

# Cushman To File Affidavit

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The Marine Corps Commandant, Gen. Robert E. Cushman, has been "asked" by the Pentagon to cut short a European trip and return to Washington to file an affidavit with the Justice Department concerning allegations that while deputy director of the CIA he authorized use of equipment eventually used in the break-in at the office of Daniel Ellsberg's psychiatrist.

Rep. Lucian N. Nedzi (D-Mich.) disclosed on Monday that James R. Schlesinger had confirmed to him privately that CIA equipment and research had been used by Watergate conspirators E. Howard Hunt Jr. and G. Gordon Liddy in the Ellsberg burglary case and that Cushman had authorized it.

There have been no public assertions thus far, however, that Cushman knew specifically what the equipment was going to be used for, nor is it clear precisely on what basis the request to Cushman for the material was made.

Cushman will "probably" be back in Washington today, according to Pentagon officials.

Pentagon spokesman Jerry W. Friedheim said yesterday that the four-star general "was asked to return," but stopped short of saying that Cushman was ordered to do so.

Friedheim explained that both the Pentagon's top lawyer, General Counsel J. Fred Buzhardt, and Marine Corps legal officers had talked with Cushman and that the general had agreed with "recommendations" that he "return and make an affidavit which would discuss his activities in the proper legal arena since it is a matter that's in the judicial process."

Friedheim indicated that the suggestion to Cushman to return came from Buzhardt and not from Defense Secretary Elliot L. Richardson, who is to move over to the Justice Department as Attorney General.

Friedheim said there were at least three congressional committees, individual members of Congress, a grand jury and a trial in California, which would undoubtedly be interested in the Cushman statement.

Though the Marine Corps' top officer was working for the CIA at the time of the Ellsberg case break-in and his precise involvement in the authorization of the use of CIA cameras and other equipment is still unclear, the linking of the Commandant with the Watergate case has caused considerable anguish within the Marine Corps.

Interviews with a number of officers yesterday revealed a general feeling of concern that as one put it "the name of the Corps was just being pulled into this octopus of Watergate."

Some officers said that concern expressed over news leaks on national security matters in 1971 might have justified the CIA getting involved and Cushman along with it.

One officer said the fact that a White House National Security Council official, David Young, was involved in investigating the leaks "probably made it seem clear that there was a national security problem at the time."

What officers seem to fear most, however, is that implication that Cushman, a former military aide to then Vice President Nixon in the 1950s, may have been leaned on politically to allow CIA involvement in an area of domestic activities from which the CIA is traditionally barred.

There were also indications yesterday that the Commandant did not like being "asked" and "ordered" to do certain things with respect to the new revelations.

On Monday, Cushman declined to show up at a news conference in the Netherlands, explaining "those are my orders."

Yesterday, Pentagon officials admitted for several hours they were not sure just where Cushman was, and late yesterday they were still not sure when he would in fact return to Washington.

Meanwhile in Congress yesterday, Sen. Harold Hughes (D-Iowa) said he was convinced the CIA assisted in the break-in but that the agency's top civilian directors did not know what was going on.

Hughes said that in closed hearings of the Senate Armed Services Committee earlier this year, both current CIA chief James R. Schlesinger and his immediate predecessor Richard Helms had denied any CIA participation in intelligence gathering operations in this country.