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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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

Thursday, September 13, 1973

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

BEFORE:

JAMES F. NEAL, ESQ.
Assistant Special Prosecutor
United States Department of Justice

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

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

JILL W. VOLNER
Assistant Special Prosecutor
United States Department of Justice

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P R O C E E D I N G S

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Whereupon,

JOHN EHRLICHMAN

was called as a witness and, having been first duly sworn by the Foreman of the Grand Jury, was examined and testified as follows:

BY MR. NEAL:

Q Mr. Ehrlichman, I'm going to skip over some areas I want to come back to in time, and ask you some things that occurred near the end of your employment.

I want to ask you if, on or around March the 20th, 1973, you had a conversation with Mr. Dean in which he related to you a certain message that he had allegedly received, either directly or indirectly, from Mr. Hunt?

A Yes.

Q Would you tell us what he related to you?

A As I recall, he said that he had either a call or a conversation with an attorney in behalf of Hunt. He said that, in effect, unless Hunt were paid a substantial amount of money, that he would disclose activities in which he had been engaged in during the time he was at the White House.

Q I'm sorry, I missed the last part of your answer.

A I say he said he would disclose the activities in which he had been engaged during the time he was at the White House, and the message which Dean got apparently related those

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1 to Mr. Krogh, but Dean also related them as affecting me.

2 Q Did he say that the message he passed on to you from
3 Hunt would have a lot of things to say about what he'd done
4 -- a lot of things to say about the seamy things that he had
5 done while he was at the White House?

6 A Yes. Or words to that effect.

7 Q Words to that effect. Who was present during this
8 conversation with Dean? You were present, Dean present. Was
9 anyone else present?

10 A I don't believe so.

11 Q What did you say in response to this, if anything?

12 A Well, for one thing, I said it looked to me like
13 blackmail. I asked him -- I also said it looked to me like
14 he was talking about the Plumbers' operation, but I asked him
15 if he understood, from whoever he talked to -- and I believe
16 it was Bittman that he told me he had talked to -- whether
17 this fellow had indicated that this was to be a particular
18 event that he was threatening about or if this was the whole
19 Special Unit operation that he was talking about, or just
20 what Dean understood it to relate to.

21 Q What did Dean say in response to that?

22 A Well, he said he didn't know.

23 Q Did you give Dean any instructions with respect to
24 this?

25 A I asked him --

1 Q Shall we strike that for just a moment from the
2 record. And before I get to that, ask you if you remember
3 any specific sum of money being mentioned?

4 A I remember -- yes, I remember that a specific sum
5 of money was named -- mentioned. Actually, two sums of money
6 were mentioned and I can't tell you precisely what they were,
7 but it was something over \$100,000, in total.

8 Q Right. Do you remember what the purpose of this
9 money -- what Hunt said this money would be used for? The
10 purpose of giving him the money?

11 A I don't think that that was -- well, it may have
12 been told me. I don't recall it, though.

13 Q Now, go on with what, if anything, you asked Dean
14 or instructed Dean to do, after this conversation?

15 A Well, first, there was more conversation.

16 Q Tell us all the conversation.

17 A And I asked Dean for his estimate of the reality
18 of this, whether or not this was a real problem for us or not,
19 because I was thinking in terms of Hunt making a disclosure
20 to the prosecutors of the Special Unit operations.

21 And we discussed whether that was the intent of
22 this or -- because he said that Hunt was coming up for sentenc-
23 ing. I think that was at the time that Hunt was coming up for
24 sentencing. So I was curious as to whether this was in sort
25 of a judicial process framework or whether he was talking

1 about going public with this.

2 Dean said that he felt that it was not a threat to
3 go to the press or to the public with this as much as it was
4 to go to the prosecutors.

5 And the other question that I asked, which led to
6 my requesting, was whether he thought this was really Hunt
7 or whether he thought this was the attorney trying to get
8 money for attorney's fees; and he said that he didn't know,
9 he didn't have a feel for that.

10 And this had apparently not occurred to him and so
11 I said, "I think you ought to talk to Colson."

12 Q Talk to Colson?

13 A And see if he can give you any feel or his estimate
14 of whether that is the case or not but, at the same time, we
15 discussed the possibility of problems in the exposure of the
16 Special Unit operations to the prosecutors and he said he
17 felt that since Petersen had information about the Special
18 Unit for a long time, that did not pose any particular prob-
19 lem in terms of any notoriety or any newspaper stories or
20 things of that kind.

21 So it was kind of a back and forth and, frankly, I
22 was shaken by this because Dean put it in terms that this was
23 a threat aimed at me on a personal basis.

24 So I also asked him whether, in his opinion, I had
25 any legal liability in the eyes of a prosecutor on account of

1 the Plumbers' operation and, particularly, the Ellsberg break-
2 in business.

3 So that was the nature of that conversation.

4 Q Other than what you have related, did you give Mr.
5 Dean any instructions?

6 A I can't recall any.

7 Q Specifically, did you tell him -- did you ask him
8 if he'd discussed this matter with Mitchell, the matter
9 being the subject of this conversation?

10 A No. I think he said he was going to discuss it
11 with Mitchell. I didn't ask him to discuss it with Mitchell.

12 Q That was my next question. Did you ask, request
13 or instruct Dean to take this matter to Mitchell or to dis-
14 cuss the matter with Mitchell?

15 A No. I think that was a given. I think he indicated
16 that that was what he had done or was going to do.

17 Q Okay. But you made no request along that line?

18 A I believe not.

19 Q Now, Mr. Ehrlichman, turning to March 21, 1973, were
20 you present in any conversations that Mr. Dean had with the
21 President?

22 A I don't believe so. Now, let's see. Was that the
23 day -- I beg your pardon.

24 Q Two meetings and you were present at one of them.

25 A Yes, I believe I was there at the afternoon meeting.