

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

IN RE: POSSIBLE VIOLATIONS

18 USC 2511 and

18 USC 2512

21.2

Grand Jury Room Number 3
United States District Courthouse
3rd & Constitution Avenue, N. W.
Washington, D. C.

Thursday, May 3, 1973

The testimony of JOHN EHRLICHMAN was taken in
the presence of a full quorum of the Grand Jury.

BEFORE:

EARL J. SILBERT, ESQ.
Principal Assistant United States Attorney

SEYMOUR GLANZER, ESQ.
Assistant United States Attorney

DONALD E. CAMPBELL, ESQ.
Assistant United States Attorney

1 a report like that from Gray, I would pass it along to Dean.
2 I am quite sure I did.

3 Then the next conversation I had with Gray about
4 this was the night of the 15th of April of this year when I
5 finally reached him after he had arrived back from Connecticut
6 where he had been for the weekend. That must have been at
7 ten or ten-thirty in the evening.

8 I advised him at that time that John Dean had dis-
9 cussed with you gentlemen the delivery of a portion of the
10 Hunt safe contents to Gray.

11 Do you want me to recount the conversation?

12 Q Please do.

13 A All right. He said substantially, "John Dean can't
14 say that." I said, "Well, Pat, he already has."

15 Then he said, "Well, you can't let him say that.
16 If he says that, I'll deny I ever got the papers."

17 I said, "I don't see how you can do that." He said,
18 "I have destroyed them."

19 I said something of surprise in response to that,
20 and he said, "You've got to back me up on this, that I never
21 got those papers."

22 I said, "Well, Pat, I certainly don't want to do
23 anything to hurt you, but at the same time I don't hardly see
24 how I can do something of that sort."

25 I was probably more equivocal on that. I was

1 vaguer than that in my response, but that was the substance
2 of the conversation.

3 The reason that I recall that I was somewhat equivo-
4 cal on that was that after a few minutes I called him back,
5 feeling that I had not been sufficiently definite with him.

6 I said, "Pat, I've been thinking about what we just
7 said, and I wouldn't want to leave it with you that I had in
8 any way agreed to the suggestion that you made that I should
9 go along with you on this. I just can't."

10 I said, "If I am asked, I would have to say that I
11 saw you take delivery on this, the contents."

12 He said, "Well, I just don't know what I'm going to
13 do", and that was substantially the end of the conversation.

14 Q Sir, let me ask you this. Between the first and
15 the second call that you made, how much time had transpired?

16 A Ten minutes, perhaps.

17 Q Had you discussed your first call to him with any-
18 one?

19 A Yes.

20 Q With who was that, sir?

21 A The President and Mr. Haldeman.

22 Q It was decided that you should call back and made
23 it unequivocal?

24 A No. I did that on my own motion. I expressed a
25 lack of ease about the way I had left it with him, and I just

1 felt that I had to get that cleared up right then.

2 Q What was your purpose in calling in the first place?

3 A I had been asked to do that.

4 Q Can you tell the Grand Jury as to who?

5 A Well, the President asked me to do that based on
6 information that he had that I did not have.

7 He wanted me to tell Mr. Gray this information which
8 the President asked me to pass along to him.

9 Q Had you ever heard from anyone, prior to that re-
10 quest from the President, or from your conversation with Mr.
11 Gray, that the materials had been destroyed?

12 A No. That day was the first day that I had heard
13 that.

14 Q Apart from that one oblique reference that you in-
15 dicated took place in a conversation with Mr. Gray, and that
16 you passed on to Mr. Dean, had the subject matter of those
17 materials ever been discussed anywhere, at any time, with
18 anyone else by you or in your presence?

19 A Other than Dean or Gray, I would say not.

20 Q All right. Let's go back to after the transfer took
21 place, which you have described to the ladies and gentlemen
22 of the Grand Jury, and prior to your conversation with Mr.
23 Gray on the telephone inquiring about this, you already men-
24 tioned that there was one oblique reference, you indicated by
25 Mr. Gray, to the papers, and that you made kind of an oblique