

CIA Finally Stopped Aid

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LOS ANGELES, May 8 — A CIA official has said that his agency abruptly cancelled its assistance to E. Howard Hunt and his burglary squad in August, 1971, when it learned that it was participating in a "domestic clandestine operation."

But, according to a CIA memorandum made public today by Pentagon Papers trial Judge W. Matt Byrne Jr., that realization did not come until five weeks after Gen. Robert Cushman, CIA deputy director, met with and agreed to help Hunt in the scheme to steal psychiatric records of Daniel Ellsberg from his psychiatrist's office in Beverly Hills.

Byrne said this afternoon that he hopes to rule Thursday morning on a defense motion to dismiss the case on the basis of recent revelations of an independent

White House investigation of leaks involving the Pentagon Papers.

The judge also requested both sides in the case to present arguments on a defense motion for a directed verdict of acquittal, but chief defense counsel Leonard B. Boudin said he would not participate in any such argument until the dismissal motion is taken care of.

The memorandum concerning cancellation of CIA assistance to Hunt was one of four such documents turned over to the defense today detailing the CIA's participation in the elaborate project set in motion by former White House domestic affairs chief John Ehrlichman under orders from President Nixon.

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The memos confirm that the CIA provided disguises, documents, a camera, and a "speech alteration device" for the burglary squad, which went through the offices of Dr. Lewis Fielding on Sept. 3, 1971.

Byrne turned the documents over after the government rested its rebuttal case without putting on his final witness. The judge excused the jury until Monday and turned his attention to the second, and increasingly dominant issue in the trial: The extent of the government's secret investigation of the Pentagon Papers case and whether or not it tainted the prosecution of Ellsberg and co-defendant Anthony J. Russo Jr.

The CIA memos were based on interviews of certain agency officials, whose names were blanked out by Judge Byrne to protect their anonymity for intelligence purposes.

One of the interviews was dated Dec. 4, 1972, and another, dated July, 1972, had a notation saying it had been turned over to the acting FBI director, L. Patrick Gray III.

The key memo, however, was undated. In it, the unnamed CIA official says that Hunt visited General Cushman, who is now commandant of the U.S. Marine Corps., on July 22, 1971. Hunt told the general "he had been authorized to conduct a very sensitive operation by the White House and that it should be held a very secret matter."

The agent said Hunt told Cushman he had "a requirement to elicit information and in order to accomplish this he would like some flash alias documentation and physical disguise."

The official said Cushman ordered CIA technical personnel to meet with Hunt the next day, at which time they gave him a set of alias documents and a disguise, including a wig, glasses and the speech alteration device.

About two weeks later, according to the memos, they again met with Hunt—known to them as "Edward"—helped him adjust his disguise glasses and gave him a tape recorder.

At the next meeting, according to the Dec. 4, 1972, memo, "Edward" was accompanied by an "unknown associate" who also asked for a disguise, false papers and a camera.

"Edward" and his associate talked about having to stop by the Pentagon before going to the airport, and it was indicated that further assistance would be required immediately upon their return from the trip. "Edward" did not indicate where he was going, but he left the impression that it had something to do with the investigation of drugs," the memo said.

Other documents, including grand jury testimony by Hunt and an affidavit from his immediate White House boss, Egil Krogh, has revealed that Hunt and G. Gordon Liddy were off to Los Angeles to "case" Dr. Fielding's office.

On Aug. 26, according to the memos, Hunt telephoned a CIA officer and asked to be met at Dulles International Airport to pick up and develop certain film, apparently taken with the CIA camera. This could have been the photos of the building housing Fielding's office, although one CIA agent said he thought it might have been the Rand Corp.

The agent who met Hunt at the airport later developed the film and remembers turning it over to Hunt. In the meantime the agent learned that "additional operational support was to be curtailed because 'Edward's' requests were beyond what was authorized."

On Aug. 27, an unidentified official ordered Hunt cut off because, he said in one of the memos, "they appeared to involve the agency in domestic clandestine operations." That agent said he informed General Cushman, who called "the appropriate individual in the White House with these concerns and explained that the agency could not meet the kinds of requests Mr. Hunt was levying."

The memo continues: "The White House official stated he would restrain Mr. Hunt. Since 27 August 1971 neither General Cushman nor Mr. (the unidentified agent) had any further contact with Mr. Hunt on this subject."

The major issue in today's court session was the question of whether Byrne would hold a hearing to determine the scope of possible government wrongdoing with regard to the Ellsberg-Russo prosecution.