

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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IN RE: POSSIBLE VIOLATIONS :  
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18 USC 2511 and :  
18 USC 2512 :  
:  
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United States District Courthouse  
3rd & Constitution Avenue, N. W.  
Washington, D. C.

January 30, 1974

The testimony of HARRY R. HALDEMAN was taken in the  
presence of a full quorum of the Grand Jury.

BEFORE:

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

JILL VOLNER  
Assistant Special Prosecutor  
United States Department of Justice

GERALD GOLDMAN, ESQ.  
Assistant Special Prosecutor  
United States Department of Justice

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

1 A I understand.

2 Q Do you understand that while the Grand Jury rules do  
3 not permit you to have an attorney present in this room, you  
4 may be excused to consult with an attorney outside of this  
5 room at any time upon request to the Foreman of the Grand Jury.

6 A I understand.

7 Q For the record, you are represented today by counsel  
8 in the presence of Mr. Wilson and Mr. Strickler who are  
9 outside, is that correct?

10 A That is correct.

11 Q So that anything you do say should be said freely  
12 and voluntarily. Do you understand that?

13 A Yes.

14 Q And you understand further , as in the past, the  
15 fact that you have been advised that you are a potential  
16 target of this Grand Jury's investigation which means that  
17 you may well be considered as a defendant for purposes of  
18 indictment by this Grand Jury.

19 A I understand.

20 Q Now understanding all of those facts and rights which  
21 you possess, are you prepared to testify this morning?

22 A I am.

23 Q Mr. Haldeman, may I direct your attention to the  
24 21st day of March, 1973 and ask whether you recall meeting on  
25 that day with the President and John Dean who was at that time

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1 counsel to the President?

2 A Yes, I do.

3 Q And you recall entering a meeting which was then in  
4 progress?

5 A That's correct, yes.

6 Q Now following that meeting did there come a time  
7 when you had a conversation with John Mitchell who was then in  
8 New York City on the telephone?

9 A Yes, I am sure there did. Let's see -- March 21st?  
10 Yes.

11 Q Can you give us the best of your recollection of the  
12 time of the telephone conversation and the substance of it?

13 A I don't have -- I should qualify my previous answer.  
14 I am sure that there was a telephone conversation because one  
15 of the results or one of the outcomes of the March 21st meet-  
16 ing with Mr. Dean and the President was a request by the  
17 President that Mr. Dean, Mr. Ehrlichman, Mr. Mitchell and I  
18 meet that day or the following day to discuss some of these  
19 questions and then to report back to the President.

20 I feel sure that I called Mr. Mitchell to request his  
21 coming down for such a meeting.

22 Q What do you recall of the conversation between your-  
23 self and Mr. Mitchell?

24 A That's about all I recall. I am really assuming  
25 that there was such a call. I think I called him. It is

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1 possible that someone else called him. My general recollection  
2 now would be that I had called him and said that the President  
3 wanted us to meet and asked him to come down.

4 Q Is it not the case that you discussed with more  
5 particularity the problems about which the President suggested  
6 you meet in your conversation with Mr. Mitchell?

7 A Not that I recall, no.

8 Q Is it your testimony that you do not recall saying  
9 to Mr. Mitchell in substance that the President requested that  
10 you meet as to how to deal with Mr. Hunt's demand for substan-  
11 tial cash payments?

12 A Yes. I have no recollection of that being discussed.

13 Q It is your testimony that -- is it your testimony  
14 that in the telephone conversation with Mr. Mitchell you did  
15 not allude in any way to the subject matter about which you  
16 would be meeting the following day?

17 A My recollection is that the subject matter about  
18 which we would be meeting was the general subject of how to  
19 deal with the overall -- what has now become called the  
20 Watergate situation, as it stood at that time.

21 I don't recall the point that you raised as being  
22 the specific subject for the meeting.

23 Q I'm sorry but your answer is not responsive to my  
24 question, most respectfully. I asked whether you did not  
25 recall alluding to the subject matter in your telephone

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1 conversation with Mr. Mitchell.

2 A I don't recall alluding to the subject matter. My  
3 recollection would be that if I discussed the subject matter  
4 it would be in the context that I have just described. The  
5 purpose of the meeting was, as I recall it, to review the  
6 Watergate situation.

7 Q Is it not a fact, Mr. Haldeman, that in your tele-  
8 phone conversation with Mr. Mitchell you stated to him in  
9 substance, or you asked him in substance, whether he was going  
10 to take care of Mr. Hunt's problem?

11 A I don't recall any such discussion, no.

12 Q When you say you do not recall any such discussion,  
13 that would be something you would recall, would it not, if you  
14 had such a discussion?

15 A I would think so but I don't see that as having been  
16 the major point of discussion either at the time of the phone  
17 call to set up the meeting or at the meeting which took place  
18 on the 22nd.

19 Q You're talking now again about Mr. Hunt's specific  
20 request, is that correct?

21 A Yes.

22 Q When were you first advised that Hunt was making  
23 such a request or demand?

24 A To the best of my recollection, the first I knew of  
25 that was when it was raised in the March 21st meeting when it

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1 was reported to the President in my presence.

2 It is my belief that it had been discussed prior to  
3 my coming in to that meeting and then was reraised as a point  
4 of information when I came in.

5 Q Did you not have a conversation with John Ehrlichman  
6 prior to the meeting about which you are making reference con-  
7 cerning Mr. Hunt's most recent demand for funds?

8 A I have a general recollection of a very brief dis-  
9 cussion of that topic with Mr. Ehrlichman. I don't think it  
10 was before the meeting with Mr. Dean and the President that  
11 morning.

12 I am not sure when that -- I think it was discussed  
13 or rai sed i n the course of the conversation, but my recollec-  
14 tion now is the first I heard of that was in the meeting in  
15 the President's office.

16 Q You say you recall some conversation with Mr.  
17 Ehrlichman and you think it was after Mr. Dean raised it in  
18 your presence with the President or discussed it with the  
19 President in your presence.

20 I ask you whether, more specifically, you did not  
21 have a conversation on the 20th of March, the day before the  
22 meeting between Mr. Dean and the President to which you have  
23 alluded, with Mr. Ehrlichman at which time the discussion  
24 about Mr. Hunt's most recent demand was discussed.

25 A That is not my recollection at this time. It is

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1 awfully hard to put these things into time position. My  
2 feeling now is the first I heard of that was in the March  
3 21st morning meeting in the President's office. I can't dis-  
4 count the possibility of the other.

5 I am trying to give you my best recollection.

6 Q You think you may well have had a discussion with  
7 Mr. Ehrlichman on the 20th about Mr. Hunt?

8 A I don't recall any such. That's really all I can  
9 say. I have no recollection of such a discussion preceeding  
10 the other.

11 I have a recollection of that point coming up in  
12 conversation with Mr. Ehrlichman at some time. My feeling is  
13 that that was after the 21st.

14 Q Well, what do you recall about the substance of it  
15 coming up with Mr. Ehrlichman which would be something which  
16 might put it in a better chronological frame.

17 A This account is only a very general recollection.  
18 Let's see if I can reconstruct this. What I would recall in  
19 a general sense is that there was some reference to the fact  
20 or to the report that Hunt had made some kind of a threat that  
21 he was going to reveal the seemy things he had done for  
22 Ehrlichman, or something to that effect, and that was discussed  
23 as a point of information.

24 Mr. Ehrlichman expressed the view that that was a  
25 matter of no concern to him because there was nothing, as far

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1 as he was concerned, that fit that kind of a description that  
2 he would have any concern about Mr. Hunt revealing.

3 In other words, his view was -- and this is the  
4 general sense -- I'm not trying to put words into it because  
5 I can't -- it was that there was no basis for a Hunt threat  
6 in that respect.

7 Q That's what Mr. Ehrlichman told you at the time of  
8 your conversation?

9 A That's my recollection.

10 Q As part of the threat, didn't Mr. Ehrlichman tell  
11 you that Mr. Hunt was asking for a lot of money and that the  
12 threat to reveal these things about Mr. Ehrlichman and others  
13 was contingent on his demand not being met?

14 A It is not my recollection that Mr. Ehrlichman told  
15 me that. It is my recollection that I had heard that, the  
16 substance of the threat, prior to the conversation or the  
17 raising of this point in conversation with Ehrlichman.

18 Q Well, if we break that down there should be something  
19 which should trigger your recollection as to whether you heard  
20 about a threat from Mr. Ehrlichman for the first time or you  
21 heard it from Mr. Dean, and when you discussed it with Mr.  
22 Ehrlichman, whether Mr. Ehrlichman told you that the threat  
23 was a flat or unconditional threat to reveal things, or whether  
24 it was conditioned on a circumstance not being met; that is  
25 the payment of money to Mr. Hunt.

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1           A     Okay. As I thought I had said, my belief is that  
2 I was told or that I heard of the threat in the terms that  
3 Mr. Hunt had said he had to receive -- I think it was a hundred  
4 and twenty thousand dollars, or something like that -- or he  
5 would reveal the seamy things that he had done for Ehrlichman.  
6 That sort of phraseology is how I recall it.

7                     In other words, it was a threat that he had to be  
8 given this amount of money or he would do the other thing.  
9 But my recollection is that where I heard that was from John  
10 Dean and in the President's office, not from John Ehrlichman.

11           Q     That wasn't the only thing that Mr. Dean had indica-  
12 ted that Mr. Hunt would talk about, is it?

13           A     That's the only thing I recall.

14           Q     Isn't it a fact that the Hunt threat was in the con-  
15 text not only of telling these seamy things about Ehrlichman,  
16 but that he would tell what he knew about Watergate, it's  
17 break-in and its aftermath.

18           A     No, that's not how I remember it at all.

19           Q     It's not?

20           A     No, sir.

21           Q     Your recollection of being so advised by Mr. Dean  
22 was that Hunt would only tell about Ehrlichman?

23           A     There may have been another name. It may have been  
24 Ehrlichman and someone, but my recollection very specifically  
25 in that regard is that the threat related to what was described

1 as the seamy things he had done for Ehrlichman. It may have  
2 been for Ehrlichman and someone else, but it was not, as I  
3 would reconstruct it now -- my impression is not that it was  
4 a threat to disclose anything other than the apparent projects  
5 that he claimed he had done for Ehrlichman.

6 Q Wasn't the fear expressed that in terms of Hunt  
7 "blowing"?

8 A It may have been, and if it was, my recollection  
9 again would be that it was in that context.

10 Q Now what was Mr. Mitchell's response to you on the  
11 telephone, to your invitation?

12 A Again, it would have to be basically speculation. I  
13 think that I transmitted to him the request to attend the  
14 meeting, and h e said that he would be down the first thing in  
15 the morning and a meeting was therefore set up.

16 Q And later on is it not a fact that Mr. Mitchell's  
17 travel plans were confirmed and you were apprised of his time  
18 of arrival?

19 A That's probably true, yes.

20 Q Do you recall that?

21 A No, I don't now but I imagine that would be the case.  
22 I don't know whether it was later on or he confirmed it at the  
23 time. I'm not sure of that.

24 Q Now Mr. Haldeman, you recall -- do you recall pro-  
25 viding to the United States Attorney's Office, and specifically

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1 to Mr. Silbert, copies of the various telephone logs of yours?

2 A Yes.

3 Q Where are the originals of those logs?

4 A I don't know. I'm not sure. We may have turned  
5 over the originals. They may be in my attorneys' possession.  
6 They may still be in the White House files.

7 Q Would you like to confer with counsel with respect  
8 to the answer to that question?

9 A Fine.

10 (Whereupon, the witness left  
11 the Grand Jury room to confer  
12 with counsel.)

12 (Whereupon, the witness re-  
13 entered the Grand Jury room.)

14 BY MR. BEN-VENISTE:

15 Q Mr. Haldeman, have you had the opportunity to consult  
16 with counsel?

17 A I have.

18 Q Are you able to answer the question with respect to  
19 your logs?

20 A It is my counsel's belief that they were provided  
21 with several Xerox copies of those logs, but they do not have,  
22 and did not have the originals at any time.

23 On the basis of that, I can only assume, and this  
24 would be my best belief, that the originals are still in the  
25 White House files. Prior to my leaving the White House, and

1 for the purpose of turning over copies to the U. S. Attorney's  
2 Office, copies were made of those logs. A Xerox copy was held  
3 in my attorney's file and copies were turned over to the U. S.  
4 Attorney's Office.

5 Q So that you requested that the White House Xerox  
6 various of your documents which were in the presidential files?

7 A There was a specific request for these logs apparent-  
8 ly, and the copies were made and they were turned over. That  
9 is my understanding.

10 Q Were you provided a copy of whatever was turned over  
11 to the U. S. Attorney's Office?

12 A Yes. My recollection is that these were not in the  
13 White House files at the time. They were held by my secretary  
14 in my office.

15 MR. BEN-VENISTE: May we mark this as Exhibit HRH-1  
16 of this date?

17 (Whereupon, Grand Jury Exhibit  
18 HRH-1 was marked for identi-  
19 fication.)

20 BY MR. BEN-VENISTE:

21 Q I'll show this to you, Mr. Haldeman, and ask if this  
22 does not appear to be one of the logs turned over to you --  
23 turned over by you to the U. S. Attorney's Office.

24 A It appears to be, yes.

25 Q Now if you will notice, this is a telephone memoran-  
dum log dated March 21, 1973, Wednesday, H. R. Haldeman, and

1 it begins at 2:50 p.m.

2 A Right.

3 Q With the first entry.

4 A Right.

5 Q Do you know where the first page of that log is, as  
6 I will advise you that it has never been turned over to the  
7 Government.

8 A Is this identified as the second page? Yes, it is --  
9 page 2. No, I have no idea.

10 Q Have you ever seen page 1?

11 A I have not made any attempt to review these logs so  
12 I probably haven't. As I have indicated in earlier appearances,  
13 this log was not kept by me. It was kept by my secretary. I  
14 am not familiar. I didn't even know it existed, as a matter  
15 of fact, until the request was made and we got it.

16 Q Have you ever seen page 1?

17 A Not that I recall. I have no reason to believe that  
18 I have. Let me volunteer that if there is a page 1, and I  
19 would like to ask that we ask my attorneys, and we can do it  
20 right now if you want to, to check, they do have -- Mr. Strickler  
21 said they have a copy in their file. They can search that and  
22 see if there is a page 1 for that date which is quite possible  
23 that it is just left out.

24 THE FOREMAN: Would you please do so?

25 THE WITNESS: Sure.

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(Whereupon, the witness left the Grand Jury room to confer with counsel.)

(Whereupon, the witness re-entered the Grand Jury room.)

BY MR. BEN-VENISTE:

Q Mr. Haldeman, have you checked the copy that you have or that your attorneys have of the March 21 telephone logs?

A I have not. I have talked with Mr. Strickler and he is calling his office. It is in the file in his office and he is calling to have it checked right now. As soon as he has an answer he will notify the Marshal.

Q Do you have any knowledge as to any deliberate withholding of this document?

A No.

Q Either by your attorneys or by anyone at the White House?

A No, I don't. It was our intent and thought that we had turned over the complete file, both the telephone logs and the date and appointment files.

Q Now with respect to the tape recording of the conversation about which you have testified between the President and Mr. Dean, and then later yourself, on the 21st of March, 1973, did you ever make a duplicate of this tape or of any portion of the tape?

A No. My answer is no, but I want to be sure I