

Baker Asks New Inquiry On C.I.A.-Watergate Links

1-5-75 By SEYMOUR M. HERSH
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WASHINGTON, Jan. 4—Senator Howard Baker Jr., who served as vice chairman of the Senate Watergate committee, called today for a renewed inquiry into the Central Intelligence Agency's connection with Watergate, which he and his staff had concluded "just reeked of domestic operations" by the C.I.A.

The Tennessee Republican, whose staff conducted an extensive inquiry last year into the C.I.A.'s Watergate connection, said in a telephone interview: "There's a whole range of unanswered questions, and they are far more important now than they were last year. It was just some loose ends then."

Possible 'Domestic Agent'

The Senator, in his first interview since the published reports of alleged C.I.A. domestic spying, noted that he and his investigators had been unable to develop any direct evidence linking the intelligence agency to major involvement in the break-in at Democratic headquarters in the Watergate complex on June 17, 1972.

In a report published last summer by Mr. Baker's Watergate committee staff, Lee R. Pennington Jr., a C.I.A. operative who was a minor figure in the Watergate cover-up, was depicted as possibly being "a domestic agent." Such activity,

the report noted in a footnote, was expressly barred by the 1947 National Security Act setting up the intelligence agency. Mr. Pennington, who died three months ago of a heart attack, was cited in the Baker report as having helped James



Associated Press
Howard H. Baker Jr.

W. McCord Jr., a member of the Watergate break-in team, burn files in his home two days after the break-in here. Mr. McCord had retired from the intelligence agency in 1970 after more than 20 years of service.

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while highly critical of the C.I.A.'s actions before and after the break-in was generally unable to do more than raise questions and suggest possible areas for further investigation. At the time of the report's release on June 2, 1974, Mr. Baker and Fred D. Thompson, the committee's minority counsel, complained that the C.I.A. had "categorically" refused to cooperate.

Data Refused by C.I.A.

Mr. Baker said in the interview from his home in Huntsville, Tenn., that the C.I.A. had repeatedly refused to declassify its files on Mr. Pennington and others believed by the Senator's staff to have some knowledge of Watergate. Among other materials refused to the committee, Mr. Baker said, were the telephone diaries and office logs of high-level C.I.A. officials for the week following the burglary.

The new disclosures of alleged domestic spying, Mr. Baker said, make it imperative that the "leadership of the Senate promptly notify the C.I.A. and other intelligence agencies to keep their records intact and to destroy nothing while we make a decision on how to proceed."

Once Congress works out the appropriate form for a far-reaching inquiry, the Senator said, "I think we're bound to find out more about the agency's role in Watergate." He said he would urge that Congress provide subpoena power for its investigators.

Mr. Thompson, the minority counsel who is now a partner in a Nashville law firm, said in a telephone interview that "it's absolutely clear that we didn't have the whole ball of wax" regarding the C.I.A.

"It's apparent now," he added, "that we were running into some of these domestic C.I.A. activities."

'Door Was Slammed'

"I remember that we were demanding several things and at one time [early in 1974], we were told it might be given to us," Mr. Thompson said. "We kept pressing them [the C.I.A.] and finally they told Senator Baker, in effect, that any further information they were going to give would go to the oversight committees—the intelligence subcommittees of the Senate and House Armed Services Committees.

"The door was slammed in our face," Mr. Thompson said.

The Pennington incident seemed to be the most specific example of alleged C.I.A. wrongdoing cited in the Baker report, whose call for further inquiry went unheeded at the time.

The report said that the staff's investigators had learned

"that the C.I.A. had in its possession, as early as June of 1972, information that one of their paid operatives, Lee R. Pennington Jr., had entered the James McCord residence shortly after the Watergate break-in and destroyed documents which might show a link between McCord and the C.I.A."

"It seems that the Pennington matter was extremely sensitive not only because of the above-mentioned facts," the Baker report said last summer, "but because Pennington may have been a domestic agent, possibly in violation of the C.I.A.'s charter."

Colby Inquiry Cited

One C.I.A. source told the Baker investigators, the report said, that a special in-house investigation of the agency's link to Watergate was conducted by the C.I.A. in late 1972, under the direction of William E. Colby, the present Director of Central Intelligence who was then executive director of the C.I.A.

The inquiry was so secret, the Baker report quoted a C.I.A. employe as having said, that one of the officials conducting the inquiry "was instructed to keep no copies of his findings and to make no records. He did his own typing and utilized no secretaries."

In the telephone interview, Mr. Thompson noted that the C.I.A. had depicted Mr. Pennington's job to be the routine collection of public materials.

"But if that's all Pennington was doing," Mr. Thompson said, "why the extreme measures to cover it up? The C.I.A. raised heaven and earth to cover up his involvement. It raised questions then and even greater questions now about the C.I.A. and Watergate and domestic operations."

Congressional sources said later that the House intelligence subcommittee, headed by Representative Lucien N. Nedzi, Democrat of Michigan, subsequently questioned Mr. Pennington last year and concluded that he had not been involved in any illegal operations. Mr. Pennington was in his 70's at the time.

"He was just clipping articles for the C.I.A.," one Congressional source said. The source did acknowledge, however, that the C.I.A. deliberately sought to mislead the F.B.I. about the Pennington role in the burning of documents at Mr. McCord's house in August, 1972—months before the Watergate cover-up began to unravel.

Mr. Thompson acknowledged that "Pennington did look like a kindly old gentleman."

"But the point is," he added, "if the C.I.A. was this concerned about Pennington, what else would an inquiry into his file reveal?"