

Preliminary Draft 2/1/74 - PFR  
of Possible Presentment  
Rent

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Caption should be changed to  
In Re June 5, 1972 Grand Jury

UNITED STATES OF AMERICA	)	
	)	Criminal No.
	)	
	)	Violation of 18 U.S.C.
V.	)	§ § 201(d), 371, 1503, and 1510
	)	(bribery, conspiracy,
	)	obstruction of justice and
	)	obstruction of a criminal
RICHARD M. NIXON	)	investigation)

PRESENTMENT

The Grand Jury charges:

Introduction

1. At all times material herein, the Democratic National Committee, an unincorporated association, was located at the Watergate Office Building, 2600 Virginia Avenue, NW., in the District of Columbia.

2. At all times material herein, the United States Attorney's Office for the District of Columbia and the Federal Bureau of Investigation were parts of the Department of Justice, a department and agency of the United States.

3. At all times material herein, RICHARD M. NIXON was the President of the United States.

4. On or about June 17, 1972, Bernard L. Barker, Virgilio R. Gonzalez, Eugenio R. Martinez, James W. McCord, and Frank L. Sturgis were arrested in the offices of the Democratic National Committee while attempting to photograph documents and repair a surreptitious electronic listening device which had previously been placed in those offices unlawfully.

5. Beginning on or about June 17, 1972, and at all times material herein, the Federal Bureau of Investigation and the United States Attorney's Office for the District of Columbia were conducting an investigation, in conjunction with a Grand Jury of the United States District Court for the District of Columbia which had been duly empanelled and sworn on or about June 5, 1972, to determine whether violations of 18 U.S.C. 371, 2511, and 22 D.C. Code 1801(b), and of other statutes of the United States and of the District of Columbia, had been committed in the District of Columbia and elsewhere,

and to identify the individual or individuals who had committed, caused the commission of, or conspired to commit such violations. On or about June 23, 1972, the Grand Jury began hearing evidence in connection with this investigation.

6. On or about September 15, 1972, in connection with the said investigation, the Grand Jury returned an indictment in Criminal Case No. 1827-72 in the United States District Court for the District of Columbia, charging Bernard L. Barker, Virgilio R. Gonzalez, E. Howard Hunt, Jr., G. Gordon Liddy, Eugenio R. Martinez, James W. McCord, Jr., and Frank L. Sturgis with conspiracy, burglary and unlawful endeavor to intercept wire communications.

COUNT ONE

7. From on or about March 21, 1973, up to and including the date of the filing of the presentment, in the District of Columbia and elsewhere, RICHARD M. NIXON, unlawfully, willfully and knowingly did combine, conspire, confederate and agree together and with co-conspirators unnamed herein to commit offenses against the United States, to wit, to commit bribery in violation of Title 18, United States Code, Section 201(d), to obstruct justice in violation of Title 18, United States Code, Section 1503, and to obstruct a criminal investigation in violation of Title 18, United States Code, Section 1510.

8. It was part of the conspiracy that RICHARD M. NIXON and the co-conspirators would corruptly give, offer and promise a thing of value to another person with intent to influence the testimony under oath of such other person as a witness at a proceeding before an officer authorized by the laws of the United States to hear evidence and take testimony, for the purpose of concealing and causing to be concealed the identities of the persons who were responsible for, participated in, or had knowledge of (a) the activities which were the subject of the investigation referred to in paragraph five (5) above, and (b) other illegal and improper activities.

9. It was further a part of the conspiracy that RICHARD M. NIXON and the co-conspirators would corruptly influence, obstruct and impede, and corruptly endeavor to influence, obstruct and impede, the due administration of justice in connection with the investigation referred to in paragraph five (5) above for the purposes stated in paragraph eight (8) above.

10. It was further a part of the conspiracy that RICHARD M. NIXON and the co-conspirators would, by means of bribery, obstruct, delay, and prevent the communication of information relating to violations of criminal statutes of the United States to a criminal investigator duly authorized by a Department of the United States to conduct and engage in investigations of and prosecutions for violations of the criminal laws of the United States., for the purposes stated in paragraph eight (8) above.

11. Among the means by which RICHARD M. NIXON and the co-conspirators would carry out the aforesaid conspiracy were the following:

(a) On or about March 21, 1973, RICHARD M. NIXON, together with certain of the co-conspirators would make and cause to be made a covert cash payment to and for the benefit of E. Howard Hunt, Jr.

(b) On or about March 22, 1973, RICHARD M. NIXON, and certain of the co-conspirators would hold a meeting.

(c) On or about March 23, 1973, RICHARD M. NIXON would direct one of the co-conspirators to prepare a false, deceptive and misleading report concerning matters which were the subject of the investigation referred to in paragraph five (5) above.

12. In furtherance of the conspiracy, and to effect the objects thereof, the following overt acts were committed in the District of Columbia and elsewhere:

OVERT ACTS

1. On or about March 16, 1973, E. Howard Hunt, Jr., met with Paul O'Brien at 815 Connecticut Avenue NW., in the District of Columbia, at which time Hunt told O'Brien that Hunt wanted approximately \$120,000.

2. On or about March 21, 1973, John W. Dean III met with RICHARD M. NIXON at the White House in Washington, D.C., at which time Dean told NIXON of the demand of E. Howard Hunt, Jr. for approximately \$120,000.

3. On or about March 21, 1973, RICHARD M. NIXON met with John W. Dean III and Harry R. Haldeman at the White House in Washington, D.C., at which time NIXON instructed Dean and Haldeman that approximately \$120,000 should be paid to and for the benefit of E. Howard Hunt, Jr.

4. On or about March 21, 1973, in the District of Columbia, Fred C. LaRue met with a messenger and gave the messenger approximately \$75,000 in cash for delivery to William O. Bittman.

5. On or about March 21, 1973, RICHARD M. NIXON met with John W. Dean III, John D. Ehrlichman, and Harry R. Haldeman at the White House in the District of Columbia, at which time there was a discussion of having Dean prepare a written report on the Watergate case.

6. On or about March 22, 1973, John W. Dean III, John D. Ehrlichman, Harry R. Haldeman and John N. Mitchell met at the White House in Washington, D.C., at which time Mitchell told Ehrlichman that E. Howard Hunt, Jr.'s money problem had been taken care of.

7. On or about March 22, 1973, RICHARD M. NIXON met with John W. Dean III, John D. Ehrlichman, Harry R. Haldeman, and John N. Mitchell at the White House in Washington, D.C., at which time there was a discussion of having Dean prepare a written report on the Watergate case.

*LaRue phone  
conv. with  
Mitchell* →

8. On or about March 22, 1973, John D. Ehrlichman had a conversation with Egil Krogh at the White House in Washington, D.C., at which time Ehrlichman told Krogh not to worry about the testimony of E. Howard Hunt, Jr., because John N. Mitchell was taking care of Hunt and paying all the defendants in the Watergate case.

9. On or about March 23, 1973, Harry R. Haldeman had a telephone conversation with John W. Dean III who was then at Camp David, Maryland, in which Haldeman instructed Dean to prepare a written report on the Watergate case.

(In violation of Title 18, United States Code, Section 371)

COUNT TWO

The Grand Jury further charges:

On or about March 21, 1973, in the District of Columbia, RICHARD M. NIXON unlawfully, willfully and knowingly did corruptly give, offer, and promise a thing of value, to wit, approximately \$75,000 in cash to E. Howard Hunt, Jr., with intent to influence the testimony of E. Howard Hunt, Jr., at a proceeding before an officer authorized by the laws of the United States to hear evidence and take testimony, to wit, the Foreman of a Grand Jury of the United States District Court for the District of Columbia.

(In violation of Title 18, United States Code, Section 201(d) and 2.)

COUNT THREE

The Grand Jury further charges:

From on or about March 21, 1973, up to and including the date of the filing of this presentment, in the District of Columbia, and elsewhere, RICHARD M. NIXON, unlawfully, willfully and knowingly did corruptly influence, obstruct and impede, and did corruptly endeavor to influence, obstruct and impede the due administration of justice in connection with an investigation being conducted by the Federal

Bureau of Investigation and the United States Attorney's Office for the District of Columbia, in conjunction with a Grand Jury of the United States District Court for the District of Columbia, to determine whether violations of 18 U.S.C. 371, 2511 and 22 D.C. Code 1801(b), and of other statutes of the United States and of the District of Columbia had been committed in the District of Columbia and elsewhere, and to identify the individual or individuals who had committed, caused the commission of, or conspired to commit such violations.

(In violation of Title 18, United States Code, Sections 1503 and 2.)

COUNT FOUR

The Grand Jury further charges:

From on or about March 21, 1973, up to and including the date of the filing of this presentment, in the District of Columbia and elsewhere, RICHARD M. NIXON, unlawfully, willfully, and knowingly did, by means of bribery, obstruct, delay and prevent the communication of information relating to violations of criminal statutes of the United States by E. Howard Hunt, Jr., to criminal investigators.

(In violation of Title 18, United States Code, Section 1510 and 2.)

A True Bill

---

FOREMAN

Page Denied

Page Denied