

1 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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3 IN RE: POSSIBLE VIOLATIONS :4 OF 18 USC 2511 & 2512 :
5 -----X6 Grand Jury Room No. 3
7 United States District Courthouse
8 3rd & Constitution Avenue, N. W.
9 Washington, D. C.

10 Thursday, September 13, 1973

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

13 BEFORE:

14 JAMES F. NEAL, ESQ.
15 Assistant Special Prosecutor
16 United States Department of Justice17 RICHARD BEN-VENISTE, ESQ.
18 Assistant Special Prosecutor
19 United States Department of Justice20 GEORGE T. FRAMPTON, JR., ESQ.
21 Assistant Special Prosecutor
22 United States Department of Justice23 JILL W. VOLNER
24 Assistant Special Prosecutor
25 United States Department of Justice

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1 meeting with Mr. Colson and Mr. Shapiro?

2 A If it's on the log, I did. If it isn't, I didn't.
3 I don't know. It would have been in my office.

4 Q On April 14th, you've testified that you called Mr.
5 Kleindienst and gave him a report on your investigation.

6 A Well, yes, that's true.

7 Q What did you tell him?

8 A I told him that I had conducted it.

9 Q Did he know at that time that you were conducting
10 an investigation?

11 A He knew I was going to because I had talked to him
12 on the 31st of the previous month. I didn't give him the
13 results of it.

14 I told him I had just talked with the President at
15 length about it, that I was available to him should he want
16 any of the information that I had; that I had just talked with
17 Magruder and Mitchell, I believe, and that from what I had
18 heard and what I had reported to the President, that Mr.
19 Mitchell, at least according to Magruder, was directly and
20 seriously implicated in the break-in.

21 Q Mr. Mitchell was?

22 A Yes, and that the President wanted me to call and
23 say that to him, and say that I was available should he wish
24 any of the other information I had.

25 Q Did you instruct Mr. Kleindienst to do anything?

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1 A No, I don't believe so.

2 Q Did you suggest that he do anything?

3 A I don't know whether I told him that the President
4 wanted to meet with him, or whether the President told him.
5 But that was arranged around that same period of time.

6 Q But you don't recall that it was arranged through
7 your telephone call to Mr. Kleindienst on that day?

8 A It may have been, or I may have just handed the
9 phone to the President. I made the call in the President's
10 office. I may have just handed him the telephone.

11 Q Did you use the President's telephone, his personal
12 telephone?

13 A Yes, one of them.

14 Q I assume that would have been taped.

15 A I don't know. The room, I understand, is taped so
16 that my end would be taped anyway. I used the telephone over
17 by the couch. I don't know whether that's one of those that's
18 in the system or not over there.

19 Q So you did not tell Mr. Kleindienst any of the
20 underlying facts, or any facts at all which you had learned
21 in your investigation, except that you did tell him your con-
22 clusion that Mr. Mitchell evidently, at least according to
23 some testimony, was seriously involved?

24 A Right.

25 Q Did you tell him that Mr. Magruder was talking, had

87 1 been to the prosecutors?

2 A That was discussed. I think what was discussed was
3 that I had talked to him, but I had not talked to him until
4 after he had been to the prosecutors.

5 Q I believe you have testified in a Senate committee
6 about a meeting which you had with Mr. Dean, Mr. Helms, and
7 Mr. Colby on December 15th, 1972.

8 A Yes.

9 Q What was the purpose of that meeting?

10 A That meeting was for the purpose of enabling the
11 CIA and the White House to respond to a request from the
12 United States Attorney for information about the relationship
13 between Mr. Hunt and the CIA in 1971.

14 Q Did the people from the CIA, Mr. Helms and Mr. Colby,
15 bring with them to that meeting a list or an actual package
16 of the documents, materials, and answers to inquiries, which
17 they had gathered up in response to the questions put by the
18 prosecutors?

19 A I don't believe so. I don't recall seeing that.

20 Q Was there any discussion of the material or informa-
21 tion or answers to questions that they had gotten together
22 in response to the prosecutors' questions?

23 A Yes, we discussed the questions and what the answers
24 were thought to be.

25 Q And that was the purpose of the meeting, wasn't it?