

NYTimes JUL 12 1974 Excerpts From 8 Volumes of

Special to The New York Times

WASHINGTON, July 11—The House Judiciary Committee released today eight volumes of evidence accumulated in its impeachment inquiry into the Watergate break-in and cover-up. Following are a background memorandum on the White House staff and President Nixon's campaign organizations; a foreword to the first volume by Representative Peter W. Rodino Jr., Democrat of New Jersey, committee chairman; the texts of statements of information presented by the staff to the committee members; and a statement of information presented on behalf of President Nixon. Printed separately are excerpts from a massive amount of documentary evidence provided to support the statements of information.

BACKGROUND INFORMATION

This memorandum was presented to the Committee on the Judiciary by the impeachment inquiry staff on May 9, 1974, the first day of the staff's initial presentation of evidence regarding the matters under investigation by the committee pursuant to House Resolution 803.

White House Staff

On Jan. 20, 1969, Richard Nixon was inaugurated as the 37th President of the United States. On Jan. 21, 1969, 81 persons were sworn in as members of President Nixon's White House staff. H. R. Haldeman was appointed assistant to the President. John D. Ehrlichman was appointed counsel to the President.

From Jan. 21, 1969, through May 19, 1973, H. R. Haldeman, who had worked for the President in political campaigns since 1956, was President Nixon's chief of staff. He was in charge of administering White House operations. He worked directly with the President in the planning of the President's daily schedule, provided the President with the information he requested from the members of his staff and the members of his administration, and relayed instructions from the President to other officers and members of the executive branch of the Government. Haldeman directed the activities of the President's Appointments Secretary and the White House Staff Secretary. He received copies of memoranda and letters written by senior staff members and assistants. He established, subject to the approval of the President, the White House budget. He had no independent schedule. His schedule was that of the President. He was at the call of the President at all times. During the re-election campaign, the President's campaign organization reported to Haldeman. The President announced Haldeman's resignation on April 30, 1973.

Haldeman's Staff

The following White House employees reported to Haldeman:

(a) Lawrence M. Higby was Haldeman's personal aide and his chief administrative assistant throughout Haldeman's tenure at the White House. He had worked previously for Haldeman in private business and in the 1968 Presidential campaign. Higby supervised the flow of persons, papers, telephone calls and correspondence to Haldeman, acted in Haldeman's name and traveled with him. After Haldeman's resignation, Higby transferred to the Office of Management and Budget.

(b) In March, 1971, after working for Herbert Klein, then Director of Communications for the executive branch, Gordon C. Strachan became Haldeman's principal political assistant. Strachan performed political assignments for Haldeman. He supervised the White House polling operation and reported on the activities of the Republican National Committee and the Committee for the Re-election of the President (CRP). He regularly prepared political matters memoranda for Haldeman on the status of the 1972 election campaign, and often carried out decisions Haldeman made on the basis of the information they contained. After the 1972 election, Strachan was appointed to a position with the United States Information Agency.

(c) In January, 1969, Alexander P. Butterfield was appointed deputy assistant to the President. From November, 1969, Butterfield's office adjoined the President's. He had responsibility for the President's daily schedule. He oversaw the administration of the White House, including the office of the staff secretary. He reported directly to Haldeman and functioned as Haldeman's deputy in handling the actual flow of people and papers in and out of the President's office. In March 1973 Butterfield was appointed Administrator of the Federal Aviation Administration.

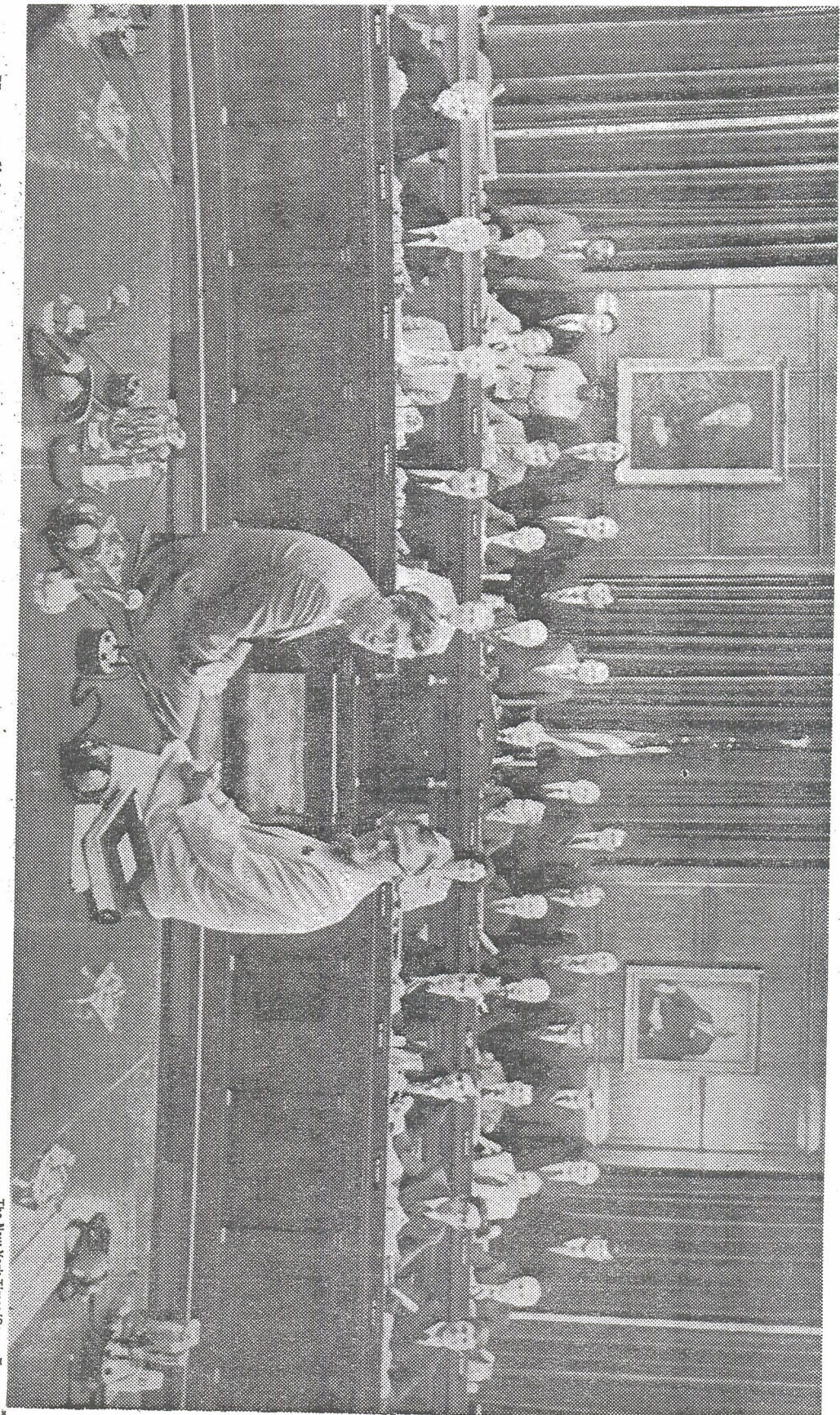
(d) Dwight L. Chapin had known Haldeman previously and had worked for the President for two years before the 1968 election. In January, 1969, he joined the White House staff as a special assistant to the President and acted as the President's appointments secretary. Chapin had general planning responsibility for the President's schedule and travel. He reported directly to Haldeman and, at times, to the President. Two years later Chapin was appointed Deputy Assistant to the President. He left the White House and entered private business in February, 1973.

(e) In January, 1969, Stephen B. Bull joined the White House staff and worked under Chapin in the scheduling office. In February, 1973, he was appointed a special assistant to the President and assumed additional responsibilities for implementing the President's daily schedule.

(f) On Jan. 20, 1969, Hugh W. Sloan Jr. became a staff assistant to the President. He worked under Chapin on the planning of the President's appointments and travel. He was also assigned certain special projects. Sloan left the White House in March, 1971, to join the President's re-election campaign organization. He resigned as the treasurer of the Finance Committee to Re-elect the President (FCRP) on July 11, 1972.

Evidences Issued by Judiciary Panel

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House Judiciary Committee in formal portrait. In foreground are John M. Doar, left, chief counsel, and Albert E. Jenner Jr., minority counsel.

The New York Times/George Tamm

(g) In July 1970 John Wesley Dean was hired by Haldeman as counsel to the President. Dean had previously been an Associate Deputy Attorney General in the Justice Department, and his duties in the White House included working with the Justice Department. The counsel's office advised the President on technical legal problems and prepared legal opinions on issues.

Dean was also assigned by Haldeman to gather information on political matters of interest to the White House. Dean normally reported to Haldeman, but on certain domestic matters he reported to Ehrlichman. Dean left the White House on April 30, 1973.

(h) In October, 1970, Fred Fielding was hired as assistant to the counsel to the President. He became associate counsel in the spring of 1971. He was Dean's "principal deputy." Fielding was appointed Deputy Counsel in early 1973, and resigned from the President's staff on Jan. 11, 1974.

(i) In January, 1969, Herbert G. Klein was appointed to the newly created position of director of communications for the executive branch. His office handled many of the White House public relations and media activities. He and his assistants in the office of communications reported to Haldeman. Klein resigned from the White House on July 1, 1973.

(j) On Oct. 7, 1969 Jeb Stuart Magruder was appointed special assistant to the President to work on Haldeman's staff. Later in 1969 Magruder was also named Deputy Director of Communications. He held both positions until he resigned in May 1971 to work in the President's re-election campaign organization; he later became Deputy Campaign Director of CRP. Magruder's responsibility at the White House was public relations. He organized letter writing programs, encouraged media coverage, and formed private committees to support Administration positions.

(k) In December, 1970, Herbert L. Porter came to the White House with the understanding that he would work in the re-election campaign. After doing advance work for about a month, Porter was offered a job by Magruder on Klein's staff. From January until May 1971 he worked as a staff assistant in the communications office, where he did public relations work, including scheduling speakers. Porter assumed scheduling responsibilities for the predecessor organization of CRP in May 1971.

(l) On November 6, 1969 Charles W. Colson was named special counsel to the President. Colson initiated, planned and executed many White House public relations and media efforts. He was in charge of White House relations with "special interest groups" and coordinated fund-raising for Administration projects. Colson also organized political support for the President's policies. Generally, he reported to Haldeman, but he reported directly to the President on certain matters. On March 10, 1973 Colson resigned from the White House.

(m) In September, 1969, Frederick C. LaRue was appointed a special consultant to the President. He served without pay. LaRue reported to Haldeman on the political projects he undertook for the White House. He resigned on Feb. 15, 1972 to work in the President's re-election campaign and later became special assistant to CRP's campaign director.

Ehrlichman Appointed in 1969

In January, 1969, John D. Ehrlichman was appointed counsel to the President. He reported primarily to Haldeman. On Nov. 4, 1969, he became assistant to the President for Domestic Affairs and the President's chief assistant in the White House for all domestic matters. He advised the President on policy and com-

municated Presidential decisions to departments and agencies. On July 1, 1970 the Domestic Council was established in the Executive Office of the President as a separate entity with its own staff and budget. Ehrlichman was appointed Executive Director. On Jan. 20, 1973, Ehrlichman resigned this position and on January 21 joined Haldeman as one of the four general assistants to the President. He worked in that capacity until May 19, 1973. On April 30, 1973, the President announced Ehrlichman's resignation from the White House.

The following were among the members of the White House staff under Ehrlichman's supervision.

(n) In January, 1969, Egil Krogh came to the White House as a staff assistant to Ehrlichman. He was Deputy Counsel

to the President from May, 1969, until November, 1969, when he was appointed deputy assistant to the President for domestic affairs. In July, 1970, he assumed the additional position of assistant director of the domestic council. Krogh reported to Ehrlichman, except on a few matters where he reported directly to the President. Krogh's responsibilities in domestic affairs focused on law enforcement, including work with the Federal Bureau of Investigation, drug enforcement programs, and internal security matters.

In July, 1971, pursuant to instructions from the President, Krogh organized the White House special investigations unit (the "Plumbers"). His work with the unit continued until December, 1971. In January, 1973, Krogh was appointed Under Secretary of Transportation.

(o) In 1969 David Young came to the White House as an administrative assistant to Henry Kissinger in the National Security Council (NSC). He was Kissinger's appointments secretary. In January, 1971, Young became a special assistant, NSC, in charge of classification and declassification of documents. In July, 1971, he was transferred to Ehrlichman's staff and assigned to work with Krogh on the White House Special Investigations Unit. Young continued as an assistant to Krogh until January, 1973, when he was appointed to a staff position on the domestic council. He left the White House in March, 1973.

(p) G. Gordon Liddy became a member of the White House special investigations unit in mid-July 1971. His appointment was authorized by Ehrlichman and Liddy was placed on the payroll of the domestic council. Liddy worked for Krogh until he resigned from the White House staff in mid-December, 1971.

He then became Counsel to CRP and in March, 1972, moved to a predecessor organization of FCRP. He was counsel to FCRP until June 28, 1972.

(q) In early July, 1971, E. Howard Hunt started work as a White House consultant. He had been recommended by Colson and initially worked under Colson's supervision. In July, 1971, Hunt was assigned with Ehrlichman's approval to the White House special investigations unit, where he worked under Krogh's direction. Hunt had spent 21 years with the Central Intelligence Agency.

(r) In late November, 1968, Edward L. Morgan started working for Ehrlichman to coordinate some of the President's personal affairs. He was in the White House under Ehrlichman as deputy counsel to the President, deputy assistant to the President for domestic affairs, and assistant director of the domestic council. Morgan left the White House in January, 1973, and became an Assistant Secretary of the Treasury.

(s) On April 8, 1969, John J. Caulfield, a former New York City police detective, was hired by Ehrlichman as a staff assistant to the Counsel to the President. His duties were to act as liaison with Federal law enforcement agencies and to supervise White House investigations. Ehrlichman ordered the investiga-

tions Caulfield directed; later, when Dean became Counsel to the President, Caulfield received assignments from both Ehrlichman and Dean. In March, 1972, Caulfield left the White House to work for CRP. On April 28, 1972, he accepted a position in the Treasury Department. On July 1, 1972, Caulfield became the acting assistant director for enforcement of the Alcohol, Tobacco and Firearms Division of the Internal Revenue Service.

(t) In July, 1969, Anthony T. Ulasewicz, a retired New York City police detective, was authorized by Ehrlichman to work under Caulfield to carry out investigative tasks for the White House. Ulasewicz was not directly employed by the White House, but received investigative assignments through Caulfield, and reported to him. He was paid by Herbert Kalmbach, the President's personal lawyer, from July 1969, through 1972, and worked with Kalmbach from June, 1972, through September, 1972.

President Nixon's Campaign Organization

In March of 1971, after the President and Attorney General John N. Mitchell discussed the need to set up an organization to work for the President's renomination and re-election, Citizens for the Re-election of the President was organized. The President and his principal White House advisers had decided that the campaign organization and operation should be set up outside of

and independent of the Republican National Committee.

Two White House assistants, Hugh Sloan and Harry Flemming, were the initial staff at the citizens organization. On the recommendation of Haldeman and with the concurrence of Mitchell, Magruder resigned from the White House in May, 1971, to assume the position of acting Campaign Director.

In September, 1971, a second campaign organization, the Committee for the Re-election of the President (CRP), was formed to manage the political aspects of the campaign. On Oct. 1, 1971, the Finance Committee for the Re-election of President Nixon was created with Sloan as its chairman. On the same day the citizens organization was dissolved.

On Feb. 15, 1972, the Finance Committee for the Re-election of President Nixon was dissolved. On Feb. 16, the Finance Committee for the Re-election of the President was formed. Maurice H. Stans, chief fund raiser for the President's 1968 campaign, resigned as Secretary of Commerce to become chairman of this committee. Sloan became its treasurer. On April 7, 1972, this committee was in turn dissolved, and was replaced by the Finance Committee to Re-elect the President (FCRP), which had been established two days earlier. Stans continued as chairman and Sloan as treasurer.

On March 1, 1972, Mitchell resigned as Attorney General and in April, 1972, became campaign director of CRP. On June 30, 1972, Mitchell resigned as campaign director, and Clark MacGregor, counsel to the President for Congressional relations, was appointed director of CRP.

White House staff members were active in the formation and operation of CRP, FCRP, and the predecessor organizations. Haldeman determined the transfer of senior or middle level people from the White House staff to the campaign organizations. He established the rules governing such transfers, and made decisions with respect to any exceptions to those rules, such as adjustments in salary.

White House Staff Positions

In addition to Sloan and Flemming, who participated in forming the citizens organization, many of the most senior members of the campaign staffs had been on the White House staff. In May, 1971, Magruder and Porter joined the citizens organization. Magruder acted as CRP chief of staff under Mitchell and became Deputy Campaign Director when MacGregor took over in July, 1972. By April, 1972, 17 of 23 senior CRP staff members came from the White House staff or the Administration.

Haldeman approved CRP's campaign advertising. In addition, he received copies of surrogate schedules and plans and polls. Haldeman designated Strachan as his liaison with the campaign organizations. Strachan's general responsibility was to keep informed about the campaign and to be available to answer questions Haldeman might have from the President. From mid-1971 through the campaign Strachan relayed to Haldeman information he obtained at CRP and from politically active members of the White House staff. Copies of documents submitted to Mitchell or MacGregor normally were delivered to Strachan, who attached key documents to the memoranda he prepared for Haldeman. Haldeman reviewed these political matters memoranda and indicated action to be taken. Strachan or Higby conveyed Haldeman's decisions to the appropriate CRP or White House officials.

During the course of the 1972 campaign, a "political group," consisting of Mitchell, Ehrlichman, Haldeman, MacGregor, Colson, the special counsel to the President, Harry S. Dent, and Presidential aide Bryce Harlow, met on a weekly basis in the White House to formulate campaign policy and make tactical decisions. Another group led by Colson met regularly to organize responses to opposition statements and to coordinate CRP press releases and speech writing for Administration supporters.

Members of the White House staff also had individual campaign responsibilities. For example, Ehrlichman analyzed the possible impact of domestic issues on the campaign and participated in the preparation of the 1972 Republican platform. Chapin coordinated scheduling for the President, his family, and members of the Administration making speeches on behalf of the President's candidacy. Colson assumed a variety of public relations responsibilities

with respect to the campaign. Dean had responsibilities for CRP legal affairs and for political intelligence gathering and assisted in drafting model charters for campaign committees established to receive campaign contributions. Liddy left the White House in December 1971 to become Counsel at CRP, and in March 1972 moved to FCRP as its Counsel.

Beginning in 1969 Herbert Kalmbach, the President's personal lawyer, became trustee of the surplus 1968 campaign funds, which were augmented from time to time by additional contributions. The funds were maintained by Kalmbach and disbursed with Haldeman's approval. In February, 1972 Haldeman directed that the major portion of the funds be transferred to the Finance Committee for the Re-election of the President. Haldeman reviewed proposed budget items in detail.

FOREWORD

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

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

RESOLVED, That the Committee on the Judiciary acting as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in accordance with the Rules of the committee, is authorized and directed to investigate fully and completely whether sufficient grounds exist for the House of Representatives to exercise its Constitutional power to impeach Richard M. Nixon, President of the United States of America. The committee shall report to the House of Representatives such resolutions, articles of impeachment, or other recommendations as it deems proper.

Beginning in November, 1973, acting under resolutions referred to the Committee by the Speaker of the House and with a special appropriation, I had begun to organize a special staff to investigate serious charges against the President of the United States.

On May, 1974, as chairman of the Committee on the Judiciary, I convened the committee for hearings to review the results of the impeachment inquiry staff's investigation. The staff began its initial presentation the same day, in executive session, pursuant to the committee's impeachment inquiry procedures adopted on May 2, 1974.

By June 21, the inquiry staff had concluded its initial presentation.

On June 25, the committee voted to make public the initial presentation including substantially all of the supporting material presented at the hearings. The committee also voted to make public the President's response, which was presented to the committee on June 27 and June 28 in the same form and manner as the inquiry staff's initial presentation.

Staff Compiles Notebooks

Statements of information and supporting evidentiary material were compiled by the inquiry staff in 36 notebooks and furnished in this form to each member of the committee. The notebooks presented material on several subjects of the Inquiry: the Watergate break-in and its aftermath, I.T.T., dairy price supports, domestic surveillance, abuse of the I.R.S., and the activities of the Special Prosecutors.

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

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

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

Book I—Events Prior to the Watergate Break-In
12/2/71-6/17/72

Book II—Events Following the Watergate Break-In
6/17/72-2/9/73

Book III—Events Following the Water Break-In
6/20/72-3/22/73

Book IV—Events Following the Watergate Break-In
3/22/73-4/30/73

Book I dealt with events prior to the Watergate break-in. Book II dealt with allegations involving Presidential interference with the official Department of Justice investigation. Book III dealt with allegations concerning payments of "hush" money to Watergate defendants

to insure their silence, offers of leniency and executive clemency, and the instigating or making of false statements to persons connected with an official investigation of Watergate; Book III also included a chronology of events between Feb. 9 and March 22, 1973. Book IV dealt with events relating to the President's investigation of the Watergate break-in and alleged cover-up between March 22 and April 30, 1973.

Conclusions Avoided

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

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

During the course of the hearings, the committee found it necessary to issue four subpoenas to President Richard Nixon requiring tape recordings of 98 Presidential conversations as well as all papers and things prepared by, sent to, received by, or at any time contained in the files of H. R. Haldeman, John D. Ehrlichman, Charles W. Colson, John Dean 3d, and Gordon Strachan to the extent that such papers or things related or referred directly or indirectly to the break-in and electronic surveillance of the Democratic National Committee Headquarters in the Watergate office building during May and June of 1972 or the investigations of that break-in by the Department of Justice, the Senate Select Committee on Presidential Campaign Activities, or any other legislative judicial, executive or administrative body, including members of the White House staff.

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

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

Some Material Deleted

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

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

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

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

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

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

I believe that the readers of these volumes will see that the committee's primary effort in carrying out its mandate has been to obtain an objective, impartial presentation which will enable each member of the committee to make an informed judgment in fulfilling his or her Constitutional responsibility.

I also believe that the publication of the record of these hearings will provide readers with a clear idea of the particulars of the investigation and that the proximity of the evidence will assure them that no statement of information is offered without supporting evidentiary material.

PETER W. RODINO JR.

July, 1974

STATEMENT OF INFORMATION

Events Prior To The Watergate Break-In Dec. 2, 1971-June 17, 1972

1. On Dec. 2, 1971, Gordon Strachan reported in writing to H. R. Haldeman, assistant to President Nixon, on activities relating to the President's re-election campaign. In his Political Matters Memorandum of that date Strachan reported:

John Dean—The Attorney General discussed with John Dean the need to develop a political intelligence capability. Sandwedge has been scrapped. Instead, Gordon Liddy, who has been working with Bud Krogh, will become general counsel to the Committee for the Re-Election of the President, effective Dec. 6, 1971. He will handle political intelligence as well as legal matters. Liddy will also

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work with Dean on the "political enemies" project.

Jack Caulfield will go over to the Committee when the Attorney General moves. Caulfield will handle the same projects he currently does. In addition, he will assume responsibility for the personal protection of the Attorney General.

2. In response to a Political Matters Memorandum from Strachan dated Dec. 6, 1971, Haldeman approved Gordon Liddy's transfer to the Committee for the Re-Election of the President (CRP) at an increase of \$4,000 per annum above his White House salary, as an exception to the rule that no White House employe would receive a salary at CRP higher than that which he was receiving at the White House. [Memo from Gordon Strachan to H. R. Haldeman, Dec. 6, 1971, appears on Page 00.]

3. On Jan. 27, 1972, Attorney General John Mitchell, John Dean, Jeb Magruder, acting CRP campaign director, and G. Gordon Liddy, who had assumed his position as CRP counsel, met in Mitchell's office. At this meeting Liddy proposed a \$1-million political intelligence operation, which contemplated the use of electronic surveillance of political opponents, abduction of radical leaders, muggings, and the use of call girls. Mitchell rejected the proposal.

4. On Feb. 4, 1972, Attorney General Mitchell, John Dean, Jeb Magruder and Gordon Liddy met in Mitchell's office. Liddy presented a modified version of his proposal with a budget of \$500,000. The proposal included plans for electronic surveillance of political oppo-

nents. Magruder and Dean testified that the targets included the office of Lawrence O'Brien, the Chairman of the Democratic National Committee (DNC); the DNC headquarters; and the Democratic Convention Headquarters at the Fontainebleau Hotel in Miami. Magruder has also testified that the office of Henry Greenspun, editor of The Las Vegas Sun, was mentioned as another target. Mitchell has denied that there was discussion of specific targets. The meeting ended when Dean stated that these subjects should not be discussed in the office of the Attorney General of the United States. Following the meeting, Dean reported on the meeting to Haldeman.

Direction From Haldeman

5. In February, 1972, H. R. Haldeman directed that \$350,000 cash in campaign funds be placed under his unquestioned personal control. The money was picked up by Gordon Strachan, Haldeman's assistant, in early April, 1972. Strachan in turn delivered it to Alexander Butterfield, a deputy assistant to the President. Butterfield delivered the money to a personal friend for safekeeping. This fund was maintained substantially intact until after the November election. [Memos from Gordon Strachan to H. R. Haldeman appear on Page 00.]

6. Prior to March 30, 1972, Charles Colson, Special Counsel to the President, met with Gordon Liddy and Howard Hunt, a White House consultant who had served with Liddy in the "Plumbers" unit. During the meeting Colson telephoned Jeb Magruder. Colson has stated that he urged Magruder "to resolve whatever it was Hunt and Liddy wanted to do and to be sure he had an opportunity to listen to their plans."

7. On March 30, 1972, former Attorney General John Mitchell, who had been officially designated CRP Campaign Director; Jeb Magruder, Mitchell's chief of staff; and Fred LaRue, a special assistant to Mitchell, met at Key Biscayne to discuss campaign matters. Liddy's intelligence-gathering plan, now budgeted for \$250,000, was again discussed. Magruder has testified that Mitchell approved the plan, and that the plan specifically approved entry into the DNC headquarters and, if funds were available, entry into the headquarters of Presidential contenders and Democratic convention headquarters at the Fontainebleau Hotel in Miami. LaRue has testified that Mitchell stated that they did not have to do anything on the plan at that time. Mitchell has testified that he rejected the plan. After the March 30, 1972, meeting, Magruder asked his assistant, Robert Reisner, to tell Liddy that his proposal had been approved. Reisner telephoned Liddy and conveyed Magruder's message.

8. On March 31, 1972, Gordon Strachan reported in writing to H. R. Haldeman in Political Matters Memorandum that Magruder had reported that CRP "now has a sophisticated political intelligence gathering system, including a budget of [\$]300[000]." Strachan attached tabs to the memorandum, including a tab referring to political intelligence reports on Senator Humphrey's Pennsylvania campaign organization by a source identified as "Sedan Chair II." On or before April 4, 1972, Strachan prepared a talking paper for Haldeman's use during a meeting with Mitchell scheduled for April 4, 1972, at 3 p.m. The talking paper included a paragraph relating to the intelligence system, raising questions as to whether it was adequate and whether it was "on track." (As indicated below in Paragraph 9, both the Political Matters Memorandum and the talking paper were destroyed following the break-in at the Watergate offices of the DNC.)

Meeting in White House

9. On April 4, 1972, from approximately 3 p.m. until approximately 4 p.m., Mitchell and Haldeman met in Haldeman's White House office. Haldeman has testified that he does not believe political intelligence was discussed at the meeting. From 4:13 p.m. until 4:50 p.m., Haldeman and Mitchell met with the President. Haldeman testified that his notes of this meeting indicate a discussion of the "I.T.T.-Kleindienst" hearings and the assignment of regional campaign responsibility and do not indicate a discussion of intelligence. Haldeman later returned to Gordon Strachan the talking paper specified in the preceding paragraph.

It was Haldeman's practice to indicate on the talking paper agenda matters that had not been discussed. In this instance there was no such indication with respect to the agenda items covering political intelligence. Strachan has testified that on June 20, 1972, shortly after the break-in at the DNC headquarters in the Watergate office build-

ing, he showed Haldeman the Political Matters Memorandum referring to the sophisticated intelligence gathering system and other sensitive materials from Haldeman's files, and that he was instructed by Haldeman to clean out the files.

Strachan immediately destroyed the Political Matters Memorandum, the talking paper he had prepared for the April 4, 1972, meeting between Mitchell and Haldeman, and other sensitive documents. Haldeman has testified that he has no recollection of giving Strachan instructions to destroy any materials.

10. On or about April 7, 1972, Gordon Liddy showed a budget of \$250,000 to Hugh Sloan, treasurer of the Finance Committee to Re-elect the President (FCRP). Liddy told Sloan that he would be coming back to Sloan in a day or two to pick up the first cash payment, which was to be \$83,000. Sloan telephoned Magruder, who authorized Sloan to disburse to Liddy the \$83,000 requested. Magruder told Sloan that Magruder was to approve all subsequent disbursements of money to Liddy.

11. On or about April 7, 1972, Sloan met with Maurice Stans, Chairman of FCRP. Sloan told Stans that Magruder had approved a cash disbursement of \$83,000 to Liddy. Stans met with Mitchell to confirm Magruder's authority to authorize the requested disbursement. Mitchell told Stans that Magruder had the authority to authorize expenditures to Liddy. Stans then met with Sloan and confirmed Magruder's authority to approve the disbursement of funds to Liddy. Stans has testified that when asked by Sloan the purpose for which the money was to be expended, he replied, "I don't know what's going on in this campaign and I don't think you ought to try to know."

12. On or about April 12, 1972, Gordon Liddy gave James McCord, security consultant for CRP, \$65,000 for purchasing electronic equipment and for related purposes.

13. In April, 1972, Assistant to the President H. R. Haldeman met with Gordon Strachan and instructed Strachan to contact Gordon Liddy and advise him to transfer whatever "capability" he had from the Presidential campaign of Senator Edmund Muskie to the campaign of Senator George McGovern. Strachan met with Liddy in Strachan's White House office and told Liddy of Haldeman's desire to have Liddy's "capability" transferred from the Muskie campaign to the McGovern campaign. Haldeman has testified that he does not recall giving Strachan that instruction.

14. In April, 1972, Gordon Liddy told Howard Hunt that the DNC headquarters would be a target of electronic surveillance.

15. Shortly before May 25, 1972, a group, including Bernard Barker, Eugenio Martinez, Virgilio Gonzalez and Frank Sturgis, came to Washington from Miami in response to a request from Howard Hunt to Barker for a team of men to conduct a mission. On or about May 25 and May 26, 1972, two unsuccessful attempts were made to enter surreptitiously the premises of the DNC, and one unsuccessful attempt was made to enter surreptitiously Senator McGovern's headquarters.

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

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

18. During the first or second week in June, 1972, Magruder received transcripts of conversations intercepted from the DNC headquarters. The transcripts were typed on stationery captioned "Gemstone." In addition to the transcripts, Magruder was supplied with prints of the documents photographed during the initial entry into the DNC headquarters. During this period, Magruder handed his administrative assistant, Robert Reiser, documents on the top of which was printed the word "Gemstone." Magruder instructed Reiser to place the Gemstone documents in a file marked "Mr. Mitchell's file," which was to be used for a meeting between Magruder and Mitchell. Shortly after the June 17, 1972 break-in at the DNC headquarters, Magruder told Reiser to remove the Gemstone files containing transcripts of conversations and other politically sensitive documents from the CRP files. Thereafter Reiser destroyed certain documents.

19. Before June 17, 1972 Liddy, Hunt, Barker and McCord engaged in certain preliminary intelligence activities preparatory to the Democratic National Convention to be held in Miami.

20. On June 17, 1972, at approximately 2 A.M., McCord, Barker, Sturgis, Gonzalez and Martinez were arrested for burglary in the Watergate offices of the DNC. On Sept. 15, 1972, Howard Hunt, Gordon Liddy, and the five men who had been arrested at the DNC headquarters were named in an eight-count indictment charging, among other offenses, conspiracy illegally to obtain and use information from the offices and headquarters of the DNC. Hunt, Barker, Sturgis, Gonzalez and Martinez entered pleas of guilty. Liddy and McCord stood trial and were convicted on all charges. On Aug 16, 1973, Jeb Magruder pled guilty to an information charging, among other offenses, conspiracy unlawfully to obtain and use in-

formation from headquarters of the DNC.

STATEMENT OF INFORMATION Events Following The Watergate Break-In

June 17, 1972-Feb. 9, 1973

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

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

3. At approximately 8 A.M. on the morning of the arrests, Henry Petersen, the Assistant Attorney General in charge of the Criminal Division of the Justice Department, telephoned Attorney General Richard Kleindienst at home to tell him of the arrests at the DNC headquarters.

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

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

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

Call to Magruder

7. On June 18, 1972, H. R. Haldeman, chief of staff to President Nixon, who was at Key Biscayne, Fla., with the Presidential party, spoke by telephone with Jeb Magruder, who was in California. Haldeman directed Magruder to return to Washington, D.C. to meet with the counsel to the president, John Dean; Haldeman's special assistant, Gordon Strachan, and the FCRP treasurer, Hugh Sloan to learn what had happened and determine the source of the money found in the possession of the persons arrested at the DNC headquarters. By the following day, Magruder had returned to Washington.

8. On June 18, 1972, John Ehrlichman spoke by telephone with H. R. Haldeman. They discussed the break-in at the DNC headquarters, the involvement of James McCord, and the fact of Hunt's name being involved.

9. At noon on June 18, 1972, Gordon Strachan telephoned Haldeman's principal staff assistant, Lawrence Higby. Higby told Strachan that Haldeman had spoken with Jeb Magruder about the break-in and that John Ehrlichman was handling the entire matter.

10. At 7:32 A.M. on June 19, 1972, Attorney General Kleindienst telephoned the Acting Director of the F.B.I., L. Patrick Gray, in Palm Springs, Calif., and stated that Kleindienst wished to be briefed on the investigation of the break-in at the DNC headquarters. Kleindienst told Gray that the President wanted to talk to Kleindienst about it that day or possibly the next day.

11. In the morning or early afternoon of June 19, 1972, Ehrlichman told John Dean to look into the question of White House involvement in the break-in at the DNC and to determine Howard Hunt's White House employment status. Dean has testified that he then spoke to Charles Colson regarding Colson's knowledge of the break-in and Hunt's status and that Colson denied knowledge of the event, but expressed concern over the contents of Hunt's safe. Dean has also testified that he spoke to Gordon Liddy, who advised of his and Magruder's involvement in the planning and execution of the break-in. Thereafter Ehrlichman received a report from Dean that Dean had spoken to Liddy and to law enforcement officials, that law enforcement officials were aware that the matter went beyond the five persons who were apprehended, that Liddy was involved, and that there was a further direct involvement of the CRP.

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

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

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

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

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 G.S.A. representative. Kehrli and Fred Fielding, Dean's assistant, arrived shortly thereafter.

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.

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.

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."

19. On June 20, 1972 at 9 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 19 minutes (11:26 A.M. to 12:45 P.M.) and the subjects discussed included Watergate. Haldeman's notes of the meeting reflect that that portion of their discussion dealt with checking an EOB office for bugs, a "counter-attack," "PR offensive to top this," and the need to "be on the attack—for diversion." When a tape recording of the conversation was produced on Nov. 26, 1973, in response to a subpoena by the Watergate special prosecutor, the recording contained an 18½-minute buzzing sound that obliterated the portion of the conversation reflected in the foregoing segment of Haldeman's notes.

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 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.

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

22. On June 20, or June 21, 1972, Robert Mardian and Fred LaRue met in LaRue's apartment with Gordon Liddy. Liddy told LaRue and Mardian that he and Howard Hunt had developed the plans for entries into the DNC and the McGovern Presidential campaign offices; that he, Hunt and others involved in the Watergate break-in had been previously involved in operations of the White House, specifically an entry into the offices of Daniel Ellsberg's psychiatrist; that Hunt had acted to make I.T.T. lobbyist Dita Beard unavailable as a witness at the Senate Judiciary Committee hearings on the nomination of Richard Kleindienst to be Attorney General; and that he had shredded all new, serialized \$100 bills in his possession and other evidence relating to the Watergate break-in. Later that day Mardian and LaRue met with John Mitchell and apprised him of their meeting with Liddy. Mitchell was told of Liddy's and Hunt's prior surreptitious entry into the office of Daniel Ellsberg's psychiatrist and of Hunt's earlier activities involving Dita Beard.

23. Shortly after Hunt's involvement in the Watergate matter became known, a White House telephone list bearing Howard Hunt's name and phone extension was recalled and the list was reissued, deleting Hunt. [Statement of C.I.A. employe appears on Page 00.]

24. On June 20, 1972, John Mitchell, the campaign director of CRP, issued a prepared press statement. The statement denied any legal, moral or ethical accountability on the part of CRP for the break-in at the DNC headquarters.

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

Following is a transcript prepared by the impeachment inquiry staff for the House Judiciary Committee of a dicta-

belt recording by the President of his recollections of a telephone conversation with John Mitchell on June 20, 1972:

PRESIDENT: Paragraph. I also talked to John Mitchell in—late in the day and tried to cheer him up a bit. He is terribly chagrined that, uh, the activities of anybody attached to his committee should, uh, have, uh, been handled in such a manner, and he said that he only regretted that he had not policed all the people more effectively on a—in his own organization—

[42 second silence]

[unintelligible]

26. On June 21, 1972 shortly after 9:35 A.M. John Ehrlichman told Acting F.B.I. Director Gray that John Dean would be handling an inquiry into Watergate for the White House and that Gray should call Dean and work closely with him. Gray told Ehrlichman that the F.B.I. was handling the case as a "major special with all of our normal procedures in effect." At 10:00 A.M. Gray telephoned Dean and arranged to meet Dean at 11:30 A.M. in Gray's office. At the meeting they discussed the sensitivity of the investigation, and Dean told Gray that Dean would sit in on F.B.I. interviews of White House staff members in his official capacity as Counsel to the President.

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

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

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

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

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

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

As far as the matter now is concerned, it is under investigation, as it should be by the proper legal authorities, by the District of Columbia Police, and by the F.B.I. I will not comment on those matters, particularly since possible criminal charges are involved.

31. On June 23, 1972, H. R. Haldeman met with the President and informed the President of the communication John Dean had received from Acting F.B.I. Director Gray. The President directed Haldeman to meet with C.I.A. Director Richard Helms, Deputy C.I.A. Director Vernon Walters and John Ehrlichman. Haldeman has testified that the President told him to ascertain whether there had been any C.I.A. involvement in the Watergate affair and whether the relationship between some of the Watergate participants and the Bay of Pigs incident was a matter of concern to the C.I.A. The President directed Haldeman to discuss White House concern regarding possible disclosure of covert C.I.A. operations and operations of the White House Special Investigations Unit (the "plumbers"), not related to Watergate; that had been undertaken previously by some of the Watergate principals. The President directed Haldeman to ask Walters to meet with Gray to express these concerns and to coordinate with the F.B.I., so that the F.B.I.'s investigation would not be expanded into unrelated matters that could lead to disclosure of the earlier activities of the Watergate principals.

32. In the early afternoon of June 23, 1972, John Mitchell, campaign director of CRP, met with Maurice Stans, chairman of FCRP, in Mitchell's office. They discussed the Dahlberg and the Mexican checks. Stans knew at that time that these checks were campaign contributions that Hugh Sloan, treasurer of FCRP, had given to Gordon Liddy to be converted to cash.

33. At approximately 1:30 P.M. on June 23, 1972, pursuant to the President's prior directions, H. R. Haldeman, John Ehrlichman, C.I.A. Director Helms and Deputy C.I.A. Director Walters met in Ehrlichman's office. Helms assured Haldeman and Ehrlichman that there was no C.I.A. involvement in the Watergate and that he had no concern from the C.I.A.'s viewpoint regarding any possible connections of the Watergate personnel with the Bay of Pigs operation. Helms told Haldeman and Ehrlichman that he had given this assurance directly to Acting F.B.I. Director Gray. Haldeman stated that the Watergate affair was creating a lot of noise, that the investigation could lead to important people, and that this could get worse. Haldeman expressed concern that an F.B.I. investigation in Mexico might uncover C.I.A. activities or assets. Haldeman stated that it was the President's wish that Walters call on Gray

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and suggest to him that it was not advantageous to push the inquiry, especially into Mexico. According to Ehrlichman, the Mexican money or the Florida bank account was discussed as a specific example of the kind of thing the President was evidently concerned about. Following this meeting, Ehrlichman advised Walters that John Dean was following the Watergate matter on behalf of the White House.

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

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

Briefing on Watergate

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

37. On or about June 27, 1972, John Dean and Fred Fielding, his assistant, delivered to F.B.I. agents a portion of the materials from Howard Hunt's safe. The materials given to the F.B.I. agents included top secret diplomatic dispatches relating to Vietnam. The portion withheld from the F.B.I. agents included fabricated diplomatic cables purporting to show the involvement of the Kennedy Administration in the fall of the Diem regime in Vietnam, memoranda concerning the plumbers unit, a file relating to an investigation Hunt had conducted for Charles Colson at Chappaquiddick, and two notebooks and a pop-up address book.

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

39. On the morning of June 27, 1972, Gray met with Mark Felt and Charles Bates of the F.B.I. to receive a briefing on the latest Watergate break-in developments. During that briefing Dean telephoned Gray. Gray has testified that in the ensuing conversation he told Dean that if Dahlberg continued to evade the F.B.I., Dahlberg would be called before a grand jury. Gray also has testified that he asserted to Dean the importance of an aggressive F.B.I. investigation to determine the motive and identity of all persons involved.

Memorandum to Walters

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

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

41. On June 28, 1972 Helms wrote a memorandum to Walters stating the substance of Helms's conversation with Gray. Helms stated the C.I.A. still adhered to its request that the F.B.I. confine its investigation to the persons already arrested or directly under sus-

picion and that the F.B.I. not expand its investigation into other areas which might eventually run afoul of C.I.A. operations.

42. On June 28, 1972, Gray directed that the F.B.I. interview Manuel Ogarrio and continue its efforts to locate and interview Kenneth Dahlberg. On that evening John Dean telephoned Gray at home and urged that, for national security reasons or because of C.I.A. interest, efforts to interview Ogarrio and Dahlberg be held up. Gray thereafter canceled the interviews.

43. On June 28, 1972, F.B.I. agents met with Gordon Liddy, in the presence of FCRP attorney Kenneth Parkinson, to question Liddy regarding the break-in at the DNC headquarters. When Liddy declined to answer the agents' questions, he was discharged by FCRP chairman Maurice Stans.

44. On or about June 28, 1972, John Dean was informed that the F.B.I. was attempting to interview Kathleen Chenow, the secretary of David Young and Egil Krogh in the White House special investigations unit (the "plumbers"). (The number of a telephone billed to Chenow at her home address but located in the EOB was contained

in a personal book of telephone numbers of Eugenio Martinez and in an address book of Bernard Barker found in the Watergate hotel room that had been occupied by certain of the men arrested in the DNC headquarters.) Dean has testified that he informed John Ehrlichman of problems connected with Chenow's interview and Ehrlichman agreed that before her F.B.I. interview Chenow should be briefed not to disclose the activities of Howard Hunt and Gordon Liddy while at the White House. On June 28, 1972 Dean telephoned Acting F.B.I. Director Gray and requested that Chenow's interview be temporarily held up for reasons of national security. Gray agreed to the request.

Gray, Dean and Ehrlichman

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

46. On June 30, 1972, the President met with H. R. Haldeman and John Mitchell. A portion of their discussion related to the Watergate break-in. [Transcript of meeting appears on Page 15.]

47. On July 2, 1972, Fred Fielding, staff assistant to John Dean, flew to England, where Kathleen Chenow was vacationing, to bring Chenow back to Washington. On or about July 3, 1972, Chenow discussed her forthcoming F.B.I. interview with Fielding and plumbers unit member David Young. Dean and Fielding were present when the F.B.I. interviewed Chenow.

48. On July 5, 1972, at 5:54 P.M. Acting F.B.I. Director Gray phoned Deputy C.I.A. Director Walters and stated that, unless the C.I.A. provided by the following morning a written rather than the verbal request to refrain from interviewing Manuel Ogarrio and Kenneth Dahlberg, the F.B.I. would go forward with those interviews. At 10:05 A.M. on July 6, 1972, Walters met with Gray and furnished Gray a memorandum indicating that the C.I.A. had no interest in Ogarrio or Dahlberg. Gray then ordered that Ogarrio and Dahlberg be interviewed. At 10:51 A.M. Gray called Clark MacGregor, campaign director of CRP, who was with the President at San Clemente, California. Gray has testified that he asked MacGregor to tell the President that Gray and Walters were uneasy and concerned about the confusion during the past two weeks in determining whether the C.I.A. had any interest in people whom the F.B.I. wished to interview in connection with the Watergate investigation. Gray also has testified that he asked MacGregor to tell the President that Gray felt that people on the White House staff were careless and indifferent in their use of the C.I.A. and F.B.I., that this activity was injurious to the C.I.A. and the F.B.I., and that these White House staff people were wounding the President. MacGregor has denied both receiving this call and the substance of it as related by Gray, but has testified to receiving a call from Gray on another subject the previous evening or possibly that morning. (By letter of July 25, 1973 to Archibald Cox, J. Fred Buzhardt stated that the President's logs do not show any conversations or meetings between the President and

Clark MacGregor on July 6, 1972. The President's log for that date shows meetings between the President and MacGregor from 10:40 A.M. to 12:12 P.M., Pacific time.) At 11:28 A.M. the President telephoned Gray. Gray told the President that he and Walters felt that people on the President's staff were trying to mortally wound the President by using the C.I.A. and the F.B.I. The President responded by instructing Gray to continue to press ahead with the investigation.

Reports From F.B.I.

49. In July, 1972, Dean obtained from Gray various interview and investigative reports of the F.B.I. investigation of the break-in at the DNC headquarters. Dean has testified that he showed these reports to the attorneys for CRP and to CRP officials. Previously Dean had asked Attorney General Kleindienst for access to F.B.I. interview reports and Attorney General Kleindienst had refused his request.

50. On or about Friday, July 28, 1972, a grand jury subpoena was served on Maurice Stans, chairman of FCRP, to testify in connection with the investigation of the break-in at the DNC headquarters about his knowledge of the purpose for which campaign funds were spent. The President requested that John Ehrlichman determine if Stans could testify by deposition instead of

being subjected to a personal appearance before the grand jury. John Dean called Henry Petersen, Assistant Attorney General in charge of the Criminal Division, and requested that Stans' testimony be taken at the offices of the Department of Justice rather than before the grand jury. Petersen had previously agreed to this arrangement in the case of testimony by members of the White House staff. Petersen told Dean that this procedure could not be used for Stans, and Dean reported that response to Ehrlichman. On Saturday, July 29, 1972, Ehrlichman called Petersen and requested that Stans not be compelled to appear before the grand jury. Ehrlichman accused the prosecutors of harassing Stans. On Sunday, July 30, 1972, Ehrlichman called Attorney General Kleindienst. Ehrlichman reported that Petersen had refused to follow his instructions. The next day Kleindienst, Petersen and Assistant United States Attorney Earl Silbert met in Petersen's office. They agreed that Stans would be questioned under oath at the Department of Justice and not before the grand jury. On August 2, 1972 Stans was questioned in Petersen's conference room. According to Stans, in August the President called Stans and told him that he appreciated the sacrifice that Stans was making in not answering questions for the press and hoped that he could continue to take it.

Magruder Role Discussed

51. John Ehrlichman has testified that on July 31, 1972, Ehrlichman, John Dean and Attorney General Kleindienst met and discussed whether Jeb Magruder was involved in the break-in at the DNC and that shortly thereafter Ehrlichman discussed the meeting with the President. Kleindienst has testified he does not recall the meeting. In August, 1972, after Magruder's testimony before the grand jury investigating the break-in at the DNC headquarters, Dean called Assistant Attorney General Henry Petersen to find out how Magruder had done when testifying. Petersen called Assistant United States Attorney Silbert and discussed Magruder's testimony. Petersen has testi-

STATEMENT OF INFORMATION Events Following The Watergate Break-In June 20, 1972- March 22, 1973

fied that he told Dean that while Magruder was a very articulate young man, nobody believed Magruder's story that he did not know the purposes for which campaign funds had been spent.

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

53. On Sept. 15, 1972, the President met with H. R. Haldeman and John Dean. Certain subjects were discussed in the course of the Sept. 15, 1972, meeting: [Transcript page numbers omitted]:

Filing of indictment against seven Watergate defendants

Manner in which Dean has handled Watergate matter

Human frailties and bitterness between Finance Committee and Political Committee

Government power and political opponents

White House and Watergate matter

54. On Oct. 5, 1972, the President held a press conference. He stated that the F.B.I. had conducted an intensive investigation of Watergate because "I wanted to be sure that no member of the White House staff and no man or woman in a position of major responsibility in the Committee for Re-election had anything to do with this kind of reprehensible activity."

55. On Dec. 15, 1972, John Ehrlichman met with C.I.A. Director Richard Helms, William Colby of the C.I.A., and John Dean. They discussed answers to questions posed by Assistant Attorney General Henry Paterson and Assistant U. S. Attorney Earl Silbert. Colby had disclosed on Nov. 27, 1972 to the Federal prosecutors that Ehrlichman was the person who had requested C.I.A. assistance for Howard Hunt in 1971. They also discussed the materials turned over by the C.I.A. to the Justice Department on Oct. 24, 1972.

56. On Jan. 8, 1973, former C.I.A. Deputy Director Cushman sent a memorandum to John Ehrlichman identifying as the person who requested C.I.A. assistance for Howard Hunt in 1971 one of the following: Ehrlichman, Charles Colson and John Dean. On Jan. 10, 1973, after discussions with Ehrlichman and Dean, Cushman changed the memoran-

dum to state that he did not recall the identity of the White House person who requested assistance for Hunt.

57. Early in 1973 John Dean met with Assistant Attorney General Peterson. Peterson showed Dean documents delivered by the C.I.A. to the Department of Justice, including copies of the photographs connecting Howard Hunt and Gordon Liddy with Dr. Fielding's office. On a second occasion prior to February 9, 1973 Dean met with Peterson and discussed what the Department of Justice

would do if requested by the C.I.A. to return materials. Peterson told him that an indication that the materials had been sent back to the C.I.A. would have to be made in the Department's files.

58. On Feb. 9, 1973, Dean called C.I.A. Director James Schlesinger. Dean suggested that the C.I.A. request the Department of Justice to return a package of materials that had been sent to the Department of Justice in connection with the Watergate investigation. Deputy C.I.A. Director Walters contacted Dean on Feb. 21, 1973, and refused Dean's request.

1. On June 20 or 21, 1972, Fred LaRue, special assistant to CRP campaign director John Mitchell, and Robert Mardian, an official of CRP acting as its counsel, met in LaRue's apartment with Gordon Liddy. Liddy told LaRue and Mardian that he and Howard Hunt had developed the plans for entries into the DNC and the McGovern Presidential campaign offices; that certain persons involved in Watergate previously had been involved in operations of the White House "plumbers" unit, specifically entering the offices of Daniel Ellsberg's psychiatrist and making ITT lobbyist Dita Beard unavailable as a witness at the Senate Judiciary Committee hearings on the nomination of Richard Kleindienst to be Attorney General; and that he had shredded evidence relating to the Watergate break-in. Liddy told Mardian and LaRue that commitments for bail money, maintenance and legal services had been made to those arrested in connection with the DNC break-in and that Hunt felt it was CRP's obligation to provide bail money and to get his men out of jail.

Sloan's Cash Disbursements

2. Later that day (or, according to Mitchell, the day following) Mardian and LaRue met with John Mitchell and told him of their meeting with Liddy, including the details of the DNC break-in, the involvement of Magruder and Liddy in the DNC break-in, Liddy's and Hunt's prior surreptitious entry into the office of Daniel Ellsberg's psychiatrist, and Hunt's earlier activities involving Dita Beard. Mitchell was also advised of Liddy's request for bail money and of Liddy's statement that he got his approval in the White House. Mitchell instructed Mardian to tell Liddy that bail money would not be forthcoming. Mitchell has testified that he refrained from advising the President of what he had learned because he did not think it appropriate for the President to have that type of knowledge, and that he believed that knowledge would cause the President to take action detrimental to the campaign and that the best thing to do was just to keep the lid on through the election.

3. During the week after the break-in at the DNC, Jeb Magruder told Hugh Sloan that Sloan might have to perjure himself regarding his payments to Gordon Liddy prior to the break-in. Magruder told Sloan that Sloan would have to say that he had given only approximately \$75,000 to \$80,000 to Gordon Liddy. Sloan had in fact given Liddy approximately \$199,000.

4. On the afternoon of June 23, 1972, Hugh Sloan met with John Ehrlichman at Sloan's request to discuss Sloan's cash disbursements to Liddy. Ehrlich-

man told Sloan that he did not wish to discuss the subject with him and suggested that Sloan get an attorney. Sloan has testified that Ehrlichman said that he would take executive privilege with respect to whatever Sloan told him until after the election. Earlier that day Sloan had spoken to Dwight Chapin, the President's appointments secretary, about his "concern that there was something very wrong at the campaign committee." Chapin said that the important thing was that the President be protected.

5. On June 23, 1972, Mitchell, Mardian, LaRue and Dean attended a meeting in Mitchell's CRP office. Mardian raised the possibility that since the persons arrested were former C.I.A. people the C.I.A. should take care of its own in furnishing their bail money. It was suggested that Dean determine if C.I.A. assistance could be obtained. Mitchell has testified that to his best recollection the concept of the C.I.A.'s providing funds was not discussed in his presence.

6. On or before June 26, 1972, John Ehrlichman told C.I.A. Deputy Director Vernon Walters that John Dean would be Walters's White House contact on matters affecting Watergate. On June 26 or 27, 1972, Dean met with Walters and discussed the possibility of using the C.I.A. to provide funds for the bail and salaries of persons involved in the break-in at the DNC headquarters. Walters rejected the suggestion. On the morning of June 28, 1972, Dean repeated the suggestion to Walters that the C.I.A. assist the persons arrested. Walters again rejected the suggestion.

Fund-Raising Assignment

7. On June 28, 1972, John Ehrlichman met with John Dean at the White House. Ehrlichman approved Dean's contacting Herbert Kalmbach, the President's personal attorney and a Presidential campaign fund raiser, to ask Kalmbach to raise funds for the Watergate defendants. Kalmbach flew to Washington during the night of June 28, 1972, and the following morning Dean met Kalmbach and asked Kalmbach to raise and distribute such funds. Dean indicated that Kalmbach should raise from \$50,000 to \$100,000, and Kalmbach accepted this assignment. Kalmbach has testified that he acted in the belief that these payments were necessary to discharge a moral obligation that had arisen in some manner unknown to him by reason of earlier events.

8. On or about June 28, 1972, Magruder met with Herbert Porter, who was in charge of the CRP surrogate speakers program, and asked Porter to corroborate to the FBI a false story that CRP had paid Liddy \$100,000 to conduct lawful intelligence projects to prevent disruption of campaign speeches by radical groups. Porter agreed to repeat the false story to F.B.I. agents. Porter has testified that he felt a deep sense of loyalty to the President and was appealed to on this basis.

9. On June 29, 1972, after Kalmbach agreed to undertake the fund-raising assignment, he telephoned Maurice Stans and told him he needed from \$50,000 to \$100,000 for an important

and confidential White House assignment. Later that day Stans delivered \$75,000 in 100 bills to Kalmbach in Kalmbach's hotel room. The next day Kalmbach delivered the funds to Anthony Ulasewicz, who previously had undertaken assignments for the White House. Kalmbach told him that the funds were for the Watergate defendants, that the payments would be in absolute secrecy and that contact between Kalmbach and Ulasewicz would be from phone booths using alias names:

10. On or about June 29, 1972, LaRue met Kalmbach in Kalmbach's hotel room. Kalmbach advised LaRue of the nature of his assignment to provide financial support for the Watergate defendants. They discussed the method

whereby the defendants could be contacted, how the amount of money needed could be determined, the man who would make the contacts (Ulasewicz, alias Mr. Rivers) and a code name to be used for contacts between Kalmbach and LaRue (i.e., Mr. Bradford). They determined that the contacts with the defendants should be made through the defendants' attorneys.

11. In early July, 1972, the President met with John Ehrlichman. Ehrlichman has testified that they discussed executive clemency with respect to those who might be indicted in connection with the break-in at the DNC headquarters, and that the President told him that he wanted no one in the area of executive clemency with anyone involved in the Watergate case and no assurances of executive clemency should be made to anyone. At the time of this discussion with Ehrlichman, the President was aware that Howard Hunt had "surfaced" in connection with the Watergate break-in and was a former member of the special investigations unit in the White House (the "plumbers"). The President was concerned that the FBI investigation of the break-in not expose the activities of that unit.

12. In or about July, 1972, and at other times subsequently, John Dean told H. R. Haldeman that CRP was raising funds for those involved in the break-in at the DNC headquarters.

13. On July 5, 1972, John Mitchell was interviewed by agents of the FBI and stated to them that he had no knowledge of the break-in at the DNC headquarters other than what he had read in newspaper accounts of that incident. Mitchell has testified that prior to the time he was interviewed by the FBI he received a report from Robert Mardian and Fred LaRue of a conversation they had with Gordon Liddy in which Liddy described his role in the Watergate break-in; but he was not sure this information was correct when he was interviewed by the FBI on July 5, 1972, and he was not volunteering any information under any circumstances.

14. On or about July 7, 1972, after several unsuccessful efforts by Ulasewicz to deliver funds for the Watergate defendants to attorneys, and after telephone conversations among Kalmbach, LaRue and Dean, instructions were given by Kalmbach to Ulasewicz to contact Howard Hunt's attorney, William Bittman. After that contact was made and after approval by Kalmbach of a \$25,000 payment, Ulasewicz delivered \$25,000 to Bittman by placing an unmarked envelope containing the money on a shelf in the lobby of Bittman's office building.

Ulasewicz Delivered Money

15. In mid-July 1972, upon instructions from Kalmbach, Ulasewicz delivered \$40,000 to Howard Hunt's wife for the benefit of the Watergate defendants and \$8,000 to Gordon Liddy by sealing these monies in unmarked envelopes and placing them in lockers at Washington National Airport. These payments were made from the funds Kalmbach previously had obtained from Stans and delivered to Ulasewicz. In the usual situation in making such deliveries to Mrs. Hunt, Ulasewicz informed Kalmbach of the amount requested, and Kalmbach in turn discussed the amount with Dean or LaRue, and then instructed Ulasewicz to make the delivery in a specified amount.

16. On July 19, 1972, Porter falsely stated to F.B.I. agents that the funds he had paid Liddy were for the purpose of conducting lawful political activities.

17. On July 20, 1972, Magruder falsely stated to F.B.I. agents that he had authorized Sloan to permit Liddy to spend up to \$250,000 to gather intelligence information for use in attempting to prevent disruption at the convention and

at speeches by surrogate celebrities and political figures. Magruder has testified that he had volunteered at one point "to take the heat" but that the decision was that if it got to him it would go higher.

18. On July 19, 1972, Herbert Kalmbach met with Dean and LaRue in Dean's EOB office. At that meeting, LaRue, in Dean's presence, delivered cash to Kalmbach for use in meeting the commitments to the Watergate defendants. That evening Kalmbach delivered this cash to Ulasewicz in a hotel room in New York City. The amount of this cash is uncertain, being reported as \$20,000 by LaRue and as \$40,000 by Kalmbach. On or about July 20, 1972, Kalmbach was asked by either Dean or LaRue to raise from outside contributors additional funds for the Watergate defendants. On July 27, 1972, Kalmbach received another \$30,000 from LaRue in LaRue's CRP office. These payments to Kalmbach were made by LaRue out of \$81,000 in cash he had received from Stans and Sloan early in July, when Stans decided that it would be unwise to retain such a cash sum in FCRP custody.

19. On or about July 26, 1972, Herbert Kalmbach met with John Ehrlichman in Ehrlichman's office. Kalmbach has testified to the following regarding that meeting: Ehrlichman assured Kalmbach that it was necessary and legally proper for Kalmbach to continue secretly to raise and provide funds for the persons involved in the break-in at the DNC headquarters; Kalmbach asked Ehrlichman to assure him that Dean had authority to direct him in this assignment, and Ehrlichman stated that Dean had that authority, that it was a legally proper project and that Kalmbach was to go forward with it; Kalmbach requested the meeting because he had become concerned whether the

secret payments operation he was conducting with Ulasewicz was a legally proper activity, whether Dean had authority to have Kalmbach undertake that assignment, and whether the operation should be continued; and Kalmbach received the desired reassurance from Ehrlichman. Ehrlichman has testified that he did not give assurances to Kalmbach. On April 19, 1973, just prior to Kalmbach's testifying before the Watergate grand jury, he and Ehrlichman discussed by telephone their July 26, 1972, conference. Ehrlichman tape-recorded that conversation.

20. On or about August 5, 1972, Kalmbach met in California with Thomas Jones, chairman of Northrop Corporation, who previously had contributed and had offered to provide additional funds for the President's campaign. At that meeting Jones delivered to Kalmbach a wrapped package of cash (\$50,000, according to Jones, and \$75,000, according to Kalmbach). Shortly thereafter Ulasewicz came to California and Kalmbach covertly delivered \$75,000 in cash to Ulasewicz for the Watergate defendants. Kalmbach has testified that a few days thereafter he advised Ehrlichman that in connection with his assignment he had raised \$75,000. Ehrlichman has testified that he places this conversation with Kalmbach in April, 1973, rather than August, 1972.

Airport Lockers Used

In August, 1972, in accordance with the procedures previously described (paragraph 15), Ulasewicz made two payments to Mr. or Mrs. Howard Hunt (\$43,000 and \$18,000) by placing unmarked envelopes containing the money in lockers at Washington National Airport.

21. On Aug. 10, 1972, Herbert Porter testified falsely before the Watergate grand jury that the money he had paid Liddy prior to the Watergate break-in was for the purpose of obtaining information regarding plans by radical groups to disrupt political rallies.

22. On Aug. 18, 1972, Jeb Magruder testified falsely before the Watergate grand jury that CRP had paid Gordon Liddy to conduct lawful intelligence projects. Magruder has testified that he felt it important that the story of the Watergate break-in did not come out in its true form, and he volunteered to work on the cover-up story. Prior to his grand jury testimony Magruder met at different times with John Mitchell and John Dean. Magruder has testified that Dean, Mitchell and others helped prepare him for his grand jury appearance.

Mitchell has testified that he attended a meeting with Magruder and others where Magruder outlined the nature of the testimony that he was going to give. Dean has testified that he informed H. R. Haldeman and John Ehrlichman about Magruder's proposed story and Herbert Porter's proposed corroboration of it. Ehrlichman has denied that he was so advised. Magruder has testified that his reason for testifying falsely was that "if it had gotten out that people like Mr. Mitchell and others had been involved at that point in time, I honestly thought that his [the President's] reelection would be probably negated."

23. On Aug. 28, 1972, Egil Krogh, an assistant to Ehrlichman who has established the plumbers organization (the White House special investigations unit) appeared and testified falsely before the Watergate grand jury that he had no knowledge that Howard Hunt had traveled to any place other than Texas while he was working on the declassification of the "Pentagon papers." He also testified falsely that he knew of no trips to California "for the White House" by Gordon Liddy.

24. In the summer of 1972 Dwight Chapin, the President's appointments secretary, met with Donald Segretti. Segretti, whom Chapin had employed to disrupt the campaigns of candidates for the Democratic Presidential nomination, had previously been questioned by the grand jury investigating the Watergate break-in and by the FBI. Segretti has testified:

False Story Outlined

Mr. Chapin told me to cease all activities. I asked Mr. Chapin if I should make an accounting of funds, that I did have some money that was left over. Mr. Chapin told me, no, to keep whatever money I had remaining as a bonus; and I had been through a lot of problems, with the F.B.I. and the grand jury appearance . . .

The amount involved was several thousand dollars. They also discussed the possibility of Chapin's finding Segretti a job.

25. On or about September 12 or 13, 1972, at 12:00 noon, John Mitchell, John Dean and Jeb Magruder met. Magruder outlined the false story he was planning to give before the Watergate grand jury regarding the meetings among Mitchell, Magruder, Dean and Gordon Liddy in January and February, 1972, at which political intelligence and electronic surveillance had been discussed. Mitchell did not express any disagreement. Thereafter, Magruder appeared before the grand jury and testified falsely.

26. On September 14, 1972, John Mitchell testified before the Watergate grand jury that he had no prior knowledge of illegal CRP political intelligence operations or of Gordon Liddy's political intelligence gathering activities.

27. On Sept. 15, 1972, Gordon Liddy, Howard Hunt and the five persons arrested in the DNC Watergate offices were indicted for several offenses including burglary, unlawful entry for the purpose of intercepting oral and wire communications, and conspiracy.

28. On Sept. 15, 1972, John Dean met with the President and H. R. Haldeman. They discussed the Watergate investigations and the indictment returned earlier that day. The President discussed with Haldeman and Dean the way Dean had handled the matter. The President said:

Well, the whole thing is a can of worms. As you know, a lot of this stuff went on. And, uh, and, uh, and the people who worked [unintelligible] awfully embarrassing. And, uh, and, the, uh, but the, but the way you, you've handled it, it seems to me, has been very skillful, because you—putting your fingers in the dikes every time that leaks have sprung here and sprung there.

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[Unintelligible] having people straighten the [unintelligible]. The grand jury is dismissed now?

29. On Sept. 17 or 18, 1972, Kalmbach was directed by Dean or LaRue to deliver \$53,500 to Mrs. Howard Hunt for the benefit of the Watergate defendants and to deliver the remainder of the funds he had received to LaRue. On Sept. 19, 1972, after having been directed by Kalmbach to make these deliveries, Ulasewicz delivered \$53,500 to Mrs. Hunt by placing the cash in an unmarked envelope in a locker at the Washington National Airport, and delivered \$29,000 to LaRue by placing the cash in an unmarked envelope on a shelf in the lobby of a Howard Johnson's Hotel near LaRue's residence.

On Sept. 21, 1972 Kalmbach, LaRue, and Dean met in Dean's office to reconcile Kalmbach's and LaRue's records of Kalmbach's disbursements of the funds he had obtained from Stans, LaRue and Jones. These records showed that as of Sept. 21, 1972, Kalmbach had disbursed \$187,500 for the benefit of the seven defendants and \$29,900 to LaRue. Kalmbach said that he did not wish to continue his role concerning the payments to the defendants. At the end of the meeting, Kalmbach burned his records in an ashtray on Dean's desk.

30. In October, 1972, CRP attorney Kenneth Parkinson told Fred LaRue and John Dean that William Bittman, Hunt's attorney, needed additional money for legal fees. Using the alias "Mr. Baker," LaRue contacted Bittman and caused cash (\$25,000 or \$20,000) to be delivered to Bittman's office. The package was received at Bittman's office in Hunt's presence. LaRue has testified that he understood the money was for legal fees for Bittman.

31. On Nov. 10, 1972, John Dean met with Donald Segretti in Palm Springs, Calif. Dean taped a conversation in which Segretti described his disruption of the campaigns of candidates for the Democratic Presidential nomination during the period he was employed by Dwight Chapin. On Nov. 11, 1972, Dean was called from Palm Springs to Key Biscayne, Fla., where H. R. Haldeman and John Ehrlichman had accompanied the President. Dean flew to Florida and reported on Segretti to Haldeman and Ehrlichman. Segretti has testified that in mid-November, 1972, Dean offered him a position in Montego Bay, Jamaica, at a salary of about \$35,000 per year.

32. In November, Howard Hunt telephoned Charles Colson. Colson recorded the conversation. Hunt discussed with Colson the need to make additional payments for the defendants in *United States v. Liddy*. Hunt said:

[T]his is a long-haul thing and the stakes are very, very high and I thought that you would want to know that this thing must not break apart for foolish reasons. . . .

'What the Hell Do I Do'

We're protecting the guys who are really responsible . . . but at the same time, this is a two-way street and as I said before, we think that now is the time when a move should be made and surely the cheapest commodity available is money.

Colson gave a tape recording of the conversation to John Dean. Dean has testified that on or about Nov. 15, 1972, he met with John Ehrlichman and H. R. Haldeman at Camp David, Md., and played the recording for them. Ehrlichman has testified that he does not recall ever hearing the recording. Dean also has testified that immediately after the meeting at Camp David, he met with John Mitchell regarding the defendants' money demands and played the recording for him.

33. On or about Dec. 1, 1972, William Bittman, Howard Hunt's attorney, gave a folded paper to CRP attorney Kenneth Parkinson. Parkinson gave it to John Dean and to Fred LaRue. In or around early December, 1972, Dean had a discussion with Haldeman about CRP's need for funds for the defendants in *United States v. Liddy*, during which Haldeman approved the transfer to CRP of a cash fund of \$350,000 in campaign contributions which had been placed at the disposal of the White House at Haldeman's direction prior to April 7, 1972. The first portion of between \$40,000 and \$70,000 was delivered by Haldeman's assistant Gordon Strachan to LaRue. Shortly thereafter LaRue delivered \$40,000 to Bittman by messenger. In January, 1973, the remaining \$280,000 was delivered to LaRue. In January, 1973, FCRP director Maurice Stans approved the transfer of \$14,000 or \$17,000 in campaign funds to LaRue.

34. On Dec. 31, 1972, Howard Hunt wrote to Charles Colson, requesting that Colson meet with Hunt's attorney, William Bittman. Hunt said, "There is a limit to the endurance of any man trapped in a hostile situation and mine was reached on December 8th." (Hunt's wife had been killed in a plane crash on that date.) On Jan. 2, 1973, Colson wrote to Dean forwarding a copy of Hunt's letter. The transmittal slip from Colson stated, "Now what the hell do I do?"

On Jan. 3, 1973, John Ehrlichman, Colson and Dean met to discuss Hunt's letter. Ehrlichman and Dean have testified that the three discussed the subject of executive clemency. Colson has stated he met privately with Dean and discussed the need to give personal reassurance to Hunt. Later that day and on the following day, Colson met with Bittman. According to Colson, Bittman told him that if Hunt went to jail, Hunt did not want to stay in jail beyond the end of the year, and Colson replied that he could not make any representation, but that as long as he was around he would do everything he could to help Hunt.

35. Between Jan. 3 and Jan. 5, 1973, John Caulfield, a friend of James McCord and former assistant to John Dean, delivered to Dean a handwritten copy of a letter Caulfield had received from McCord. McCord's letter stated, "If Helms goes and the Watergate operation is laid at C.I.A.'s feet, where it does not belong, every tree in the forest will fall. . . . Just pass the message that if they want it to blow, they are on exactly the right course."

36. On January 11, 1973, Hunt pleaded guilty to all counts of the indictment against him in *United States v. Liddy*. The remaining defendants, except for Gordon Liddy and James McCord, pleaded guilty to all counts against them on January 15, 1973.

37. On January 12, 1973, offers of executive clemency were made to McCord by Caulfield at the direction of Dean.

38. In January, 1973, LaRue discussed with Dean a payment to Gordon Liddy's attorney and shortly thereafter delivered \$20,000 to Peter Maroulis, Liddy's attorney.

39. On Jan. 23, 1973, Herbert Porter and Jeb Magruder testified falsely during the trial in *United States v. Liddy* that Porter had paid Liddy to conduct a program of infiltrating radical groups to obtain political intelligence. Mag-

gruder has testified that he had previously told Haldeman that Magruder would commit perjury and that Porter had been cooperative. Haldeman denies that he was so informed.

40. In about January or February, 1973, LaRue made payments of \$25,000 and \$35,000 in cash to Howard Hunt's attorney, William Bittman. These funds came from the money that LaRue had received from the White House.

Senate Committee Set Up

41. On Feb. 7, 1973, the United States Senate, by a vote of 77 to 0, established the Senate Select Committee on Presidential Campaign Activities (SSC) "to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any persons, acting either individually or in combination with others, in the Presidential election of 1972, or in any related campaign or canvass. . . ."

The authorizing resolution "directs the select committee to make a complete investigation and study" of activities "which have any tendency to reveal the full facts" in respect to 16 specified topics including the break-in and the electronic surveillance at the DNC headquarters, the payment of money or the use of coercion, threats or other means to conceal evidence relating to the break-in, Presidential campaign sabotage, Presidential campaign fund raising and the concealment, suppression or destruction of evidence relating to matters within the committee's jurisdiction.

42. On February 9, 1973, H. R. Haldeman sent John Dean an "eyes only" memorandum. Mr. Haldeman wrote:

Obviously the key on the Ervin committee is the minority staff and more importantly, the minority counsel. We've got to be sure we get a real tiger, not an old man or a soft-head, and although we let the committee membership slip out of our grasp, we've got to find a way to be sure we get the very best man we can for counsel.

He directed Dean to have the Attorney General "order the F.B.I. project on the 1968 bugging . . ." so as to gather the data on whether the President was subject to bugging during the 1968 campaign. He also stated that "Mitchell should probably have Kendall [president of Pepsi Cola Company] call DeLoach [former F.B.I. assistant director now working for Mr. Kendall] in and say that if this project turns up anything that DeLoach hasn't covered with us, he will, of course, have to fire him."

Strategy Meeting Called

43. On February 10 and 11, 1973, H. R. Haldeman, John Ehrlichman, John Dean and special counsel to the President Richard Moore met at San Clemente and at Haldeman's cottage at Rancho LaCosta, California, to discuss strategy for the hearings of the Senate Select Committee on Campaign Activities. The meeting was called because the President wanted to know what planning was being done for the hearings and what strategy should be adopted with respect to the White House position on executive privilege and other similar matters.

The meetings involved between 8 and 14 hours of discussion. It was agreed that CRP rather than the White House would take primary responsibility for the defense on Watergate-related matters and that John Mitchell should be asked to coordinate these activities. According to Ehrlichman, there was discussion of possible dilatory tactics with respect to the hearings of the Senate Select Committee on Campaign Activities. One tactic considered was monetary assistance to the attorneys for the Watergate defendants in possibly seek-

ing judicial delay of the hearings. It was agreed that Moore would go to New York to speak to Mitchell about the group's discussions and Mitchell's role in preparing for the hearings.

44. On or about February 14, 1973, Magruder met with Haldeman and discussed Magruder's possible future employment. Prior to this meeting Hugh Sloan had told John Dean that because of Jeb Magruder's suggestion to Sloan in June, 1972, that Sloan perjure himself regarding the funds paid to Gordon Liddy by CRP, Sloan would testify against Magruder if Magruder should be nominated for a high Government office.

On or about February 19, 1973, Dean met with Haldeman, and he thereafter drew up an agenda of matters to be discussed and resolved at a meeting between Haldeman and the President. In that agenda it was stated that Magruder wanted to return to the White House; that Magruder "may be vulnerable (Sloan) until Senate hearings are completed"; and that Magruder "personally is prepared to withstand confirmation hearings."

On February 23, 1973, Sloan met with Haldeman. According to Sloan, Haldeman told Sloan that no individual who had become a prominent figure in the Watergate matter would be placed in a high Government position. On March 2, 1973, Magruder met with Haldeman and Dean. At this meeting Magruder was offered and subsequently accepted the position of Deputy Under Secretary of Commerce for Policy Development, a Level IV Government position carrying an annual salary of \$36,000.

45. On Feb. 22, 1973, H. R. Haldeman asked John Dean to prepare a briefing paper for a meeting between the President and Attorney General Richard Kleindienst. Haldeman told Dean not to transmit the memorandum through normal channels, but to hand carry it to him. Dean prepared a briefing paper stating that Kleindienst would probably like to leave Government to accept an offer he had received from a law firm but that "Kleindienst is extremely loyal to the President and will do anything asked of him by the President." (Emphasis in original.) The memorandum set forth recommendations for retaining Kleindienst as Attorney General.

Executive Privilege Discussed

On Feb. 23, 1973, the President met with Kleindienst from 10:08 to 10:52 A.M. Kleindienst testified that the President asked him to stay as Attorney General until the Watergate situation was over and discussed Kleindienst's role as liaison to the minority members of the Senate select committee.

46. Dean has testified that prior to Feb. 27, 1973, that he told Ehrlichman that he would not be able to assert executive privilege since he had so little personal contact with the President. On Feb. 27, 1973, the President met with John Dean and directed him to assume responsibility for Watergate-related matters. Both Haldeman and Ehrlichman have testified that the President believed that they were spending too much of their time on Watergate matters. Dean has testified that at this meeting the President instructed Dean to report directly to him on all Watergate matters.

There was discussion of preparation for the Senate Select Committee on Presidential Campaign Activities hearings, which included a discussion of the President's meetings with Senator Howard Baker, of executive privilege, of the minority counsel to the select committee, and whether the White House staff would be permitted to testify before the select committee. Dean testified that the President stated he would not permit White House staff

members to appear before the select committee, but would only permit the answering of written interrogatories.

47. On Feb. 28, 1973, the President met with John Dean. The following is an index to certain of the subjects discussed in the course of that meeting [transcript page numbers omitted]:

Executive privilege, written interrogatories and forthcoming hearings of Senate select committee
Wiretapping and domestic surveillance
Sentencing of seven Watergate defendants
Clemency and the Watergate defendants

White House position with respect to Watergate trial and appeals
Segretti, Chapin and political intelligence
Kalmbach as a witness
White House and Watergate matter
Role of CRP and John Mitchell in Watergate matter

48. On Feb. 28, 1973, Senate hearings commenced on the nomination of L. Patrick Gray to be Director of the F.B.I. Gray testified that he had shown interview reports and other data from F.B.I. Watergate files to John Dean who had told him that the President specifically charged him with looking into any involvement on the part of White House staff members. Gray offered to open those files to any Senator on either the Senate Select Committee or Senate Judiciary Committee who wanted to see them.

3 Meetings With Dean

49. On March 1, 1973 the President met three times with John Dean in the Oval Office — from 9:18 to 9:46 A.M., from 10:36 to 10:44 A.M. and from 1:06 to 1:14 P.M. The President decided that the White House would explain publicly that Dean sat in on F.B.I. interviews because he was conducting an investigation for the President.

50. On March 2, 1973, President Nixon explained at a press conference that John Dean had access to F.B.I. interviews in July and August, 1972, because he had conducted an investigation at the direction of the President. The President stated that Dean's investigation showed that no one on the White House staff in July and August at the time Dean conducted his investigation had knowledge of or was involved in the Watergate matter. The President promised to cooperate with the Senate Select Committee if it conducted its investigation in an even-handed way. The President stated that because of executive privilege, no President could ever agree to allow the Counsel to the President to testify before a Congressional committee. The President said that if the Congress requested information from a member of the White House staff, arrangements would be made to provide that information.

51. As Gray's confirmation hearings continued during the first week in March 1973, public reports circulated that John Dean would be called to testify. Dean has testified that on March 4 or March 5, 1973, he reported to Ehrlichman that it would be difficult to win a court test of executive privilege involving Dean as counsel to the President because Dean had met with the President so infrequently.

52. On March 6, 1973, the President met with John Dean in the Oval Office between 11:49 A.M. and 12 noon. According to information supplied to the Senate Select Committee by White House special counsel Buzhardt, the President decided that executive privilege guidelines would cover former as well as present White House personnel. Dean has testified that the President told him to report directly to the President and not to involve Haldeman and Ehrlichman with Watergate-related matters. On March 7, 1973 the President

met with Dean in the Oval Office from 8:53 to 9:16 A.M. and, according to information supplied by Buzhardt, there was a discussion of executive privilege guidelines; Dean told the President that the White House was clear, and the President inquired as to how Gray was doing. Dean has testified that the President instructed him to tell Attorney General Kleindienst to cut off Gray from turning over any further Watergate reports to the Senate Judiciary Committee.

Gray Was Being Pushed

53. On or about March 7, 1973, L. Patrick Gray and John Ehrlichman had a telephone conversation. Gray told Ehrlichman that he was being pushed awfully hard in certain areas and was not giving an inch, and that Ehrlichman knew those areas. Gray also told Ehrlichman to tell Dean to be very careful about what he said and to be absolutely certain that he knew in his own mind that he delivered everything he had to the F.B.I., and not to make any distinction between the recipients of the materials.

54. After the call from Gray, Ehrlichman called Dean. Ehrlichman told Dean that Gray wanted to be sure that Dean would stay very firm and steady on his story that Dean had delivered every document to the F.B.I. and that Dean not start making nice distinctions between agents and directors. Ehrlichman also told Dean that he thought they ought to let Gray hang there and "twist slowly, slowly in the wind." Dean agreed and said, "I was in with the boss this morning and that is exactly where he was coming out."

55. On March 8, 1973, Dean met with the President in the Oval Office from 9:51 to 9:54 A.M. Dean has testified that the President asked if something had been done to stop Gray from turning over F.B.I. materials to the Senate Judiciary Committee, and Dean replied that he believed the matter had been taken care of by Attorney General Kleindienst. On March 10 the President and Dean spoke by telephone from 9:20 to 9:44 A.M. Dean has testified that the President called to tell him that the executive privilege statement should be got out immediately, and that this should be done before Dean was called before the Senate Judiciary Committee in connection with the Gray hearings so that it would not appear that the statement on executive privilege was in response to the action by the Senate committee.

56. On March 12, 1973 the President issued a statement on executive privilege. The statement set forth in part:

A member or former member of the President's personal staff normally shall follow the well-established precedent and decline a request for a formal appearance before a committee of the Congress. At the same time, it will continue to be my policy to provide all necessary and relevant information through informal contacts between my present staff and committees of the Congress in ways which preserve intact the constitutional separation of the branches.

57. On March 13, 1973, the Senate Judiciary Committee voted in executive session to ask John Dean to testify in the Gray confirmation hearings concerning his contacts with the F.B.I. during the investigation of the Watergate break-in.

58. On March 13, 1973 the President met with John Dean from 12:42 to 2:00 P.M. The following is an index to certain of the subjects discussed in the course of the March 13, 1973 meeting [transcript page numbers omitted]:

Advisability of public disclosure
Possible public testimony of Sloan, Kalmbach, Stans and Mitchell
The pre-June, 1972, role of Gordon Strachan in Watergate and Strachan's statements to investigators
The pre-June role of Jeb Magruder in Watergate

John Mitchell, H. R. Haldeman and Gordon Liddy's intelligence program at CRP

Hunt Sought \$130,000

59. On March 14, 1973 Dean wrote to Senator James O. Eastland, chairman of the Senate Judiciary Committee, and, citing the doctrine of executive privilege, formally refused to testify in the Senate confirmation hearing on the nomination of Gray to be director of the F.B.I. On the same day the President met with Dean and White House special counsel Richard Moore in his Executive Office Building office from 9:43 to 10:50 A.M. and from 12:47 to 1:30 P.M. They discussed a press conference scheduled for the next day and making Dean a test case in the courts on executive privilege.

60. On March 15, 1973, the President held a press conference. He stated he would adhere to his decision not to allow Dean to testify before the Congress even if it meant defeat of Gray's nomination as Director of the F.B.I., because there was "a double privilege, the lawyer-client relationship, as well as the Presidential privilege." He also stated that he would not be willing to have Dean sit down informally and let Senators question him, but Dean would provide all pertinent information.

61. On or about March 16, 1973, E. Howard Hunt met with Paul O'Brien, an attorney for CRP. Hunt informed O'Brien that commitments had not been met, that he had done "seamy things" for the White House, and that unless he received \$130,000 he might review his options. On March 16, 1973 Hunt also met with Colson's lawyer, David Shapiro. According to Colson, Hunt requested of Shapiro that Colson act as Hunt's liaison with the White House, but was told that that was impossible. [Excerpts from Hunt-O'Brien testimony appear on Page 20.]

62. On March 17, 1973 the President met with John Dean in the Oval Office from 1:25 to 2:10 P.M. (On April 11, 1974, the Committee on the Judiciary subpoenaed the President to produce the tape recording of the March 17 meeting. The President has refused to produce that tape but has furnished an edited partial transcript of the meeting. After having listened to the tape recording of the March 17, 1973, meeting, the President on June 4, 1973, discussed with press secretary Ron Ziegler his recollections of that March 17 meeting. A tape recording of the June 4 discussion has been furnished to the committee. The evidence regarding the content of the March 17 meeting presently possessed by the committee also includes a summary of the March 17 meeting furnished, in June 1973, to Senate Select Committee Minority Counsel Fred Thompson by White House Special Counsel Buzhardt and the committee testimony of John Dean.)

In his discussion with Ziegler on June 4, 1973, the President told Ziegler the following regarding the March 17 meeting: Up to March 17, 1973, the President had no discussion with Dean on the basic conception of Watergate, but on the 17th there began a discussion of the substance of Watergate. Dean told the President that Dean had been over this like a blanket. Dean said that Magruder was good, but that if he sees himself sinking he'll drag everything with him. He said no one in the White House had prior knowledge of Watergate, except possibly Strachan. There was a discussion of whether Haldeman or Strachan had pushed on Watergate and whether anyone in the White House was involved. The President said that Magruder put the heat on, and Sloan starts pissing on Haldeman. The President said that "we've got to cut that off. We can't have that go to Haldeman." The President said

that looking to the future there were problems and that Magruder could bring it right to Haldeman, and that could bring it to the White House, to the President. The President said that "We've got to cut that back. That ought to be cut out." There was also a discussion of the Ellsberg break-in.

Threats Were Reported

The edited partial transcript of the March 17 meeting supplied by the White House contains only a passage of conversation relating to Segretti and a portion of the conversation relating to the Ellsberg break-in. It contains no discussion of matters relating to Watergate.

63. On March 19, 1973 Paul O'Brien met with John Dean in the EOB and conveyed a message from E. Howard Hunt that if money for living and for attorneys' fees were not forthcoming, Hunt might have to reconsider his options and might have some very seamy things to say about Ehrlichman.

64. On March 20, 1973 John Ehrlichman met with John Dean at the White House. They discussed Howard Hunt's request for money, the possibility that Hunt would reveal activities of the plumbers' operations if the money were not forthcoming, and plans for Dean to discuss the matter with John Mitchell. According to Dean, Dean discussed the matter with Mitchell by telephone later that evening, but Mitchell did not indicate whether Hunt would be paid. On the afternoon of March 20, 1973 Ehrlichman had a telephone conversation with Egil Krogh and told him Hunt was asking for a large amount of money. They discussed the possibility that Hunt might publicly reveal the plumbers' operations. Krogh has testified that Ehrlichman stated that Hunt might blow the lid off and that Mitchell was responsible for the care and feeding of Howard Hunt.

65. On March 20, 1973 Dean had a conversation with Richard Moore, special counsel to the President. Dean told Moore that Hunt was demanding a large sum of money before his sentencing on March 23, and that if this payment were not made, Hunt was threatening to say things that would be very serious for the White House. After this conversation, Dean and Moore met with the President from 1:42 to 2:31 P.M. According to information furnished to the Senate Select Committee by special counsel Buzhardt, the President and Moore agreed that a statement should be released immediately after the sentencing of the defendants. According to Moore, following this meeting he told Dean that Dean should tell the President what he knew. According to Dean, Dean told Moore that Dean did not think the President understood all of the facts involved in the Watergate and particularly the implication of those facts and that Dean felt he had to lay those facts and implications out for the President.

Haldeman Joined the Talk

66. On March 20, 1973 John Dean had an evening telephone conversation with the President during which he arranged a meeting with the President for the next morning. According to the edited transcript of this conversation made public by the White House, Dean requested a meeting with the President to go over soft spots and potential problem areas. Dean said that his prior conversation with the President had been "sort of bits and pieces" and that he wanted to paint the whole picture for the President. The President agreed to such a meeting, and the President also instructed Dean to try to write a general statement like one that would state categorically that based on Dean's investigation Haldeman, Colson and others were not involved in the Watergate matter.

67. On March 21, 1973 the President met with John Dean from 10:12 to 11:55 A.M. H. R. Haldeman joined the meeting at approximately 11:55 A.M. The following is an index to certain of the subjects discussed in the course of the March 21, 1973 morning meeting. [Transcript page numbers omitted]:

- Possible involvement of Haldeman, Dean, Mitchell, Magruder, Colson, Strachan and Porter in Watergate matter
- Clemency and Watergate defendants
- Whether money should be paid to E. Howard Hunt

Continued on following page

Continued from preceding page

68. On March 21, 1973 at 12:30 P.M. H. R. Haldeman spoke by telephone to John Mitchell, who was in New York City. In addition to reflecting the 12:30 P.M. call, Haldeman's telephone log for that day also shows a conversation with John Mitchell's office at 4:06 P.M. with a marginal notation "car—9:30 A.M. (word illegible) Nat'l—Amer 520." Haldeman has testified that he does not recall asking Mitchell on March 21 whether Mitchell was going to take care of Hunt's demand for money.

69. On the afternoon of March 21, 1973 Dean met with Haldeman and Ehrlichman. Ehrlichman and Dean have testified that the participants at the meeting speculated about John Mitchell's role in the Watergate affair, and wondered whether Mitchell's not coming forward was the cause of the beating everyone was taking on the subject of Watergate. Dean and Haldeman have testified that in the late afternoon of March 21, just before their second meeting with the President on that day, Dean told Haldeman that perhaps the solution to the whole thing was to draw the wagons around the White House. According to Haldeman, Dean also said that they should let all the chips fall where they may, because that would not hurt anybody at the White House since no one there had a problem.

70. On the afternoon of March 21, 1973, from 5:20 to 6:01 P.M. the President met with Haldeman, Ehrlichman and Dean. The following is an index to certain of the subjects discussed in the course of the March 21, 1973 afternoon meeting [Transcript page numbers omitted]:

- Possibility of testimony before a new Grand Jury or before an independent panel established to investigate facts
- Possibility of pardon or clemency for Hunt
- What was being done about Hunt's demand
- Existence of persons with knowledge
- Written report by Dean on which President at some later time could be shown to have relied
- Ellsberg search and seizure may be sufficient for mistrial
- Possibility of Magruder, Chapin, Dean and Haldeman going to jail
- Possibility of Mitchell stepping forward and making some kind of disclosure

71. On the evening of March 21, 1973, Fred LaRue caused approximately \$75,000 in cash to be delivered to William Bittman, attorney for E. Howard Hunt. Earlier that day LaRue had called Mitchell when Dean refused to authorize the payment to Hunt, and Mitchell approved the payment to Hunt. [Excerpts from testimony by Frederick C. LaRue and Sherman Unger appear on Page 00.]

72. On April 17, 1973, the President issued the following public statement:

On March 21, as a result of serious charges which came to my attention, some of which were publicly reported, I began intensive new inquiries into this whole matter.

In his address to the nation of April 30, 1973, the President stated that in March, 1973, he received new information regarding the involvement of members of the White House staff in the Watergate affair, and that:

As a result, on March 21, I personally assumed the responsibility for coordinating intensive new inquiries into the matter, and I personally ordered those conducting the investigations to get all the facts and to report them directly to me, right here in this office.

73. On the evening of March 21, 1973 the President dictated his recollections of the events that had occurred on that day.

Transcript of Casette Recording

Transcript Prepared by the Impeachment Inquiry Staff for the House Judiciary Committee of the President's Casette Recordings of His Recollections of March 21, 1973.

PRESIDENT:

As far as the day was concerned it was relatively uneventful except for the, uh, talk with Dean. Dean, really in effect let it all hang out when he said there was a cancerous growth around the President that simply was going to continue to grow and that we had probably to cut it out now rather than let it grow and destroy us later. He obviously is very depressed and doesn't really see anything—other course of action open, but to, uh, move to let, the, uh, the facts out.

As I examined him it, uh, seems that he feels even he would be guilty of some, uh, criminal pra--, uh, liability, due to the fact that he, uh, participated in the actions which, uh, resulted in taking care of the defendants, while they were, uh, under trial. Uh, as he pointed out, uh, what is causing him concern is that every one of the various participants is now getting his own counsel and that this is going to cause considerable problems, because it will be each man for himself, and, uh, one will not be afraid to rat on the other. As a matter of fact, uh, Haldeman backed him up in this respect, when, uh, he mentioned the fact that, uh, even Magruder would, uh, bring Haldeman down if he, would, uh, if he felt that he himself was to go down. Haldeman said he agreed. Uh, the Haldeman selection on Magruder is still a very hard one for me to figure out.

He was, he's made very few mistakes, but this is one case where Rose was right. He picked a rather weak man, who had all the appearance of character, but who really lacks it when the, uh, chips are down.

It seemed to me in my talk with Dean that the idea of a grand jury had, uh, much to, uh, be said for it. Yet after he, Haldeman and Ehrlichman had met they came back and said they'd been around the track and felt that that would be a mistake. Ehrlichman did not feel, for example, that a grand jury or some sort of a special panel which Dean thought could be set up, uh, would be able to grant immunity. Uh, the grand jury appealed to me because, uh, it seemed to me this would be much better to have the White House, uh, people appear before a grand jury with some rules of

evidence than to, uh, be forced, uh, eventually to appear before a Committee of the Congress, where there would be none. Of course, the other option is for them not to appear at all, but this puts the buck right back on the President, as Dean pointed out, and leaves, uh, not only the aura of cover-up but also the, uh, very great danger that somebody like H-- Hunt is going to blow.

Demands by Hunt

Hunt seems to be a real problem according to, uh, Dean. What really concerned him was that somebody approached him, Hunt's lawyer, at some party and said that Hunt needed a hundred and--thousand dollars or so to pay his lawyer and handle other things or he was going to have some things to say that would be very detrimental to Colson and Ehrlichman, et al. This is, uh, Dean recognizes as pure blackmail. Of course, Hunt's in a pretty bad position on this because it would expose him to another change, but I suppose that what he might be figure is that if he, uh, turns state's evidence he could, uh, go free himself.

I feel for all of the people involved here, because they were all, as I pointed out to them in the meeting in the EOB this afternoon, involved for the very best of motives. Uh, I don't think that, uh, certainly Haldeman or Ehrlichman had any idea about bugging, I, I and of course know Dean didn't. He in fact pointed out that when, uh, Liddy had first presented this scheme it was so wild that Mitchell sat puffing his pipe rather chuck—or rather, uh, chuckling all the while, that Dean had then pointed out, uh, later to Ehrlichman that, uh, to uh, Mitchell that they had to get off of this kick right away. Uh, then came the, uh, real cruncher: Apparently what had happened is that Colson, with Liddy and Hunt in his office, called Magruder and told him in February to get off his ass and start doing something about, uh, setting up some kind of an operation. Uh, this involvement by Colson, of course, is, uh, was perhaps the very best intention and it may be that he is telling the literal truth, when he says he doesn't know what they were going to do in terms of bugging, etcetera. Yet, uh, Colson was always pushing terribly hard for action, and in this instance, uh, pushed so hard that, uh, Liddy et al, following their natural inclinations, uh, went, uh, the extra step which got them into serious trouble.

I learned for the first time that, uh, Ehrlichman apparently had sent Hunt and his crew out to check into Ellsberg, uh, to see something about his, uh, check something about his, uh, uh, psychiatric problem with his doctor, or something like that. That seemed to me to be a very curious junket for, uh, Ehrlichman to be involved in. Ehrlichman says that, uh, he was three or four steps away from it, but apparently Krogh has a problem here because Krogh did answer one question to the effect that he did not know the Cubans, which, of course, puts him in a straight position of perjury. This of course would be a terrible tragedy because Krogh, uh, was involved in national security work at the time, had nothing whatever to do with Watergate and the whole Ellsberg business, uh, was something was undertaken solely for the purpose of, uh, attempting to get information which would be helpful in, uh, working up some of the Government's case, uh, on the, uh, Pentagon papers. It seems that Strachan has been a real, uh, courageous fellow through all this. He apparently certainly had knowledge of the information on the matter, and, uh, according to uh, uh, Dean, uh, Strachan apparently transferred the \$300,000 or so that Haldeman had I—that was left to Haldeman after the 1969 campaign—'68 campaign—had transferred it back to the Committee.

Uh, I don't think that this is the problem that Dean seems to think it is, but of course he's—has to warn against every loose end that might come out, particularly in view of some of the things that have come out up to this point. They are going to meet with Mitchell in the morning, and I, uh, hope that Mitchell will really put his mind to this thing and perhaps out of it all can

come so—some sort of a course of action we can follow. Uh, it seems to me just to hunker down without making any kind of a statement is really, uh, too dangerous as far as the President—[57 second silence] I got over to the house quite late—

Hunt No Longer a 'Problem'

74. On the morning of March 22, 1973, at 11:00 A.M. H. R. Haldeman, John Ehrlichman, John Mitchell and John Dean met in Haldeman's office. Haldeman, Ehrlichman and Dean have testified that at this time Mitchell indicated that E. Howard Hunt was not a "problem any longer." Mitchell has denied making such a statement. At this meeting, according to Ehrlichman and Haldeman, Mitchell stated that the Administration's rigid executive privilege policy was untenable, both from a legal and from a political standpoint, because it appeared to the public to be a cover-up on the part of the President. Haldeman testified that most of the discussion at the meeting concerned approaches to dealing with the situation, rather than a review of the facts.

75. On or about March 22, 1973, John Ehrlichman met with Egil Krogh at the White House. Ehrlichman assured Krogh that Howard Hunt was stable or more stable, that his recommendation was just to hang tough, and that Hunt was not going to disclose all.

STATEMENT OF INFORMATION

Events Following The Watergate Break-in March 22, '73-April 30, '73

1. On March 22, 1973 from 1:57 to 3:43 P.M. there was a meeting among the President, John N. Mitchell, H. R. Haldeman, John D. Ehrlichman and John W. Dean 3d. The following is an index to certain of the subjects discussed in the course of that meetings [Transcript page numbers have been omitted.]

Nature and purpose of a written report on Watergate-related matters to be drafted by John Dean.

White House contacts with the Senate Select Committee, and discussion of the activities of that Committee.

White House position on doctrine of executive privilege, and possible changes in that position.

White House relationship to future Grand Jury investigations.

Reference to White House approach to disclosure as "modified limited hang out" and other discussion relating to disclosure.

2. On March 22, 1973, during the meeting specified in the preceding paragraph, the President telephoned Attorney General Kleindienst and spoke to him from 2:19 to 2:26 p.m. According to the White House log of meetings and conversations between the President and the Attorney General, except for the President's Cabinet meeting on March 9, the last previous meeting or conversation between the President and Attorney General Kleindienst occurred on March 1, 1973. The President directed Kleindienst to be the Administration's contact with Senator Howard Baker in connection with the hearings to be conducted by the Senate Select Committee. He asked Kleindienst to give Senator Baker "guidance," to be "our Baker handholder," to "babysit him, starting in like, like 10 minutes."

3. On the morning of March 23, 1973, Judge John Sirica read in open court a letter that James McCord had written on March 19, 1973. The letter alleged in part that political pressure to plead guilty and remain silent had been applied to the defendants in the Watergate

trial; that perjury had occurred during the trial; and that others involved in the Watergate operation were not identified when they could have been by those testifying. At this time Judge Sirica deferred final sentencing of all defendants except Gordon Liddy. Judge Sirica stated that in imposing sentence he would weigh as a factor the defendants' cooperation with the ongoing Watergate investigations.

Attempts to Question Dean

4. On the morning of March 23, 1973 members of the press attempted to question John Dean regarding Patrick Gray's testimony at his confirmation hearings on the previous day that Dean "probably lied" when he told F.B.I. agents on June 22, 1972 that he did not know whether Howard Hunt had a White House office. Later in the morning of March 23 Dean was informed by Paul O'Brien, an attorney for C.R.P., that a letter from James McCord to Judge Sirica had been read in open court. Dean has testified that he then telephoned Ehrlichman to inform him of McCord's letter and that Ehrlichman stated he had already received a copy. In the early afternoon of March 23 the President telephoned Dean

from Key Biscayne. Dean has testified that the President told him, "Well, John, you were right in your prediction." Dean has testified that the President suggested that Dean and his wife go to Camp David and get some relaxation, and that Dean analyze the situation and report back to him.

5. On March 23, 1973 the President telephoned Patrick Gray at 1:11 p.m. According to the President's logs the last time the President had spoken to Gray was on Feb. 16, 1973. Gray has testified that he cannot remember the President's precise words, but that the call was a "buck up call" in which the President told Gray that he knew the beating Gray had taken at his confirmation hearing; that it was very unfair; and that there would be another day to get back at their enemies. Gray has testified that he remembered distinctly that the President said to him, "You will remember, Pat, I told you to conduct a thorough and aggressive investigation." Gray also has testified that from March 21 on he received no order from the President or anyone implementing a Presidential directive to get all the facts with respect to the Watergate matter and report them directly to the President.

Meeting in Florida

6. On March 23, 1973 the President met with H. R. Haldeman in Key Biscayne, Fla., from 1:25 to 1:45 P.M. and from 2:00 to 6:30 P.M. Haldeman has testified that on March 23 the President told him that he had been informed about the McCord letter and its contents, and that the President asked Haldeman to call Charles Colson to ask if Colson had ever offered Howard Hunt clemency or had any conversation with Hunt about clemency. Haldeman telephoned Colson some time before 2:15 P.M. on March 23 and asked what commitment Colson had made to Howard Hunt with respect to the commutation of his sentence. Colson reported to Haldeman on this matter. Immediately after this conversation Colson dictated a memorandum of the conversation for the file. Colson's memorandum states, in part, that he told Haldeman that he made no representations nor used any one else's name in the conversation; that he had only told Hunt's lawyer that as long as he was around he would do anything he could to help Hunt. Colson's memorandum states that Haldeman asked what would happen if Hunt "blew" and that Colson replied that "it would be very bad" and that Hunt "would say things that would be very damaging." Colson's memorandum states that Haldeman replied, "then we can't let that happen."

7. According to Colson's memorandum to the file regarding the telephone conversation between Colson and Haldeman described in the preceding paragraph, Haldeman also questioned Colson about a telephone conversation Colson had had with Magruder. Colson reported to Haldeman that one night in

January or February 1972 Hunt and Liddy had come to Colson's office, and Hunt had stated that Liddy had some excellent plans and ideas for intelligence and counterintelligence which he had not been able to have approved at CRP. Colson told Haldeman that without learning of the details of the plan or endorsing the plan, Colson had telephoned Magruder, had asked Magruder to advise Liddy whether he was going to be used in the campaign, and had told Magruder that Hunt was a good man and that his ideas should be considered. Colson told Haldeman that Magruder had assured Colson that the plan would be considered. Haldeman told Colson that Magruder might not remember the conversation the same way and that Magruder thought Colson had told him to start Liddy's operation. Haldeman also told Colson that the reason for Haldeman's call was to help decide whether all White House aides should volunteer immediately to go before the Grand Jury waiving all privilege. Haldeman said he was concerned that the President not appear to be covering up.

8. On the afternoon of March 23, 1973 Dean and his wife went to Camp David, Md. The White House compilation of meetings and conversations between the President and John Dean indicate that the President spoke by telephone with Dean at Camp David from 3:28 to 3:44 P.M. Dean has testified that after the operator said that the President was calling Haldeman came on the line and said that while Dean was at Camp David he should spend some time writing a report on everything he knew about Watergate. Dean has testified that when he asked whether the report was for internal or public use Haldeman said that would be decided later. Haldeman has testified that Dean had been told to write a report prior to the time he left for Camp David.

Draft of a Report

9. Between March 23 and March 28, 1973 John Dean stayed at Camp David and attempted to prepare a report on matters relating to the break-in at the D.N.C. headquarters and the investigation of the break-in. A draft of portions of a report was prepared by Dean, and partially typed. It related certain events before and after the Watergate break-in. The draft report made no reference to Dean's meetings with the President or to any statements or actions by the President. Dean has testified that during his stay at Camp David he decided that he would have to think of some way for the President to get out in front of the matter and that, during a telephone conversation with Haldeman, he discussed the creation of an independent Warren-type commission. On March 28, 1973 Haldeman called Dean and requested that he return to Washington to meet with Mitchell and Magruder.

10. On March 26, 1973 The Los Angeles Times reported that James McCord

had told investigators for the Senate Select Committee that both John Dean and Jeb Magruder had prior knowledge of the break-in at the D.N.C. headquarters. On this same morning, H.R. Haldeman, who was with the President in Key Biscayne, Florida called Dean at Camp David. They discussed Dean's recollection of facts relating to the authorization of the Liddy Plan. Haldeman has testified that he asked Dean if he would have any problems if the President announced that day that he was requesting that Dean go to the grand jury without immunity; Dean replied that he

would have no problem with appearing before the grand jury, but that his testimony concerning the number and purpose of the meetings among Dean, John Mitchell, Gordon Liddy and Magruder would conflict with the testimony previously given by Magruder; Dean stated that there were other areas of concern, such as payments to the defendants by Kalmbach, the \$350,000, the Hunt threat, and Colson's talk about helping Hunt. Following his telephone call with Dean, Haldeman met with the President. Haldeman has testified that the President decided to drop his plan to announce that Dean would be requesting an appearance immediately before the grand jury. Haldeman has testified that the problem was that Dean had not really sorted out the facts at that point and it was not appropriate for him to go to the grand jury.

11. On March 26, 1973 the President, in the presence of H. R. Haldeman, instructed Ronald Ziegler, his press secretary, to express the President's confidence in John Dean. Ziegler announced publicly on that day that the President had "absolute and total" confidence in Dean.

'Bum Rap' for Dean

12. March 26, 1973 John Dean telephoned Jeb Magruder and Dean made a recording of the conversation. Dean has testified that at Haldeman's suggestion he telephoned Magruder and taped this conversation. Magruder acknowledged that The Los Angeles Times story stating that Dean had prior knowledge of the break-in was a "bum rap" for Dean. There was also discussion about the number and purpose of meetings among John Mitchell, Gordon Liddy, Magruder and Dean. Magruder told Dean that Magruder had testified that there had been "one meeting, not two," and that the purpose of the meeting was to go over the general framework of the job of C.R.P. general counsel.

13. On March 26, 1973 the District of Columbia United States Attorney's office filed in open court a motion for an order compelling Gordon Liddy to testify under a grant of immunity before the grand jury investigating the Watergate break-in. As of March 27, 1973 Judge Sirica granted leave to proceed forthwith with grand jury interro-

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gation of Howard Hunt and other of the convicted Watergate defendants. From March 28, 1973 through April 5, 1973 hearings were held in open court and orders were entered compelling Howard Hunt, Gordon Liddy and the remaining Watergate defendants to testify before the grand jury under grant of immunity.

14. On March 27, 1973 Jeb Magruder met with John Mitchell in New York City and discussed the potential of Magruder's being brought before the grand jury on a perjury count. Magruder has testified that he received from Mitchell assurances respecting continued salary and that they discussed executive clemency. Mitchell has testified that with respect to support, he told Magruder that he "was a very outstanding young man and I liked and I worked with and to the extent that I could help him in any conceivable way, I would be delighted to do so." Mitchell has testified that he did not make any promises of executive clemency. During the conversation, Magruder asked for a meeting with Haldeman.

15. On March 27, 1973 the President met from 7/8 11:15 A.M. to 1:30 P.M. with John Ehrlichman and from 11:35 A.M. to 1:35 P.M. with H. R. Haldeman. Ehrlichman has testified that at this meeting the President directed him to contact Attorney General Kleindienst. The President has stated that on March 27, 1973

he directed that Kleindienst be told to report directly to the President anything he found in the Watergate area. The President has produced an edited transcript of this conversation and a summary of that transcript has been prepared.

Magruder Testimony Discussed

16. On March 28, 1973 Mitchell and Haldeman met with Magruder in Haldeman's office. They discussed Magruder's false testimony regarding the approval of the Liddy Plan. Haldeman telephoned Dean and requested that he return from Camp David to meet with Mitchell and Magruder. Dean has testified that on his return he went directly to Haldeman's office; that Haldeman told him that Mitchell and Magruder were waiting in another office to discuss with Dean his knowledge of the January and February 1972 meetings in Mitchell's office; that Dean said he would not lie about those meetings; and that Haldeman said he did not want to get into it but Dean should work it out with Mitchell and Magruder. Dean met with Mitchell and Magruder. Following the meeting, both Mitchell and Dean reported to Haldeman that there was a problem as to what the facts were regarding the 1972 meetings.

17. On March 28, 1973 John Ehrlichman telephoned Attorney General Kleindienst on the President's instructions and asked Kleindienst a series of questions which the President had dictated and which Ehrlichman had hand written on a piece of paper. Ehrlichman, during the conversation, told Kleindienst that the President directed him to tell the Attorney General that the best information he had or has is that neither Dean, Haldeman, Colson nor Ehrlichman nor anybody in the White House had any prior knowledge of the Watergate burglary and that the President was counting on the Attorney General to provide him with any information to the contrary and to contact him direct. Ehrlichman also told the Attorney General to provide him with any information to the contrary and to contact him direct. Ehrlichman also told the Attorney General that serious questions were being raised with regard to John Mitchell and the President wanted the Attorney General to communicate to him any evidence or inferences on that subject.

Ehrlichman Told to Continue

18. On Aug. 22, 1973 the President publicly stated that on the 29th of March he directed Ehrlichman to continue the investigation that Dean was unable to conclude.

19. On March 29, 1973 a report of James McCord's testimony at an executive session in the Senate Select Committee on March 28, 1973 appeared in the national press. The report said, among other things, that McCord testified that he had been told that John Mitchell, Charles Colson, John Dean and Jeb Magruder had prior knowledge of the Watergate bugging operation.

20. On Aug. 15, 1973 the President stated that when he learned on March 30, 1973 that Dean had been unable to complete his report he instructed Ehrlichman to conduct an independent inquiry and to bring all the facts to him. On March 30 the President met with John Ehrlichman and Ronald Ziegler from 12:02 to 12:18 p.m. According to the White House edited transcript of this meeting, the only subject discussed was a draft statement to be issued by Ziegler at a press briefing. Ehrlichman has testified that at the noon meeting the President directed him to conduct an inquiry into the Watergate matter. Ehrlichman has testified that the President said he was satisfied John Dean was in this Watergate activity so deeply that he simply could not any longer have anything to do with it; that the

President needed to know about executive privilege and the attorney-client privilege; that the President needed someone to set strategy with regard to testifying at the Committee and the grand jury and other places; and that the President needed the truth about the Watergate matter.

21. On March 30, 1973 at 12:30 P.M. Ehrlichman met with Fielding, Dean's assistant. Ehrlichman has testified that he had directed Fielding to deliver Dean's personnel records to Ehrlichman and to brief Ehrlichman about allegations that Dean had been dismissed by a law firm because of unethical conduct. At 3:00 P.M. on March 30, 1973 Ehrlichman and the President flew to San Clemente, where Haldeman joined them on April 1, 1973. They remained in San Clemente until April 8, 1973. While they were at San Clemente, Ehrlichman had a long distance telephone conversation with Dean in which they discussed the allegations that Dean had been involved in unethical conduct.

22. On March 30, 1973 Ronald Ziegler stated in a press briefing that no one in the White House had any involvement in the Watergate matter. Ziegler also

announced that the President reiterated his instructions that any member of the White House staff would appear before the grand jury if called to answer questions regarding that individual's alleged knowledge or possible involvement in the Watergate matter.

23. On March 30, 1973 John Dean, after consultation with his attorney, Thomas Hogan, retained Charles Shaffer, an attorney in the criminal law field. That day Dean met with Hogan and Shaffer and discussed the break-in at the D.N.C. headquarters and the events that followed. Haldeman has testified that Dean had indicated earlier that he might retain a private attorney so that Dean—and, through him, the President—could consult an attorney familiar with criminal law on the implications of some of Dean's concerns. On the afternoon of April 2, 1973 Dean's lawyers began a series of meetings with the Watergate prosecutors.

24. On March 30, 1973 newspaper reports stated that Robert Reisner, former Administrative Assistant to Jeb Magruder at C.R.P. was to be subpoenaed by the staff of the S.S.C. Magruder has testified that he realized that his story about his 1972 meetings with Mitchell, Dean and Liddy would not hold up. Magruder realized, among other things, that the S.S.C. had begun an investigation and Reisner, who knew about the meetings and who had previously been missed by the prosecutors, would be gotten to. On March 31, 1973 Magruder, who previously had been represented by the attorneys for C.R.P., retained James Bierbower as his personal attorney.

25. On April 2, 1973 Ronald Ziegler issued a public statement criticizing the Senate Select Committee as being plagued by irresponsible leaks of tidal wave proportions. Ziegler stated that the White House intended to cooperate with the Committee but called on Senator Ervin to get his own disorganized house in order so that the investigation could go forward in a proper atmosphere of traditional fairness and due process.

26. On April 4, 1973 Dean told Haldeman that his lawyers had met privately with the prosecutors.

27. On April 5, 1973 L. Patrick Gray called the President and requested that his nomination as permanent Director of the F.B.I. be withdrawn. According to Gray, the President told him that this was a bitter thing to have happened to Gray and there would be a place for Gray in the Nixon Administration. The President informed Gray that he wanted him to serve as Acting F.B.I. Director until a successor was confirmed. In a

public statement issued by the President on April 5, 1973 announcing the withdrawal of Gray's name, the President praised Gray and stated that his compliance with Dean's completely proper and necessary request for FBI reports exposed Gray to totally unfair innuendo and suspicion.

Testimony and Notes

28. On April 5, 1973 John Ehrlichman met in San Clemente, Calif., with Paul O'Brien. According to Ehrlichman, O'Brien had asked to meet with H. R. Haldeman to transmit some information to the President. According to Ehrlichman's testimony and notes, O'Brien told him that he had obtained information from Jeb Magruder and others concerning, among other things, Magruder's and Mitchell's involvement in meetings in which the Liddy Plan for electronic surveillance with a budget of \$100,000 to \$250,000 was outlined; Magruder's testimony concerning the number of meetings among John Mitchell, Gordon Liddy, John Dean and Magruder; Magruder's claim that Charles Colson called him urging that the program go forward; Magruder's claim that Gordon Strachan came to him and said the President wants this project to go on; payments that had been made to the defendants and their attorneys; and possible offers or commitments regarding executive clemency to Liddy, Howard Hunt and James McCord. O'Brien told Ehrlichman that neither Magruder nor Mitchell were inevitably hung and that Dean was the key problem. Ehrlichman's notes also state "must close ranks," "JNM will tough it out," "H must bring Jeb up short" and, written below "Jeb," "shut up" and "stop seeing people." After this meeting Ehrlichman met with the President. Ehrlichman has testified that he reported to the President after he had talked to O'Brien.

29. On April 6, 1973 Ehrlichman met with Kalmbach in the Bank of America parking lot in San Clemente, Calif. Ehrlichman's notes dictated after the meeting reflect a discussion of Kalmbach's activities in raising and disbursing money for the Watergate defendants. Kalmbach told Ehrlichman that he had retained the services of an attorney, Paul O'Connor.

Call From Air Force One

30. On April 8, 1973 Dean started to meet with the prosecutors. While meeting with the prosecutors, Dean received a call from Air Force One from Haldeman's assistant Lawrence Higby, who asked Dean to be in Ehrlichman's office that afternoon for a meeting. Ehrlichman and Haldeman met with Dean from 5:00 until 7:00 P.M. There was a discussion of the possibility of a grand jury appearance by Dean. Ehrlichman has testified that they discussed, among other things, what this "hang up" was between Mitchell and Dean and Dean's feeling that Mitchell did not want Dean to talk to the prosecutors or appear before the grand jury. Ehrlichman has also testified that the President decided on the flight that he wanted Dean to go to the grand jury, and that Ehrlichman and Haldeman conveyed that to Dean at the meeting.

31. On April 8, 1973, from 7:33 to 7:37 P.M., the President and John Ehrlichman spoke by telephone. The President has produced an edited transcript of that conversation. A summary has been prepared of that transcript.

32. On April 11, 1973 Attorney General Kleindienst had a conversation with Assistant Attorney General Petersen. Kleindienst told Petersen that Ehrlichman had just called to tell Kleindienst that he did not feel that any White House aides should be granted immunity.

33. On or about April 12, 1973 Ehrlichman met with Haldeman's assistant

Gordon Strachan. Ehrlichman has testified that Strachan said that he had just returned from the grand jury and that upon leaving the grand jury room he had realized that the testimony he had given was mistaken with respect to the amount of money he had delivered to Fred LaRue. Ehrlichman has testified that he advised Strachan to get an attorney and, subject to the attorney's advice, to tell the prosecutor that he had made a mistake in his testimony.

34. On April 12, 1973 the President telephoned Charles Colson at 7:31 P.M. and asked Colson to prepare a specific set of recommendations with respect to the Watergate matter. The following day Colson met with Ehrlichman twice. At the second meeting Colson was accompanied by his lawyer. Ehrlichman has testified that at the second meeting Colson said that he understood that Howard Hunt would testify before the grand jury that the second break-in at the Watergate was opposed by Hunt but that Liddy said to Hunt that they couldn't call it off because they were doing it on Mitchell's order; that Hunt would testify about the transmittal of funds to the Watergate defendants; and that McCord was making allegations about a trip to Las Vegas by Hunt, McCord and possibly Liddy to break into the safe of Hank Greenspun in a project masterminded by Colson. Colson has stated that he recommended to Ehrlichman, among other things, that the President take steps to expose those involved in the planning, approving or authorizing of the Watergate break-in.

Two Phone Calls Taped

35. On April 13, 1973, the day Magruder began meeting with the prosecutors, Lawrence Higby, staff assistant to Haldeman, had two telephone conversations with Magruder which were taped without Magruder's knowledge. Higby asked Magruder whether his testimony was going to be damaging to Strachan and Haldeman. Magruder said it would damage Strachan but he had not talked to Haldeman about the Watergate until long after. Higby told Magruder that it wasn't in his long or short term interest to blame the White House. On April 14, 1973 Ehrlichman and Haldeman reported these conversations to the President. Ehrlichman told the President that Higby had handled Magruder so well that Magruder had closed all his doors now with this tape; that the tape would beat the socks off Magruder if he ever got off the reservation.

36. On April 14, 1973 the President met with Ehrlichman from 8:55 to 11:31 A.M. and with Haldeman from 9:00 to 11:30 A.M. At this meeting the President instructed Ehrlichman to meet with Mitchell. The President was advised that the grand jury was focusing on the Watergate aftermath. There was a discussion of payments to the Watergate defendants and of the transfer of \$350,000 from Strachan to LaRue to be used for payments to the defendants.

In response to the Judiciary Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

37. On the afternoon of April 14, 1973 Dean, Haldeman and Ehrlichman met in Ehrlichman's office. Dean has testified that there was a discussion of whether Haldeman, Ehrlichman, Dean, Mitchell, Colson and others would be indicted.

38. On April 14, 1973, at 1:30 P.M., Haldeman had a telephone conversation with Magruder and taped the conversation. Magruder told Haldeman that he had committed perjury many times; that he had now decided to follow his lawyer's advice and make a full disclosure to the grand jury; that his testimony would put Gordon in a spot; and that

he intended to plead guilty.

Mitchell Not to 'Hold Back'

39. On April 14, 1973, at the President's request, Ehrlichman met with Mitchell from 1:40 to 2:10 P.M. Ehrlichman told Mitchell that the President had instructed him to talk to Mitchell and say not to hold back on account of the Presidency. Mitchell said that he was going to stay where he was because he was too far out. Mitchell said that he got euchred into it by not paying attention and that the whole genesis of this thing was at the White House. Mitchell told Ehrlichman that Dean had been caught in the middle like so many others who were trying to keep the lid on until after the election and trying to keep the lid on all the other things that had gone on at the White House. Magruder's pending disclosures to the prosecutors were also discussed. Mitchell told Ehrlichman that some of the White House funds had been used to make payments to the defendants, with Haldeman's approval, prior to the return of the money to Fred LaRue. [Transcript of Ehrlichman-Mitchell conversation appears on Page 18.]

40. On April 14, 1973 the President met with Haldeman from 1:55 to 2:13 P.M. Haldeman reported to the President on his telephone conversation with Magruder. There was a discussion of what Haldeman and Strachan would say if Magruder testified that he had sent Gemstone materials to Strachan.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

41. On April 14, 1973 the President met with Haldeman and Ehrlichman from 2:24 to 3:55 P.M. At this meeting Ehrlichman reported on his meeting with Mitchell. There was a discussion of the motive for the payments to the defendants and the transfer of the \$350,000 from the White House to the Committee for the Re-election of the President. The President instructed Ehrlichman to meet with Magruder. There was a discussion whether it would reduce the likelihood of Department of Justice follow-up if Ehrlichman gave a report to Kleindienst rather than Silbert.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

42. On April 14, 1973 John Ehrlichman met with Jeb Magruder and his attorneys. Ehrlichman informed Magruder and his attorneys that he was conducting an investigation for the President. Magruder and his attorneys discussed with Ehrlichman the information which Magruder had disclosed to the prosecutors earlier that day to the effect that at a meeting in Key Biscayne Mitchell, LaRue and Magruder had participated in an express and specific approval of the plan to break into and bug the D.N.C. headquarters and to bug McGovern headquarters and the Fontainebleau headquarters of the Democratic Convention.

43. On April 14, 1973 the President met with Haldeman and Ehrlichman from 5:15 to 6:45 p.m. Ehrlichman reported to the President on his meeting with Magruder and his attorneys. The President instructed Haldeman to give Strachan a report of Magruder's testimony. There was a discussion of the motive for the payments to the defendants.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

44. On April 14, 1973, at approximately 6:00 p.m. and during the meeting specified in the preceding paragraph, Ehrlichman telephoned Kleindienst. Ehrlichman told Kleindienst that he had been conducting an investigation for the President. There was a discussion of what Ehrlichman should do with the information he had uncovered. Kleindienst has testified that Ehrlichman told him that the testimony that Magruder had given to the U. S. Attorneys would implicate people high and low in the White House and in the campaign committee. The President has produced an edited transcript of this conversation. According to this transcript Ehrlichman stated that the information provided by Magruder implicated people up and down in the Committee to Re-elect; and, when Kleindienst asked who Magruder implicated besides himself and Mitchell, Ehrlichman answered Dean, LaRue, Mardian and Porter.

Motive for Making Payments

45. On April 14, 1973 the President had a telephone conversation with Haldeman from 11:02 to 11:16 p.m. There was a discussion of what would be said to Strachan about the information Magruder was giving to the prosecutors. There was also a discussion about the motive for making payments to the defendants.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

46. On April 14, 1973, from 11:22 to 11:53 p.m., the President had a telephone conversation with John Ehrlichman. There was a discussion of what Ehrlichman would say to Colson and Strachan about his conversation with Magruder, and what Ehrlichman would say to Dean about a plan to deal with obstruction of justice allegations. There was also a discussion of whether Haldeman should be dismissed.

In response to the Committee's subpoena for the tape recording and other evidence of this conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

47. During the evening of April 14, 1973 Petersen was briefed by the prosecutors on the information furnished by Dean and Magruder. Petersen telephoned Kleindienst and arranged to report to him immediately. On April 15, 1973 Kleindienst met at his home with Petersen, United States Attorney Titus, and chief prosecutor Silbert from approximately 1:00 a.m. to 5:00 a.m. Kleindienst was briefed on evidence implicating high White House and C.R.P. officials in the Watergate break-in and the obstruction of the government's investigation. Kleindienst decided to arrange a meeting with the President that morning.

Immediate Meeting Sought

48. On April 15, at 8:41 A.M. Kleindienst attempted to reach the President by telephone to request an immediate meeting. The President returned Kleindienst's call at 10:13 A.M. and agreed to meet Kleindienst that afternoon.

49. On April 15, 1973 John Ehrlichman met with Gordon Strachan from approximately 10:00 A.M. to 10:35 A.M. and 11:15 A.M. to noon. They discussed Strachan's recollection of his contacts with Magruder and Haldeman relating to Watergate. Ehrlichman has testified that he confronted Strachan with Magruder's allegation about sending Strachan a budget which included specific reference to bugging, and that Strachan said that he was sure he had never seen anything like that. Ehrlichman's notes of his meeting with Strachan reflect a reference to a memorandum from Strachan to Haldeman stating a sophisticated intelligence operation is going with a 300 budget.

50. On April 15, 1973 the President met with John Ehrlichman from 10:35 to 11:15 A.M. Ehrlichman reported that he was meeting with Strachan. There was a discussion of the motive for payments to the defendants and of what Dean's defense might be to obstruction of justice charges.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

51. On April 15, 1973 the President met with Attorney General Kleindienst from 1:12 to 2:22 P.M. in the President's EOB office. Kleindienst reported to the President on the evidence against Mitchell, Dean, Haldeman, Ehrlichman, Magruder, Colson and the others. Kleindienst has testified that the President appeared dumbfounded and upset when Kleindienst told him about the Watergate involvement of Administration officials, and that the President did not state that he had previously been given this information by John Dean. The President asked about the evidence against Haldeman and Ehrlichman and made notes on Kleindienst's response. There was a discussion of the payments to the defendants and what motive had to be

proved to establish criminal liability. There was discussion of the transfer of \$350,000 from the White House to LaRue. The President made a note: "What will LaRue say he got the 350 for?"

The Committee has subpoenaed the tape recording and other evidence of this conversation. The President has stated that the tape on the recorder for his EOB office ran out during his afternoon meeting with Kleindienst. The President has produced an edited transcript of a recording of a portion of the conversation. A summary of that transcript has been prepared.

52. On April 15, 1973 from 2:24 to 3:30 P.M. the President met with Ehrlichman in the President's EOB office. From 3:27 to 3:44 P.M. the President spoke to Haldeman by telephone and discussed conflicts between the recollections of Magruder and Strachan concerning conversations about Watergate. At 3:48 P.M. the President returned a telephone call from Kleindienst and agreed to have Petersen join their upcoming meeting.

In response to the Committee's subpoena for the tape recording and other evidence of the President's meeting with Ehrlichman, his telephone conversation with Haldeman, and his telephone conversation with Kleindienst, the President has produced edited transcripts of the recordings of the Haldeman and Kleindienst telephone calls. Summaries of those transcripts have been prepared. The President has stated that the tape on the record for his EOB office had run out during his afternoon meeting of April 15, 1973 with Kleindienst and that no further conversations in that office were recorded.

Report From Petersen

53. On April 15, 1973 Petersen and Kleindienst met with the President from 4:00 to 5:15 P.M. in the President's EOB office. Petersen has testified that he reported on the information that the prosecutors had received from Dean and Magruder and that his report included the following: that Mitchell had approved the \$300,000 budget for the Liddy "gemstone" operation; that budget information for "gemstone" and summaries of intercepted conversations were given to Strachan and that information given to Strachan was for delivery to Haldeman; that if the prosecutors could develop Strachan as a witness, "school was going to be out as far as Haldeman was concerned"; that Ehrlichman through Dean informed Liddy that Hunt should leave the country; and that Ehrlichman had told Dean to "deep six" certain information recovered by Dean from Hunt's office. Petersen has also testified that he recommended that Haldeman and Ehrlichman be dismissed, but

Dean be retained while cooperating with the prosecutors. Petersen has testified that the President exhibited a lack of shock and emotion; spoke well of Haldeman and Ehrlichman; suggested that Dean and Magruder were trying to exculpate themselves; suggested a cautionary approach to the granting of immunity; stated that he had first learned that there were more significant problems than he had anticipated on March 21, 1973, although he did not tell Petersen what Dean had told him on that date; stated that he had told Dean to write a report but that Dean had been unable to write a report; stated that he told Ehrlichman to conduct an investigation after Dean failed to deliver his report; stated that Haldeman and Ehrlichman had denied the charges against them; and requested that Petersen reduce to writing what he had said to the President about Haldeman and Ehrlichman.

The Committee has subpoenaed the tape recording and other evidence regarding this conversation. The President has stated that the tape on the recorder for his EOB office ran out during his afternoon meeting with Kleindienst.

Prosecutors Interviewed Dean

54. On April 15, 1973 the Watergate prosecutors interviewed John Dean. The prosecutors were informed that Gordon Liddy and E. Howard Hunt had participated in the break-in at the office of Daniel Ellsberg's psychiatrist. Dean stated that not all the material from Hunt's safe had been turned over to F.B.I. agents after the Watergate break-in, but that certain materials from the safe were personally handed by Dean to Gray.

55. On April 15, 1973 at approximately 7:30 P.M., Ehrlichman requested a meeting with Dean. Dean's attorney discussed this request with Petersen who advised against such a meeting. Dean arranged to have the President told that Dean was acting out of loyalty to the President and that Dean felt the meeting requested by Ehrlichman was inappropriate at this time. The President telephoned Petersen and spoke with him from 8:14 to 8:18 P.M. and from 8:25 to 8:26 P.M. Petersen sold the President about Ehrlichman's request to meet with Dean. The President asked if Petersen would have any objection to the President's meeting with Dean. Petersen said he had no objection. The President arranged to meet with Dean that evening.

In response to the Committee's subpoena for the tape recording and other evidence of the President's telephone conversations with Petersen, the President has produced edited transcripts of the recordings. A summary of these transcripts has been prepared.

56. On April 15, 1973 from 9:17 to 10:12 P.M., the President met with John Dean in the President's EOB office. Dean has testified that he reported to the President that he had been to the prosecutors; that the President asked him about Haldeman's knowledge of the Liddy plans; that the President stated he had been joking when he said it would be easy to raise \$1-million to pay for maintaining the silence of the Watergate defendants; and that the President said in a nearly inaudible tone that he had been foolish to discuss Hunt's clemency with Colson. Dean also has testified that he told the President he had not discussed with the prosecutors his conversations with the President and that the President told him that he could not tell the prosecutors about national security matters or about any of the conversations between the President and Dean. Dean has testified that the nature of the President's questions led him to think that the President was taping the conversation. The President's notes of this meeting indicate that the

President asked Dean what he had told Kalmbach about the purpose of the money and that Dean said he had briefed Haldeman and Ehrlichman every inch of the way. During this meeting the President telephoned Petersen from 9:39 to 9:41 P.M. and instructed Petersen to contact Liddy's attorney and tell him that the President wanted Liddy to tell everything he knows.

The President has stated that the tape on the recorder for his EOB office ran out on the afternoon of April 15, 1973. In response to the Committee's subpoena for the tape recording and other evidence of his telephone conversation with Petersen, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

57. On April 15, 1973 from 10:16 to 11:15 P.M. the President met with H. R. Haldeman and John Ehrlichman in the President's EOB office. During this meeting Ehrlichman at the President's request telephoned Patrick Gray and discussed the documents taken from Hunt's White House safe and given to Gray by Dean in June 1972. Shortly thereafter Ehrlichman telephoned Gray and had a second conversation regarding the contents of Hunt's safe. Ehrlichman told Gray that Dean had told the prosecutors that he had delivered two of Hunt's files to Gray. Gray told Ehrlichman that he had destroyed the documents.

58. On April 15, 1973, from 11:45 to 11:53 P.M., the President had a telephone conversation with Henry Petersen. The President told Petersen that he had met with Dean. There was also a discussion of whether the President should ask Dean, Haldeman and Ehrlichman to resign. Petersen has testified that the President told him that Dean had given the President basically the same information which Dean had previously given to the prosecutors.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

59. On April 16, 1973 from 8:18 to 8:22 A.M. the President had a telephone conversation with John Ehrlichman. Ehrlichman has testified that the President stated he was going to ask Dean to resign or take a leave of absence because Dean apparently continued to have access to White House files and because the President and Dean then had basically an adversary relationship. From 9:50 to 9:59 A.M. the President met with Haldeman and Ehrlichman. There was a discussion of what the President would say to Dean and of what statement might be released to the press.

In response to the Committee's subpoena for the tape recording and other evidence of the conversation between the President, Haldeman and Ehrlichman, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

President With Dean

60. On April 16, 1973 the President met with John Dean from 10:00 to 10:40 A.M. The following is an index to certain of the subjects discussed in the course of that meeting. [Transcript page numbers have been omitted.]

President's request that Dean submit a letter of resignation or a request for a leave of absence, and discussion of other resignations.

March 21, 1973 conversation among the President, Dean and Haldeman, and what Dean should say about that conversation.

Whether the President would waive executive privilege.

How events after the break-in and after March 21 would be described.

What induced Magruder to talk and the President's desire to take credit for Magruder's cooperation.

President's statements to Dean that Dean should tell the truth.

Executive clemency.

President's statement that Dean was still his counsel.

What should be done about legal problems of White House aides.

61. On April 16, 1973 from 10:50 to 11:04 A.M. the President, H. R. Haldeman and John Ehrlichman met. The President reported on his meeting with Dean. There was a discussion of a "scenario" of events after the President became aware that there were some discrepancies between what he had been told by Dean in the report that there was nobody in the White House involved.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of that recording. A summary of that transcript has been prepared.

62. On April 16, 1973 from 12:00 to 12:31 P.M. the President met with H. R. Haldeman. There was a discussion of what Haldeman might state publicly about his involvement in the transfer of cash from the White House to C.R.P.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

63. On April 16, 1973 from 1:39 to 3:25 P.M. the President met with Henry Petersen, Ronald Ziegler was also present from 2:25 to 2:52 P.M. During this meeting Petersen gave the President a report on the investigation and a written memorandum summarizing the prosecutors' evidence as of that time implicating Haldeman and Ehrlichman. There was discussion of whether the President should ask Haldeman and Ehrlichman to resign.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

64. On April 16, 1973 from 3:27 to 4:04 P.M. the President met with John Ehrlichman and Ronald Ziegler. There was a discussion of the information furnished by Henry Petersen.

In response to the Committee's sub-

Continued on following page

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poena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

65. On April 16, 1973 from 4:07 to 4:35 P.M. the President met with John Dean. The following is an index to certain of the subjects discussed during that conversation. [Transcript page numbers have been omitted.]

Presidential statement in regard to Watergate.

Haldeman, Ehrlichman and Dean's continued presence on the White House staff.

Magruder's negotiations with the U. S. Attorneys.

President's statement to Dean to tell the truth.

Dean's proposed testimony before the grand jury in regard to the issue of Haldeman's prior knowledge of the DNC break-in.

Possible discovery of Hunt and Liddy's involvement in the Fielding break-in.

Senate Select Committee and the failure of "containment" during the past nine months.

66. On April 16, 1973 from 8:58 to 9:14 P.M. the President spoke by telephone with Henry Petersen. Petersen gave the President a report. The President said he would not pass the information on because he knew the rules of the Grand Jury.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

67. On April 17, 1973 from 9:47 to 9:59 A.M. the President met with H. R. Haldeman. The President instructed Haldeman to tell Kalmbach that LaRue was talking freely. There was discussion of the problem raised by Dean's efforts to get immunity.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

68. On or about April 17, 1973 John Ehrlichman had telephone conversations with Charles Colson, White House aide Ken Clawson, and former C.R.P. campaign director Clark MacGregor. Ehrlichman asked Colson and Clawson about their recollections regarding Dean's allegations that Ehrlichman had told Dean to destroy documents from Hunt's safe and to order Hunt to leave the country. During the course of their conversation, Colson and Ehrlichman discussed nail-biting Dean by seeing that he not get immunity. Each of these conversations was tape recorded by Ehrlichman.

69. On April 17, 1973 at 10:26 A.M. Gray met with Petersen in Gray's office. Gray has testified that he admitted to Petersen that he had received files from Dean in Ehrlichman's office and told Petersen that he had burned the files without reading them. Petersen told Gray that the assistant U.S. attorneys would want him before the grand jury. During the afternoon of April 17 Petersen told the President that Gray had admitted destroying documents he received from Dean.

70. On April 17, 1973 from 12:35 to 2:20 P.M. the President met with H. R. Haldeman and John Ehrlichman. Ronald Ziegler joined the meeting from 2:10 to 2:17 P.M. There was a discussion about what to do about Dean and what Dean might say if he were fired; about the motive for making payments to the defendants; about what Strachan would say concerning intelligence material received from Magruder; and about whether Dean had reported to the President in the summer of 1972. There was also discussion of a press plan.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

71. On April 17, 1973 from 2:39 to 2:40 P.M. the President had a telephone conversation with John Ehrlichman. There was a discussion of what the President would say to Petersen about immunity for top White House staff members.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

72. On April 17, 1973 from 2:46 to 3:49 P.M. the President met with Henry Petersen. There was a discussion about whether Petersen had passed grand jury information to Dean and about whether Dean would be granted immunity. The President read to Petersen a proposed press statement and Petersen stated the difficulties which would be posed by a statement that the President opposed granting immunity to high White House officials. Petersen told the President that Gray had admitted receiving from Ehrlichman and Dean documents unre-

lated to Watergate taken from Hunt's safe. Petersen said that Gray said he had burned these documents without reading them.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

73. On April 17, 1973 from 3:50 to 4:35 P.M. the President met with H. R. Haldeman, Ronald Ziegler and John Ehrlichman. The President described his conversation with Petersen. There was a discussion of whether Haldeman and Ehrlichman should take leaves of absence. The President went over the text of the statement he was about to give.

In response to the Committee's subpoena for the tape recording and other evidence of that conversation, the President has produced an edited transcript of the recording. A summary of that transcript has been prepared.

74. On April 17, 1973 from 4:42 to 4:45 P.M. the President issued a public statement containing two announcements. The President first announced that White House personnel would appear before the Senate Select Committee, but would reserve the right to assert executive privilege during the course of questioning. He then reported that on

March 21 he had begun intensive new inquiries into the whole Watergate matter and that there had been major developments in the case. The President stated he had expressed to the appropriate authorities his view that there should be no immunity from prosecution for present or former high Administration officials. The President said that those still in government would be suspended if indicted and discharged if convicted.

75. On April 17, 1973 the President met in his EOB office with William Rogers from 5:20 to 6:19 P.M. and with H. R. Haldeman and John Ehrlichman from 5:50 to 7:14 P.M. The President briefed Rogers on his investigation and his discussion with Petersen. There was a discussion of whether Haldeman, Ehrlichman and Dean should resign and of Dean's testimony against Haldeman and Ehrlichman. Haldeman and Ehrlichman reported on their conversation with John Wilson, a defense attorney in criminal cases who had been recommended by Rogers. There was a discussion of what Dean had told Kalmbach about the purpose of the money he was asked to raise.

In response to the Committee's subpoena for the tape recording and other evidence of the President's conversations of April 17, 1973 from 5:50 to 7:14 P.M., the President has produced an edited transcript of the recording of his conversations from 5:20 to 7:14 P.M. A summary of that transcript has been prepared.

76. In April, 1973 former and present White House aides and C.R.P. officials were interviewed by the prosecutors or called before the Watergate Grand Jury. These included E. Howard Hunt, Gordon Liddy, Jeb Magruder, Gordon Strachan, Richard Moore, Dwight Chapin, Herbert Kalmbach, James McCord, Fred LaRue, Herbert Porter, John Mitchell, Charles Colson and John Dean.

77. On April 18, 1973 the President had telephone conversations with Henry Petersen from 2:50 to 2:56 P.M. and from 6:28 to 6:37 P.M. Petersen has testified that the President told him that Dean said he had been granted immunity and the President had it on tape, and that Petersen denied that Dean had been granted immunity. Petersen told the President that the prosecutors had received evidence that Gordon Liddy and E. Howard Hunt had burglarized the office of Dr. Fielding, Daniel Ellsberg's psychiatrist. The President told Petersen that he knew of the

event; it was a national security matter; Petersen's mandate was Watergate; and Petersen should stay out of the Fielding break-in. The President told Petersen that the prosecutors should not question Hunt about national security matters. After this telephone call, Petersen relayed this directive to Silbert.

In response to the Committee's subpoena for the tape recording and other evidence of the telephone conversations between the President and Petersen from 2:50 to 2:56 P.M. and from 6:28 to 6:37 P.M., the President has produced an edited transcript of the conversation from 2:50 to 2:56 P.M., during which the President and Petersen discussed immunity for Dean and Magruder. A summary of that transcript has been prepared. The President has informed the Committee that the telephone call from 6:28 to 6:37 P.M. was placed from Camp David and was not recorded.

78. On April 19, 1973 John Dean issued a public statement declaring in part that he would not become a scapegoat in the Watergate case. He added that anyone who believed that did not know the true facts nor understand our system of justice. Following Dean's statement, Stephen Bull of the President's White House staff checked with the Secret Service agent in charge of the White House taping system to determine if Dean knew about the existence of the taping system. The agent replied that as far as the Secret Service knew Dean had no such knowledge.

79. On April 19, 1973 the President met with Richard Moore. They discussed the President's public statement of April 17 and the fact that on March 20, 1973 Dean and Moore discussed Dean's telling the President about the Watergate matter. Moore has testified that the President said that he had told Dean that to raise money for the Watergate defendants was not only wrong but stupid. Moore told the President that Dean had shown him a list of individuals who might be indicted, and that Dean had said that Ehrlichman's problem might be involved with the Ellsberg case. The President responded that the White House investigation of Ellsberg had to be done because J. Edgar Hoover could not be counted on as he was a close friend of Ellsberg's father-in-law.

80. On April 19, 1973 from 8:26 to 9:32 P.M. the President met with John Wilson and Frank Strickler, attorneys for H. R. Haldeman and John Ehrlichman. There was a discussion of the case against Haldeman and Ehrlichman.

The Committee has requested the tape recording and other evidence of this conversation. The President has provided an edited transcript of that recording. A summary of that transcript has been prepared.

81. Between April 19 and April 26, 1973 the President had 11 conversations with Henry Petersen. Petersen has testified that during these conversations the President asked Petersen for a detailed written report on the Watergate matter; discussed the advisability of retaining Haldeman and Ehrlichman at the White House; and discussed the progress of the Grand Jury investigation. Petersen has testified that some time in the course of the April discussions the President made a flattering reference to Petersen as an adviser to the President and said he would have to serve as "White House counsel." The President also asked Petersen whether he would like to be F.B.I. director, but stated he was not offering him the job.

82. On April 20, 1973 Herbert Kalmbach was scheduled to testify before the Watergate Grand Jury. On the afternoon prior to his scheduled appearance, John Ehrlichman and Kalmbach had a telephone conversation, which was taped by Ehrlichman without Kalmbach's knowledge, during which they discussed Kalmbach's payment of funds to the Watergate defendants.

83. On April 22, 1973, Easter Sunday, the President telephoned John Dean from Key Biscayne, Fla. Dean has testi-

fied that the President called to wish him a happy holiday.

84. On April 25 and 26, 1973 Presidential aide Stephen Bull delivered a number of tape recordings of Presidential conversations to H. R. Haldeman. At the President's request Haldeman listened to the tape recording of the President's March 21, 1973 morning meeting with John Dean, made notes and reported to the President.

85. On April 26, 1973 Senator Lowell Weicker, a member of the Senate Select Committee, released to the press information that Patrick Gray had burned politically sensitive files which had been given to him by John Dean from Howard Hunt's White House safe. Petersen has testified that on this date the President telephoned him to ask if Gray ought to resign as Acting F.B.I. Director and that Petersen told the President that he thought Gray's position was untenable. At the President's instruction, Petersen, Gray and Kleindienst met that evening and discussed Gray's possible resignation. Kleindienst telephoned the President and recommended that Gray step down, but added that Gray did not see it that way. The President told Kleindienst that he would not require Gray to resign immediately. Gray has testified that Kleindienst also stated after speaking to the President there must be no implication that in burning these files there was any attempt of a coverup at the White House.

86. On April 26, 1973 Jeb Magruder resigned his post as Director of Policy Development for the Department of Commerce.

87. On the afternoon of April 27, 1973 Patrick Gray notified Lawrence Higby that he was resigning as Acting Director of the F.B.I. From 4:31 to 4:35 P.M. on April 27, the President had a telephone conversation with Petersen during which the President asked if Petersen had any information that would reflect on the President. Petersen said no. At the President's request, Petersen met with the President from 5:37 to 5:43 P.M. and from 6:04 to 6:48 P.M. The President again asked if there was adverse information about the President. Petersen said he was sure that the prosecutors did not have that type of information.

The Committee has requested the tape recordings and other evidence of various Presidential conversations on the afternoon and evening of April 27, 1973. The President has produced edited transcripts of the conversations between the President and Petersen from 5:37 to 5:43 P.M. and among the President, Petersen and Ronald Ziegler from 6:04 to 6:48 P.M. Summaries of the transcripts have been prepared.

88. On or about April 28, 1973 H. R. Haldeman and John Ehrlichman determined that they should resign from their positions on the White House staff. Haldeman and Ehrlichman have testified that the President did not request their resignations.

89. On April 29, 1973 the President met with Attorney General Richard Kleindienst at Camp David. They discussed Kleindienst's resignation as Attorney General. The President asked Kleindienst if he could announce Kleindienst's resignation in his statement the next day and Kleindienst consented. Also on that date the President met with Elliot Richardson at Camp David and informed him of his intention to nominate Richardson to be Attorney General. The President told Richardson that he would commit to Richardson's determination whether a special prosecutor was needed.

90. On April 30, 1973 the President made a nationwide televised address on the Watergate matter. He announced the resignations of H. R. Haldeman, John Ehrlichman, Richard Kleindienst and John Dean and the appointment of Elliot Richardson as Attorney General of the United States.

STATEMENT OF INFORMATION Submitted on Behalf of the President Events Following the Watergate Break-in June 19, 1972- March 1, 1974

1. On Monday, June 19, 1972, two days after the break-in of the Democratic National Committee Headquarters, Dean contacted Liddy and Liddy told Dean the men caught in the Democratic National Committee Headquarters were Liddy's men and that Magruder had pushed him to do it. Dean asked Liddy if anyone from the White House was involved and Liddy told Dean no.

2. John Dean, testified that on June 18, 1972, one day after the break-in of the Democratic National Committee Headquarters, "the cover-up was already in effect, in being." Dean testified he was in on the cover-up from the very beginning. Dean concurred with Senator Gurney that the cover-up "grew like Topsy, and Dean was a part of it." When questioned if he advised the President of what was going on, Dean responded that the first time he ever talked to the President was September 15, 1972, some three months later.

3. Dean did not meet with the President until approximately three months after the Democratic National Committee Headquarters break-in. The allegation that Dean informed the President of an illegal cover-up on September 15, 1972, is based exclusively on the testimony of Dean. In testimony before the Senate Select Committee, Dean stated he was "certain after the Sept. 15th meeting that the President was fully aware of the cover-up." However, in answering questions of Senator Baker, he modified this by agreeing that it was an "inference" of his. Later Dean admitted he had no personal knowledge that the President knew on Sept. 15th about a cover-up of Watergate.

4. On May 22, 1973, the President stated that the bugging and burglary of the Democratic National Committee was a complete surprise and that he had no prior knowledge that persons associated with his campaign had planned such activities. On March 21, 1973, John Dean told the President that no one at the

White House knew of the plans to break in the Democratic National Committee.

5. H. R. Haldeman and John Ehrlichman testified before the Senate Select Committee that they did not believe the President had prior knowledge of the break in plans. On March 21, 1973 John Ehrlichman told the President that, on the basis of information he had, no one in the White House had been involved, had notice, had knowledge, participated nor aided or abetted in any way in the Democratic National Committee burglary.

6. John Mitchell testified before the Senate Select Committee that the President did not know of either the burglary plans or the cover-up. Richard Moore testified before the Senate Select Committee that as a result of his meetings with the President and Dean on March 20, 1973, he concluded that the President had no knowledge that anyone in the White House was involved in the Watergate affair and John Dean told him as they departed that he had never told the President.

7. After the second meeting in Mitchell's office on Feb. 4, 1972, the modified Liddy plan was turned down and Dean concluded the plan was at end. Dean later met with Haldeman and advised Haldeman that the White House should have nothing to do with any such activity. Haldeman agreed.

8. Magruder reported to Strachan that a "sophisticated political intelligence gathering system" had been approved. Strachan included this item in a memo containing approximately 30 other items directed to Haldeman. Attached at tab "H" of this report were examples of the type information being developed and identified by the code name "Sedan Chair." Magruder and Reisner testified "Sedan Chair" involved a disgruntled campaign worker from the Humphrey Pennsylvania organization who passed information to Committee to Re-Elect the President. Porter deemed this activity surreptitious, but not illegal.

9. Dean told the President on March 21, 1973, that Haldeman was assuming that the Committee to Re-Elect the President had an intelligence gathering operation conducted by Liddy that was proper. Dean told the President there was nothing illegal about "Sedan Chair".

10. Political Matters Memo #18 was prepared by Strachan and submitted to Haldeman on March 31, 1972. On April 4, 1972, Strachan prepared a talking paper including the mention of the "sophisticated intelligence gathering operation" for use by Haldeman in a meeting he was having with Mitchell on that day. The paper was returned to Strachan and filed with Memo #18 after Haldeman met with Mitchell. Strachan testified the subject of intelligence gathering was never raised again by Haldeman. Strachan is certain none of the Political Matters Memo had the "P" with a check mark through the "P" which was the procedure used for memos discussed in that form with the President.

11. Haldeman has testified that he and Mitchell did not discuss intelligence gathering activities with the President on April 4, 1972, and he and Mitchell only reviewed with the President matters relating to the I.T.T.-Kleindienst hearings and arguments of regional campaign responsibilities. Haldeman's notes of the meeting show no political intelligence gathering operations were discussed. The transcript of April 4, 1972, meeting between the President, Haldeman, and John Mitchell confirms that there was no discussion of campaign intelligence gathering activities.

12. The President had no knowledge of an attempt by the White House to cover-up involvement in the Watergate affair. Dean told the President that there were things Dean knew the President had no knowledge of.

[NOTE: Objection has been raised by Congressman Seiberling that the first sentence is a conclusion rather than a statement of information within the rules of Procedure of the committee.]

13. The testimony of Gray before the Senate Select Committee establishes that the origin of the theory of Central Intelligence Agency involvement in the break-in of the DNC was in the F.B.I. and that Gray communicated the theory to Dean on June 22, 1972. Dean confirmed that Gray informed him on June 22, 1972, that one of the F.B.I. theories of the case was that it was a C.I.A. operation and Dean testified that he reported this to Haldeman and Ehrlichman on June 23.

[NOTE: Objection has been raised by Congressman Seiberling that the first sentence is a conclusion rather than a statement of information within the rules of procedure of the committee.]

14. Haldeman's testimony before the Senate Select Committee confirms that Dean reported to him the F.B.I.'s concern about C.I.A. involvement, and that Haldeman in turn reported this to the President, who ordered Haldeman and Ehrlichman to meet with the C.I.A. officials to insure that the F.B.I. investigation not expose any unrelated covert operation of the C.I.A. The uncertainty regarding the possibility of uncovering C.I.A. activities was recognized in a memo dated June 28, 1972, from Helms to Walters.

15. The President stated on May 22, 1973, that it did seem possible to him that because of the involvement of former C.I.A. personnel, the investigation could lead to the uncovering of covert C.I.A. operations totally unrelated to the Watergate break-in. The President stated he was also concerned that the Watergate investigation might lead to an inquiry into the activities of the Special Investigations Unit. Gray testified that on July 6, 1972, the President told him to continue to conduct his aggressive and thorough investigation of the Watergate affair.

16. The President indicated that he was unaware that Gray had destroyed documents found in Hunt's safe when told by Henry Peterson on April 17, 1973.

17. Dean did not disclose until Nov. 2, 1973, while being questioned by attorneys of the Special Prosecutor's office, that he had personally destroyed documents from Hunt's safe.

18. The President was unaware prior to March 21, 1973, that Magruder and Porter perjured themselves to a grand jury. On April 17, 1973, the President

advised Ehrlichman and Haldeman against perjury.

[NOTE: Objection has been raised by Congresswoman Holtzman and Congressman Seiberling that the first sentence is a conclusion rather than a statement of information within the rules of procedure of the committee.]

19. John Dean advised the President on March 21, 1973, of Hunt's demand for approximately \$120,000 for legal fees and family support. The President explored the option of meeting Hunt's demands so as to secure the time needed to consider alternative courses. The President was not concerned with the possible Watergate related disclosures, but rather which disclosure of the national security matters Hunt had been involved in as a member of the plumbers.

The President advised Dean that the money could not be paid because it would look like a cover-up. At another point in the conversations the President requested advice as to whether or not the money should be paid. Later the President concludes that Hunt will blow the whistle no matter what is done for him.

20. At the March 21, 1973, meeting the President after considering several options seized on the possibility of calling a new grand jury, thereby delaying Hunt's sentencing and making the immediate payment unnecessary as a means of buying time. Not once after this option was explored was there any suggestion that Hunt's demand be met.

The concluding page of the transcript of the March 21, 1973, morning meeting clearly demonstrates that the President recognizes that any blackmail and cover-up activities then in progress could not continue.

[NOTE: Objection has been raised by Congresswoman Holtzman and Congressman Seiberling as to whole statement being a conclusion rather than a statement of information within the rules of procedure of the committee.]

21. Neither of the participants of the March 21, 1973, morning meeting came away with any opinion that the President authorized payments to Hunt. Haldeman concluded that the President rejected payments to Hunt. Haldeman concluded that the President rejected payments to Hunt. Dean testified: "The money matter was left very much hanging at the meeting. Nothing was resolved."

22. At the March 21, 1973, morning meeting while discussing the practicality of getting another grand jury the President told Dean and Haldeman to get Mitchell to come to Washington, so that Mitchell could meet with Haldeman, Ehrlichman and Dean.

23. Haldeman and Dean left the meeting with the President at approximately 11:55 a.m. on March 21, 1973. Pursuant to the President's request, Haldeman called Mitchell at approximately 12:30 p.m. and requested Mitchell come to Washington. Dean's testimony confirms this.

24. On March 21, 1973, Dean had a telephone conversation with LaRue concerning Hunt's request for money and Dean suggested LaRue call Mitchell. LaRue called Mitchell in the early afternoon of March 21, 1973, and advised Mitchell that he had a request for \$75,000 for Hunt's legal fees. Mitchell acknowledges that he advised LaRue to pay the money for attorney fees. During the March 21, 1973, late afternoon meeting with the President, Dean denied that he had spoken to either LaRue or Mitchell, when in fact he had spoken to both.

25. Having received information on March 21, 1973, of possible obstruction of justice having taken place following the break-in of the DNC, the President promptly undertook an investigation into the facts. The record discloses that the President started his investigation the night of his meeting with Dean on March 21, as confirmed by Dean in his conversation with the President on April 16, 1973. At the meeting with Mitchell and the others on the afternoon of March 22, the President instructed Dean to prepare a written report of his earlier oral disclosures.

26. Although Dean was instructed to go to Camp David and write a report on March 22, 1973, by the President, Dean denied this and later testified be-

fore the Senate Select Committee that he was never requested to write a report until Haldeman called him after he arrived at Camp David.

27. Just six days after Dean's disclosures, on March 27, 1973, the President met with Ehrlichman and Haldeman to discuss the evidence thus far developed and how best to proceed. Again the President stated his resolve that White House officials should appear before the grand jury. They confirmed to the President, as Dean had, that no one at the White House had prior knowledge of the Watergate break-in. Ehrlichman told the President that there wasn't "a scintilla of a hint that Dean knew about this." The President asked about the possibility of Colson having prior knowledge and Ehrlichman stated that Colson's response was "of total surprise . . . He was totally non-plussed, as the rest of us."

28. On April 8, 1973, the President met with Ehrlichman and Haldeman on board Air Force One and directed them to meet with Dean and urge him to go the grand jury. Haldeman and Ehrlichman met with Dean that afternoon and at 7:33 p.m. Ehrlichman reported to the President that Dean indicated he would agree to go before the grand jury.

29. Dean did in fact communicate his intention to testify before the grand jury to Mitchell and Magruder and told them he would not agree to support Magruder's previous testimony to the grand jury. Thereafter on April 14, 1973, Magruder appeared before the United States Attorneys and cooperated with them fully.

30. On April 14, 1973, the President again met with Ehrlichman and Haldeman to review the results of three weeks investigation and to determine the future course of action. Based on Ehrlichman's report, the President concluded Mitchell should go before a grand jury. The President instructed Ehrlichman to see Magruder and tell him that he did not serve the President by remaining silent. The President told Ehrlichman that when he met with Mitchell to advise him that "the President has said let the chips fall where they may. He will not furnish cover for anybody." The President told Ehrlichman to tell Magruder to purge himself and tell this whole story.

31. On April 15, 1973, the President met with Attorney General Kleindienst. They considered who should be in charge of the continuing investigation. The President met with Assistant Attorney General Petersen on the afternoon of April 15, 1973, in his E.O.B. office. At this meeting Petersen indicated there was no criminal case on Haldeman and Ehrlichman at this time. Having been told Liddy would not talk unless authorized by "higher authority," the President instructed Petersen to tell Liddy's counsel the President would confirm his urging of Liddy to cooperate.

32. The President met with Dean on the morning of April 16, 1973, discussed with Dean his resignation, and advised him to be totally truthful in his explanations. The President asked Dean not to lie about the President either.

At this same meeting Dean explained to the President that O'Brien has been the one who relayed Hunt's demand, that Dean had informed Ehrlichman and Ehrlichman advised Dean to inform Mitchell which Dean did. Dean told the President that all along he had tried to make sure that anything he passed to the President didn't cause the President any personal problems.

33. On April 27, Petersen reported to the President that Dean's lawyer was threatening that unless Dean got immunity, they would bring "the President in—not this case but in other things." The President told Petersen to use immunity if he needed to get the facts, but there would be no blackmail. It was not until June 25 1973, while testifying before the Senate Select Committee that Dean stated the President had prior knowledge of the cover-up.

34. On March 1, 1974, a Federal grand jury returned an indictment against seven individuals charging all defendants with one count of conspiracy in violation of Title 18 U.S.C. Sec. 371 and charging some of the defendants with additional charges of perjury, making false declarations to a grand jury or court, making false statements to agents of the F.B.I. and obstruction of justice.