

Report Critical Of CIA

Sen. Baker Says Break-in Possibly Known

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The Central Intelligence Agency may have known in advance of plans for break-ins at the offices of Daniel Ellsberg's psychiatrist and the Democratic National Committee's Watergate headquarters, a report released yesterday by Sen. Howard H. Baker Jr. (R-Tenn.) suggests.

Baker's report, accompanied by CIA comments and denials, provides a rare, if incomplete, glimpse into the activities of the CIA that are by design, normally secret.

Among other things, the report describes how the CIA used a Washington public relations firm as a cover for agents operating abroad, asserts that the CIA destroyed its own records in direct conflict with a Senate request to keep them intact, asserts that a CIA operative may have been a "domestic agent" in violation of the agency's charter and recounts how one CIA employee fought within the agency against withholding information from the Senate committee and other congressional committees.

The report recites several instances in which it says CIA personnel whom the committee staff sought to interview were not made available by the CIA. In addition, the report lists several other instances in which it says the CIA either ignored, resisted or refused requests for information and documents by the committee.

Although the report raises "Questions" about the involvement of the CIA in the Watergate and Ellsberg break-ins, Baker said in a letter to present CIA Director William E. Colby that was also released yesterday, "Neither the select committee's decision to make this report a part of our public record nor the contents of the report should be viewed as any indication that either the

committee or I have reached conclusions in this area of investigation."

The report by Baker, vice chairman of the Senate select Watergate committee, is the long-awaited product of several months of investigation

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BAKER, From A1

conducted primarily by the Republican minority staff of the Senate Watergate committee.

Although the report is implicitly critical of the CIA, it does not radically alter what is already known about the general outlines of the planning an implementation of the Ellsberg and Watergate break-ins. Remarks by the CIA accompanying the 43-page report reject the suggestion that the agency knew in advance about either of the two burglaries.

The CIA also disagrees with a number of allegations in the report that it has not made information available to the committee. In addition, the report contains numerous deletions of names and descriptions, made at the request of the CIA on the grounds of national security.

One of the central figures who is named in the report is convicted Watergate conspirator E. Howard Hunt Jr., a former CIA agent who continued to seek assistance from the CIA even after he left the agency in 1970.

In three of the six areas that the report discusses, Hunt emerges as a principal actor. These areas include the activities of Robert R. Mullen and Co., a Washington public relations firm; the providing of technical services by the CIA that Hunt used for the Ellsberg break-in, and the activities of Watergate conspirator Eugenio Martinez, who was recruited by Hunt for the Ellsberg and Watergate break-ins.

In introducing the section on Hunt and his receipt of technical support from the CIA in connection with the Ellsberg break-in, the report states, "In light of the facts and circumstances developed through the documents and conflicting testimony of CIA personnel adduced by this committee... the question arises as to whether the CIA had advance knowledge of the Fielding (Ellsberg's psychiatrist) break-in."

The report asserts that the committee gathered "a wealth of conflicting testimony among CIA officials" when it investigated the Ellsberg break-in.

Much of what the report cites about the Ellsberg break-in and Hunt's approaches to

the CIA in that connection are already known.

At the request of the White House and with the permission of CIA Director Richard M. Helms, Hunt was supplied with a wig, voice alteration devices, fake glasses, falsified identification, a miniature camera and other gear.

The report recalls that before the Ellsberg break-in, the CIA developed photographs for Hunt that he had made outside the Beverly Hills, Calif., offices of Dr. Lewis Fielding, Ellsberg's psychiatrist.

"Not only was the film developed, however, but it was reviewed by CIA supervisory officials before it was returned to Hunt," the report states. "One CIA official who reviewed the film admitted that he found the photographs 'intriguing' and recognized them to be of 'Southern California.' He then ordered one of the photographs blown up. The blowup revealed Dr. Fielding's name in the parking lot next to his office. Another CIA official has testified that he speculated that they were 'casing' photographs."

According to the report, "recent testimony" showed that the CIA official who reviewed the photographs "immediately" reported their contents to Deputy CIA Director Robert Cushman and his assistant. The report says Cushman and his assistant denied ever having been told of the photographs by anyone.

The report asserts, and the CIA denies, that it was only when these photographs were developed that assistance to Hunt by the agency was terminated. According to the CIA, "The decision to cut off support of Hunt was made in the face of escalating demands and was not based upon the development of the photographs."

The report also challenges "previous public CIA testimony" that claimed that the CIA had no contact with Hunt at all after Aug. 31, 1971. The Ellsberg break-in occurred Sept. 3, 1971.

According to the report, "recent testimony and secret documents indicate that Hunt had extensive contact with the CIA after" Aug. 31, 1971, that Hunt played a "large role" in the preparation of a psycho-

logical profile of Ellsberg that was completed in November, contacts with the CIA.

According to the report, Hunt and his fellow Watergate conspirator, G. Gordon Liddy, who is now on trial on federal charges arising from the Ellsberg break-in, told a CIA psychiatrist that they wanted to "try Ellsberg in public," render him "the object of pity as a broken man" and be able to refer to Ellsberg's "Oedipal complex."

The report says Hunt asked the CIA psychiatrist not to reveal Hunt's discussion of the profile to anyone else at the CIA. But the psychiatrist, according to the report, was "extremely concerned about Hunt's presence and remarks" and reported them to his CIA superiors. The report says the committee has asked to see memorandums of the psychiatrist and his superiors, but the request was refused.

In addition, the report states, the psychiatrist "also was given the name of Dr. Fielding as Ellsberg's psychiatrist..."

"While Director Helms has denied that he was ever told that Hunt was involved in the CIA's Ellsberg profile project," the report asserts, "it is not without significance that the time period during which the CIA psychiatrist was briefing his superiors of his concerns regarding Hunt was circa Aug. 20, 1971 — a week prior to the developing of Hunt's film of 'intriguing' photographs of medical offices in Southern California which impressed at least one CIA official as 'casing' photographs."

The CIA responded to the report that at the time it developed the photographs for Hunt, Fielding's name had no meaning to the agency personnel involved. In addition, the CIA stated, "Ambassador Helms (Helms is now ambassador to Iran) has testified that he had no knowledge of E. Howard Hunt's role in the profiles. The former director of security for CIA has testified that he was never advised of Hunt's role in the profiles. Further, there is no other agency official who had knowledge of both the provisioning of Hunt and Hunt's involvement in the preparation of the Ellsberg profile."

The section of the report dealing with Eugenio Martinez asserts that Martinez, a CIA

operative, alerted his CIA superiors that Hunt was in Miami in early 1972. The response from the CIA to Martinez's superiors, according to the report, was that Hunt was involved in domestic White House business and to "cool it."

Attempts to examine some CIA reports concerning Martinez by the committee have been frustrated by the CIA, the report asserts.

"Because of Hunt's close relationship with Martinez at a time when Martinez was a paid CIA operative, the basic question arises as to whether the CIA was aware of Hunt's activities early in 1972 when he was recruiting Cubans to assist in the Watergate break-in," the report states.

In response, the CIA asserts, "There is no evidence within CIA that the agency possessed any knowledge of Hunt's recruitment of individuals to assist in the Watergate or any other break-in."

The report also discusses the destruction of records by the CIA about one week after the agency received a letter from Senate Majority Leader Mike Mansfield (D-Mont.) in January, 1973, asking that "evidentiary materials" be retained.

Helms, the report asserts, ordered that tapes of conversations held within offices at CIA headquarters be destroyed. In addition, the report states, "on Helms' instruction, his secretary destroyed his transcriptions of both telephone and room conversations" that may have included conversations with President Nixon, White House chief of staff H.R. (Bob) Haldeman, top Presidential domestic adviser John D. Ehrlichman and other White House officials.

Helms and his secretary have testified that the conversations did not pertain to Watergate, the report states, adding, "Unfortunately, any means of corroboration is no longer available."

Two facts about the destruction are "clear," according to the report. "First, the only other destruction for which the CIA has any record was on Jan. 21, 1972, when tapes for 1964 and 1965 were destroyed... and secondly, never before had there been a destruction of all existing tapes."

The committee obtained summaries of agencies logs of conversations held within the CIA, but "it is impossible to determine who was taped in many of the room conversations. In this regard, even the CIA's analysis does not provide this vital information. There are several references to a 'Mr. X.' The CIA has not produced the actual logs for our examination. However, we were informed that there are 'gaps' in the logs."

In this regard, the report also cites a struggle within the CIA over whether it would produce information concerning Lee R. Pennington, a CIA operative who assisted the wife of Watergate conspirator James W. McCord Jr.—a former CIA employee—in destroying papers at her home shortly after the Watergate break-in.

The Pennington information may have been "extremely sensitive" for two reasons, the report states—first, because the CIA misled the FBI when it earlier tried to investigate Pennington by diverting the FBI to another man named Pennington; and second because Pennington may have been a "domestic agent," operating in the United States in violation of the CIA charter, which generally limits the agency to intelligence activities abroad.

The report does not make clear what domestic activities Pennington may have been involved in, although the report contains a passing reference to a CIA file on columnist Jack Anderson.

The report states that an unnamed CIA personnel officer became concerned that the CIA was trying to withhold information about Pennington from the Senate Watergate committee. The report says this personnel officer testified in closed session before the committee that he told a superior, "Up to this time we have never removed, tampered with, obliterated, destroyed or done anything to any Watergate documents, and we can't be caught in that kind of bind now. We will not do it."

Subsequently, the report states, the personnel officer "prevailed and the information was made available to this and other appropriate congressional committees."

The report also discusses

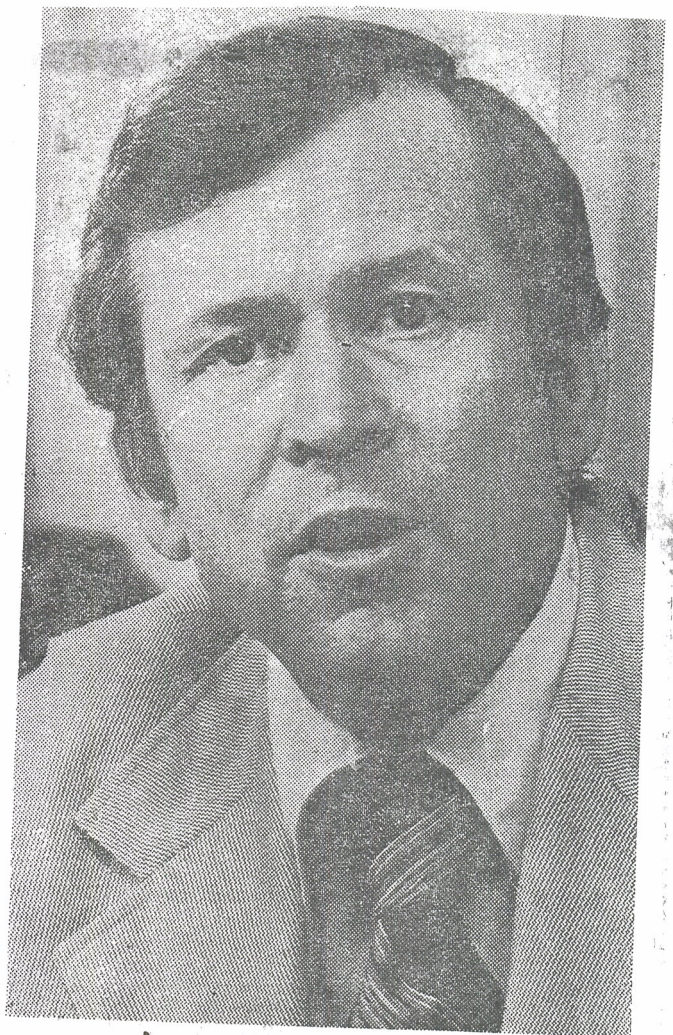
the activities of Robert Bennett, president of Robert R. Mullen and Co., and Hunt's the Watergate break-in.

Mullen and Co. was used as a front for CIA agents overseas. Bennett, according to the report, kept his CIA contact informed of his efforts to give information to interested parties in an effort to avoid involving the Mullen firm in news stories and legal actions stemming from the Watergate break-in.

The report asserts that Bennett "funneled" information to Edward Bennett Williams, then a lawyer for the Democratic National Committee and The Washington Post, through another Washington lawyer, Hobart Taylor.

Williams said yesterday that he never received any information directly from Bennett and was not aware that information received from Taylor—which Bennett said was "useless"—had come from Bennett.

Bennett confirmed that he had never met Williams. "The description of what I did with regard to Williams is not an accurate characterization," Bennett said in a telephone interview yesterday, "but I simply don't know where to start with regard to this report."



Sen. Howard H. Baker (R-Tenn.) released report.