MR. DASH: No, he doesn't recall, I take it. A. I am not sure which ones they were.

SENATOR BAKER: How many were there? A. I think there were three.

Q. Three rolls of tape. A. Three dates which would be three reels.

Q. Three dates. Now, I would like to show you an exhibit memorandum, Mr. Haldeman of March 30, 1972 from Mr. Colson to you, subject, I.T.T. I am going to refer to a particular part of it but if you would like to read the entire memorandum first, please take the time to do so. A. I guess I had better. I have not seen this.

Q. Yest. I should ask you do you recall the memorandum? A. Not so far. Let me look at it. Yes, I have not tried to read it comprehensively because it is long and general. I have a general feel of it.

Q. It deals obviously with Mr. Colson's concerns about matters that might be coming before the hearing [on the] confirmation of Mr. Kleindienst as Attorney General and I am just going to refer actually to two paragraphs.

On Page 3 of the first part of the memorandum, the last paragraph says, "Neither Kleindienst, Mitchell nor Mardian know of the potential dangers. I have deliberately not told Kleindienst or Mitchell, since both may be recalled as witnesses and Mardian does not understand the problem, Only Fred Fielding, myself and Ehrlichman have fully examined all the documents and/or information that could yet come out. A summary of some of these is attached."

Now, I am referring now to the attached summary. Could you look at the very next page and Paragraph 2 at the bottom.

A. I would say that loyalty was important. I would say that the truth is overridingly important.

Q. Then the recommendation from Mr. Butterfield was even after admitting that he is a top notch cost expert, "We should let him bleed for a while, at least." You are accusing him of blowing the whistle on the Air Force.

A. No. I am not accusing him of anything. I did not write that memo, sir.

Q. This memo was. And it is quite critical of someone who was attempting to expose to full public view the truth.

A. Well, Senator, I do not know any of the ins and outs of [the] Fitzgerald case; and Mr. Butterfield was a retired Air Force officer who obviously had strong personal views and had strong lines of communication and contact with others who had strong personal views in the Fitzgerald matter. I am not qualified to comment on the facts in the Fitzgerald case. I can only say that in answer to your question as to attitude of this witness, that loyalty did not override truth.

Apologies to Candidates

Q. On Page 30 of your opening statement, the last paragraph says: "If, as alleged, he [Donald H. Segretti] or those under his direction were responsible for the letter which falsely defamed Senators Muskie and Humphrey, then on behalf of everyone associated with the Nixon campaign, I would like to and do apologize to both of these men."

Did you have any purpose in leaving out Senator Jackson?

A. Absolutely not. If Senator Jackson was also defamed in that letter, I would very much want to correct my omission as being unintentional and to extend my apology very definitely to include Senator Jackson.

Q. Would I be correct in

The Chief of Staff

Q. You were the President's representative, the chief of staff of the White House. Couldn't you have suggested this? A. I could have suggested this, yes.

But you decided not to. A. It didn't occur to me to.

Q. Was this special fund raising necessary because the use of the money was illegal? A. Not to my knowledge.

SENATOR WEICKER: Mr. Haldeman, last night I took your opening statement I read it and I reread it, and there was something about it that bothered me, and I think I finally put my finger on what it was. It was that section which you labeled Segretti.

And what bothered me was the fact that under the title of Segretti you listed various and sundry acts, violent in nature, illegal acts, and then left the intimation that these acts belonged to Senator McGovern, the Democratic party, etc.

Now, I know that is not exactly the way it reads if you read it very carefully, but that is the impression that is given [that] you are trying to give the same image to the opposite candidate and the opposite party. It is my contention, which I intend to prove here this morning, that you tried to give during the course of the campaign—specifically that the opposition party and the opposition candidate are soft on Communism and soft on law and order.

You say in your opening statement, and let me read it.

"Moreover, the pranksterism [by Segretti] that was envisioned would have specifically excluded such acts as the following: violent demonstrations and disruption, heckling or shouting down speakers, burning or bombing campaign headquarters, physical damage or trashing of headquarters and other buildings, harassment of candidates' wives and families by obscenities, disruption of the national convention by splattering dinner guests with eggs and tomatoes, indecent exposure, rock throwing, assaults on delegates, slashing bus tires, smashing windows, setting trash fires under the gas tank of a bus, knocking policemen from their motorcycles."

"I know that this committee and most Americans would agree that such activities cannot be tolerated in a political campaign.

"But unfortunately the activities I have described are all activities which took place in 1972 against the campaign of the President of the United States by his opponents."

Who Were Opponents?

Now, do you mean by that "opponents" the Democratic party or Senator McGovern?

A. And then I immediately went on to say, [that] and

some of them took place with the clear knowledge and consent of agents of the opposing candidate in the last election. "Others were acts of people who were clearly unsympathetic to the President but may not have had direct order from the opposing camp."

Q. The precise point that I am making is [that] I want you to tell me which of these illegal acts you ascribe to Senator McGovern and/or the Democratic party.

A. I am not able to do that at this time. I have indicated to the committee yesterday that the documentation on these is available. It is my understanding that the committee had it. I find apparently it does not and I will make sure it gets it and that that verification can be made item by item.

Q. Now, isn't it true that the acts which you list there didn't serve your opponents' interests, that they did on occasion serve your candidate's interest? A. If they did I can't conceive of how they did, sir.

Q. All right. I want to submit to you a document on White House stationery, memorandum for Mr. H. R. Haldeman from Ronald H. Walker.

At the same time I would like to submit for your inspection and your counsel's inspection a document dated Feb. 10, 1973, memorandum for John Dean from H. R. Haldeman.

All right now, let's discuss the first memorandum which I presented to you.

"The White House, Washington, Oct. 14, 1971, 5:00 P.M.

"Memorandum for: Mr. H. R. Haldeman

"From: Ronald H. Walker
Re: Charlotte, North Carolina—Demonstrations

"1. The most recent intelligence that has been received from the advanceman Bill Henkel and the United States Secret Service is that we will have demonstrators in Charlotte tomorrow. The number is running between 100 and 200; the advanceman's gut reaction is between 150 and 200. They will be violent—with a pencilled underlining of "violent"—"they will have extremely obscene signs," — underlining "obscene." And next to the word "obscene," pencilled in writing, which to me and you will have to confirm this — seems to be the same as the writing below your initial, appears to be yours, saying, "Good."

Is that your writing, there where it says, "Good?"

A. I believe it is.

Q. "As has been indicated by their handbills. It will not only be directed toward the President, but also toward Billy Graham." Underlining "Also Toward Billy Graham," where you pencilled in "Great."

MR. WILSON: Mr. Chairman, I thought silence was to be enforced here in this hearing.

SENATOR ERVIN: Mr. Wilson, I wish you would tell me some way I can keep people from laughing. I have heard [it], I don't approve of it, and I wish they would restrain themselves and I have tried to restrain them, but I have been told that the only thing that distinguishes humanity

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assuming that at the end of the year 1972 you were aware that the campaign committee had a surplus of over \$3-million? A. I was aware by the end of '72 that there was a very substantial surplus.

Q. Now, if you considered the raising of funds for the Watergate defendants to be legal, moral, an obligation proper, humanitarian, why didn't you use these campaign funds? You had surplus of over \$3-million.

A. First of all, Senator, I didn't consider it either to be any of those things or the opposite of any of those things. I did not weigh it in its context of legality, morality or necessity. I simply accepted what I was told, which was that these funds were being raised for the purpose of legal fees for the defendants.

As to the question of why I didn't use those funds, I didn't have the control of those funds or the position to use those funds.

from what humanity, from a lofty attitude of disdain, called a brute creation, is the fact that man laughs and brute creation does not. But I am going to request everybody to try to restrain their laughter, and it will help us proceed in a more orderly fashion.

Happening in North Carolina

While I am on this, I hate to hear about things like this supposed to be happening in the Garden of Eden, North Carolina, and nobody must laugh at that.

I went down to Charlotte on that occasion with the President, and I saw my constituent, Billy Graham, and I can testify there were about

a handful of students, or young people rather, with some placards there that really didn't interfere with anybody.

SENATOR WEICKER: [continuing to read] "According to Henkel and the U.S.S.S. and it is also indicated on the handbills being distributed by the demonstrators, the Charlotte Police Department is extremely tough and will probably use force to prevent any possible disruption of the motorcade or the President's movements."

And again the penciling, "Good" next to that.

Then No. 3, I had better read the whole exhibit:

"My instructions to Henkel are to control the demonstrators outside the Coliseum as much as he can with the help of the USSS and the Police Department, from the city of Charlotte. He is to set up as fine a screening system as possible. There are 8,000 seats in the Coliseum and we have printed up 25,000 tickets. It is a known fact that there are demonstrators who have tickets. Therefore it will be necessary for us to set up a screening system to eliminate anyone that has a false or fake ticket. We will set up our normal checkpoints, using 25 Veterans of Foreign Wars and between 50 and 60 ushers that are being provided by the local Republican party. There will also be a volunteer lawyer corps to handle any legal questions that might arise, as far as denying entrance on the grounds of a phony ticket.

Techniques Are Cited

"The thing that bothers me is that we are for the most part paralleling the system that we had designed for the Wright-Patterson Air Force Museum dedication in Dayton, Ohio. Realizing the attention that was drawn to and the concern that has since been expressed by Ziegler, Warren, and most vehemently by Pat Buchanan, the feeling is that the [White House] press corps, especially the liberals, are very much aware of how the demonstrators are being handled, and although the White House has not been identified with these processes, we are very much suspect.

Buchanan maintains that they will be on the lookout for demonstrators and how they are being handled, and it is his feeling that this could be extremely damaging even if the White House is only indirectly involved. The Billy Graham people have been of great help but

they've got their own problems with citizens' organizations sponsoring the Billy Graham Day, and have pretty well backed off from any of the arrangements with the exception of crowd building. Therefore, we have got very little support in handling demonstrators in the hall.

"Question: Should we continue with our plan to prevent demonstrators from entering the Coliseum?"

Under, "Yes," the initial "H," and the pencil notation, "As long as it is local police and local volunteers doing it, not our people."

Off-the-Cuff Reaction

My question specifically relates to what mentality it is in the White House that goes ahead and indicates, "Good," when the word "violence" is mentioned, when "obscene" is mentioned, which violence and which obscenity is to be directed against the President of the United States. How in any way can that be good?

A. Senator, I can explain that I think very easily.

The problems that we had during the campaign of violence, of demonstrations, of obscene signs, of efforts to heckle and shout down the President when he was delivering a speech were very great.

They were not recognized as being very great and there was an attempt made in the coverage of many of these

events to present this as a totally off-the-cuff reaction of certain people in the audience who were just there and disagreed with what the President said and were expressing their disagreement in a proper exercise of their right to do so as contrasted to planned organizations that were put together for the purpose of creating violence.

The reason for reacting to the indication that they would be violent, obscene and directed toward Billy Graham as, "Good," was that if, in fact, they were going to do this in this way, it would be seen that they were doing so clearly. Sometimes they weren't that ineffective. They did a better job of disguising their true intents and their true method of operation, and the reaction of, "Good," to those indications was very much in that sense.

Q. To be continued. I have been informed that my 10 minutes are up so I say that will be continued.

SENATOR ERVIN: I can't resist the temptation to say I was at that meeting, it was one of the most orderly meetings I ever attended, there was no disturbance inside the hall, the President made a very well-deserved tribute to Billy Graham, and Billy Graham made some very complimentary remarks about the President. There were some people out with placards that were excluded from the hall by the police and, incidentally, I read in the paper where the Federal judge down in Charlotte held these young people had been unfairly excluded from the meeting, their constitutional rights—

A. Mr. Chairman, that is what we were dealing with, the question is how do you properly exclude or include people in a meeting of that sort.

The Enemies List

SENATOR MONTOYA: Are you acquainted with the project which was launched in the White House to develop an enemies list?

A. I am aware of the existence of enemy lists or opponents lists.

I know that from time to time we received from within the White House and from outside the White House, from supporters of the Administration, both in the Congress and from the general public, complaints that people in and out of Government who were expressing vocal opposition [to Administration policies, particularly on Vietnam] were at the same time being extended extraordinary courtesies by the White House in the form of invitations to social events and other functions at the White House, appointments to honorary boards and commissions, inclusion on delegations to events, and that sort of thing.

Q. I am talking about enemies, not friends.

A. No, sir, that is what I am talking about, people, I am talking about complaints by friends that people who were opponents and were vocally expressing their opposition were being, in the view of our friends, treated like friends in the sense of receiving these special courtesies from the White House.

Q. And you were compiling a list of these people?

A. And as a result of the concern by our friends that we were in their view unwisely extending these courtesies to the people who were opposing Administration policies, and on some occasions people who, after receiving an invitation to the White House and being at the White House used that as a platform for getting extraordinary publicity for their expression of opposition, that as a result of these complaints there was a program of drawing up a list of those who in prominent public positions were believed to be expressing opposition to Administration

policies, and who, therefore, should not be receiving these courtesies.

This was in the same context as a list of those who were supporting such policies and who should be extended such courtesies and who many times were not.

Q. I will read you some names [on two "enemies" list submitted by Mr. Dean]. What did these people have to do with the Vietnam War?:

Eugene Carson Blake, Leonard Bernstein, Arthur Fisher, Ed Guttman, Maxwell Cain, Charles Dison, Howard Stein; Al Lowenstein, Morton Halperin, Leonard Woodcock, Dan Schorr, Mary McGrory, Lloyd Cutler, Thomas Watson, Tom Wicker, Clark Clifford. That is the list.

A. I would think that the public record of the time would indicate that a num-



The New York Times

Senators Lowell P. Weicker Jr., left, and Edward J. Gurney, center, going over a White House memorandum yesterday with Fred D. Thompson, minority counsel, during the appearance of H. R. Haldeman at the hearing.

ber of those people were, in fact, quite vocally and publicly opposing Administration positions on the war.

Q. Why did you label them as enemies, then? Did they not have a right to comment on the war?

A. Why, certainly, they did, but they did not have a right to be extended the courtesy of the President's hospitality in order to express their opposition.

Q. Well, are you in effect telling me that this enemies list was compiled so that it would serve as an exclusion list for the White House? A. In effect, yes.

Q. Why was so much time wasted in the White House with memos and communications between staff members in trying to compile this list, then?

A. First of all, I don't believe a great deal of time was wasted in doing so. The time that was expended in doing it was for the purpose that I have indicated.

I.R.S. Role Questioned

Q. Well, if your objective was as you have stated it, why was it an effort to involve I.R.S. in auditing [the tax returns of] some of these people and why were there orders from the White House to the F.B.I. to check on some of these people?

A. I would like to know what these orders were and perhaps I can respond to them.

Q. All right. Mr. Higby, who was your administrative assistant, has given information to this committee that while he was in the Grand Tetons with the President and you, he was asked by you to call Mr. Hoover and get a complete background on Daniel Schorr, and Mr. Higby did this, and he has submitted testimony to this

committee in secret to that effect. Now, would you deny that?

Q. Did you do that?

A. I requested a background report on Mr. Cchorr, or asked Mr. Hibgy to request one, not in connection with the enemies list, and I am sure in what connection it was, but I am sure there was something that arose at the time that this request was made and I don't know in what context, but there had been, as has been indicated here in earlier testimony, concern from time to time about statements that were made and the reasons for them in terms of national security questions, and I don't know that this was in such a context because I simply don't recall what the reason was for it.

Q. Why would you order a check in that context? Was Mr. Schorr being considered for an appointment?

A. No, he was not.

Reason Unrecalled

Q. Why would you check on him, then? A. I don't know why, but the check was made.

Q. You ordered it?

A. The request for the check was in connection with something apparently—I assume—that arose at that time that generated a request for the background report on Mr. Schorr. The request, I would like to emphasize, Senator, was not a request for an investigation of Mr. Schorr, and at the time that the request was made it was for the background file which the F.B.I. has on individuals, that is, a summary report on their activities and background.

Q. Wouldn't you call that "investigate," when the F.B.I.

goes out to try to get the background on an individual?

A. When they go out to do it I would, but the request was not that they go out to do it. The request was for the file, what happened.

Q. What file? Do you have a file in the White House on Mr. Schorr? A. No, sir. The F.B.I. did, or may have.

Q. How did you know they have? A. They have a file on most people who are known publicly, and the request was for whatever file they have.

Q. You mean the F.B.I. has a file on every American that is known publicly?

A. I think they probably do. I have not been through their files so I can't verify that.

Q. Now I will give you an instance where you ordered F.B.I. checks on eight other individuals. The testimony of Mr. Butterfield is [that] Haldeman and occasionally Ehrlichman had requested an F.B.I. check on nonappointees. To Butterfield's recollection there may have been eight such requests. Among them were Frank Sinatra,

Daniel Schorr, Helen Hayes.

Now, what do you have to say to that? Was Helen Hayes being considered for an appointment?

A. Quite possibly so. Helen Hayes held Presidential appointments and commissions at a number of times and that is quite possible.

Q. Was Frank Sinatra being considered for an appointment?

A. No, sir. Frank Sinatra was being considered as an entertainer at the White House and was an entertainer at the White House.

Q. And was Daniel Schorr being considered for entertainments at the White House?

A. No, I would simply like to say in the case of any entertainer at the White House and for that matter I believe any guest at the White House there is automatically a check made of his F.B.I. file to determine whether he poses any security threat or any potential embarrassment in any other sense, and it is unfortunate that those particular names have been raised and singled out in this forum because I would not like the record to imply that there was any allegation of wrongdoing on the part of any of those three people, and of the other five that were apparently on the list of eight that have not been named or any of the others of hundreds of people who have been so checked.

And since this question has come up, I would also like to say that it has become popularly referred to here as the enemies list and I would like to plead guilty to a certain indelicacy, if that is what it was referred to in our Administration, because in reading one of the books by one of the learned scholars who served in the Johnson Administration, I saw that at their time, this list was referred to as the anathema list and I must say that is a much more delicate term for it.

Q. Did you or did you not in June of 1972 arrange directly or through John Dean or anyone else for a 24-hour surveillance of Senator Kennedy?

Interest in Kennedy

A. I don't recall making such an arrangement. I know that it has been testified that such a request was made and was not carried out and I am not familiar with the specifics of the reason for the request but there were times when there was a very definite interest in the activities of Senator Kennedy, some political and some not political at all, but in relation to trips that he made with regard to early release of P.O.W.'s and matters dealing with the North Vietnamese and the peace settlement efforts that were under way.

Q. What I am trying to develop is whether or not you authorized such surveillance or observation or investigation of Senator Kennedy.

A. I do not recall ordering any surveillance of Senator Kennedy but I do want to emphasize that there were questions raised about Senator Kennedy's activities in various regards from time to time, and such a question could have come up.

Q. Do you recall or do you have any knowledge of any surveillance of Senator Kennedy relating to Mr. Caulfield in 1970 or 1971? A. No, I do not recall that but I was not familiar with Mr. Caulfield's activities.

Q. Do you recall any surveillance of Senator Kennedy in 1969 in which Mr. Ulasewicz may have been involved? A. No.

Q. Do you have any information about Mr. Ulasewicz's observation, investigation, or surveillance of Senator Kennedy at any time, Mr. Haldeman?

A. I have no familiarity at all with Mr. Ulasewicz's op-

erations with regard to any individual. I was not familiar with what he was doing or with what his objectives were or what his results were.

Q. Did you read The Washington Post this morning? [An article stating that White House officials ordered 16 previously unreported investigations of individuals.] A. I read through it quickly.

Q. Can you tell us whether or not Mr. Ulasewicz did in fact maintain facilities in New York City to try to gain information about the so-called Chappaquiddick situation? A. No.

Q. Did you have any involvement in that? A. No.

Q. Do you know who did? A. No.

Q. Do you know whether it happened or not? A. No.

Burglars and Funds

SENATOR ERVIN: Mr. Haldeman, it appears from your answers to my previous questions, that prior to Sept. 15, five burglars were caught in the Democratic National headquarters, with campaign funds belonging to the Nixon committee in their pockets. A short time thereafter a former White House consultant, Hunt, and G. Gordon Liddy, the chief legal officer of the Stans committee, were also arrested, charged with procuring these five burglars to do the burglarizing.

Now, certainly, President Nixon had some control over his committee. Did he at any

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time, to your knowledge, summon John Mitchell, the director of the Committee to Re-elect, to procure his re-election, or Jeb Stuard Magruder, the deputy director of that committee, or Maurice Stans, the head of the Finance Committee for his re-election, or Henry W. Sloan Jr., the treasurer of that committee or Robert Mardian or any other person, into the White House and demand of them how it happened that burglars were caught in the headquarters of the opposition political party with funds donated for his re-election, in their pockets?

A. He did not call any of those people in and demand that. I believe Mr. Mitchell said he had met with the President shortly after the Watergate and had talked with him about it at that time.

Q. But Mr. Mitchell testified with the most absolute positiveness that he never told the President about any of these things and that the President at no time asked him about it, notwithstanding the fact that he met with the President on many occasions in reference to the campaign.

A. But, Mr. Chairman, we are dealing with two different things here. One is the fact of the Watergate burglary, and that, as I understand it, Mr. Mitchell did talk with the President about shortly after the burglary.

Phone Call to President

Q. He called him up and told him he was sorry that matters had got out of hand, and he had not exercised as much supervision but he also testified the President did not ask him any questions about

what he was talking about, as I recall the testimony.

A. Well, at that point I believe the President had been told what the facts were as they were known at that time. I do not believe he had anything to question him about other than what Mr. Mitchell talked with him about. The things that developed from that time on, the President was not aware were developing.

Q. Mr. Haldeman, we haven't got a particle of testimony so far that the President himself personally took any active interest in any time between June 17, 1972, and March [21], 1973, except to make inquiries allegedly through Dean as to how this all happened.

A. Through Dean, through Ehrlichman and through me. He made inquiries at various times, as John Ehrlichman has testified, and as I have and as John Dean has.

Q. What did you and Ehrlichman do about it? A. We referred them to John Dean who was the man responsible for dealing with them.

Q. Oh, John Dean was the only man in the White House who was asked to take any concern of finding out how it was that these burglars were caught in the Watergate with the President's campaign funds in the pockets?

A. This is absolutely correct, Mr. Chairman, he was the only man in the White

Q. Oh, John Dean was the only man in the White House who was asked to take any concern of finding out how it was that these burglars were caught in the Watergate with the President's campaign funds in the pockets?

A. This is absolutely correct, Mr. Chairman, he was the only man in the White House asked to do that because there were hundreds of people outside of the White House in the executive branch doing precisely that.

SENATOR GURNEY: In these conversations which you had with the President and Mr. Mitchell prior to his resignation, was there any discussion that he ought to resign because he had knowledge of the Watergate break-in. A. No.

Q. And because, after that he participated in the cover-up? A. Absolutely not.

Mitchell and Watergate

Q. Around about this March 21st meeting was there any discussion about having John Mitchell step forward, I think that term was used, [and] take the rap for Watergate?

A. I do not think at that time, there was in the second week in April a developing view on both John Dean's and John Ehrlichman's part, as they were getting additional information from various people, that there was a real possibility, at least, growing in their mind that John Mitchell had been aware of the Watergate break-in, and so forth, and that if that would be a major step in opening up the problems of what really had happened in the Watergate case.

It was not discussed in terms of scapegoatism or someone taking the rap, and it was not discussed in terms of putting the pressure on Mr. Mitchell to do this. It was discussed in the terms if this were the case and if it hap-