


1-1-1974

04. Book II, Vol. 1: Events following the Watergate  
break-in, June 17, 1972 - February 9, 1973  
(allegations involving Presidential interference with  
the official Department of Justice investigation)

Don Edwards

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53. On September 15, 1972 the President met with H. R. Haldeman and John Dean. Certain subjects were discussed in the course of the September 15, 1972 meeting:

	<u>Transcript Page</u>
Filing of indictment against seven Watergate defendants .....	4-6
Manner in which Dean has handled Watergate matter .....	17
Human frailties and bitterness between Finance Committee and Political Committee .....	20-21
Governmental power and political opponents .....	21-25, 35-36
White House and Watergate matter .....	32-33

- 53.1 Tape recording of a meeting among the President, H. R. Haldeman and John Dean on September 15, 1972 and House Judiciary Committee transcript thereof.
- 53.2 H. R. Haldeman's notes of meeting with the President on September 15, 1972 (received from Watergate Grand Jury).
- 53.3 H. R. Haldeman's notes after listening to tape recording of a meeting with the President and John Dean on September 15, 1972 (received from Watergate Grand Jury).

Note: This page can be found in Statements of Information BK II v.3

TO BE ADDED  
TO SET OF  
STATEMENTS

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1. On June 17, 1972 shortly after 2:00 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, Howard Hunt and Gordon Liddy left the Watergate Hotel. Hunt took with him a briefcase belonging to McCord that contained electronic equipment, and went to the White House. Hunt went to his office in the Executive Office Building (EOB) and withdrew from his safe \$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.

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- 1.1 Sgt. Paul Leeper testimony, 1 SSC 96, 105-06.
  - 1.2 James McCord testimony, 1 SSC 126.
  - 1.3 Howard Hunt testimony, 9 SSC 3688-89.

PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60.

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

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WATERGATE AND RELATED ACTIVITIES

Phase I: Watergate Investigation

WASHINGTON, D.C., MAY 17, 18, 22, 23, AND 24, 1973

Book 1



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

U.S. GOVERNMENT PRINTING OFFICE

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WASHINGTON : 1973

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Stock Number 5270-01313



Sergeant LEEPER. In the area of the Watergate complex, the White House area.

Mr. DASH. Was that your position on June 17, 1972?

Sergeant LEEPER. Yes, sir. We were working that area.

Mr. DASH. Now, Sergeant, is the dress that you are presently wearing at this committee hearing the type of dress that you usually wear in your vocation?

Sergeant LEEPER. No, sir.

Mr. DASH. What is your usual dress?

Sergeant LEEPER. Well, we vary it from anything from old Army shirts, golf jackets, golf hats, casual clothes. I had a pair, on the night in question, a pair of blue slacks on, a blue jacket with a university written across the front of it, and a golf cap.

Mr. DASH. And in the police automobile that you use, is this a marked automobile or unmarked?

Sergeant LEEPER. No, sir, it is unmarked.

Mr. DASH. Was that the kind of automobile that you were in on June 17, 1972?

Sergeant LEEPER. Yes, sir.

Mr. DASH. Thank you.

Now, can we first have chart 5. While they are getting the chart, Sergeant, can you tell us did there come a time sometime early in the morning of or of June 17 or late in the evening, whatever time it occurred of June 16, that you received a call to come to the vicinity of the Watergate complex in Washington, D.C.?

Sergeant LEEPER. Yes, sir.

Mr. DASH. What was the nature of that call?

Sergeant LEEPER. Well, the call came out about 0152 hours on the morning of the 17th, Saturday, and the call originally came out for any scout car, which would be a marked car vehicle in the Police Department and official in it to respond to the Watergate, 2600 Virginia Avenue, to assist a special officer, the official vehicle would be a sergeant, lieutenant, or a captain's cruiser. These would be marked vehicles. No one answered that, and the dispatcher, the police dispatcher came over the air and asked if there was any TAC unit in the area.

Senator BAKER. Any what?

Sergeant LEEPER. They refer to us as casual clothes, tactical squads and they have other squads.

Senator BAKER. TAC unit.

Mr. DASH. Authority for tactical unit.

Sergeant LEEPER. Tactical unit. Yes, sir, and at this time I was working in cruiser 727, which is an unmarked police vehicle with Officer John Barrett and Officer Carl Shoffler.

Mr. DASH. Where were you located when you received that call?

Sergeant LEEPER. We were in the area of about K and 30th, Washington, D.C.

Mr. DASH. How close was it to the Watergate complex?

Sergeant LEEPER. Approximately a minute and a half. 2 minutes away.

Mr. DASH. If you can see the chart which is on the easel, and if not, can you go to it, do you recognize the photograph that appears on that easel?

Sergeant LEEPER. Yes, sir; it is of the Watergate complex.

Senator BAKER. Just one second, just a second, I do not mean to unduly interrupt counsel, but just so I can keep the continuity in my mind, that man across the street was in the Howard Johnson?

Sergeant LEEPER. That is correct.

Senator BAKER. Where?

Sergeant LEEPER. He was out on the balcony. I did not see him, Senator. It was just called to my attention by Officer Shoffler.

Senator BAKER. But you knew he was watching you?

Sergeant LEEPER. Yes, sir.

Senator BAKER. How long did he watch?

Sergeant LEEPER. I do not know, sir. I did not even look over. I just—

Senator BAKER. You had your guns out?

Sergeant LEEPER. I did not have my gun out but Officer Shoffler had his weapon out.

Senator BAKER. And you were on the floor of the DNC, the Democratic National Committee?

Sergeant LEEPER. Yes, sir.

Senator BAKER. The balcony outside?

Sergeant LEEPER. Well, it is referred to as the terrace.

Senator BAKER. Who was that fellow?

Sergeant LEEPER. It was later found to be James Baldwin.

Senator BAKER. Do you know how long Baldwin watched?

Sergeant LEEPER. I think from the time we pulled up in front here, sir.

Mr. DASH. All right. Then, what did you do? Did you leave the terrace at that time?

Sergeant LEEPER. Yes, sir, we responded back in the area of the hallway and we met up again with Officer Barrett down to this area, checking the offices that were open as we came down the hallway, and we came into this room here through a glass door, Officer Barrett was the first man followed by myself and Officer Shoffler. Officer Barrett responded up to this area here and I started into this little secretarial cubicle here, Officer Shoffler was somewhere in this area and at this point I heard Officer Barrett yell: "Hold it, come out."

Mr. DASH. Where was that voice coming from?

Sergeant LEEPER. Officer Barrett?

Mr. DASH. Yes; where was that voice coming from?

Sergeant LEEPER. Right in this area here, Officer Barrett was right in this area. At this time I responded back out of the cubicle into this cubicle, jumped up on the desk, drawing my weapon and when I looked over this glass partition there were five men standing in front of a desk with their hands either raised above their heads or at least shoulder high wearing blue surgical gloves.

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

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

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

Sergeant LEEPER. Yes, sir. One of the men had, was carrying an a.w.o.l. bag, an overnight bag, semilarge brown bag with his coat

draped over it contained various items, cameras, bulbs, clamps for clamping the cameras to the desk, walkie-talkies, things of this sort.

Mr. DASH. Now, just going down toward the corner there from that room where you apprehended the men, the corner toward the bottom right corner, go all the way down to the large office in the corner there.

Sergeant LEEPER. Right in here, sir.

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

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

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

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

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

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

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

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

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

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

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

Sergeant LEEPER. At that time, no, sir.

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

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

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

Sergeant LEEPER. Yes, sir.

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

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

Senator ERVIN. Virgilio Gonzales?

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

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

Sergeant LEEPER. Yes, sir, we sent three of them down in a patrol wagon, one was transported, I think Mr. McCord, was transported in S3 scout and I transported Mr. Barker in the old clothes TAC unit, the unmarked cruiser.

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

Sergeant LEEPER. I came back to the Watergate complex but the search was made by the Mobile Crime Unit. At the time we could

PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60

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FIRST SESSION

WATERGATE AND RELATED ACTIVITIES

Phase I: Watergate Investigation

WASHINGTON, D.C., MAY 17, 18, 22, 23, AND 24, 1973

Book 1



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U.S. GOVERNMENT PRINTING OFFICE

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WASHINGTON : 1973

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Mr. McCORD. I received on retirement in August 1970 the Distinguished Service Award for outstanding performance of duty with CIA. I received some others.

Mr. DASH. Now, prior to your arrest, indictment, and conviction relating to the Watergate incident, were you ever arrested, charged with a crime, or the subject of any complaint or disciplinary proceeding in your life?

Mr. McCORD. I have had traffic violations in the Washington area; yes, sir.

Mr. DASH. Is that all?

Were you an employee of the Committee To Re-Elect the President?

Mr. McCORD. Yes.

Mr. DASH. What position did you hold and what were your duties?

Mr. McCORD. I came aboard first as a security consultant part time in September of 1971.

Mr. DASH. By the way, how did you get that job?

Mr. McCORD. I was introduced initially by Mr. John Caulfield and Mr. Odle, the Director of Administration who testified yesterday, and based on that interview was employed part time and then full time in January, the first of January 1972.

Mr. DASH. Now, what were your duties in that position as security chief?

Mr. McCORD. The duties were essentially the function of the protection of the property and the lives of the personnel of the committee in that facility there and subsequently in the facility at Miami, Fla., that the committee and some of the White House staff would occupy during the Republican Convention in August of 1972. The duties were primarily those of physical security protection of personnel security, some document security, and some protective work for the family of John Mitchell.

Mr. DASH. Now, were those duties, and that assignment that you have just described under whose direction did you work?

Mr. McCORD. Primarily under the direction of Mr. Robert Odle who was my immediate supervisor in the committee. The responsibility with Mr. Mitchell and his family, I received directions from him, from Mrs. Mitchell, from Robert Odle and Mr. Liddy.

Mr. DASH. Did there come a time when you worked under the direction of Gordon Liddy?

Mr. McCORD. Yes, I did.

Mr. DASH. What was Mr. Liddy's position at that time?

Mr. McCORD. He was at first from December until about March 19—December 1971 to about March 1972—general counsel for the Committee To Re-Elect the President. Thereafter he was—occupied the same position with the finance committee for the reelection of the President.

Mr. DASH. When did this arrangement begin or, in which capacity did you work under his direction, Mr. McCord, with Mr. Liddy?

Mr. McCORD. The first discussions of the arrangements began sometime in January 1972. Early January.

Mr. DASH. Could you briefly state for the committee, Mr. McCord, what it was that Mr. Liddy wanted you to do?

Mr. McCORD. I can give a bit of a background if you want that. When he first came aboard the committee in December 1971 he began to—we struck up an acquaintance, we had had a contact on it, and

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SENATE RESOLUTION 60

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WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973

Book 9



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Mr. DASH. All right now, Mr. Hunt, with regard to the Democrat Convention in Miami, did you give any assignments to Mr. Barker?

Mr. HUNT. I did.

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

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

Mr. DASH. Democratic.

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

Mr. DASH. Did he also have an assignment to procure a houseboat as a base for electronic surveillance?

Mr. HUNT. Yes.

Mr. DASH. And did he also have an assignment to recruit some persons who might be disreputable looking young men, hippies, to pose as McGovern supporters?

Mr. HUNT. Yes.

Mr. DASH. What were they supposed to do?

Mr. HUNT. They were supposed to demonstrate in front of the Doral Hotel some evening and behave outrageously to bring discredit upon the bulk of the useful McGovern supporters.

Mr. DASH. Now, Mr. Hunt, I think you, in fact, did participate in the break-in of the Democratic National Committee headquarters at the Watergate on or about May 27, 1972, is that not true?

Mr. HUNT. I do not know if the word "participate" embraces it—

Mr. DASH. You did not make an entry yourself?

Mr. HUNT. No, sir. I participated in it.

Mr. DASH. And is it not true that you recruited Mr. Barker to bring up the team of Cuban-Americans to assist in this plan?

Mr. HUNT. Yes, sir.

Mr. DASH. And is it true that it was his job to engage in photographing Democratic Party documents?

Mr. HUNT. Yes, sir.

Mr. DASH. Now, it is true, is it not, that you also participated in the second break-in, using the "participating" as you indicated before that you definitely did not break in the Democratic National Committee headquarters on June 18, 1972?

Mr. HUNT. Yes, sir.

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

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

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

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

Mr. DASH. Who is Mr. Caddy?

Mr. HUNT. Mr. Douglas Caddy, an attorney and a former employee of the Mullen Co., and asked him if he could receive me at that early hour of the morning.

Mr. DASH. Did you take any money out of the safe?  
Mr. HUNT. Yes, sir, I did.  
Mr. DASH. How much?  
Mr. HUNT. I took out \$10,000.  
Mr. DASH. Where did you get that money?  
Mr. HUNT. That was contingency money that had been provided me by Mr. Liddy.  
Mr. DASH. Contingency just in case there was this kind of trouble?  
Mr. HUNT. Yes, sir; in case there was a mishap.  
Mr. DASH. What did you do with that money?  
Mr. HUNT. I took it during the course of the early morning to Mr. Caddy's apartment and gave it to him on behalf of the five men who had been arrested.  
Mr. DASH. Did you make an analysis or review of the contents of your safe at that time or a later time?  
Mr. HUNT. No, sir; not at that time.  
Mr. DASH. When did you, if you did?  
Mr. HUNT. Excuse me.  
Mr. DASH. Mr. Hunt, this might help you. Do you recall returning to your office at the EOB and looking through the contents of your safe?  
Mr. HUNT. Yes, sir.  
Mr. DASH. And do you recall that that was on or about June 19, 1972?  
Mr. HUNT. Yes, sir.  
Mr. DASH. Just very briefly, can you describe the contents of your safe at that time, what you had in there?  
Mr. HUNT. Well, there was a great deal of material, Mr. Dash.  
Mr. DASH. Just by category.  
Mr. HUNT. There were the fabricated Vietnamese cables that I had shown to Mr. Colson, Mr. Conein, and Mr. Lambert. There was material relating to Gemstone; there were transcripts of my conversations with Mr. Clifton De Motte, for example. There was a very substantial amount of material, part of which was shown me at the time of discovery by the U.S. attorney—perhaps I am not being responsive.  
Mr. DASH. Yes, you are being responsive. Did it also include the briefcase which included Mr. McCord's electronic equipment?  
Mr. HUNT. Oh, yes; that was there.  
Mr. DASH. Now, did you inform anyone on that day of the contents of your safe?  
Mr. HUNT. I did.  
Mr. DASH. Who was that?  
Mr. HUNT. Mr. Colson's secretary.  
Mr. DASH. What is her name?  
Mr. HUNT. Her name was Mrs. Joan Hall.  
Mr. DASH. Did you characterize or say anything about the contents?  
Mr. HUNT. Yes, sir; I did.  
Mr. DASH. What did you say?  
Mr. HUNT. Before I left the White House for the last time, I stopped by Mr. Colson's office, not to see him but simply to inform Mrs. Hall, whom I knew held the combination to my safe, that it contained sensitive material. I simply said to her, "I just want you to know that that safe is loaded."



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 totalling \$89,000 had been drawn on a Mexican bank payable to Manuel Ogarrio, a Mexican lawyer. The fifth check totalling \$25,000 had been drawn by Kenneth Dahlberg. These checks had been delivered to Gordon Liddy by FCRP Treasurer Hugh Sloan to be converted into cash.)

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- 2.1 Sgt. Paul Leeper testimony, 1 SSC 96, 105-08.
  - 2.2 Memorandum from Vernon Walters to Patrick Gray, July 7, 1972, SSC Exhibit No. 143, 9 SSC 3853.
  - 2.3 Hotel registration records, June 16, 1972, from R. Godoy (Virgilio Gonzalez), J. DiAlberto (Frank Sturgis), J. Valdez (Eugenio Martinez), and F. Carter (Bernard Barker), Exhibits 88-91, United States v. Liddy.
  - 2.4 Indictment, United States v. Liddy, September 15, 1972, Count One, paragraphs 1-15.
  - 2.5 Metropolitan Police Department, Washington, D. C., Supplementary Evidence Report, June 20, 1972, 12, 24-25.
  - 2.6 L. Patrick Gray testimony, 9 SSC 3451.

2.7 John Dean testimony, 3 SSC 942-43.

2.8 Hugh Sloan testimony, 2 SSC 575-76.

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Mr. DASH. And in the police automobile that you use, is this a marked automobile or unmarked?

Sergeant LEEPER. No, sir, it is unmarked.

Mr. DASH. Was that the kind of automobile that you were in on June 17, 1972?

Sergeant LEEPER. Yes, sir.

Mr. DASH. Thank you.

Now, can we first have chart 5. While they are getting the chart, Sergeant, can you tell us did there come a time sometime early in the morning of or of June 17 or late in the evening, whatever time it occurred of June 16, that you received a call to come to the vicinity of the Watergate complex in Washington, D.C.?

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Sergeant LEEPER. That is correct.

Senator BAKER. Where?

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

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

Sergeant LEEPER. Yes, sir. One of the men had, was carrying an a.w.o.l. bag, an overnight bag, semilarge brown bag with his coat

draped over it contained various items, cameras, bulbs, clamps for clamping the cameras to the desk, walkie-talkies, things of this sort.

Mr. DASH. Now, just going down toward the corner there from that room where you apprehended the men, the corner toward the bottom right corner, go all the way down to the large office in the corner there.

Sergeant LEEPER. Right in here, sir.

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

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

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

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

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

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

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

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

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

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

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

Sergeant LEEPER. At that time, no, sir.

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

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

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

Sergeant LEEPER. Yes, sir.

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

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

Senator ERVIN. Virgilio Gonzales?

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

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

Sergeant LEEPER. Yes, sir, we sent three of them down in a patrol wagon, one was transported, I think Mr. McCord, was transported in 83 scout and I transported Mr. Barker in the old clothes TAC unit, the unmarked cruiser.

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

Sergeant LEEPER. I came back to the Watergate complex but the search was made by the Mobile Crime Unit. At the time we could

get in touch with them they handled all the searching of the rooms and all the fingerprinting and processing.

Mr. DASH. What rooms were searched?

Sergeant LEEPER. Well, the Mobile Crime did a search of the whole complex—sixth floor complex. The conference room, all these rooms along here.

Mr. DASH. Were there any other rooms in the hotel or any other place of the complex that was also searched?

Sergeant LEEPER. Yes, sir. We obtained search warrants at about 2:30 in the afternoon, that would be Saturday afternoon on June 17, and went into rooms 214 and 314 of the Watergate Hotel.

Mr. DASH. What led you to get such search warrants?

Sergeant LEEPER. Well, we checked the guests, the register, to see who was registered at the Watergate and I think they also checked the Howard Johnsons across the street and some of the fictitious names these gentlemen had used were on the register of the Watergate Hotel.

Mr. DASH. Could you say briefly what, if anything, was found in the search of that hotel?

Sergeant LEEPER. More electrical equipment, more blue surgical gloves, about \$4,200 in \$100 bills, all in sequence, all brand new \$100 bills; some electronic equipment. I guess that is it.

Mr. DASH. Sergeant, could you shed any light—were you present or do you have any knowledge of any check that was found on any one of these defendants or notebooks that had the name, E. Howard Hunt?

Sergeant LEEPER. I was on the search team that went into room 214 of the Watergate Hotel. It was myself and Detective Robert Dennell of our Department, Carl Shoffler, an agent from the Washington field office of the FBI; and also one of the men from Mobile Crime, Don Cherry, assisted us. At that time, it was called to my attention that they did find a book with the name—

Mr. DASH. Found what, sir?

Sergeant LEEPER. A small notebook, as you described it, with the names that you had brought out in it.

Mr. DASH. The name E. Howard Hunt? Is that the name?

Sergeant LEEPER. I believe it said, "E. Hunt, W.H.", on it, sir.

Mr. DASH. Are you aware of finding on the person of any defendant or anyone in the room any check that was signed by Mr. Hunt?

Sergeant LEEPER. No, sir, not to my knowledge.

Mr. DASH. Did you do anything else that evening or that morning or the following day with regard to the defendants?

Sergeant LEEPER. Well, I was at the second district headquarters when we began processing these men for court. I did not do actually any of the paperwork. We were assisted by some detectives, and Officer Barrett stayed on the scene out at the Watergate. He was trying to get in touch with somebody from the Democratic National Committee and later, Mr. Stanley Greigg came down. He was brought to the station with Officer Barrett, at which time, he was shown the five defendants to see if they had any right to be in the building, be in that area, the sixth floor, at which time he stated they did not.

Mr. DASH. At the time of the arrest, did you notice whether any of those persons apprehended were employed or had any relationship with the Committee for the Re-Election of the President?



Sergeant LEEPER. No, sir.

Mr. DASH. Did you learn at any time that any of them did?

Sergeant LEEPER. Well, after it hit the wire services and the press started picking it up, yes, sir.

Mr. DASH. You learned it from the press?

Sergeant LEEPER. Yes, sir.

Mr. DASH. I have no further questions.

Did you find any money on any of the individuals that were apprehended?

Sergeant LEEPER. Yes, sir, we found quite a bit of money—well, not quite a bit. I would say about \$3,600, all in \$100 bills, all in the same sequence.

Mr. DASH. Was it \$3,600?

Sergeant LEEPER. I could give you a close estimate, like—

Mr. DASH. Would you leave the chart now and go back to the table?

Now, would you refer to your records and give us a more specific statement as to the amount of money you found on any of the individuals and also in the hotel room?

Sergeant LEEPER. Also, from the defendant, Edward Joseph Hamilton, which would be Frank Sturgis, was approximately \$215 in bills. From the defendant Frank Carter, which would be Bernard Barker, was approximately \$230 in bills, two of which were \$100 bills, and also Sturgis, two of the \$250 he had was in \$100 bills.

From the defendant Jean Valdez was \$814 in bills, seven of which were \$100 bills.

Mr. DASH. Who is Valdez?

Sergeant LEEPER. That would be Martinez, Eugenio Martinez.

Mr. DASH. From Earl Godoy was \$230 in bills, He would be, his real name would be Virgilio Gonzalez, was \$230 in bills, two of which were \$100 bills.

From Mr. McCord, using the alias of Edward Joseph Warren, no money was found on him.

Mr. DASH. Are you acquainted with how much money was found in the room, when the room was searched in the hotel, the apartment in Watergate?

Sergeant LEEPER. Yes, sir, there was \$3,566.58. There was four packs of brandnew \$100 bills, eight in a pack, so it would be \$3,200 in \$100 bills, all in the same sequence.

Mr. DASH. Did you or someone make a record of the serial numbers of those bills?

Sergeant LEEPER. Yes, sir, the Mobile Crime, which was Don Cherry, was on the scene with us.

Mr. DASH. Would you provide the committee with a list if we do not already have it of those numbers? It is not necessary to read them at this point in the record.

Sergeant LEEPER. Yes, sir.

[The list of serial numbers on \$100 bills requested of the witness follows:]

C 03642257 A through C 03642264 A.  
 F 02457423 A through F 02457430 A.  
 F 02457433 A through F 02457440 A.  
 F 02457503 A through F 02457510 A.



PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60

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

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



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

U.S. GOVERNMENT PRINTING OFFICE

96-296 O

WASHINGTON : 1973

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For sale by the Superintendent of Documents, U.S. Government Printing Office  
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3853  
EXHIBIT No. 143  
CENTRAL INTELLIGENCE AGENCY  
Washington, D.C. 20505

7 July 1972

MEMORANDUM FOR: The Acting Director  
Federal Bureau of Investigation

SUBJECT : Everette Howard Hunt, Jr.

1. This memorandum is forwarded in connection with our memorandum of 5 July on Subject in response to your request of 30 June 1972 for information as to any other aliases or documentation issued Subject by this Agency.

2. During July and August 1971, Subject was issued two sets of alias documentation in the names of George F. Leonard and Edward Joseph Warren. Details of these documents are available if desired, but no signature exemplars are available. He was also provided certain other operational support items. We understood that these were to be used in connection with attempts to ascertain the facts of cases of document leaks. These matters were not in any way connected to Agency operations but were supplied in response to a duly authorized extra-Agency request. This assistance was terminated when Subject's requests escalated beyond appropriate limits. No further support was extended to Subject after August 1971.

3. This information is being provided in confidence and should not be disseminated outside your Bureau. Please refer any further correspondence on this matter to me.

Sincerely,

Vernon A. Walters  
Lieutenant General, USA  
Acting Director

Warning Notice  
Sensitive Intelligence Sources  
and Methods involved

SECRET

EXEMPT FROM GENERAL DECLASSIFICATION  
OF E.O. 11652, EXEMPTION CATEGORY  
§58(1), (2) (3) or (4) (circle one or more)  
AUTOMATICALLY DECLASSIFIED ON

Approval of DCI

-----  
(unless impossible, insert date or  
event)

Rec'd 2:15 p.m. 7-12-72 from Lt. Gen. Walters

Retyped from indistinct original

3853

EXHIBIT NO. 143

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WASHINGTON, D.C. 20505

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Sincerely,

Vernon A. Walters  
Lieutenant General, USA  
Acting Director

SENSITIVE SOURCES  
AND METHODS INVOLVED

SECRET

EXEMPT FROM GENERAL DECLASSIFICATION  
OF E. O. 11652, EXCEPT WHERE SHOWN  
§ 55.12, (b) (3) or (1) (unless one or more)  
AUTOMATICALLY DECLASSIFIED ON  
... DATE OF ...  
(unless impossible, insert date or event)

Rec'd 2:57p 7-12-72 from LIGEN WALTERS

6/13/55  
 NAME: Ameritas noon  
 FIRM: Ameritas  
 ADDRESS: 955 SW First  
 CITY & STATE: Miami, Fla. ZIP: 243 US v. Liddy exhibit  
 SIGNATURE: Frank Carter  
 RES. BY: \_\_\_\_\_ TEL: \_\_\_\_\_  
 SPECIAL INSTRUCTIONS: \_\_\_\_\_

GOVERNMENT EXHIBIT 88

VALUABLES MUST BE PLACED IN THE SAFE IN THE OFFICE. OTHERWISE THE MANAGEMENT WILL NOT BE RESPONSIBLE FOR ANY LOSS.

6/14 VALDEZ, J. A NO. 18aa 6/16 6/19  
 NAME: VALDEZ, J. A NO. 18aa 6/16 6/19  
 FIRM: Ameritas noon  
 ADDRESS: 955 S.W. First  
 CITY & STATE: Miami, Fla. ZIP: \_\_\_\_\_  
 SIGNATURE: Jose Valdez  
 RES. BY: \_\_\_\_\_ TEL: \_\_\_\_\_  
 SPECIAL INSTRUCTIONS: \_\_\_\_\_

GOVERNMENT EXHIBIT 89

MONEY, JEWELS AND OTHER VALUABLES MUST BE PLACED IN THE SAFE IN THE OFFICE OTHERWISE THE MANAGEMENT WILL NOT BE RESPONSIBLE FOR ANY LOSS.

6/14 DIALBERTO, J. A NO. 18aa 6/16 6/19  
 NAME: DIALBERTO, J. A NO. 18aa 6/16 6/19  
 FIRM: Ameritas noon  
 ADDRESS: 905 S.W. First St  
 CITY & STATE: Miami, Fla. ZIP: \_\_\_\_\_  
 SIGNATURE: J. Di Alberto  
 RES. BY: \_\_\_\_\_ TEL: \_\_\_\_\_  
 SPECIAL INSTRUCTIONS: \_\_\_\_\_

GOVERNMENT EXHIBIT 90

MONEY, JEWELS AND OTHER VALUABLES MUST BE PLACED IN THE SAFE IN THE OFFICE OTHERWISE THE MANAGEMENT WILL NOT BE RESPONSIBLE FOR ANY LOSS.

6/14 GODDY, R. A NO. 18aa 6/16 6/19  
 NAME: GODDY, R. A NO. 18aa 6/16 6/19  
 FIRM: Ameritas gnd Noon  
 ADDRESS: 955 S.W. First St.  
 CITY & STATE: Miami, Fla. ZIP: \_\_\_\_\_  
 SIGNATURE: Paul Goddy  
 RES. BY: \_\_\_\_\_ TEL: \_\_\_\_\_  
 SPECIAL INSTRUCTIONS: \_\_\_\_\_

GOVERNMENT EXHIBIT 91

MONEY, JEWELS AND OTHER VALUABLES MUST BE PLACED IN THE SAFE IN THE OFFICE OTHERWISE THE MANAGEMENT WILL NOT BE RESPONSIBLE FOR ANY LOSS.

1972 JUN 16 PM 5 20

1972 JUN 16

1972 JUN 16 PM 5 22

1972 JUN 16

1972 JUN 16 PM 5 23

1972 JUN 16

1972 JUN 16 PM 5 23

1972 JUN 16 PM 5 24

1972 JUN 16

HELD IN OPEN COURT  
Held in open court  
SEP 15 1972  
Sep 15 1972

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

JAMES F. DAVEY, Clerk  
James F. Davey, Clerk

Holding a Criminal Term

Grand Jury Sworn in on June 5, 1972

The United States of America

: Criminal No. 1827-72  
1827-72

v.

: Grand Jury Original

George Gordon Liddy,  
also known as: Gordon Liddy and  
George F. Leonard  
Everette Howard Hunt, Jr.,  
also known as: Howard Hunt,  
Edward L. Warren and  
Edward J. Hamilton

: Violation: 18 U.S. Code  
371, 2511  
22 D.C. Code  
1801(b),  
23 D.C. Code  
543(a)

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

(Conspiracy; Interception  
of Oral and Wire Communi-  
cations; Second Degree  
Burglary; Unlawful  
Possession Intercepting  
Devices)

Bernard L. Barker,  
also known as: Frank or Fran Carter  
Eugenio R. Martinez,  
also known as: Gene or Jene Valdes  
Frank A. Sturgis,  
also known as: Frank Angelo Fiorini,  
Edward J. Hamilton, and  
Joseph DiAlberto or  
D'Alberto

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

The Grand Jury charges:

FIRST COUNT:

1. At all times material hereto the Democratic National Committee, an unincorporated association, was the organization responsible for conducting the affairs of the Democratic Party of the United States.

2. At all times material hereto the Democratic National Committee had its offices and headquarters at 2600 Virginia Avenue, N.W., Washington, D.C.

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

Sirica, C. J.

2. On or about May 5, 1972, and continuing through about May 28, 1972, Room 419 at the Howard Johnson's Motor Lodge, located at 2601 Virginia Avenue, N.W., Washington, D.C. was rented or leased by the defendant McCord in the name of McCord Associates.

3. On or about May 8, 1972, the defendant Liddy made a telephone call from the District of Columbia to the defendant Barker at Barker Associates, Inc.

4. On or about May 10, 1972, in Rockville, Maryland, the defendant McCord purchased a Receiving System for McCord Associates, Inc., for which he paid \$3,500 in cash, a device capable of receiving intercepted wire and oral communications.

5. On or about May 17, 1972, the defendant Barker made two telephone calls from Barker Associates, Inc. to the defendant Liddy at the Finance Committee to Re-Elect the President and two calls to the defendant Hunt within the District of Columbia.

6. On or about May 19, 1972, the defendant Hunt made one telephone call from the District of Columbia to the defendant Barker at Barker Associates, Inc. and one telephone call from the District of Columbia to the defendant Barker at his residence.

7. On or about May 22, 1972, the defendant Barker -- using the alias of Fran Carter, the defendant Martinez -- using the alias of G. Valdes, the defendant Sturgis -- using the alias of Joseph DiAlberti, and the defendant Gonzalez -- using the alias of Raul Goboy, traveled from Miami, Florida, to Washington, D.C.

8. On May 26, 1972, the defendant Liddy -- using the alias of George F. Leonard, the defendant Hunt -- using the alias of Edward L. Warren, the defendant Barker -- using the

alias of Frank Carter, the defendant Martinez -- using the alias of Gene Valdes, the defendant Sturgis -- using the alias Joseph D'Alberti, and the defendant Gonzalez -- using the alias Raul Codoy, registered at the Watergate Hotel at 2650 Virginia Avenue, N.W., Washington, D.C.

9. On or about May 26, 1972, within the District of Columbia, the defendants Liddy, Hunt and McCord met.

10. On or about May 27, 1972, within the District of Columbia, the defendants Liddy, Hunt, and McCord inspected, surveyed, and reconnoitered the headquarters of Senator George McGovern at 410 First Street, S.E.

11. On or about May 29, 1972, and continuing through June 17, 1972, Room 723 at the Howard Johnson's Motor Lodge, located at 2601 Virginia Avenue, N.W., Washington, D.C. was rented and leased by the defendant McCord in the name of McCord Associates.

12. On or about June 5, 1972, the defendant Hunt made a telephone call from within the District of Columbia to the defendant Barker at Barker Associates, Inc.

13. On or about June 11-15, 1972, within the District of Columbia, the defendants Liddy, Hunt and McCord met and the defendant Liddy gave the defendant McCord about \$1,600 in cash.

14. On or about June 12, 1972, in Miami, Florida, the defendants Martinez and Sturgis purchased surgical gloves.

15. On or about June 13, 1972, and June 15, 1972, in Miami, Florida, the defendant Martinez purchased film and other photographic equipment.



Metropolitan Police Department  
WASHINGTON, D. C.  
SUPPLEMENTARY EVIDENCE REPORT

TO:		1. DATE OF THIS REPORT 6-20-72		
2. COMPLAINANT'S NAME Democratic National Committee		3. LOCATION OF OFFENSE Watergate/2500 Va. Ave NW		
4. OFFENSE Burglary II	5. DATE OF OFFENSE 6-17-72	6. M C S NO. 12830	7. C.C.R. NO. 316-832	

BELOW ARE THE RESULTS OF THE EXAMINATIONS CONDUCTED BY THE IDENTIFICATION SECTION

The below listed property recovered on Search Warrant by Detective Robert Denell, CID in room #214 of the Watergate Hotel on 6-17-72 and turned over to Technician Larry Muncy of the Mobile Crime Laboratory 6-20-72 at 0815 hrs.

ITEMS:

#167 One black with white metal trim "Samsonite" attache case.

(The attache case contained the following:)

#168 One brown and yellow metal "bates" list finder, model K, with : "PFC Donnie Martinez, Co B, 2nd Tank Battallion, Force Troops, Camp Lejeune, North Carolina, 28542" written inside the top of the finder. (This item is known as a pop-up telephone directory.)

#169 One "1972 Realty Bluebook" with torn out page from desk calendar in same. Calendar page dated Monday, August 23rd and Tuesday August 24th, 1971. On the August 23rd side is written: "2514 N.W. 122 St."

#170 One green with yellow lettering "Expanded Payment Table for Monthly Mortgage Loans" with business card of "E. Rolando Martinez" attached to inside front cover.

#171 A black vinyl address book with "L&M Mortgage Co., 6500 W.4th Ave Suite 6, Hialeah, Florida, 822-7520" imprinted on same. In the "Q" section of the book is a diagram of what appears to be a hotel lobby.

#172 Black leather business card holder containing business cards of "E. Rolando Martinez" and other subjects.

#173 U.S. Airmail Postage stamp holder with" six 11 cent Airmail stamps & six 2 cent stamps in same.

#174 A envelope from "Real Estate Directories" addressed to: "Judd Realty of Miami", containing real estate listings of the Miami area that are for sale.

#175 Envelope containing legal seperation papers of Eugenio Rolando Martinez and Jean Marie Moleski DeGregorio Martinez. "Case 72-9254-J.W. Kehoe" ( papers had not been signed but was to appear before Judge J.W. Kehoe of Dade County, Fla., June 27, 1972)

PROPERTY RECEIVED: [Signature] 6-20-72  
WITNESS: [Signature]

Sgt. C. W. Kirk  
Signature of Reviewing Official

[Signature]  
Signature of Technician Assigned

DI

TO:		1. DATE OF THIS REPORT 6/20/72		
2. COMPLAINANT'S NAME Democratic National Committee		3. LOCATION OF OFFENSE Watergate/2500 Va. Ave. NW		
4. OFFENSE Burglary II	5. DATE OF OFFENSE 6/17/72	6. M C S NO. 12830	7. C.C.R. NO. 316-832	

BELOW ARE THE RESULTS OF THE EXAMINATIONS CONDUCTED BY THE IDENTIFICATION SECTION FROM THE TOP DRAWER OF DRESSER AT LEFT OF DOOR FROM ROOM 214

- #262 A check in receipt for the Watergate Hotel for room 214 in name of F. Carter, IN 6/16, OUT 6/19, Firm Ameritas, 955 SW First, Miami, Fla. and signed by Frank Carter.
- #263 A check in receipt for the Watergate Hotel for room 214 in name of J. Valdez, IN 6/16, OUT 6/19, Firm Ameritas, 955 SW First, Miami, Fla. and signed.
- #264 A black or dark blue small book with "Addresses Telephones" in yellow lettering on front and on the first page "Bernard L. Barker, 5229 NW 4th Street, Miami, Fla. 33126, Office Barker Associated Inc. 2301 NW 7 St., Suites F & G, Miami, Fla. 33125", book contains various names, addresses and telephone numbers.
- #265 A torn out piece of white lined paper headed "Addresses" with name "Carole Frohman, 865-0255".
- #266 A black plastic folder containing (7) seven business cards in name of Bernard L. Barker, G.R.I, Realtor.
- #267 A business card from E. Rolando Martinez, Associate of Barker Associates Inc., Realtors.
- #268 A Sears Easy Payment Account Card #45 42313 76571 5 in name of Mr. Bernard L. Barker, 5229 NW 4th St., Miami, Fla. 33126.
- #269 A social security card #213-07-0844 in name of Bernard Leon Barker.
- #270 A Florida Operators License #B62609217097709A in the name of Bernard Leon Barker.
- #271 A Sears Credit Card #45 91613 78290 4 in name of Mr. Bernard L. Barker.
- #272 An American Express Credit Card, number 047 252 328 1 800AX in the name of Bernard L. Barker, Barker Associates Inc.
- #273 A standard Chevron National Travel Credit Card, number 110 319 250 4 in name of Bernard L. Barker.
- #274 A Texaco Travel Credit Card, #19 414 3802 8 in the name of B L Barker.
- #275 A Shell Credit Card, number 984 135 004 in name of B L Barker.

PROPERTY RECEIVED: *[Signature]*  
WITNESS: *[Signature]*

*[Signature]*  
Signature of Reviewing Official

*[Signature]*  
Signature of Technician Assigned

127

METROPOLITAN POLICE DEPARTMENT  
WASHINGTON, D. C.  
SUPPLEMENTARY EVIDENCE REPORT

D

TO:		1. DATE OF THIS REPORT 6/20/72		
2. COMPLAINANT'S NAME Democratic National Committee		3. LOCATION OF OFFENSE Watergate/2600 Va. Ave. NW		
4. OFFENSE Burglary II		5. DATE OF OFFENSE 6/17/72	6. M C S NO. 12830	7. C.C.P. NO. 316-832

BELOW ARE THE RESULTS OF THE EXAMINATIONS CONDUCTED BY THE IDENTIFICATION SECTION

#276 A Phillips 66 Credit Card, number 625 704 761 0 in name of Bernard L. Barker.

#277 A white envelope addressed to Lakewood Country Club, 13901 Glen Mill Rd., Rockville, Md. 20850 containing a check with imprinted name E. Howard Hunt, check No. 415 payable to Lakewood Country Club, dated June 11, 1972 for the amount of \$6.36, signed by E. Howard Hunt, drawn on the First National Bank of Washington, account number 080 174 7 and a statement from the Lakewood Country Club, phone 762-5430, 13901 Glen Mill Road, Rockville, Md. 20850, addressed to E. Howard Hunt, C/O Weybright & Talley, 750 Third Ave., New York, NY 10017, account number 4374, statement number 287, amount enclosed \$6.36, date 5/31/72.

FROM THE TOP OF THE DRESSER, ROOM 214

#278 An Avis Map of Washington, DC and vicinity.

#279 A Hertz Map of Baltimore, Washington and surrounding area.

FROM THE TOP OF THE COFFEE TABLE, ROOM 214

#280 A piece of yellow lined paper with "Carlo Neil-front Office Manager, 338-3914-called 6/17/72-received last 6 month-unk-R".

PROPERTY RECEIVED  
WITNESS: *[Signature]*

*[Signature]*  
Signature of Reviewing Official

*[Signature]*  
Signature of Technician Assigned

126

D

PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60

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

---

WATERGATE AND RELATED ACTIVITIES

Phase I: Watergate Investigation

WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973

Book 9



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

U.S. GOVERNMENT PRINTING OFFICE

96-298 O

WASHINGTON : 1973

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Washington, D.C. 20402 - Price \$3

assist him in his inquiry. I asked Mr. Dean if he would be reporting directly to the President or through Mr. Haldeman or Mr. Ehrlichman. He informed me that he would be reporting directly to the President.

At this meeting with Mr. Dean there was no discussion of whom we were going to interview or where our leads might take the investigation. We did discuss the scheduling of White House interviews through Mr. Dean and his sitting in on the interviews as counsel to the President.

On Thursday, June 22, 1972, after being briefed by Mr. Charles W. Bates, Assistant Director, General Investigative Division, regarding the latest developments in the *Watergate* case and undoubtedly as a result of information developed at that briefing, I telephoned Director Helms of the CIA. I told him of our thinking that we may be poking into a CIA operation and asked if he could confirm or deny this. He said he had been meeting on this every day with his men, that they knew the people, that they could not figure it out but that there was no CIA involvement.

I met again with Mr. Dean at 6:30 p.m. the same day to again discuss the scheduling of interviews of White House staff personnel and to arrange the scheduling of these interviews directly through the Washington field office rather than through FBI headquarters. At this meeting I also discussed with him our very early theories of the case; namely, that the episode was either a CIA covert operation of some sort simply because some of the people involved had been CIA people in the past, or a CIA money chain, or a political money chain, or a pure political operation, or a Cuban right wing operation, or a combination of any of these. I also told Mr. Dean that we were not zeroing in on any one theory at this time, or excluding any, but that we just could not see any clear reason for this burglary and attempted intercept of communications operation.

I believe that it was at this meeting on June 22 that I told him of our discovery of a bank account in the name of Bernard Barker, who was arrested in the *Watergate* burglary, and the fact that a \$25,000 check associated with Kenneth Dahlberg and four checks drawn on a Mexican bank payable to Manuel Ogarrio, in the total amount of \$89,000, were deposited in the Barker account. I do not have a clear memory of telling him about my telephone call earlier in the day to Director Helms regarding the question of CIA involvement. It is likely that I would have discussed the Helms call with him in connection with our discussion of the theories of the case, since Mr. Helms had informed me that there was no CIA involvement.

On Friday, June 23, 1972, Mr. Bates met with me again to brief me on recent developments. I telephoned Mr. Dean following my meeting with Mr. Bates. I am quite certain that this call again involved the Barker bank account and the Ogarrio and Dahlberg checks. Either in this call or in the meeting of the preceding evening Mr. Dean first raised with me the idea that if we persisted in our efforts to investigate this Mexican money chain we could uncover or become involved in CIA operations. I remember telling Mr. Dean in one of these early telephone calls or meetings that the FBI was going to pursue all leads aggressively unless we were told by the CIA that there was a CIA interest or involvement in this case.

PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60

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

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WATERGATE AND RELATED ACTIVITIES

Phase I: Watergate Investigation

WASHINGTON, D.C., JUNE 25 AND 26, 1973

Book 3



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## FIRST MEETINGS WITH MR. GRAY REGARDING THE INVESTIGATION

I believe that it was on June 21 that I first met with Gray in his office in the late morning regarding the FBI's investigation. At that meeting he told me he fully realized the sensitive nature of the investigation they were pursuing and that he had placed his most trusted senior people in charge of the investigation. I told Gray that I had been asked to be kept informed about the investigation. Mr. Gray told me that he had been visiting a number of regional offices and would be doing so in the future. Thus, if I needed any information I should call Mr. Mark Felt in his absence. I might note at this point that indeed Gray was frequently absent from the city during the course of the investigation and this irritated Ehrlichman greatly when he asked me to get information from Gray and Gray was out of the city. On several occasions, in fact, Ehrlichman instructed me to tell Gray to return to the city and mind the store. I passed this message to Gray, but I cannot recall what prompted Ehrlichman to have me do so at this time.

During my meeting with Gray on June 21 he also told me a man by the name of Mr. Bates was heading the investigation. I do not know Mr. Bates, and when I reported this back to Ehrlichman and he asked me who Bates was, I told him I did not know Bates. I can recall on several occasions Ehrlichman asking me if I thought that Gray knew what he was doing and if he had the investigation under control. I responded that he seemed to be relying on men in whom he had full trust.

To the best of my recollection, it was during this June 21 meeting with Gray that he informed me that the FBI had uncovered a number of major banking transactions that had transpired in the account of one of the arrested Cubans—Mr. Barker. He informed me that they had traced a \$25,000 check to a Mr. Kenneth Dahlberg and four checks totaling \$89,000 to a bank in Mexico City.

I do not recall whether I first learned about the Dahlberg check from Mr. Gray or whether I learned about it in a meeting in Mitchell's office by reason of the fact that the FBI was trying to contact Mr. Dahlberg about the matter and Dahlberg had called Mr. Stans. At any rate, the fact that the FBI was investigating these matters was of utmost concern to Mr. Stans when he learned of it. Stans was concerned about the Dahlberg check, I was informed, because it was in fact a contribution from Mr. Dwayne Andreas, whom I did not know, but I was told was a longtime backer of Senator Hubert Humphrey. Neither Stans nor Mitchell wanted Mr. Andreas to be embarrassed by disclosure of the contribution. The concern about the Mexican money was made a little less clear to me. I was told it was a contribution from a group of Texans who had used an intermediary in Mexico to make the contribution. Although I had not been told, I assumed at that time that they were concerned because it sounded to me as if it might have been a corporate contribution and clearly a violation of the law.

Mr. Stans also explained that he had checked with Sloan to find out how this money had ended up in Mr. Barker's bank account and Sloan reported that he had given the checks to Liddy and requested that he cash them: He said he had no idea how Liddy had cashed them, but surmised that he had obviously used Barker to cash them. I was also

told—and I do not recall specifically who told me this—that this money had absolutely nothing to do with the Watergate; it was unrelated and it was merely a coincidence of fact that Liddy had used Barker to cash the checks and Liddy had returned the money to Sloan. I was told that the investigation of this matter which appeared to be connected with Watergate but wasn't, was unfounded and would merely result in an unnecessary embarrassment to the contributors. Accordingly, Mitchell and Stans both asked me to see if there was anything the White House could do to prevent this unnecessary embarrassment. I, in turn, related these facts to both Haldeman and Ehrlichman. On June 22, at the request of Ehrlichman and Haldeman I went to see Mr. Gray at this office in the early evening to discuss the Dahlberg and Mexican checks and determine how the FBI was proceeding with these matters. Mr. Gray told me that they were pursuing it by seeking to interview the persons who had drawn the checks.

It was during my meeting with Mr. Gray on June 22 that we also talked about his theories of the case as it was beginning to unfold. I remember well that he drew a diagram for me showing his theories. At that time Mr. Gray had the following theories: It was a setup job by a double agent; it was a CIA operation because of the number of former CIA people involved; or it was someone in the reelection committee who was responsible. Gray also had some other theories which he discussed, but I do not recall them now, but I do remember that those I have mentioned were his primary theories.

Before the meeting ended, I recall that Gray and I again had a brief discussion of the problems of an investigation in the White House. Gray expressed his awareness of the potential problems of such an investigation and also told me that if I needed any information I should call either Mark Felt or himself. Gray also informed me that he was going to meet with the CIA to discuss their possible involvement and he would let me know the outcome of that meeting.

On June 23 I reported my conversation with Gray of the preceding evening to Ehrlichman and Haldeman. We discussed the Dahlberg and the Mexican checks and the fact that the FBI was looking for answers regarding these checks. I had the impression that either Ehrlichman or Haldeman might have had a conversation with someone else about this matter but this was mere speculation on my part at that time.

Within the first days of my involvement in the coverup, a pattern had developed where I was carrying messages from Mitchell, Stans, and Mardian to Ehrlichman and Haldeman—and vice versa—about how each quarter was handling the coverup and relevant information as to what was occurring. I was also reporting to them all the information I was receiving about the case from the Justice Department and the FBI. I checked with Haldeman and Ehrlichman before I did anything. One of the few sets of early documents evidencing this working relationship with Haldeman and Ehrlichman relates to responding to Larry O'Brien's letter of June 24 to the President requesting the appointment of a special prosecutor. I have submitted these documents to the committee.

[The documents referred to were marked exhibit No. 34-17.\*]

\*See p. 1161.



PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60

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

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



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Mr. SLOAN. I know Texas, but whether it was just restricted to Texas, I am not sure.

Senator ERVIN. You do not know from your own knowledge, of course, whether they came from fund raising or whether they came from correspondence?

Mr. SLOAN. As I recall, all the checks were individual checks. The cash funds—I might explain. There was a listing in the briefcase, the total amount which equaled the total amount in the briefcase. Individual names were associated with each of those items.

Senator ERVIN. Were any checks brought at that time in addition to these four Mexican checks?

Mr. SLOAN. Oh, yes, sir.

Senator ERVIN. I thought that the rest was in cash. Was I mistaken in that?

Mr. SLOAN. Yes, sir. I think a large proportion of it was in personal checks from contributors.

Senator ERVIN. I would like to hand you a check that purports to be drawn on the First Bank and Trust Co. of Boca Raton, a cashier's check, to the order of Kenneth H. Dahlberg.\* I hand that to you and ask if you can identify that?

Mr. SLOAN. Yes, sir; that appears to be accurate.

Senator ERVIN. When did that check reach the office of the Committee To Re-Elect the President?

Mr. SLOAN. I did not know when Secretary Stans received it. I believe he turned it over to me sometime in the week following April 7.

Senator ERVIN. This check was not dated, this cashier's check was not dated until April 10, 1972, 3 days after the new law went into effect.

Mr. SLOAN. Secretary Stans, in giving that check to me, told me it represented pre-April 7 funds.

Senator ERVIN. The committee proceeded upon the advice of Mr. Liddy to the effect that if somebody promised them money before April 7, or they had agreed to make a disbursement before April 7, that that did not have to be reported—is that so?

Mr. SLOAN. I believe that is correct, Senator.

Senator ERVIN. Now, what happened to these four Mexican checks—

Mr. SLOAN. Senator, excuse me. In response to that other question, presumably, Mr. Liddy gave his advice to Secretary Stans. He did not specifically give that advice to me. It was represented that way to me by Secretary Stans.

Senator ERVIN. In other words, Mr. Stans told you that Mr. Dahlberg's check had been received somewhere under some circumstances by somebody before April 7, and, therefore, even though it had not reached the committee or any person authorized to receive funds on behalf of the committee, that it was received before April 7?

Mr. SLOAN. My understanding was that Mr. Kenneth Dahlberg, who was an authorized representative of the committee, had received it from Mr. Dwayne Andreas. As to the exact circumstance of that arrangement, I do not know.

Senator ERVIN. Were not the four Mexican checks and the Dahlberg check deposited in a bank in Miami, Fla.?

\* The document referred to was later marked exhibit No. 25 on p. 631.

Mr. SLOAN. That is what I understood happened to them, Senator. It was certainly not under my instructions.

Senator ERVIN. Can you explain to the committee why the checks were transmitted from Washington to Miami and deposited in a bank in Miami to the credit of Bernard L. Barker?

Mr. SLOAN. I have no idea, Senator.

Senator ERVIN. Would you not infer from those circumstances that somebody that had something to do with the checks did not want anybody to know about receiving the checks and wanted to hide them?

Mr. SLOAN. Senator, my understanding when I received them was a judgment had been made that they were pre-April 7 contributions and, therefore, were not required to be reported. I did turn them over to Mr. Liddy to have them converted to cash. He handled them from there. Why he gave them to Mr. Barker, I have no idea.

Senator ERVIN. Well, even though they did not have to be reported, can you inform us why, instead of being put in the safe in the committee office, why they were sent down to Florida?

Mr. SLOAN. I do not know why they went to Florida, Senator. The reason for the conversion of those checks to cash was to attempt to comply with the spirit of the old law of distributing an individual's contribution in \$3,000 increments among pre-April 7 committees. But as those bank accounts had been closed out, the only way to do this was by converting it to cash and counting that cash as a transfer as cash on hand in the Media Committee To Re-Elect the President. It was reported in that figure.

Senator ERVIN. I am a little mystified. How could it comply with the old law with reference to the receipt of \$3,000 or less in cash by having \$114,000 deposited in the bank account of Bernard L. Barker in Miami, Fla.?

Mr. SLOAN. Senator, I do not know any circumstances surrounding the deposit of the checks in Mr. Barker's account. That was not my intent in turning those checks over to Mr. Liddy.

Senator ERVIN. Who instructed you to turn them over to Mr. Liddy?

Mr. SLOAN. I believe I took them to Mr. Liddy in response to the conversation of Secretary Stans. He asked me, do we have any problem in handling these? I told him I did not know; I would check with counsel. His recommended way of handling this was a diversion to cash. He offered at that time to handle that transaction for me. It took him until mid-May to return those funds to me in cash form, minus roughly \$2,500 expenditure.

Senator ERVIN. I hate to make comparisons, but I would have to say on that, Mr. Liddy in one respect was like the Lord, he moves in mysterious ways his wonders to perform. [Laughter.]

Now, as a matter of fact, do you not know that some of the funds that were drawn out, that represented proceeds of these checks which were drawn out of the Miami bank on Mr. Barker, were found in the possession of some of the people who were caught in the burglary at the Watergate?

Mr. SLOAN. I have since learned that; yes, sir.

Senator ERVIN. How long was it after the break-in before you learned that?

Mr. SLOAN. I believe not that specific reference, but the fact that these men had been found with \$100 bills in their possession came out

3. At approximately 8:00 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.

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3.1 Henry Petersen testimony, 9 SSC 3611-12.

3.2 Richard Kleindienst testimony, 9 SSC 3560.

PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60

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

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WATERGATE AND RELATED ACTIVITIES  
Phase I: Watergate Investigation

WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973

Book 9



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AFTERNOON SESSION, TUESDAY, AUGUST 7, 1973

Senator ERVIN. The committee will come to order.

Counsel will call the first witness.

Mr. DASH. Mr. Henry E. Petersen.

Senator ERVIN. Mr. Petersen, will you stand up and raise your right hand? Do you swear that the evidence you shall give to the Senate Select Committee on Presidential Campaign Activities shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PETERSEN. I do, sir.

Senator ERVIN. You might state your name and occupation and residence for the record.

TESTIMONY OF HENRY E. PETERSEN, ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, U.S. DEPARTMENT OF JUSTICE

Mr. PETERSEN. My name is Henry E. Petersen. I am Assistant Attorney General in the Criminal Division, U.S. Department of Justice. I reside at 916 Daleview Drive, Silver Spring, Md.

Senator ERVIN. Counsel will interrogate the witness.

Mr. DASH. Mr. Petersen, how long have you been Assistant Attorney General in charge of the Criminal Division, Chief of the Criminal Division?

Mr. PETERSEN. January 1972, I believe.

Mr. DASH. And prior to that appointment, Mr. Petersen, what position did you hold in the Department of Justice?

Mr. PETERSEN. Immediately prior to that I was Acting Assistant Attorney General for the period October 1971 to January 1972. Prior to that, Mr. Dash, I was Deputy Assistant Attorney General in the Criminal Division.

Mr. DASH. When actually did you first join the Department of Justice, Criminal Division?

Mr. PETERSEN. I first joined the Department of Justice in 1947. I joined the Criminal Division in, I think it was June 1951.

Mr. DASH. How and when did you first learn of the break-in of the Democratic National Committee headquarters at the Watergate on June 17, 1972?

Mr. PETERSEN. Approximately 8, 9 o'clock in the morning while I was at the breakfast table. I received a call from the U.S. Attorney Harold Titus of the District of Columbia who advised me that five people whose identities even at that point were somewhat in doubt, had been arrested at Democratic national headquarters in possession of what was considered to be at that time explosive equipment.

Mr. DASH. Did you follow up on this call?

Mr. PETERSEN. At that point I called the Attorney General at his home and told him about it, primarily because I did not know what the security arrangements were at the Republican National Committee To Re-Elect the President, whatever political office they had, and

(3611)

if indeed persons had intentions of trying to demolish the Democratic headquarters I thought the same might be in oiling for the Republican headquarters and I thought he ought to be forewarned.

Mr. DASH. Well, how soon did an investigation under the sponsorship of the Department of Justice begin in this case?

Mr. PETERSEN. Investigation was underway at that time. Mr. Titus' staff had already been alerted and he had assistants working on the matter at that point with the Metropolitan Police Department and the FBI who were just coming into it.

Mr. DASH. Now, what role as Chief of the Criminal Division did you play with regard to the U.S. Attorney's Office investigation?

Mr. PETERSEN. A general supervisory role, Mr. Dash. One of the early questions I had to decide was the degree of supervision that should be involved and since we knew at the close of Saturday, June 17, that what we had thought to be explosive devices were electronic listening devices, and that an individual named E. Howard Hunt was possibly implicated as a result of the fact that some of his checks or some information relating to him had been found at the scene, that there were immense political repercussions possible. And I decided at a very early stage that that investigation ought to be as isolated from the political element as it could possibly be. And I suggested that Mr. Titus appoint as principal assistant, Earl Silbert, to conduct the investigation in his office and report to Mr. Titus and to myself on a daily basis, oral reports on a daily basis.

Mr. DASH. What was your relationship with the Federal Bureau of Investigation during the investigation? Did you get any kind of reporting from the FBI?

Mr. PETERSEN. Well, the FBI, of course, reported—their reports to the prosecutors, Mr. Silbert and company, were more immediate than their reports to me. Their reports to me had to wait the normal process of bureaucracy, the preparation of the reports and the submission through normal channels, whereas the prosecutor on the scene was getting the witness statements almost immediately but the reports were coming over to me rather slowly at first, very slowly. As a matter of fact, when the publicity developed, with the cooperation of Inspector Baldwin I did not have statements in my office. I had to call the Bureau and ask them to send it over. They sent a whole package of reports at that time.

Mr. DASH. Was this slow reporting to you or did the prosecutors, the U.S. Attorney's Office, have that report?

Mr. PETERSEN. Well, they had the 302, yes. It was just—

Mr. DASH. Just how it came up to your office as Chief of the Criminal Division.

Mr. PETERSEN. That is correct. I was hearing about it from Mr. Silbert.

Mr. DASH. Now, shortly after the break-in, do you recall receiving a telephone call from Mr. Kleindienst who was at the Burning Tree Country Club?

Mr. PETERSEN. Mr. Kleindienst and I communicated three times on Saturday, June 17. The first call I placed approximately at 8 o'clock in the morning. The second call I was about to place when—indeed, if I had not heard his testimony or had discussed it with him, I would have said I placed the second call but he tells me he did, but in any



PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
SENATE RESOLUTION 60

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HEARINGS  
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FIRST SESSION

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TESTIMONY OF RICHARD G. KLEINDIENST, FORMER ATTORNEY  
GENERAL

Mr. KLEINDIENST. Mr. Chairman, my name is Richard G. Kleindienst. My address is 8464 Portland Place, McLean, Va.

I do not have a prepared statement, Mr. Chairman. I am here voluntarily to provide to you, the members of the committee, and the counsel, whatever information that I have and which you deem to be relevant to your investigation.

Mr. DASH. Mr. Chairman, Mr. David Dorsen, assistant chief counsel, will open the questions.

Mr. DORSEN. Mr. Kleindienst, am I correct that you are presently engaged in the private practice of law?

Mr. KLEINDIENST. Yes, sir. After I left the Department of Justice I opened up an office in Washington, D.C., and I am a private practitioner by myself.

Mr. DORSEN. And you resigned as Attorney General as of April 30, 1973?

Mr. KLEINDIENST. I believe that it was April 30; yes, sir. Effective upon the qualification and appointment of my successor.

Mr. DORSEN. Could you please summarize for us briefly your background, especially with respect to your positions with the U.S. Government?

Mr. KLEINDIENST. I have only had two positions with the U.S. Government. That was the position of Deputy Attorney General of the United States, a position that I believe that I was—commenced around February 1969, and the other position that I have had with the U.S. Government is the Attorney General of the United States, a position that I commenced on or about June 8, 1972.

Mr. DORSEN. When for the first time did you learn that there was electronic surveillance of the Democratic National Committee headquarters at the Watergate?

Mr. KLEINDIENST. I learned it for the first time after June 17 when the individuals who were at the headquarters were arrested. I don't know whether I learned of the electronic surveillance on Saturday, June 17, or sometime in the early part of the next week.

Mr. DORSEN. But on June 17 you were notified of the fact that there had been a break-in?

Mr. KLEINDIENST. At approximately 8 o'clock in the morning, as Assistant Attorney General Henry Petersen of the Criminal Division of the Department of Justice called me at my home and indicated to me that there had been a break-in at the Democratic national headquarters at the Watergate Hotel. All the information that he had at that time was that there was a break-in and I believe he said to me it looks like it might have been a bombing case.

The next knowledge of any kind that I had with respect to it came, oh, approximately 3½ hours after that when I met with Mr. Gordon Liddy and Mr. Powell Moore in a section of lockers at the Burning Tree Club, which is a golf club in Washington, D.C.

Mr. DORSEN. How did that come about, Mr. Kleindienst?

Mr. KLEINDIENST. The reason I was at the Burning Tree Club, they had their annual member-guest golf tournament in which I was a participant. I think I was scheduled to tee off for the Saturday round

Pat

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 Acting 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 him 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.

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- 4.1 Jeb Magruder testimony, 2 SSC 798.
  - 4.2 Fred LaRue testimony, 6 SSC 2284-85.
  - 4.3 Fred LaRue testimony, 6 SSC 2330.
  - 4.4 Richard Kleindienst testimony, 9 SSC 3560-62.
  - 4.5 John Mitchell testimony, 4 SSC 1662.
  - 4.6 Robert Mardian testimony, 6 SSC 2352-53.

PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972  
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as I recall I only had one copy of these documents. As I recall, he did come over and look over the documents and indicate to me the lack of substance to the documents.

Mr. DASH. Now, in fact, Mr. Magruder, Mr. Liddy, Mr. Hunt, and others did go into another break-in of the Democratic National Committee headquarters in the early morning hours of June 17, 1972. Where were you when this occurred?

Mr. MAGRUDER. I was in Los Angeles, Calif.

Mr. DASH. Were you aware that this break-in was to take place?

Mr. MAGRUDER. No.

Mr. DASH. With whom were you in California?

Mr. MAGRUDER. I was with Mr. Mitchell, Mr. LaRue, Mr. Porter, Mr. Mardian; and we had a number of political activities in California that weekend.

Mr. DASH. What took place in Los Angeles when you first learned about the break-in?

Mr. MAGRUDER. Well, I was at breakfast at the Beverly Hills Hotel. There were a number of us, probably 8 or 10 of us at breakfast; I received a call from Mr. Liddy and he indicated to me I should get to a secure phone, and I indicated to him there was no way I can get to a secure phone at this time. He indicated there had been a problem the night before. I said well, what kind of a problem or something of that type, and he indicated that our security chief had been arrested at the Watergate, and I said you mean Mr. McCord, and he said yes. I think I blanched to say the least, and said, "I will call you back immediately on a pay phone to get more detail," and I did that. I went to a pay phone and called him back, and he gave me more detail which was simply that the five people had been apprehended at the Watergate, and that Mr. McCord was among the five.

Mr. DASH. Now, did you report that back to anybody?

Mr. MAGRUDER. Yes, I first talked with Mr. LaRue and indicated the problem, and Mr. LaRue then talked to Mr. Mitchell, and then Mr. Mitchell and Mr. LaRue and I discussed it again together. We knew that Mr. Mardian who was there was a closer friend of Mr. Liddy's than any of us, and Mr. Mitchell asked Mr. Mardian to call Mr. Liddy and ask him to see the Attorney General, the current Attorney General, Mr. Kleindienst, and see if there was any possibility that Mr. McCord could be released from jail.

Mr. DASH. Do you know what happened as a result of that call?

Mr. MAGRUDER. My understanding is that they went out to the Burning Tree Country Club, where Mr. Kleindienst was playing golf, and Mr. Kleindienst rebuffed Mr. Liddy and Mr. Powell Moore, who was with him.

Mr. DASH. Mr. McCord was not released?

Mr. MAGRUDER. No, he was not.

Mr. DASH. Did you call Mr. Reisner or Mr. Odle from California?

Mr. MAGRUDER. Yes, later that day. We had numerous conversations that day. We were trying to come up with a statement that Mr. Mitchell could make if he was asked in a press conference, and later release that statement. I discussed with Mr. Reisner the need to take certain files from my office. We were concerned about the break-in from our own standpoint because of Mr. McCord. We could not understand why Mr. McCord was involved in the situation, and we thought that maybe,

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NINETY-THIRD CONGRESS  
FIRST SESSION

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



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Mr. LARUE. Yes, sir, I raised the question and speculated with Mr. Magruder on several occasions as to how this came about.

Mr. DASH. Well, then, it is not true that you did not talk to him until March or April but that you discussed this actually during the months of June, July, or August 1972?

Mr. LARUE. After the break-in, yes, sir.

Mr. DASH. And what did Mr. Magruder say to you when you discussed this with him about his role or his participation in the break-in?

Mr. LARUE. Mr. Magruder's conversations with me were reflected in his testimony up here. He told me virtually—told me the same thing that he testified to before this committee as to his role in the break-in.

Mr. DASH. In other words, he made a complete confession to you?

Mr. LARUE. Yes, sir.

Mr. DASH. Do you know when was the first time he did that? Approximately? I do not want to push you to a date.

Mr. LARUE. I have no specific recollection of dates, Mr. Dash, but I would say in the period of a week or 10 days after the break-in.

Mr. DASH. And did he not, Mr. LaRue, tell you about a phone call that he received from Mr. Colson concerning the so-called Liddy plan?

Mr. LARUE. Yes, sir.

Mr. DASH. Could you tell us what he told you about that phone call?

Mr. LARUE. As I recall, Mr. Dash, this conversation occurred as a result of speculation that Magruder and I were having on who may be involved or who may have had knowledge of the Watergate break-in. He told me that he had had a call from Mr. Colson, I think sometime in the period of March or April, in which Mr. Colson had asked Mr. Magruder why they could not get an approval on the Liddy budget.

Mr. DASH. Did he tell you then or remind you that he understood that you were present at his side, in the room, when he received the phone call from Mr. Colson?

Mr. LARUE. I do not recall any such discussion, no, sir.

Mr. DASH. You know of his testimony before this committee, in which he has testified that you were in the room?

Mr. LARUE. Yes, sir, I am aware of that. My recollection is as I have just stated.

Mr. DASH. Now, when you state that Mr. Magruder told you everything, it was about a week or so after the break-in. Was anybody else present when he said that to you or told you about this?

Mr. LARUE. Not that I recall. As I recall, it had been a discussion between just Mr. Magruder and I.

Mr. DASH. Now, Mr. LaRue, when and where did you actually first hear about the June 17 break-in matter?

Mr. LARUE. At the Beverly Hills Hotel in Los Angeles, Calif.

Mr. DASH. Were you with anybody else at that time?

Mr. LARUE. Yes, sir, we were on a trip. Present were Mr. Mitchell, Mr. Magruder, Mr. Mardian, Mr. Porter, I think Mr. Caldera from the committee. I mean these were the people who were present from the reelection committee.

Mr. DASH. Now, can you tell the committee as clearly as you can recall, how that news came to you, who first learned about it and how you learned about it, and what was done?

Mr. LARUE. As I recall, Mr. Dash, we were having breakfast on—I think Saturday morning—I guess that would be June 17. Mr. Magruder was paged, went to the telephone. He came back to the table

and said that he had had a rather unusual, strange call from Gordon Liddy, who wanted him to go to some, as I recall, some NASA installation or NASA base in Los Angeles, where there was a secure phone, and to use this phone to call back to Mr. Liddy in Washington.

Mr. DASH. Did Mr. Magruder say anything about what the problem was? Do you recall the words as nearly as possible?

Mr. LARUE. Well, he indicated that Mr. Liddy—he said Mr. Liddy indicated that there was a problem he wanted to discuss and Mr. Magruder, in an aside to me, said that, you know, I think maybe last night was the night they were going into the Democratic National Committee.

Mr. DASH. Did that mean anything to you when he said that?

Mr. LARUE. Well, specifically, no, but it, in view of the fact that I was aware of this plan that had been discussed in Key Biscayne, it certainly aroused a great curiosity or interest on my part, yes, sir.

Mr. DASH. Now, what followed? Mr. Magruder then went ahead and spoke to Mr. Liddy?

Mr. LARUE. I think I told Mr. Magruder that, why didn't he just go and use a pay phone, that that would probably be secure enough for the purposes.

Mr. DASH. What did he do?

Mr. LARUE. He called Mr. Liddy back and then came back and told me that Liddy had told him that there had been a break-in at the Democratic National Committee; I think five people had been caught inside, and that one of the people was Mr. McCord, who was our security man at the reelection committee.

Mr. DASH. Now, was that information relayed to Mr. Mitchell?

Mr. LARUE. Yes; I personally relayed that to Mr. Mitchell.

Mr. DASH. What was Mr. Mitchell's reaction?

Mr. LARUE. I had gotten Mr. Mitchell out of another meeting. We went into an adjoining room. I relayed this information to Mr. Mitchell. He was very surprised. I think as I recall, he made the statement, "That is incredible."

Mr. DASH. Now, did Mr. Mitchell give any instructions to anybody after getting that information?

Mr. LARUE. Not at that time. As I recall, Mr. Mitchell went back into his meeting. Then later on, I think Mr. Magruder and I and Mr. Mitchell met and, yes, Mr. Mitchell asked that someone call Mr. Liddy and have him contact Mr. Kleindienst, the Attorney General, and have Mr. Kleindienst get in touch with Chief Wilson and see what details we could find out about this situation.

Mr. DASH. Now, was anything else done to your knowledge, while you were out in California, concerning the break-in?

Mr. LARUE. Well, yes, there was a—Mr. Mitchell issued a press statement on the instant—I think that was Saturday afternoon.

Mr. DASH. Anything else?

Mr. LARUE. Well, there were several telephone calls made back and forth from Washington to—I mean, from Los Angeles to Washington, to our press office here.

Mr. DASH. I take it there was quite a commotion.

Mr. LARUE. Yes, sir.

Mr. DASH. Now, you returned. When did you return to Washington from California?

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Mr. LARUE. Well, Senator, we were at breakfast. I am sure several people were present at breakfast, but he made the statement to me in an aside, where no one else heard it.

Senator BAKER. Did you convey that information to anyone else?

Mr. LARUE. No, sir; I didn't.

Senator BAKER. Did Mr. Magruder make the same or a similar statement to anyone else at that time?

Mr. LARUE. Not that I know of, Senator.

Senator BAKER. Did you gain the impression, Mr. LaRue, that others present in California on that occasion also knew that that was the night that they were going to break into the DNC?

Mr. LARUE. No, sir; I did not.

Senator BAKER. Were you present when Mr. Mitchell received that information, that in fact there had been an entry into the DNC?

Mr. LARUE. Yes, sir; I gave him the information.

Senator BAKER. What was his reaction?

Mr. LARUE. His reaction was one of surprise.

Senator BAKER. Can you characterize that a little further?

Mr. LARUE. I testified, I think, to that point yesterday, Senator. Mr. Mitchell did indicate surprise, I think made the statement: "That is incredible."

Senator BAKER. Mr. LaRue, on another point, you indicated that someone said to contact Kleindienst, meaning former Attorney General Kleindienst, I understand, and to ask him to contact Chief Wilson, the Chief of Police for the District of Columbia, about the release of certain people arrested on the morning of June 17.

Mr. LARUE. No, sir; I did not testify to that, Senator. I said that in my recollection of that incident, that Mr. Mitchell asked that a phone call be made to Gordon Liddy and that Mr. Liddy contact Mr. Kleindienst and Mr. Kleindienst contact Chief Wilson to see what details he could get on the break-in.

Senator BAKER. OK.

So, the suggestion was from Mitchell to call Liddy, or someone to call Liddy.

Who was to call Liddy?

Mr. LARUE. Senator, I don't recall who made the telephone call. I did not.

Senator BAKER. All right.

For someone to call Liddy or Liddy to call Kleindienst or Kleindienst to call Wilson to find out what went on.

Mr. LARUE. That is correct.

Senator BAKER. Why Liddy?

Mr. LARUE. I can't answer that question, Senator. Mr. Liddy was at that time a person in Washington with whom the conversations were being had.

Senator BAKER. Was the call in fact made or do you know, Mr. LaRue?

Mr. LARUE. Yes, the call was made.

Senator BAKER. But you don't recall who made it?

Mr. LARUE. No, I do not recall who made it.

Senator BAKER. Was this a report back on the results of that telephone call to Mr. Liddy?

Mr. LARUE. Not that I recall.

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FIRST SESSION

WATERGATE AND RELATED ACTIVITIES

Phase I: Watergate Investigation

WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973

Book 9



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TESTIMONY OF RICHARD G. KLEINDIENST, FORMER ATTORNEY  
GENERAL

Mr. KLEINDIENST. Mr. Chairman, my name is Richard G. Kleindienst. My address is 8464 Portland Place, McLean, Va.

I do not have a prepared statement, Mr. Chairman. I am here voluntarily to provide to you, the members of the committee, and the counsel, whatever information that I have and which you deem to be relevant to your investigation.

Mr. DORSEN. Mr. Chairman, Mr. David Dorsen, assistant chief counsel, will open the questions.

Mr. DORSEN. Mr. Kleindienst, am I correct that you are presently engaged in the private practice of law?

Mr. KLEINDIENST. Yes, sir. After I left the Department of Justice I opened up an office in Washington, D.C., and I am a private practitioner by myself.

Mr. DORSEN. And you resigned as Attorney General as of April 30, 1973?

Mr. KLEINDIENST. I believe that it was April 30; yes, sir. Effective upon the qualification and appointment of my successor.

Mr. DORSEN. Could you please summarize for us briefly your background, especially with respect to your positions with the U.S. Government?

Mr. KLEINDIENST. I have only had two positions with the U.S. Government. That was the position of Deputy Attorney General of the United States, a position that I believe that I was—commenced around February 1969, and the other position that I have had with the U.S. Government is the Attorney General of the United States, a position that I commenced on or about June 8, 1972.

Mr. DORSEN. When for the first time did you learn that there was electronic surveillance of the Democratic National Committee headquarters at the Watergate?

Mr. KLEINDIENST. I learned it for the first time after June 17 when the individuals who were at the headquarters were arrested. I don't know whether I learned of the electronic surveillance on Saturday, June 17, or sometime in the early part of the next week.

Mr. DORSEN. But on June 17 you were notified of the fact that there had been a break-in?

Mr. KLEINDIENST. At approximately 8 o'clock in the morning, as Assistant Attorney General Henry Petersen of the Criminal Division of the Department of Justice called me at my home and indicated to me that there had been a break-in at the Democratic national headquarters at the Watergate Hotel. All the information that he had at that time was that there was a break-in and I believe he said to me it looks like it might have been a bombing case.

The next knowledge of any kind that I had with respect to it came, oh, approximately 3½ hours after that when I met with Mr. Gordon Liddy and Mr. Powell Moore in a section of lockers at the Burning Tree Club, which is a golf club in Washington, D.C.

Mr. DORSEN. How did that come about, Mr. Kleindienst?

Mr. KLEINDIENST. The reason I was at the Burning Tree Club, they had their annual member-guest golf tournament in which I was a participant. I think I was scheduled to tee off for the Saturday round



in the afternoon. I was having lunch in the main dining room area of the Burning Tree Club. I looked up and Mr. Gordon Liddy, who I recognized, came in with Mr. Powell Moore and I likewise recognized him.

Mr. DORSEN. Who is Mr. Powell Moore?

Mr. KLEINDIENST. Mr. Powell Moore was the Deputy Public Information Officer of the Department of Justice when I was there as the Deputy Attorney General. When Mr. Mitchell resigned as Attorney General and went over to the Committee for the Re-Election of the President, Mr. Powell Moore went with him to the campaign committee. I do not know what his title was at the campaign committee but I knew Powell Moore quite well as a result of our association together at the Department of Justice.

Mr. DORSEN. I believe you indicated you recognized Gordon Liddy. What were the circumstances under which you first met or got to know Mr. Liddy?

Mr. KLEINDIENST. The only association I ever had with Mr. Liddy, except for this particular meeting on Saturday, June 17, was in the year 1969 when I headed, on behalf of the executive branch, a task force that was looking into and devising a program of action with respect to the marihuana traffic from the country of Mexico into the United States. I believe that Mr. Liddy at that time was an officer or employed by the Treasury Department and he was one of the representatives from the Treasury Department in that task force. There were representatives from six or seven Departments of the Government. That would have been in the late spring of 1969 and the summer of 1969. To the best of my recollection I never saw Gordon Liddy after that time in the intervening years until that Saturday morning on June 17 and I have not seen him since.

Mr. DORSEN. What was the nature of the experience that the Justice Department had with Mr. Liddy in connection with his role in Operation Intercept?

Mr. KLEINDIENST. I had no experience with him because he was under the jurisdiction of the Secretary of the Treasury. He had one assignment, as I recall, with respect to going from town to town along the United States-Mexican border to inform the business community we were quite concerned about so-called Operation Intercept. My recollection, which is not very precise, is that the manner in which Mr. Liddy was giving information with respect to our program was unsatisfactory and I believe that based upon information that I got, I recommended to the Secretary of the Treasury or Mr. Rossides, who was, I think, his immediate superior, that Mr. Liddy be called back from that assignment and not to continue any further with it.

Mr. DORSEN. Do you have any other recollection about any possible problems with Mr. Liddy or why his performance was considered unsatisfactory?

Mr. KLEINDIENST. No, sir.

Mr. DORSEN. Directing your attention to the locker room of the Burning Tree Country Club, what happened when you saw Mr. Moore and Mr. Liddy there?

Mr. KLEINDIENST. The first thing that I remember with some preciseness is the fact that Mr. Liddy, when he came into the entranceway of the dining area and saw me, in a rather furtive manner made a



motion to me like this, indicating come here. I got up out of my chair and went over there. He was very agitated and seemed to be quite upset. He said that I have to talk to you in private. Where I was standing was not a very private place; there must have been 60 or 70 men who were eating or standing around. Right to the left of where he was there was a little locker room complex at the club. I looked in there and no one was in there so I said, "Gentlemen, come in here, I think this would be a private place to talk." We went in there. Mr. Liddy said that I have been asked to come out and give you a report with respect to the Watergate break-in last night or the break-in at the Democratic National Committee, I do not know which he said. He said to me that he believed that some of the persons who were arrested might be employed by either the White House or the Committee for the Re-Election of the President.

My reaction to that statement was instantaneous and rather abrupt. I think he also said, although I do not have too precise a recollection of it, that Mr. Mitchell had asked him to come out and talk to me. That was incredible to me. The relationship I had with Mr. Mitchell was such that I do not believe that he would have sent a person like Gordon Liddy to come out and talk to me about anything; he knew where he could find me 24 hours a day. In any event, as a result of my surprise, my incredulity, and, I think, my instant realization of the implications of what he had just said prompted me to pick up the telephone and locate Mr. Henry Petersen. That I was able to do very quickly. All I had to do was to call the Justice Department switchboard and have her call him at home and put him on the phone. Since Mr. Petersen had called me at 8 o'clock I did not have to explain much to Henry. I told him, and I have always been under the impression I said to Mr. Petersen, that Mr. Gordon Liddy of the campaign committee is here. Mr. Petersen, based upon a conversation I have had with him, does not remember my mentioning Mr. Liddy's name, but in any event, I was intent upon giving him a very specific direct instruction right then that with respect to those who were arrested at the Watergate they should be given no treatment different than anybody who might have been arrested in circumstances of that kind. I was quite upset. To the best of my recollection, the next thing I did was to turn to Mr. Liddy and tell him to leave the premises because I know immediately thereafter Mr. Moore and Mr. Liddy left.

Mr. DORSEN. Mr. Kleindienst, aside from the conversation you had with Mr. Petersen which you have just described, to whom else did you recount the incident at Burning Tree?

Mr. KLEINDIENST. I might have told Mr. Dean, I do not recollect doing so. I have no recollection of recounting this incident to anyone else until I was interrogated by personnel from the Select Committee and also personnel from the Special Prosecutor Cox staff.

Mr. DORSEN. You are aware, are you not, that Mr. Dean has testified with respect to reported conversations you had with him?

Mr. KLEINDIENST. Right.

Mr. DORSEN. On the subject?

Mr. KLEINDIENST. I have no recollection of mentioning it to him. If he recollects it inasmuch as the events occurred, then I think on that instance I would have to credit Mr. Dean's testimony.

Mr. DORSEN. Did you participate in a conversation with Mr. Henry Petersen and Mr. Dean concerning the possibility of going to the

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WATERGATE AND RELATED ACTIVITIES  
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Mr. MITCHELL [continuing]. Senator, that if you would have, I know you are reading from one of these minicharts but some of the things they do not have up there is that there is an 8:15 a.m. morning meeting in the White House.

Senator TALMADGE. You should have ample opportunity to state whatever you want to, Mr. Mitchell, if that chart is different from your views do not hesitate to say so, we want the facts, only the facts.

Mr. MITCHELL. I cannot see it from here and it does not make any difference anyway, because I have got a directory here but what I would point out is that during this period which I have—which I have testified to earlier today, until I left the committee as the campaign director, there was a meeting at 8:15 a.m. in the White House every morning. This was the regular staff meeting that involved legislative liaison, Dr. Kissinger, General Haig, et cetera. So, when I say when you ask me when did I first talk to these people about the Watergate, of course, it was a continuing subject matter basically in the concept of the political problems that presented because by the, I guess the, 20th or certainly the 21st, the Democrats had threatened their lawsuit, they filed it, I think, on the 22d and we had had a verbal press battle over the circumstances from then on constantly day in and day out about the matter.

Senator TALMADGE. Did you talk to Mr. Colson about the same time?

Mr. MITCHELL. I am sure that I would because he would have attended those meetings.

Senator TALMADGE. Did you direct Robert Mardian to telephone Liddy on June 17 and ask him to try to persuade Mr. Kleindienst, then the Acting Attorney General, to arrange for Mr. McCord to be released from bail as Mr. Magruder has testified?

Mr. MITCHELL. No, sir, I am sure, I assure you, that would not be the case. There was some conversation that somebody might call up the Acting Attorney General to find out what the hell happened but I noticed in Mr. Magruder's testimony he said that I selected Mardian because Mardian was a great friend of Liddy's and if there is anybody who were on the opposite ends of the stick it would have been Mardian and Liddy.

Senator TALMADGE. Would you say then that Mr. Magruder committed perjury before this committee?

Mr. MITCHELL. I cannot characterize anything as perjury. Senator. That does not happen to be a fact, what you have just said, and I have just denied it and I am sure the other people who were present will also deny it.

Senator TALMADGE. You are a good lawyer. Mr. Mitchell, testifying under oath to a lie is commonly referred to as perjury, is it not?

Mr. MITCHELL. Well, yes; but you also have to have intents, I think, along with it under certain circumstances and I am sure that some of these conversations have got garbled and mixed up in the intervening year and a half or so. I would not want to characterize anybody—

Senator TALMADGE. What you are saying is intentions might be good but his facts are wrong, is that correct?

Mr. MITCHELL. Could very well be that the recollection was not quite accurate. There are many of other circumstances some of which I have testified to and some of which I presume I will in connection with my

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Mr. HAMILTON. Well, what is your best recollection as to whether Mr. Mitchell was in the room when that was discussed?

Mr. MARDIAN. That is my best recollection. I am trying to be fair, however. When you ask about meetings and I have heard all types of meetings took place in Mr. Mitchell's office and other places. With respect to Mr. Mitchell's office, any time anybody walked in the room, as I understand it, his secretary would log it and that was a meeting. Sometimes, you would walk in to see that somebody else was there and you would walk out and you attended a meeting. I hate to characterize a formal meeting where he sat down and admitted that he had approved a black advance budget. That is my best recollection that he was present and that I discussed it.

Senator ERVIN. If counsel would excuse me for interjecting this remark at this time, I don't know any way that any human being can testify as to a past event except by giving his best recollection.

Mr. MARDIAN. Thank you.

Mr. HAMILTON. Mr. Mardian, while in California, did you receive an assignment from Mr. Mitchell regarding the Watergate matter?

Mr. MARDIAN. Could you be more specific?

Mr. HAMILTON. All right.

Did Mr. Mitchell assign you to deal with the legal matters that might arise in connection with the break-in?

Mr. MARDIAN. Yes.

Mr. HAMILTON. Mr. Mardian, while in California, did you make several telephone calls to Mr. Liddy?

Mr. MARDIAN. I believe that my records show that—which I have turned over to the committee and these are records of calls that I turned in to the Committee To Re-Elect the President—that I talked to Mr. Liddy on three occasions—two occasions—three occasions. The records show three and there were three, but one of the ones that the record shows was not a call to Mr. Liddy, as I recall.

Mr. HAMILTON. Do you remember when these calls took place—on Saturday or Sunday?

Mr. MARDIAN. The first time I talked to Mr. Liddy, I believe, was on Saturday and that was not a call from me to him, but a call from him to me, as I recall. It is possible I may have returned the call, but—that is my best recollection.

Mr. HAMILTON. Did you also talk to Mr. Liddy on Sunday?

Mr. MARDIAN. I talked to Mr. Liddy on Sunday twice, as I recall.

Mr. HAMILTON. Now, can you give us the best recollection you have of the substance of these three telephone calls?

Mr. MARDIAN. The first telephone call was a—as I recall—was an urgent demand on the part of Mr. Liddy that I return to Washington. I had indicated in that call, as I understand it, that Mr. Magruder was going to return, that he did not want Mr. Magruder to return, he wanted me to return. He was very reluctant to—not only reluctant, he refused to use the telephone to discuss anything about Watergate. He did, however, make some derogatory remarks about Mr. Magruder. That is all I recall about the first telephone call.

Mr. HAMILTON. Would you go on to the second and the third, please?

Mr. MARDIAN. I had told Mr. Liddy about the plans that I heard, that Mr. Magruder was going to return. I would communicate with Mr. Mitchell, and I will let him know.

Mr. HAMILTON. And the final telephone call?

Mr. MARDIAN. Well, that was the first telephone call.

The second telephone call, as I recall was when I called to tell him that I was not going to return and that Mr. Magruder had left—had returned.

Mr. HAMILTON. And what was the final telephone call?

Mr. MARDIAN. The final telephone call was with respect to a call I got from Powell Moore. Powell Moore called me on Sunday. I previously testified that these conversations, I testified originally that they were Sunday. I was told that they were on Saturday. I wasn't sure. I have now, checking the records of the calls, that these calls took place on Sunday.

Powell Moore called me to tell me of an occurrence the previous day. He said that he wanted me to know, for Mr. Mitchell to know, that Mr. Liddy had told him in his presence that he had received a call from Mr. Mitchell, that Mr. Mitchell had instructed him to go see Mr. Kleindienst and to have Mr. Kleindienst get the Watergate burglars released from jail. He told me that he did not believe that these instructions came from Mr. Mitchell.

He told Mr. Liddy that he should not contact Mr. Kleindienst; that when he realized that he was, in fact, going to contact Mr. Kleindienst, he went with him; that Mr. Liddy made contact with Mr. Kleindienst at the Burning Tree Country Club and that in order to advise Mr. Kleindienst that he was not to pay any attention to Mr. Liddy, he said he stood behind Mr. Liddy so that Mr. Liddy could not see him, but that Mr. Kleindienst could, and shook his head as violently as he could so that Mr. Kleindienst would know that what he was telling him was an untruth.

He told me that Mr. Kleindienst, in effect, had told Mr. Liddy to go to hell, and as I understood it, went on playing golf.

I then called Mr. Kleindienst. I think I told Mr. Mitchell about it. Mr. Mitchell was amazed. I believe I told—I then called Mr. Kleindienst to tell him that Mr. Mitchell had given no such instructions and Mr. Kleindienst told me, I believe, that he was satisfied that he had not given any instructions and in effect, said, keep that—he used an adjective—away from me.

I then called Mr. Liddy and reprimanded him; told him that Mr. Mitchell had given no instructions and that he had done a very, committed a very embarrassing error on the part of the Attorney General.

Mr. HAMILTON. Mr. Mardian, I want to read to you a portion of Mr. Magruder's testimony that is found at page 1910 of the record:

We knew that Mr. Mardian, who was there, was a closer friend of Mr. Liddy's than any one of us, and Mr. Mitchell asked Mr. Mardian to call Mr. Liddy and ask him to see the Attorney General, the current Attorney General, Mr. Kleindienst, and see if there was any possibility that Mr. McCord could be released from jail.

Mr. MARDIAN. That statement is not true.

Mr. HAMILTON. Mr. Mardian, can you suggest any reason why Mr. Magruder would falsely testify as to such a phone call on your part?

Mr. MARDIAN. I honestly—I don't think Mr. Magruder would intentionally falsely testify. The subject of the Liddy trip to see Mr. Kleindienst was much discussed. Mr. Liddy's position, or the story that Powell Moore told, was that, as I recall, that John Mitchell had called