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1 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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3 IN RE: POSSIBLE VIOLATIONS :
4 18 USC 2511 and :
5 18 USC 2512 :
6 - - - - - X

7 United States District Courthouse
8 3rd & Constitution Avenue, N. W.
9 Washington, D. C.

10 August 9, 1973

11 The testimony of RICHARD G. KLEINDIENST was taken
12 in the presence of a full quorum of the Grand Jury.

13
14 BEFORE:

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

18 GEORGE T. FRAMPTON, JR., ESQ.
19 Assistant Special Prosecutor
20 United States Department of Justice
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1 Q Did there come a time when you learned that Mr.
2 Ehrlichman was conducting an investigation or said he was
3 going to conduct an investigation?

4 A Yes, sir. There came a time when he said that he
5 was. That was Saturday evening at 5:30, April 14th, 1973.

6 Q And was that a surprise to you?

7 A That conversation and what ensued that night in my
8 home was the most shocking day of my life, I guess. I'll never
9 forget it.

10 Q What occurred?

11 A Again, it's a Saturday. I'm at Burning Tree playing
12 golf. I don't play on Sunday because that's a 25 year agree-
13 ment with my wife. I play on Saturday and stay home on Sun-
14 day.

15 About 3:30, the telephone rang. It was Mr. Ehrlich-
16 man's secretary, Miss Hruska. She said that, "Mr. Ehrlichman
17 will want you to come down and see him sometime this after-
18 noon."

19 I think that irritated me a little bit. I think I
20 said, "Aan, I can come down right now, but I can't do it later
21 because I have to be at a reception at the White House Corres-
22 pondents Dinner downtown at 6:00 o'clock."

23 She said, "I'll call you right back." Five minutes
24 later, she called back and said, "Well, you don't have to
25 come down to see Mr. Ehrlichman. Where will you be where he

1 can talk to you on the telephone at 5:30?" And I said, "I'll
2 be at home."

3 I got home in time to change my clothes and put on
4 my dinner clothes so I could talk to him and then leave and
5 be there at 6:00 o'clock.

6 The telephone rang at precisely 5:30. Ehrlichman
7 started out by saying, "General, I've been meaning to call you
8 to report to you about my investigation that I've been conduct-
9 ing with respect to the Watergate matter, and I'm sorry that
10 I haven't been able to do it before now."

11 And I said, "John, have you been conducting a per-
12 sonal investigation?" He said, "Yes." I said, "Have you been
13 interrogating people?" He said, "Yes, I have." I said, "Have
14 you been talking to anybody to anybody that would indicate
15 that they were in violation of criminal laws?" He said, "Yes,
16 I have."

17 Then I remember saying, "John, I think you should
18 be very careful. If you have in your possession evidence
19 about violation of the criminal laws of anybody, it should be
20 given to the FBI, or you could find yourself in an obstruction
21 of justice or be an accessory after the fact."

22 Then I distinctly remember him saying, "Well, it
23 doesn't make any difference now." And I said, "Why not?" And
24 he said, "Well, Mr. Magruder has been over here all afternoon
25 telling us what he has been telling the United States Attorney's

1 office and that what he's been telling us -- saying to them --
2 implicates people high and low in the White House and the
3 Campaign Committee. Have a good time at the White House
4 Correspondents Dinner." Click. Down goes the phone. That's
5 all I ever knew about that.

6 Q Let me back track in time and then we'll pick up
7 again. We sort of got ahead of ourselves.

8 Sometime in February, late February of 1973, did
9 you have a conversation with President Nixon concerning the
10 Ervin Committee?

11 A Well, I remember talking to him on the telephone a
12 couple of times about that situation.

13 Q What do you recall?

14 A The general subject matter was that I think, because
15 of the request of Senator Baker, that I was to be the liaison
16 between the White House and the minority members of the Ervin
17 Committee with respect to their procedures. And the thing
18 that was troublesome to the White House, at that time, were
19 the terms and circumstances under which top people at the
20 White House, such as Haldeman and Ehrlichman and Dean, et
21 cetera, were going to be giving testimony to the Ervin Com-
22 mittee. That was the general subject matter.

23 Once, the President reported to me that somebody on
24 Baker's staff had complained to the White House that I wasn't
25 available to Senator Baker, and that got me upset because