

"...see if the CIA could help out"

Perhaps by nature these CIA witnesses are not the liar Gray is. Few could equal the slow-turner tortured for Nixon's lies and survival. He didn't even consider it torture, that is how unembarrassed he was. And when he had the offer of salvation from the well-intended Senator Weicher, the one committee member with the fortitude to try to conduct his own investigation, he abused Weicher, lying to him, too. In his testimony beginning right after that of Walters on Friday, August 3, and continued the morning of Monday the sixth, Gray admitted this. (In full color. Nationwide TV. (9H3449ff) given)

Gray, personally, he says on Ehrlichman's orders ~~and~~ in Dean's presence, destroyed some of Hunt's White House files. Dean confirmed it, Ehrlichman, naturally enough, disputed everything. Everything, that is, except the President's unlimited power and rights, not excluding murder.

What Gray swore to is the destruction of evidence, the obstruction of justice and an entirely new catalogue of crimes that begin with ~~allixibxcfeasancescxcnie-cmalexcndxcnxcHe~~ misfeasance, malfeasance and nonfeasance. For this one act he was subject to more criminal charges than any other in Nixon's gang of unprecedented dimension and unprecedented criminality.

He had been the head of the FBI, formerly Deputy Attorney General.

He also remained uncharged, a free man.

However, this catalogue, long as it is, is only the beginning.

There is also what Gray did as boss of the FBI. Simply put, he saw to it that the FBI was stifled to the degree possible and that what had to be investigated was not. In the earlier, longer Watergate book I laid aside there is a book-length chapter documenting only what was publicly known about this from his "confirmation" testimony.

Yet ~~pinning the tail~~ pulling the fangs of the one viper does not get all the poison. Gray could not have gotten away with this and would not have dared try it if everyone from Nixon down hadn't wanted it of ~~him~~ him. Kleindienst was Attorney General, Petersen ran the Criminal Division and was in immediate legal charge of the case that should have

many cases and Silbert ran the grand jury, ~~these~~ controlling what it could know and knowing what he had to know, thereby controlling what would be charged, what would be aired in court and what would not - in short, seeing to the unimpeachment of Richard Nixon.

All the committees ~~far~~ from which there was no clamor for indictment and trial and in which there was complacency at this most genuine of subversions, share responsibility. So does the press, which blackened big headlines and forgot.

That there was no national cry of anguish and indignation merely means that, after this long abuse of power and the system of society and the long and sickening exposures of what Nixon was really doing as President, the country was past shock, past indignation.

Past hope.

When Kleindienst was praised by the chief judge of the district court, George Hart, as a good family man and a devoted servant of the President and sentenced to a month in confinement and a fine of merely \$100 and both were suspended and when Kleindienst's exposed crimes were felonies that were not charged, injustice becomes justice and the system has gone to hell.

Driven/unerringly there by those who see wrong in the demand for rights, subversion in the demand that the system and the laws work - that there be equal justice.

With all that everyone else had gotten away with- and Gray's ~~the~~ "confirmation" testimony was several months before the Watergate committee's hearings began - there was no deterrent to more perjury, deception, misrepresentation and infrequently just plain lies by those who had or felt the need.

They all got away with it, too.

The most relevant ~~last~~ other testimony is that of the two closest to Nixon, Halde-  
man and Ehrlichman, and ~~of Dean,~~ <sup>that of</sup> The first two, later indicted on multiple charges in-  
cluding perjury, is so false it is not worth wasting time on. One wonders if this is the true totalitarian belief, the requirement of dedication to Nixon and self-preser-  
vation, or that they are such sociopaths they can't distinguish between truth and lies.

tr to top The holy-sounding Petersen was told by Dean, in private, that Gray destroyed this evidence. His reaction was to tell Dean to shut up. (3H949)

inside the White House

Dean was the first of those who could lay out the nitty-gritty and ~~his~~<sup>he</sup> did. His/was the longest Watergate committee testimony. It takes up all of the third volume of printed hearings and more than half the fourth.

The problem with it is not did he tell the truth - and the immediate Nixonian attack was that in self-preservation he had not - but did he tell all of it.

He did not tell all of it. There is no independent means of determining why, but from my own experience with Senate committees and witnesses who are seeking relief, when they do not it is because they are given to understand that they should not. There is no reason to believe that Dean deliberately held anything back.

This, of course, relates to his volunteered opening statement, not the subsequent questioning. That statement is 245 legal-sized pages long- three pounds of paper!

Whether Dean was fully forthright or not is the responsibility of the questioners, as it generally is with cooperative witnesses.

For some reason not then apparent, in this prepared statement Dean intertwined the Pat Gray destruction of evidence, of some of the contents of Hunt's safe, with White House implications of CIA involvement in The Watergate and in nebulous allegedly non-Watergate matters of which Dean said he had neither knowledge nor understanding. He was not asked.

By any measure, his volunteered statement is in every respect a remarkable document.

He made sensation for the committee, which helped its public image no end and gave the false impression that nothing would impede its derring-do, its quest for the truth and its dedication to its obligations and responsibilities.

The hidden reality is that Dean also worked in a few problems for the committee, what it had to get around.

He involved Petersen and Kleindienst in knowledge of criminal acts and covering them up, Kleindienst of doing nothing about Mitchell's demand that he fix the case the very first day (3H936) and Petersen in knowing of Gray's destruction of evidence and his telling Dean to knock it off (3H949). There are other examples. In these cases neither the committee

nor the special prosecutor did anything. (Naturally, Petersen and Silbert didn't.)

He gave a first-hand account of the contents and the destruction of some of the contents of Hunt's safe that the committee ignored when it was hearing Gray, the net effect being to misrepresent what it was that Gray destroyed. As Dean kept coming back to this after side issues were explored, he set forth that what was destroyed is not fake cables -- Hunt had fabricated for Colson's special, anti-Kennedy misuse; that it did include Hunt's personal file on his wife which, strangely, was in his safe; how easily the FBI was conned, and how willing it was to be conned; how little he gave the FBI; that everyone in the White House knew about the arrests immediately; that the initial orders to destroy the "sensitive" contents of Hunt's safe were from Ehrlichman; and that what ~~was later destroyed~~ he gave to Gray in Ehrlichman's office to be destroyed - Ehrlichman's description, "deep six" it - was what he described as "politically sensitive materials" that could have hurt the Nixon re-election campaign. (3H934-5; 937-8, 940, 941, 948)

A major importance of Dean's testimony is that it is the first to involve Nixon in obstructing justice and in bribery, later confirmed by Nixon's own release of his own tapes.

While doing all of this and more, he also dumped an awful load on the CIA. Gently, but a very heavy load. (3H945-7). One paragraph on Walters is particularly significant, more so because the questions it raised were not resolved (3H947): Dean <sup>met</sup> began having ~~meetings~~ <sup>with</sup> Walters as soon as he and Helms had had the law and the line laid down by Haldeman and Ehrlichman:

... went to my meeting with General Walters. I reported to the President that Walters had informed me that one informant in the CIA in this country was on a list of people that when I reported to Ehrlichman he said, "That's interesting". He told me that I should talk with General Walters. Further and perhaps more difficult to see if the CIA could help me, particularly with regard to the numerous and persistent investigations. I also remember a man saying something to the effect that General Walters had forgotten why he got where he is today.

Helms and Walters interpreted it as probably pressure but claim<sup>the need to be sure;</sup> but by all accounts, including Nixon's, it is beyond doubt that <sup>on the pretense</sup> pretending there was the possibility that the CIA would be hurt Helms and Walters were directed by Ehrlichman to get Gray to order the FBI to lay off the Mexican investigation so the CIA would not be <sup>damaged - involved</sup> hurt. Nixon himself says the obvious, that he told Ehrlichman to do this.

If there is or ever was even the zaniest basis for Nixon's saying this and ordering the delay in the FBI investigation, regardless of their need to justify it, the White House and Nixon have been silent on it. There appears to have been no basis for alleging conscious CIA involvement.

This, however, is not the same as free-lancers or self-starters with or without CIA involvement. Nor does it eliminate the possibility that the CIA was being blackmailed over the illegal acts in which it was involved. The purpose of the blackmail began as an effort to stall the investigation. We may never know into what it blew because there is so much involvement of CIA people and because the officials were so dishonest.

There seems to be disagreement between the people involved over when Nixon had his henchmen lay the directions down to the top CIA brass, the dates of June 22 and 23 both being used. This tends to distract from an important date relating to an important fact, when the FBI learned of the ~~Barker~~ Barker-Mexican laundry operation.

Dean was told about <sup>it</sup> ~~it~~ by Pat Gray on June 21. (3H95 942). His second discussion of it with Gray was June 22, <sup>(3H943)</sup> the first day anyone says the CIA was leaned on by the White House.

Pat Gray was not down in Miami interviewing bank officials. When the FBI first learned and how fast Pat Gray learned and who else then learned is a mystery because all the official investigations saw to it that it would remain a mystery. But if Dean knew June 21, which was the day after Nixon returned from his Key Biscayne vacation, Pat Gray knew of it before he told Dean and whoever ~~he~~ told Gray knew before he told Gray.

There is no reason to believe the FBI could not have known three days earlier, on <sup>the 19th, assuming they didn't interfere with bankers' weekends.</sup> the 19th, assuming they didn't interfere with bankers' weekends. The 19th was the first

bankers' working day after the June 17th attempted ripoff and the arrests.

For an organization with the manpower and influence of the FBI, learning the whole ~~nut~~ Barker end of those checks was a snap. It could have done it by phone. One agent could have done it in an hour or so by phone if anyone told him where each of the Cubans banked. All the wives could have and with a search warrant, were it necessary, would have. If the FBI decided to treat Nixon's burglars other than they do those ~~nut~~ from minority groups, it was still an easy job. Put a crew of secretaries, agents and typists on the phone and call the banks. Finding any in which any of the Cubans had an account, they pull the "This is the FBI" routine. Theoretically a paper ~~from~~<sup>from</sup> a court is needed before your bank can surrender your records, but that theory went out when J. Edgar Hoover came in.

If it took the FBI one whole working day to get the whole lowdown, complete with xeroxes of the bank's copies of those checks Barker cashed, it ought to be ashamed of ~~its~~ itself and its founder and for so long glorious leader must be revolving in his grave.

A couple of hours would be par for so easy a task.

Somehow, the Watergate Sherlocks never had an interest in ~~learn~~ learning exactly when who knew what and what he did about it, the Baker formula.

Those who survived Hoover learned survival. (They would be a record.) Besides, the bank has people with vocal chords.

Dean's testimony on this needs<sup>to</sup> be read with care. He said, "To the best of my recollection it was during this June 21 meeting with Gray that he informed me that the FBI had uncovered a number of major banking transactions" in Barker's account and "they had traced a \$25,000 check to a Mr. Kenneth Dhalberg and four checks totalling \$89,000 to a bank in Mexico City." (3H942) Normally this might be taken to mean maybe it was after the 21st. Dean eliminated this possibility by dating his second meeting with Gray with positiveness on the 22nd. (3H943) The uncertainty, then, is whether the more probable is true, that it was before the 21st. Later is impossible.

There can be no doubt on two counts: Gray passed every bit of evidence to the White House as fast ~~and~~<sup>as</sup> he got it and read even the raw reports, the unedited, uncondensed originals, to be complete. And Dean was Nixon's eager beaver, passing the word as fast

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as he could. ~~(3H943)~~ (3H943)

What he testified to next can mean only one of two things: that everyone was lying in general, with nothing in particular in mind, no plan; or the Nixon attempt to fix responsibility on the CIA was working whatever moment Gray told Dean of the check tracing.

This hexing of the CIA dates at the latest to June 21.

"...this money had absolutely nothing to do with the Watergate; it was unrelated and it was merely a coincidence of fact that Liddy used Barker to cash the checks/..."

(3H943)

Then on the 22nd Gray gave him <sup>his</sup> ~~the FBI's~~ theories on the crime. One was "it was a CIA operation." (3H943)

Once again, if not the full story, this is more than enough to postulate two further alternatives: someone inside Nixon's White House was improvising awfully fast or there had been a previous plan to contrive a deal to make the CIA look responsible if something went wrong. Hunt's use of Cuban revanchists made this a natural. Gray told Dean this was one basis for ~~the FBI's theory~~ his theory.

Dean indicates no awareness of the Gray written ~~with~~ report to Haldeman of the 19th. by his assistant counsel, Fred Fielding. He was told/to return to Washington immediately the morning of the 18th, when his plane on the West Coast landed, after a 22-hour flight from the orient. By that time, as Dean opens this long statement, everyone in the White House knew the essence of the facts, though it was a Sunday. Dean flew to Washington immediately.

What all of this means is that the White House was ~~blaming the CIA~~ trying to make the CIA look responsible for the "third rate burglary" ~~ix~~ the White House gang tried to pull long before the testimony on the point indicates it was; and that what could be taken as proof of CIA complicity, The Mexican Connection with the Ogarrio checks, was also known immediately and earlier to the White House, probably the 19th and not later than, Gray told Dean which was by the 21st.

There are two versions of when Haldeman and Ehrlichman called Helms and Walters to get them to persuade the FBI to lay off on its Mexican investigation on the ~~invented~~

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ground that secret "national security" CIA operations might be disclosed. The earlier day given is the 22nd. The official one is the 23rd. Whichever is first, it was not less a full day than/after the White House had this basis for making the improper demand of Helms and the CIA, a demand that was improper under any circumstances and more so after Helms' assurances that no CIA operations were involved.

This was his only assurance: that no current operations would be endangered.

Once Helms knuckled under to the Haldeman-Ehrlichman pressure and sent Walters trooping off to tell Gray - who was phoned by the White House and expected him - to respect the "delimitation agreement" and lay off, the CIA was in trouble and the Nixon unimpeachment<sup>1</sup> was well started. The delay in the FBI investigation in Mexico lasted until July 12 10, long enough for much covering up and cover-story preparation.

All accounts are consistent, the White House did give these orders and they came from Nixon personally. Nixon agreed that he had given this order, ~~get the hell out of there~~ and that he later learned there was no CIA involvement. Yet he also claimed, "At no time did I attempt, or did I authorize others to attempt, to implicate the CIA in the Watergate matter."

There is no account of when this White House operation actually began because there was never any real investigation of it. No investigation shows when and how the White House first received knowledge of the catching of its red-handed, rubber-gloved agents. No real investigation of obstruction of justice was possible without this. Avoiding it means no real investigation was intended. The Watergate committee was satisfied with the Ehrlichman and Butterfield generalities that they were informed the afternoon of the 17th by the Secret Service and the FBI. It need not be assumed, as is warranted, that there had been earlier, informal warnings. It happened. Hunt told someone about 4 a.m., which coincides with his return to his White House office.

Here again Buckley suppressed and edited his transcript. Hunt reported this with some bitterness because the White House did not go to work immediately to spring the five who were in jail a few blocks from the White House. But Buckley, knowing this incriminates the White House, edited it out of the printed transcript of that May 12, 1974 show.



Regardless of the exact instant, which can't be pinpointed, it is certain that the White House plot to exculpate itself by transferring blame onto the CIA came at the earliest stages and ~~included~~ began with using the CIA to call off the FBI's Mexican investigation. On its part, the FBI should have had the/<sup>initial</sup> Mexican ~~aspects of the~~ investigation completed before it was called off. It delayed on its own. The FBI should have phoned its man in Mexico City, the Mexico City police or both the minute it got copies of ~~Ogarr~~ the Ogarrio checks. Between the FBI and the CIA the failures that can't be excused gave Nixon time to build a false defense that did work and did make his unimpeachment possible. Instead of interviewing Ogarrio at the latest the first working day of the investigation, June 19, it held off until July 10, which was several days after Walters threatened to resign unless the White House ended this pressure for the CIA to take the blame for the "horrors."

With more than three weeks, the White House had ample time to put the fix on.

Hunt did whatever he did during his non-mysterious non-disappearance and was back in Washington before Walters' ultimatum and that was five days before the FBI went to see the by then well-prepared Ogarrio.

Neither Nixon nor his unscrupulous henchmen <sup>was</sup> were acting without an arm on the CIA. They had this hold because of the CIA's illegal help, which means participation in <sup>these</sup> illegal activities. <sup>These</sup> This criminal acts were just as criminal for the CIA, with the addition of <sup>its</sup> violation of the law against domestic activities by it.

When the CIA was less than honest about this during the later investigations, it hooked itself more firmly. In turn, this helped Nixon more, all over again, and at another crucial time for him, after McCord had rekindled the fire with his letter to Sirica. The CIA's people deceived first the "oversight" committee and then the ~~Watergate~~ Watergate committee. Neither could have been deceived ~~unwillingly~~ against its will.

If as I believe this dishonesty was actually perjury, there is the question why would the CIA's top men run this great risk, commit a felony, for which the penalties can be severe?

If motive remains a question, fact does not.

The most foolish lie that could be perjurious is that there was no CIA connection with any of the arrested when Martinez was still on the CIA payroll.

The more serious have to do with conspiracy to obstruct justice and deliberate falsification about the illegal help to Hunt.

Because the CIA gave copies of some of its records to the Watergate committee, it can assign some of the blame for the falsifications of the investigators as well as their own to it, but that does not relieve its top people of their personal responsibilities for false swearing.

This falls into two broad areas, the help asked by Hunt and given and when it was ended. If these are under the law material to the investigations then the false swearing is perjury.

Let us then begin with what was sworn to, not the documents the most important of which were suppressed. The first-hand knowledge was Cushman's. Assistant Chief Counsel James Hamilton opened his initial questioning by asking (8H3292), "please tell the committee the nature of Mr. Hunt's requests to you and the reasons he expressed for needing assistance." Cushman explained briefly that Hunt had been provided with what he sought with which to disguise himself, including false documentation, on the assumption it was for a "a one-time interview" on a "highly-sensitive mission by the White House."

Did Cushman "ascertain whether the CIA assistance involvement in this matter would be permissible under statutory jurisdiction?"

"No, because I considered that a one-time interview, as he stated it, was perfectly OK."

This is to say that violating the law once is "perfectly OK" but repeating the violation is not. It is also to say that when his master snapped his fingers, Cushman sat up and barked, that considerations of the law and its restraints were not in his and the CIA's mind.

Cushman did not volunteer the whole story of this illicit CIA domestic activity.

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What did come out, less than all, emerged from less than vigorous questioning. Neither Hamilton nor minority counsel nor the members pressed.

From what I have been able to obtain of what was suppressed it appears that in advance the CIA people decided to misuse some of its files to lie about the nature and duration of its help to Hunt and through him to Nixon and about when and when it ended this help. The story is that when Hunt made an unusual request for a stenographer that was the straw that broke the CIA's back. Hamilton got into this ~~later (8H3293)~~ quoted immediately after his general question (8H3293):

Mr. Hamilton.

Did there come a time around August 18, 1971, when Mr. Hunt began to make additional demands on the Agency?

General Cushman. Yes sir. ...he relayed through my executive assistant that he wanted the services of a stenographer whom he knew and we turned that down. I discussed it with Mr. Helms. We both agreed it was not a proper request...he should be hiring a stenographer if he needed one and that he was probably trying to lighten the expense of his job, so to speak, by borrowing whatever he could from us..."

Here as with other Hunt/Nixon demands that "would involve CIA people" Cushman "still didn't ~~see~~ <sup>sense</sup> anything sinister" although "it seemed to me that he should have known better than to ask for all these things." Although Cushman admitted that Hunt was not acting on his own but for the White House, he claimed that this request for a stenographer and for a special phone service was too much. "I just felt that this was not wise, and the Director agreed with me. (8H3307)

This is the story of when and why the CIA cut off all help to the White House in its "horrors," activities illegal for both.

Helms was a little more specific when questioned about this by Baker:

Senator Baker. ...On August 26 you were advised of oncreasing demands made by Mr. Hunt. He had already made several which had been acceded to...increasing demands for CIA technical and other ~~help~~ assistance, including that he be supplied with a personal secretary then located in Paris. Do you have personal knowledge of that?

Mr. Helms. I did ~~know~~ and it was at that time that I spoke to General Cushman as I have already said.

Senator Baker. That was <sup>in effect</sup> the straw that broke the camel's back?

Mr. Helms. Yes, sir, you put that well.

Senator Baker. And you declined to go any further...you told Cushman that Hunt had now gone too far and that Cushman should tell Ehrlichman that no further assistance would be afforded to Hunt?

Mr. Helms. Yes, Sir. (p. 3265)

Ooh, la la! A "personal secretary" from Paris?

The CIA had documents in its files to support this representation of when and why it ended help to the White House, even to the ~~titillating~~ titillating implications about "the young lady" from Paris. Hamilton's question about August 18 is based on one of them, written got the 18th in expression of great CIA apprehension but the 23rd and "sanitized."

Identification of this "young woman" is eliminated, for spook but not logical reasons, even her age, GS grade and home town. So is the name ~~of~~ signed to the memo, that of "EA/DDCI." It is no secret that Karl Wagner was the executive assistant to Cushman, Deputy Director, Central Intelligence, or the EA of the DDCI.

The instant he received this memo, Cushman routed it to Helms, <sup>who</sup> ~~when~~ returned it promptly. ~~XXXXXX~~ On the routing slip Cushman wrote, "FYI [For Your Information] and guidance on how to handle." Helms' return of the same day has his handwritten note under Cushman's, "If Hunt renews the request, please let me know and I'll speak to Ehrlichman at once." (The also unnamed executive director didn't receive this policy line until August 30, then marked on the same slip, in Helms' hand, "~~FYI~~ "FYI only."

Lil-hold for appendix, not facsimile use here inless I got getter copy  
in the first two ~~paragraphs~~ and fourth paragraphs/

If there is some measure of support/for the CIA pretense that ~~xxxxxxx18th~~

Hunt's demand of the 18th was "the straw that broke the camel's back," Baker's words to which Helms swore, "Yes, sir, you put it well," and "You declined to go any further... no further assistance would be afforded," (8H3265) there is also an officiousness and a peremptory tone with Hunt in effect giving orders and specifying a cover for an unexplained exceptional demand: Lil, facsimile graf's 1,2.

The committee failed to make the obvious date correlation. That <sup>was</sup> ~~the~~ period of Hunt's preparations for burglarizing the office of Ellsberg's former psychiatrist. While the memo was wending its way to the executive-director and before it reached him, Hunt had had more services rendered, including ~~the picking up of~~ having "his regular TSD [Technical Services Division] contact" meet him at Dulles airport, pick up Hunt's undeveloped film of Dr. Fielding's office for planning the break-in and developing it. Had the committee not avoided this correlation it might have suspected that Hunt's request was a deliberate

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM

UNCLASSIFIED      CONFIDENTIAL      SECRET

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	DATE	INITIALS
1	DCI	21 AUG 1971	[initials]
2			
3	DDCI	8/24	[initials]
4			
5	Ex. Dir.		
6	DDCI      FYI	10 AUG 1971	[initials]

ACTION	DIRECT REPLY	PREPARE REPLY
APPROVAL	DISPATCH	RECOMMENDATION
COMMENT	FILE	RETURN
CONCURRENCE	INFORMATION	SIGNATURE

Remarks: FYI and guidance on how to handle [initials]

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If Hunt renews the request, please let me know and let [initials] [initials] at once.

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

DDCI

DATE: 23 AUG 71

UNCLASSIFIED      CONFIDENTIAL      SECRET

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White House effort to embroil the CIA in common White House crime, albeit of uncommon nature. With a CIA secretary working with Hunt on it, the CIA, which was already involved through ~~the~~ its illegal help, would have been inextricably involved by actual personnel participation. Ehrlichman's doing, not Hunt's idea.

At the end Wagner explains Hunt's insistence on this one of all "young ladies." What is unexplained and requires explanation is Hunt's effrontery in demanding that the CIA's European chief not know "that he or the White House were involved" in the demand for this "young lady" who was needed "at once." Nobody in the entire CIA was to know besides Helms, Cushman and Wagner.

The third paragraph was so ~~sa~~ "sanitized" that this is all remaining: Lil-facsimile, space 1 3/8" from top of line, rest blank to top next typing.

Wagner was back in touch with Hunt, also of no investigatory interest, and more of an investigatory self-~~examination~~ description if not self-condemnation is the fourth paragraph, which continues onto the top of a second page:

This is quite the opposite of the ~~the~~ CIA back broken by Hunt's "young lady" straw. It is an offer of further and even more illegal help, of "a fully qualified secretary from Headquarters." Moreover, Wagner waited for another call-back from Hunt before writing his "Memorandum for the Record," because "several days have gone by and we have heard no more of the matter."

What could Hunt and/~~the~~ of the White House and Ehrlichman possibly have had in mind if this is the only "young lady" in all of CIA "he would accept because of 'the loyalty factor.'?"

Obviously ~~some~~ Hunt or someone else knew her exceptionally well to have such extraordinary a desire for her "loyalty factor."

Because of investigatory disinterest there is no answer to any one of these questions, only inferences each can draw for himself. But for Baker to say that the CIA's back was broken and it refused any more help ~~begin~~ the moment of Hunt's first demand for this out of the ordinary demand is to explicitly cover both the CIA and the White House (Baker's interest was not defending the CIA) knowing the covering was a deception, a corruption of

23 August 1971

Ex 123 p 2

MEMORANDUM FOR THE RECORD

SUBJECT: Request by Mr. Howard Hunt for Special Agency Secretarial Support

1. Mr. Howard Hunt, a retired Clandestine Service officer who is a White House consultant on security matters, telephoned on 18 August to request that the Agency furnish him a secretary for a temporary assignment of between 30 and 90 days. He said that he needed the secretary to work on a highly sensitive assignment and that Mr. John Ehrlichman had suggested that he call General Cushman.

2. Mr. Hunt said that he wanted the services of a specific individual, Miss [redacted], who was working in the Paris Station. He said that he didn't want Chief, EUR to know that he or the White House was involved in the request. He suggested that the Director's office should recall the young lady at once, explaining to all concerned that she was urgently needed for an unspecified special assignment. He again stressed that White House involvement should not be mentioned to anyone but General Cushman or the Director.

3. Miss [redacted] is a [redacted] year old, GS- [redacted] clerk-typist from [redacted]

4. After discussing the case with General Cushman, I informed Mr. Hunt that the Agency would be very reluctant to withdraw [redacted] in the middle of her overseas assignment. It would involve unnecessary expense and would disrupt the work of the Paris Station. I suggested that if Mr. Hunt would furnish us with the qualifications desired we might be

SECRET

Ex 123 p 3

able to provide a fully qualified secretary from Headquarters. Mr. Hunt replied that Miss [redacted] was the only secretary he would accept because of "the loyalty factor," and he would withdraw the request if he could not get her. I suggested that he take the matter up with General Cushman if it would make him feel better. He replied that he might do this but would first talk to Mr. Ehrlichman. Several days have gone by and we have heard no more of the matter.

of the official record, an aborting of the investigation, and was fully refuted by the document in his hand, the one here reproduced.

When Cushman finally refused a Hunt request he was in no hurry to tell Helms. It was in another routing-slip covering memo on another ~~of~~ Wagner's "memorandum for the Record." of the 30th. The date stamped after "DCI" is "31 Aug 1971."

That Cushman complained to Ehrlichman on the 27th, a date written in the margin of the xerox of the original, identifies which of the Hunt demands Cushman finally rejected:

"I called John Ehrlichman Friday and explained why we could not meet these requests. I indicated that Hunt was becoming a pain in the neck. John said he would restrict Hunt."

"Good," without an exclamation point, Helms write at the bottom. His return is initialed by ~~Wagner~~ Wagner, who did not date it.

By this time the CIA had a special new "Howard Hunt" file. The slip ~~and the memo~~ was ~~sent~~ consigned to it.

Ever the blunderer as he was ever Nixon's sycophant, Gurney gave the ~~se~~ game away, except for the fact that everybody ignored his bulling through the China shop of Baker's delicate covering up of irrefutable proof that help had not been cut off.

During his questioning of Helms (8H3263-7) Baker had edged into the CIA's help to Hunt but skirted Wagner's memo of the 30th. After questions about the admitted technical aid, ~~which~~ the false identification papers for Liddy as "George Leonard" (8H3264), Baker put the Ellsberg break-in film business this way, "On August 26, Mr. Hunt delivered to the CIA film which he had taken for developing and it was in fact developed by the CIA."

With the intensive government ~~next~~ investigation of the Pentagon Papers leak and the CIA's mission to prevent leaks, Helms said, "at that time nobody knew what these films represented." (8H3265) Nobody wondered how the CIA functioned it it didn't recognize the name "Dr. Fielding" when the FBI had interviewed him in an effort to get his Ellsberg records and had been rebuffed. And long before this the CIA had been asked to and did prepare for the White House what is called a "psychological profile" on Ellsberg.

Baker and ~~Helms~~ Helms, in their parrying, kept the focus on the film and the routing slip. "It," his word, is all that Baker asked "be included now as an exhibit



HUNT HOWARD

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
UNCLASSIFIED	CONFIDENTIAL		
SECRET			
OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	DDI	31 AUG 71	JH
2			
3	DDI		KW
4			
5	ER-FILE		
6	Howard Hunt		
ACTION	DIRECT REPLY	PREPARE REPLY	
APPROVAL	DISPATCH	RECOMMENDATION	
COMMENT	FILE	RETURN	
CONCURRENCE	INFORMATION	SIGNATURE	
Remarks: I called John Probstman Friday and explained why we could not meet these requests. I indicated Hunt was becoming a pain in the neck. John said he would retrieve Hunt. Good JH b			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
DDI			31 Aug 71
UNCLASSIFIED	CONFIDENTIAL	SECRET	

29 Aug 71

to the witness' testimony." (8H3266)

But the Wagner memo was attached to it. Baker ignored the memo, which was explosive disproof of the CIA's claim to have stopped giving help to the White House, and what from his record, <sup>what</sup> appears to have been more Baker's concern is proof of other and entirely unexposed White House jobs.

It is with this that the <sup>bumbling</sup> Gurney almost pulled the plug when in questioning Cushman (8H3307) he ~~quoted from~~ used the Wagner memo <sup>Gurney</sup> without mentioning his source. In fact, ~~he~~ did it by citing "a staff preparation of highlights of the staff's interview with you on August 1," the day before.

Cushman, unable to avoid it, said merely, Gurney was arguing rather than questioning when ~~he~~ said, "But then when ~~he~~ escalated to request for an office [sic] and for a telephone answering service, this would involve CIA people, and while I still don't sense anything sinister, it seemed to me that he should know better than to ask for all these things." Frankly, I thought he was simply trying to cut down his expenses." (8H3307) ck

Gurney, Nixon's defender, went along with putting it all on Hunt and trying to exculpate Nixon, Ehrlichman and the others by telling Cushman that "in your mind it was poor judgement." Cushman didn't give him a chance to finish, interrupting with, "Yes, sit."

All of this, skill and bumbling, accents interest in what Wagner actually put on paper, which on a single page can't be all of it: Lil-all, facts. <sup>what?</sup>

What the ~~expensive~~ wily spook Cushman here did was get enough into the record to be able to claim he was not holding back while making a strong gesture toward the White House and at the same time really obscuring to the point of suppressing what Hunt was really up to and with him the White House. Gurney, he could figure, with an ample record to buttress the beliefs, was not ~~very~~ very bright to begin with, was an open Nixon apologist, and was worried about the leaked White House hint that it might support an opponent in Florida's Republican primary. It was with Gurney that he had his <sup>ideal</sup> ~~ideal~~ opportunity.

With the committee's ten-minute rule, which limited the time for questions and answers by each Senator to ten minutes, there was a good prospect that each, following his own

investigatory interests, might not have time to follow up. This is what actually ensued when Weicher sought to pursue, <sup>albeit</sup> if without success, the necessary effort to learn who at the White House made the first demand for help to Hunt (SH3308ff)

If Wagner committed much to paper, he managed to avoid much, much that would have been incriminating knowledge. The place from which Hunt phoned to demand being met by a courier at the airport the next day is not recorded. If Hunt had not said, a CIA courier would have known the plane he met and thereafter, assuming even that it was not a non-stop from Los Angeles, it would have been no trick to learn. This had to be hidden to hide the Ellsberg involvement, which tends to indicate the CIA knew that it had to hide and what it had to hide.

Wagner knew it had provided Hunt with a camera for the clandestine taking of pictures. <sup>officials</sup> All the public/descriptions are of a Tessina, a readily-available Swiss miniature 35mm camera, hidden in a tobacco pouch. In an interview Hunt described it as a camera designed for taking pictures in poor ~~light~~~~under~~~~poor~~ lighting conditions, which also means a special film. Whichever ~~ever~~ it is, it is not what he needed for an "in-and-out" interview, what <sup>W</sup>ushman described as a "one-time op."

In this Wagner and the CIA and, of course, Nixon, were helped materially by the omissions of the committee's staff preparation of the members in its long "Witness Summary." That preparation has <sup>many</sup> ~~many~~ breakdowns, often of the inconsequential, but none for the CIA help to Hunt. That summary avoids all the details of this/Ellsberg operation - crimes - saying only "They [sic] prepared photos" and that the photos "came back," ~~but~~ not from where they "came back." (page 5) However, on the same page the ~~starting of the~~ CIA's knowledge of the nature of the Hunt/Liddy operation is, if not related to this illegal help, given:

"On August 12, 1971, Hunt met with Dr. Bernard Malloy to discuss the improvement of the profile which the CIA had prepared" on Ellsberg.

The CIA knew that Hunt had been in Los Angeles, it knew Ellsberg was there, it knew Ellsberg's former ~~the~~ psychiatrist was there, it knew that Hunt was to get added information for its psychiatrists so they could "improve" their Ellsberg profile, so it had to know what the film had to be about before developing it. Were this not true, when it was making memos

SECRET

30 August 1971

MEMORANDUM FOR THE RECORD

SUBJECT : Additional Request from Mr. Howard Hunt  
for Agency Support

1. Mr. [redacted], Deputy Chief, TSD telephoned on 27 August 1971 to report additional requests from Mr. Howard Hunt. He said that Mr. Hunt had telephoned Mr. [redacted], his regular TSD contact, on 26 August 1971 and asked him to meet a courier at the airport to receive exposed film and arrange for its development. Mr. Hunt also arranged to pick up the developed film later. Mr. [redacted] said that the pseudonym of Mr. Hunt's colleague, whose identity remains unknown to us, is Roy Anderson.

2. Mr. [redacted] said that he was increasingly concerned at the nature of assistance requested by Mr. Hunt. TSD had initially furnished Mr. Hunt with notional pocket-litter documentation. Hunt was now pressing for fully backstopped documentation and support. A driver's license and credit cards (including Hertz and Avis) had been requested in pseudonym. Mr. [redacted] said that he had turned down this request. Hunt had also asked that the Agency arrange to backstop a New York phone number either through an answering service there or by a hookup which would permit the New York number to be answered in Washington. Hunt also wanted the Agency to arrange for a New York business office to acknowledge him. Mr. [redacted] said this service was beyond TSD's capability and would have to be handled by the Office of Security.

3. I told Mr. [redacted] that Mr. Hunt's latest requests drew us even further into the sensitive area of domestic operations against Americans and that all such requests should be referred to General Cushman's office. Meanwhile these requests should not be met.

EA/DDCI

with which to protect itself, there is no chance it did not study the developed film.

The last words of this paragraph identify an ignored Hunt associate in Ellsberg crime, not Liddy, who was known to the CIA as "George Leonard," but one "Roy Anderson," which is not a known alias of any of the Watergate or Ellsberg break-in Cubans or McCord.

Here <sup>a</sup>gain the committee had no interest and there is no questioning in the hearings.

Nor do Helms, Cushman or Wagner identify "Anderson" or express any interest in him.

Cushman's description of an office and answering-service for Hunt, who had both already, is far short of even the Wagner representation of "full backstopped documentation and support." "Backstopped documentation" is not what will pass casual observation but what will survive close scrutiny, as police can give. The "Backstopped ~~xxxx~~ support" was in New York City and in Washington. It included a cover -shades of Littauer and Wilkinson -"a New York Business to acknowledge" Hunt as an employee and a New York phone number ~~xxxx~~ "to be answered in Washington." This means that anyone phoning Hunt under his fake identity in New York City would actually talk to Hunt in Washington while believing he was in New York City. Among the advantages of this is an airtight alibi: the man the caller would believe was in New York therefore could not be Hunt, who could prove he was at that moment in Washington.

Where the falsehood Wagner does not question in reporting, "this service was beyond TSD's capability and would have to be handled by the Office of Security," appears to be the end of that paragraph, it is not. Measurement shows the balance of that line and the next were masked in copying.

This may or may not relate to the contents of one of the documents stolen from me, Hunt's representation that when he was in CIA he had had exactly this kind of New York-Washington phone service. And Wagner does not say it is beyond CIA's capability. Merely that of the norm of Technical Services. There is at least the strong *inf*erence that this is not beyond the capability of the Office of Security. Why else would they "handle" it?

Ignoring this is a more grevous investigatory failure. The committee and all other investigations had all they needed <sup>for</sup> correlation, the FBI and the prosecution had documentary proofs. The correlation is with <sup>still</sup> another break-in for which no indictments were issued.

The committee, which could not avoid it, went into the political aspects that are relevant, the Nixonian paranoia, Dean's description of all demonstrators, whatever was being protested, particularly blacks and <sup>other</sup> minorities, and an effort to equate demonstrations with violence and lawlessness and all with the Democrats.

uninvestigated  
The ~~uninvestigated~~ burglary in which nothing of value was stolen and files were rifled was the same holiday weekend <sup>Nixon's thugs</sup> ~~as the unsuccessful~~ wrecking of Dr. Fielding's office without finding his Ellsberg file.

This Nixonian insanity in which the CIA was involved led to many consequences and several series of indictments that, in turn, were accompanied by plea-bargaining and the jailing of some of Nixon's closer aides. First there were California indictments, then there were federal indictments, handed down March 7, 1974, and there were also separate California charges against Ehrlichman, from perjury to burglary. <sup>In the</sup> ~~By the time the~~ federal indictment charges were laid against Ehrlichman, Colson, Liddy, Barker, Martinez and one of <sup>Felipe De</sup> ~~the~~ Nixon's hunt/Barker gang not previously indicted, <sup>Diego</sup> Diego. Unindicted co-conspirators named were Hunt, David Young, who had been an assistant to Henry Kissinger when he was on Nixon's personal staff, before Nixon made him Secretary of State, and Egil Krogh, also a White House upper middle level staffer. Young and Krogh were the supervisors of the Hunt operations. Krogh copped a plea on this by confessing and was released from jail the day Colson, who claimed adoption of Christ and <sup>conf</sup> confessed to another <sup>crime</sup> crime, was sentenced, June 21, 1974.

Because Nixon and Ehrlichman had tried to fix the judge in the Ellsberg case, Matt Byrne, by offering him the Directorship of the FBI, the judge, pretending this had not been grounds for his taking action, pressed for release of the secret Ellsberg evidence that had been withheld on Nixon's personal orders, including Hunt's grand-jury testimony on it after he was out on bail and appealing from his own guilty plea. All of this was beginning in ~~early June, 1973.~~ <sup>the early 1970s</sup> well reported in the contemporaneous papers. Byrne had no choice. He dismissed the case and the government did not appeal his decision.

<sup>The</sup> The disclosures led to other criminal acts, other of Nixon's dirty secrets.

The end of April, 1973

~~Public-relations needs forced the FBI to look it back known that it also had investigated~~  
 officials

Public-relations need forced those/seeking to curry favor with the press to start leaking. Thus it became known as soon as Byrne made his first angry comment in court that Hunt's White House par records that even thereafter were ignored by the Watergate committee showed Hunt charged the White House for work September 2, 3 and 4, 1971. The Fielding office wrecking was the third. How much time he charged for is contradictory in these leaked accounts but what is more surprising is how little time he charged for his work on a ~~holiday~~ <sup>holiday</sup> weekend that required two cross-continent flights each of which required almost a working day. The Washington Star-News of May 1 ~~The New York Times of May 2~~ has him getting paid for four hours the day he flew out, which is less than plane time alone, four hours the day of the burglary, and two hours only the day after it. It required more time than this to check out of his hotel and get on the plane. The Washington Post's sources quoted May 4 <sup>said</sup> told it Hunt was paid for eight hours the day Fielding was ripped off. With Hunt's greed there has to

~~As is normal in police work, the airlines were checked; if the CIA pretended not to have done this in the Wagner memo. Hunt used his "Hamilton" alias and Liddy used one not reported to have been created by the CIA, "Larimer." Neither behaved like the experienced have been some supplement to this less than personal cost charge. Bennett's deposition provides an answer because Hunt was billing him for a full month of work each month Or, without or without return subsidy, the Allen agency seems to have underwritten part of this insane operation that was to prove so costly to Nixon, who ordered it through Ehrlichman.~~

secret operatives both were. Hunt the playboy engaged a hostess in conversation about himself and his writing and later, with an accompanying letter on White House stationery, sent her one of his books. He would have been less conspicuous placing a classified ad.

The airline record show that with all the direct, nonstop flights from Los Angeles to Washington, Hunt and Liddy flew instead to New York. There the papers abandoned his the trail. But why were Hunt and Liddy, and as it later turned out also the Cubans who lived in Miami, going to New York the Saturday of the Labor Day weekend? Why not spend it or what was left of it with families?

the Watergate committee

Because when ~~it~~ had these characters on the stand it did not ask them and because the hearings of the "oversight" committees were secret, the answers are not known. But there is reason to believe this gang then broke into the offices of the NAACP Legal Defense and Educational Fund, at 10 Columbus Circle. (Equal Justice, 11/9/73). LDF Director and counsel Jack Greenberg reports "nothing was stolen but some files were broken into." Greenberg had an explanation that fits the Nixonian paranoia about demonstrators and other minority protesters and radicals. "The Fund was then involved in the defenses of Black Panthers leader Bobby Seale, in the contempt aspect of the Chicago conspiracy trial [another Nixonian and unsuccessful paranoid prosecution in which the alleged conspirators were acquitted and Seale was later acquitted of the contempt charge], and Earl Caldwell, the New York Times reporter who resisted subpoenas issued by a San Francisco grand jury investigating the Panthers."

Greenberg reported that after a half year his requests for help, including to Prosecutor Silbert and Watergate committee chief counsel Sam Dash had been fruitless.

From the public press there is available a series of other seemingly pointless non-burglarized victims of publicly-~~un~~ unsolved break-ins of this period. All happen to be of those the Nixon White House considered its "enemies." Three of more were of various Chilean governmental offices, including the Washington Embassy, before with Nixon Administration help the Chilean military overthrew the elected government and murdered Allende, its head. the pattern of All these crimes duplicate/the break-ins at The Watergate ~~and~~ of Dr. Fielding's office.

Some unravelling and some weaving is possible, despite the permeating official reluctance to do official duties and get to the bottom of all this "seamy" drime.

To this point there is no doubt that ~~the White House~~ Nixon through his deputies got the CIA to violate its charter and help him in domestic-intelligence dirty-works that are illegal for the President also. The CIA knew what it was doing when it started this, guiltily, and then/ tried to cover its tracks. It lied, possibly criminally, in the official investigations, thus trying to help itself and succeeding in helping Nixon, who much needed help to remain unimpeached. First visible pressure on the CIA was connected with "The



Mexican Connection" of which there was White House knowledge, if not immediately upon the capture of its five agents inside the Democrats headquarters, prior to any of the officially-reported time by a period enough to permit the building of a cover to obstruct evidence. All this coincides with Hunt's mission when he skipped town, during the crucial period taking sanctuary with another spook, the well-connected lawyer Jackson.

and none of this partial summary is consistent with anybody's innocence.

Extra space

Of the many innocent victims of Nixonian crime one poor man deserves a footnote.  
June 7, 1973

This is the report of Pacifica Radio's Dennis Levitt: Lil-part marked in red

Three weeks later Pacifica's Mark Schwartz reported further on Davis' travail.

Lil-mark in blue Return for Ellsberg file

His account includes the normal practise, not that of The Watergate prosecutors, when they want a confession:

6:30 /p.m. News

Announcer -- The Los Angeles Grand Jury looking into the break-in of Daniel Ellsberg's psychiatrist heard testimony today from the man who was originally accused of committing the break-in, but was in jail the night of the event. Dennis Levitt reports:

Levitt: The Los Angeles Grand Jury, investigating the break-in at Daniel Ellsberg's psychiatrist's office, today heard from policemen who investigated that break-in, as well as from Elmer Davis, who was convicted of the break-in. Davis was originally arrested in Beverly Hills for another crime, and the Beverly Hills Police Department allegedly pinned the Ellsberg burglary on him. Davis claims that the police tried to pressure him into confessing for the burglary, this in exchange for a reduced sentence on the other crime he was charged with.. When he refused to confess to something he didn't do, Davis claims that the police lied on the witness stand in order to convict him. At his trial, three eyewitnesses to the burglary were not called to testify. It seems that their descriptions of the burglar did not match Davis at all. Further, it has recently come out that Davis was in fact incarcerated in the L.A. County Jail on the night of the burglary. Davis spent six months in jail for being convicted of the burglary of Ellsberg's psychiatrist's office. Today Beverly Hills policemen who, needless to say, are in hot water for their actions on Davis and the burglary, testified at the Grand Jury. Associated Press "sources close to the Grand Jury" say the officers reportedly denied any knowledge of the White House and Watergate links to the break-in. They testified that they had no inkling that the burglary had been ordered by people inside the White House when they accused Davis of the crime. Davis himself was another witness today. Although his testimony is still secret, Davis previously has contended that ~~there~~ there were ulterior motives for linking him to the burglary. This is Dennis Levitt, Pacifica Radio, Los Angeles.

We Wasn't Informed Department. The STM dissolved into hysterics over the bland statement that the officers "testified that they had no inkling that the burglary had been ordered by people inside the White House when they accused Davis of the crime." She amused herself the rest of the evening, imagining what they would have done if they HAD had such an inkling. Actually, we have no doubt that they had considerably more than an inkling and were leaned upon in no uncertain terms to find a scapegoat fast and close the books on the case. We live in hope it will turn out that John Wayne or Frank Sinatra did the leaning.

A million-dollar lawsuit was filed against members of the Administration today for conspiracy in connection with the Ellsberg affair. Here's a report from Mark Schwartz:

Elmer Davis, charged with the break-in of the office of Daniel Ellsberg's psychiatrist, has filed a \$1-million civil complaint against President Nixon, John Ehrlichman and six others for conspiracy and libel. Davis, a 45-year-old black law researcher, was arrested on October 7th, 1971, for the burglary of a Beverly Hills dress shop. Davis says he was being interviewed for a job at the University of Southern California at the time the dress shop was burglarized. The Beverly Hills police offered him a deal to confess to some 13 burglaries, including the September 3rd break-in at the office of psychiatrist Lewis Fielding. But last May convicted Watergate conspirator D. Howard Hunt told a Washington grand jury that the burglary of Dr. Fielding's office was authorized by Egil Krogh, an aide to President Nixon. According to Senate testimony this week by John Dean, Krogh said that President Nixon himself ordered the break-in.

In his civil complaint filed in Los Angeles Federal Court, Elmer Davis now charges Nixon and his agents Krogh, Hunt and G. Gordon Liddy with conspiring to commit the break-in under the guise of "domestic security." Davis also charges Hunt and Liddy with providing three male Cubans with equipment supplied by the CIA, used in the burglary. And Davis charges that Nixon, Ehrlichman, Krogh and Beverly Hills police chief B.L. Cork [phonetic] conspired to make him a "scapegoat" in order to cover up their own criminal acts and to falsely convict him.

Davis, acting as his own attorney while in Folsom prison, says he was in the Beverly Hills jail at the time of the break-in of Dr. Fielding's office, serving a sentence for petty theft.

The Beverly Hills police chief told the L.A. Times last May that Davis admitted to the break-in and said he was looking for narcotics. However, Chief Cork refused to open Davis's file, saying he had turned it over to the FBI. Davis charges the Beverly Hills police with "exposing his criminal record to public ridicule."

All in all, Davis is asking Nixon and the other seven for 1-million dollars in damages. His complaint also authorizes all state and federal courts in the United States to punish those he has named, including President Nixon, if the courts see fit.

This is Mark Schwartz, for KPFA.