

APRIL 18, 1973

C O N T E N T SWitness:

Fred Chaney LaRue

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Pages:

1 - 48

Present:

A quorum of grand jurors, with the Foreman presiding.

Mr. Earl J. Silbert, Principal Assistant U. S. Attorney.

Mr. Seymour Glanzer, Assistant U. S. Attorney.

Mr. Donald E. Campbell, Assistant U. S. Attorney.

Q And were you in the offices of the Committee to Re-elect the President on a fairly regular basis?

A Yes. I would generally come in Monday or Tuesday, spend the balance of the week and then go home Friday. Sometimes if there was something of a pressing nature I might stay over for the weekend. I might come up on a few occasions only two or three days a week.

Q All right. Now turning your attention, sir, to April, 1972. Did there come a time that you visited Key Biscayne, Florida?

A Yes, sir. I think in the latter part of March I accompanied the Mitchells to Key Biscayne for, I think, probably ten days or two weeks for Easter vacation.

Q All right, and where did you stay in Key Biscayne?

A We stayed at, I think it's called the 3520 House or something of that nature. It's a house that is -- it is not adjacent to it but in the vicinity of the compound of Key Biscayne.

Q When you say compound is that the Presidential - -

A The Presidential Compound at Key Biscayne.

Q Did there come a time while you were down there that Mr. Mitchell was visited by Mr. Magruder?

A Yes.

Q And also by Mr. Fleming?

A That is correct.

Q Can you tell us what transpired at that time, the circumstances, etc.?

A Yes. Mr. Magruder and Mr. Fleming got into Key Biscayne

one afternoon -- I can't be specific as to dates. I would, you know, looking back from Easter Sunday, I would assume it would be the 4th, 5th or 6th of April. Mr. Magruder came over to the compound and brought some briefcases with several memoranda that required -- what we call action memoranda, required signing off on by the campaign director. He came over to the house where we were staying. Mrs. Mitchell became quite upset about this because she did not want Mr. Mitchell's vacation interrupted by any working sessions and so I informed Mr. Magruder to leave his briefcases there and go on back to the hotel where he was staying and I would be back in contact with him.

Q And then did you have occasion to examine the contents of the briefcases?

A Yes. I think I told him that I would go through the memos and priortize them so that we could -- in case we didn't have time to complete action on all the memos, that at least we would get the more pressing ones out of the way.

Q And did you go through them to - -

A Yes.

Q - - to determine the priority?

A Yes, that night I went through them. In the interim we had gotten Mrs. Mitchell calmed down and she agreed that we could spend the next day at the other end of the house and, you know, work on these, whatever -- work on whatever problems and decisions we had to make.

BY MR. GLANZER:

Q So you did determine what the priorities were with respect to these memos, I take it?

A That is correct.

Q Incidentally, did Mr. Fleming come over with Mr. Magruder?

A No, he did not. I don't know if he came on the same flight or not. I don't know exactly what time he got to Key Biscayne, whether they came together or - -

Q But he did not come to this meeting?

A No, he did not come in that afternoon when Mr. Magruder came over.

Q You did make a determination of which action memos had to be acted upon and the order in which they would be acted upon?

A I, you know, to the best of my ability, prioritized the memos so we could proceed on the more important ones first.

Q As you reviewed these memos did you come across a memo

that in substance discussed or had a topic in it or subject matter which related to electronic surveillance?

A That is correct.

Q Electronic intrusion?

A Yes, I did.

Q Do you recall the substance of it?

A I can't recall the specific substance of the memo. I recall -- the only thing I can specifically recall, because it caught my attention, was that the memo did discuss an operation regarding or involving electronic surveillance and that there was a budgetary figure attached to the memo.

Q Do you remember any more details in the memo about any targets of the electronic surveillance or anything like that?

A I can't honestly sit here and tell you I could, I mean -

Q Apart from the general fact that it was obviously - -

A I can't recall what the target was; no, sir, I really can't.

Q But it was obvious that it was electronic intrusion related to the adversary party?

A That is correct.

Q Now you mentioned the budgetary figure. Can you tell us the sum of money?

A I cannot give you a specific sum of money. I can only state that, as I recall, it involved a figure of several hundred thousand dollars.

Q All right, sir. Did there come a time that there was a meeting at which this memo was discussed?

A Yes.

Q This was an action memo, I take it?

A This was an action memo; yes, sir.

Q Which required a sign off?

A Yes.

Q By the campaign chairman?

A Yes.

Q By Mr. Mitchell?

A Yes.

Q Did there come a time there was a meeting?

A Yes, we had a meeting next day.

Q Who was that?

A At that meeting was Mr. Fleming, Mr. Magruder and Mr. Mitchell and I.

Q Was Mr. Fleming present when that memo was discussed?

A No, he was not.

Q How was that arranged that he was not?

A Next morning when Mr. Magruder came over I asked him as to what in the world was this memo regarding this electronic surveillance. I said this was the first knowledge I had of any such contemplated course of action, and he said that the memo required action. I said, "Well, I don't want to bring this up with Mr. Fleming in the room, and I've got it on the bottom of the stack. When we get through with everything else we can maneuver Mr. Fleming out of the room and take this matter up."

Q And was that done?

A Yes, that was.

Q All right. Who sat in on the meeting?

A At the meeting at which the memo was discussed was Mr. Magruder, Mr. Mitchell and myself.

Q And can you tell us in substance what was said at the meeting and by whom, to the best of your recollection?

A To the best of my recollection the memo was given, as I recall, by Mr. Magruder to Mr. Mitchell. He read the memorandum. He looked over at me and he asked if I had seen this and I said I had, and he said, "What do you think?" I said, "I don't think it's worth the risk." As I recall, Mr. Mitchell sat there a few minutes, or few seconds, and he said, "Well, we don't have to do anything on this now."

Q All right. And was that the end of the meeting?

A That was the end of the meeting.

Q All right. Now thereafter did there come a time that this matter of electronic surveillance came to your attention in one form or another?

A Yes, on two or three occasions there were situations in which I was at meetings or had conversations with people where, I don't say this specific memo was raised, but allusions to some sort of operation going on or other operations contemplated. You want me to go on?

Q Yes, could you give us details of that?

A There was one meeting in Mr. Mitchell's office and which was attended by Mr. Magruder, Mr. Mitchell, Mr. Liddy and myself. The purpose of this meeting, as I recall, was to discuss the convention, the Republican Convention, and at that time it was Miami Beach. During the course of this meeting Mr. Liddy raised the concept that Senator McGovern would be occupying the same room at the Democratic Convention which Mr. Mitchell would be occupying at the Republican Convention, and that it would afford