

HELMS WAS VAGUE IN 1973 ON SPY BID

**But Denied Domestic Role
—House Unit Linked Him
to Discussion of Plan**

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Richard Helms told the Senate Foreign Relations Committee in 1973 that he could not "recall" whether the White House had urged the Central Intelligence Agency to engage in domestic spying because of increasing antiwar activity in 1969 and 1970.

The Helms testimony, taken at a secret Senate committee hearing on Feb. 7, 1973, came four months before the first published accounts of Mr. Helms' participation in the so-called Huston plan for domestic spying, put forward in 1970 by a White House staff member, Tom Charles Huston. The plan, which called for some covert operations acknowledged to be illegal, was never officially put into effect by the Nixon White House.

Helms Denial Recalled

Documents made available last July by the House Judiciary Committee's impeachment inquiry showed that Mr. Helms, representing the C.I.A., had been an active participant in the various working sessions on the plan.

The State Department announced Tuesday that Mr. Helms had categorically denied in a telegram from Iran, where he is United States Ambassador, that the C.I.A. participated in "illegal" domestic spying while he served as its director from 1966 to 1973.

Mr. Helms has since left his post and is officially reported to be on a prearranged leave.

In Vail, Colo., where President Ford is continuing his working-skiing visit, the White House announced that it was awaiting a special report on

Continued on Page 36, Column 2

Continued From Page 1, Col. 5

the domestic spying allegations.

Mr. Ford, chatting with newsmen before the report's arrival, indicated that he might make the document public. It is said to total 50 pages with additional appendixes.

"I wouldn't rule it out," he said. "It will depend on the content."

Ron Nessen, the White House press spokesman, later told reporters that he did not know what would be done with the document.

The Ford Administration has made no official denial or confirmation of the alleged spying

since the initial published report in The New York Times on Sunday.

The Times, quoting well-placed Government sources, said that the C.I.A. had violated its charter by conducting massive and illegal intelligence operations aimed at antiwar and other American dissidents inside the United States. Intelligence files on at least 10,000 American citizens were compiled, the sources said.

The subject of domestic C.I.A. intelligence was raised repeatedly during Mr. Helms' secret Senate confirmation testimony, as the Senators focused questions on the fact that two of the five men arrested eight months earlier in the Watergate

break-in had some C.I.A. connections.

Mr. Helms assured the committee that the agency had not been involved in any domestic spying.

At one point, Senator Clifford P. Case, New Jersey Republican, posed the following questions:

"It has been called to my attention that in 1969 or 1970 the White House asked that all intelligence agencies join in the effort to learn as much as they could about the antiwar movement, and during this period United States Army intelligence became involved and kept files on United States citizens. Do you know anything about the activities of the C.I.A. in that

connection? Was it asked to be involved?"

"I don't recall whether we were asked," Mr. Helms responded, "but we were not involved, because it seemed to me that was a clear violation of what our charter was."

A moment later, he told Senator Case what he would have done if someone had requested the C.I.A. to become involved in domestic operations: "I would simply go to explain to the President this didn't seem to be advisable."

In his May 22, 1973, statement on Watergate, President Nixon disclosed that he met with Mr. Helms and other top intelligence officials on June 5, 1970, to discuss "the urgent

need for better intelligence operations."

That report led to a series of recommendations drafted by Mr. Huston and approved in writing by Mr. Helms and others. The recommendations called for break-ins, wiretaps and the surreptitious interception of mail, acts acknowledged to be illegal, to meet the alleged threat from antiwar and radical groups who were said to "seek to confront all established authority and provoke disorder."

The House Judiciary Committee's documents show that on July 23, 1970, Mr. Helms received a top-secret memorandum on the domestic intelli-

gence plan from Mr. Huston. The memorandum called for the C.I.A. to join other Government intelligence agencies to evaluate, report on and carry out the "objectives specified"—that is, covert actions.

Five days later, the memorandum was recalled because of an objection by John N. Mitchell, who was then Attorney General.

In an Aug. 5, 1970, letter urging Presidential approval of the program, also included in the House documents, Mr. Huston said that the C.I.A. and the military intelligence agencies "all have a great stake and a great interest."

"All of these agencies sup-

ported the options selected by the President," he said.

In its Sunday dispatch, The Times quoted a high-level Government intelligence official as acknowledging that the C.I.A.'s decision to maintain domestic files on American citizens "obviously got a push at that time."

Nonetheless, Mr. Helms assured the Senators during his February, 1973, testimony that he believed "100 per cent" in the 1947 legislation setting up the C.I.A. That legislation bars the agency from having any police function inside the United States.

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