

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

-----x
:
IN RE: POSSIBLE VIOLATIONS :
:
OF 18 USC 2511 & 2512 :
:
-----x

11.3

Grand Jury Room No. 3
United States District Courthouse
3rd & Constitution Avenue, N. W.
Washington, D. C.

Thursday, September 13, 1973

The testimony of JOHN EHRLICHMAN was presented to
a full quorum of the Grand Jury.

BEFORE:

JAMES F. NEAL, ESQ.
Assistant Special Prosecutor
United States Department of Justice

RICHARD BEN-VENISTE, ESQ.
Assistant Special Prosecutor
United States Department of Justice

GEORGE T. FRAMPTON, JR., ESQ.
Assistant Special Prosecutor
United States Department of Justice

JILL W. VOLNER
Assistant Special Prosecutor
United States Department of Justice

13

1 Now you had that information for two days. My ques-
2 tion now is in your meeting with Mr. Mitchell -- Mr. Mitchell,
3 Mr. Haldeman and Mr. Dean on March 22 -- did you ask Mr.
4 Mitchell whether Hunt's money problems had been solved?

5 A I did not.

6 Q Okay. Did you get into any discussion of the infor-
7 mation of the threat or the communication made from Mr. Hunt
8 through somebody, and finally Dean to you?

9 A I think I heard such a discussion, but I'm not sure.
10 It was a very brief passage between Dean and Mitchell where
11 Dean asked Mitchell, as I recall, in very indirect terms, or
12 in a very indirect way, if that matter had been taken care of.

13 When I say indirect, I don't think the word "Hunt"
14 was used. I don't think the word "blackmail" was used. But
15 in looking back on it, I assume that that is the meaning of
16 the remark.

17 Q What was said, the manner or the words said, that
18 caused you then and causes you now to relate that to Hunt's
19 threat?

20 A Well, that was on my mind at the time obviously.
21 Dean had said he was going to talk to Mitchell in our conver-
22 sation on the 20th, so when Dean said, "Is that taken care of"
23 or "Is that matter taken care of?", or "Are you working on
24 that?", or something of that kind, I assumed that that's what
25 he was talking about.

14

1 I didn't ask, and it wasn't explained, but if in
2 fact there was any comment at that meeting on that subject,
3 that was the only comment that I heard that could have related
4 to that.

5 Q Tell the ladies and gentlemen of the Grand Jury this,
6 Mr. Ehrlichman, and if you don't think this is a fair question,
7 then let me withdraw it.

8 On March the 20th, you had been told of what you
9 admit shook you, of a threat by Hunt to disclose certain
10 things if he didn't get paid what I would call a substantial
11 sum of money.

12 You heard, apparently from what you're telling me,
13 that Dean said in the course of this that he was going to
14 talk Mitchell about this, right?

15 A Right.

16 Q You knew that Mitchell had prompted fundraising
17 before by virtue of the Kalabach contact. Two days later, you
18 hear Dean make or have some colloquy with Mr. Mitchell which
19 led you to believe that they were discussing that matter.

20 Did it occur to you to say, "Look men, now we can
21 be getting into a violation of law here if we do something
22 like this."

23 Do you consider that a fair question? Do you want
24 to share with the Jury your thoughts on that?

25 A It's a fair question. I had had that kind of a

15

1 conversation with Dean already in which I had said to him
2 that I felt that this was blackmail that could not be counten-
3 anced, and we ought to just let the chips fall where they
4 might.

5 Q Did you have this conversation at the time Dean re-
6 ported this to you or some other time?

7 A No.

8 Q What other time did you have it?

9 A It had to be after. It was after I talked to
10 Krogh, and I think after I talked to both Krogh and Young be-
11 caused I wanted to take a look at our hold card. It had been
12 a long time since I had ever thought about the subject.

13 Q What was the hold card?

14 A Well, the question of the Plumbers operation, and
15 the antecedents of it, and how much could be exposed in nation-
16 al security matters that Hunt had familiarity with.

17 You see Hunt went out of my line of vision at some
18 point in 1971, and I was not sure how much Hunt might have
19 known about some of the things that particularly Young had
20 been involved with, and if he did go public on a thing of this
21 kind, just how much exposure there could be in terms of damage
22 from the national security standpoint, particularly.

23 I was also interested in my own exposure. So I
24 talked to both Krogh and Young to find out what Hunt knew, or
25 might think he knew, and how much they had shared with him on

16

1 some of these things that we were still concerned about.

2 So I got assurances from them that right after this
3 Ellsberg business, that he no longer had been used in any of
4 these other things, particularly Young, but that also Krogh
5 had been involved in later, and that reassured me considerably
6 on that subject.

7 I felt after talking to both Krogh and Young that
8 I personally didn't have any problem, and so it was either on
9 the phone or in person, I'm not sure which, that I did indicate
10 to Dean that I thought we ought to just let her go.

11 Q Well, when you heard this comment, this conversation
12 between Mr. Mitchell and Mr. Dean on March 22, did it occur
13 to you to break in there and say, "Wait a minute"?

14 A It really didn't, and as I say, it was not a conver-
15 sation in which I was. It was something that I sort of over-
16 heard.

17 Q You were not in the chain of conversation?

18 A It was preliminary to our meeting, as I recall, when
19 the two of them first came in contact. But I heard this testi-
20 mony and I was trying to think back as to what in fact took
21 place there. I asked Haldeman about it, and what his recollec-
22 tion of it was, and I've been trying --

23 Q What was his recollection?

24 A Much the same as mine, that the conversation was
25 between Dean and Mitchell. He identified it as being related

17

1 to the subject, and I am influenced in part by that.

2 Q Have you talked to Mr. Haldeman about this subject?
3 Mr. Haldeman was aware of this, right?

4 A I'm sure he was.

5 Q Did you tell him about it?

6 A I don't know whether I told him about it or somebody
7 else did.

8 Q Do you know whether anybody told him in your pre-
9 sence if you didn't tell him about it? I gather what you're
10 saying is that you may have told Haldeman and you may not
11 have.

12 A I don't think I told him, but I think we talked
13 about it.

14 Q All right. So then prior to March 22, Mr. Haldeman
15 was aware because of his conversation with you of the threat
16 being made?

17 A He was aware of it. Whether I talked to him prior
18 to that time or not, I don't know because I have only recently
19 discussed with him this allegation that you read off there.

20 Q What did he say prior to March 22 that caused you
21 to know that he was aware of the threat?

22 A He has told me since. I would have the impression
23 now that he was aware of it and that this remark was signifi-
24 cant to him in the light of what evidently was his prior
25 awareness.

18

1 Q He has told you since that he heard Dean and
2 Mitchell have this side conversation?

3 A Right.

4 Q And that he was aware at the time that it concerned
5 -- or he thought at the time, or assumed at the time that it
6 concerned the threat by Hunt?

7 A Yes, but it didn't come quite that way. I asked him
8 whether he recollected a conversation between Dean and me at
9 that meeting such as Dean testified to, and he said, "No,
10 that conversation was between Dean and Mitchell."

11 Q Did he say anything else that would cause you to
12 assume that he was aware of the subject matter and knew what
13 they were talking about?

14 A No, but I assumed from that that he must have been.
15 I don't think that the conversation between Dean and Mitchell
16 was sufficiently in detail that somebody who wasn't aware of
17 the circumstances would have read that into it. That's what
18 I'm trying to say.

19 Q Which he did?

20 A Which evidently he did by what he has recently told
21 me.

22 Q All right. Let me ask you this question. You did
23 not, I gather, ask Mitchell whether Hunt's money problems had
24 been solved, and Mitchell did not respond to you that he did
25 not think it was a problem any further?

19

1 A That's correct.

2 Q But according to your testimony, something like that
3 was said between Mitchell and Dean?

4 A I think it was less definite than that, less detail-
5 ed than that.

6 Q You didn't think it was a problem any further, or
7 something like that?

8 A I'm not sure that he said that. He did more than
9 just grunt affirmatively, but it wasn't much more than grunt
10 affirmatively. It was not an elaborate sentence as you have
11 read off there.

12 He gave some kind of an affirmative, put-off kind
13 of a response.

14 Q Did you know at this time, or did you learn a few
15 days later, that a package of money, approximately \$75,000
16 in cash, was delivered to Hunt?

17 A No.

18 Q On or around March 20 and 21, 1972?

19 A No.

20 Q When did you first hear of that?

21 A At the Ervin Committee hearings.

22 A JUROR: 1973.

23 MR. NEAL: I'm sorry, 1973. I beg your pardon. The
24 money was delivered in '73.

25 THE WITNESS: I had assumed and continued to assume