36. On or before June 26, 1972, Walters determined that there were no CIA sources or activities in Mexico that might be jeopardized by FBI investigations of the Ogarrio check in Mexico. On June 26, 1972, Walters met with John Dean and advised him that there was nothing in any of the FBI investigations that could jeopardize or compromise in any way CIA activities or sources in Mexico.

I did.

Mr. DASH. And then what did you do?

General WALTERS. I do not recall whether I went back to the Agency or not. I don't think time would have allowed it because the appointment had been made to see Mr. Gray at 2:30 p.m. My recollection is not clear on this. Whether I went back to the Agency or whether I stayed downtown. I have a feeling I stayed downtown and at 2:30 I went to see Mr. Gray.

Mr. DASH. Now, was Mr. Gray, by the way, expecting your visit?

General WALTERS. Mr. Gray, I believe, was expecting my visit.

Mr. DASH. How do you know that?

General WALTERS. I believe he has subsequently testified that Mr. Dean had told him that I was on my way down.

Mr. DASH. All right.

Now, would you briefly relate to your best recollection what conversation you had with Mr. Gray at that time? This was on June 23, 1972.

General WALTERS. I said to Mr. Gray that I had just come from the White House where I had talked to some senior staff members and I was to tell him that the pursuit of the FBI investigation in Mexico, the continuation of the FBI investigation in Mexico, could—might uncover some covert activities of the Central Intelligence Agency. I then repeated to him what Mr. Helms had told me about the agreement between the FBI and CIA and he said he was quite aware of this and I intended to observe it scrupulously.

Mr. DASH. Now, did you tell him who gave you the direction to—

General WALTERS. I did not. I told him I had talked to some senior people at the White House.

Mr. DASH. Now, was that the sum and substance of that conversation in Mr. Gray's office?

General WALTERS. I believe so. We had expressed pleasure at meeting one another. I had intended to call on him, and so forth, and anything else that occurred I believe will be covered in the memorandum which is in your possession.

Mr. DASH. I think you testified that you also on June 28 included a memorandum of the meeting with Mr. Gray on June 23. I would like to show you a copy of the memorandum and ask you if this is a correct copy and does it cover the testimony you have just given.

General WALTERS. Yes, it is a correct copy.

Mr. DASH. Mr. Chairman, may that memorandum be marked as an exhibit and be received in evidence?

Senator ERVIN. In the absence of objection by any committee member it is so ordered and will be appropriately marked as an exhibit and received in evidence as such.

[The document referred to was marked exhibit No. 129.*]

Mr. DASH. Now, after you met with Mr. Gray did you return to your offices at the CIA and—

General WALTERS. Yes, I did.

Mr. DASH. [continuing]. And did you make a report of that meeting to former Director Helms?

General WALTERS. And I also started to check on whether this was a fact. I talked to the people at our geographic area that handles Mexico and I am not sure whether this was completed on the Friday

*See p. 3616.
afternoon or whether it was complete? Monday morning, but it was soon clear to me that nobody who was responsible for that area in the Agency felt that the ongoing FBI investigation could jeopardize any of the Agency's sources or activities in Mexico.

Mr. DASH. Well, now, did you subsequently receive any communication from anybody at the White House after June 26?

General Walters. On Monday morning, June 26, I received a phone call from a man who identified himself as John Dean and he said he wished to speak to me about the matters that Mr. Haldeman and Mr. Ehrlichman had discussed with me on Friday. I did not know Mr. Dean. And I expressed so—something to the effect that I don't know who you are and he said, "Well, you can call Mr. Ehrlichman to see whether it is all right to talk to me or not."

Mr. DASH. Did you call Mr. Ehrlichman?

General Walters. I called Mr. Ehrlichman. I had some difficulty in reaching him but finally I reached him and I said: "A Mr. John Dean wants to talk to me about the matters discussed with you and Mr. Haldeman on the preceding Friday" and he said: "Yes, it is all right to talk with him. He is in charge of the whole matter."

Mr. DASH. Did you then meet with Mr. Dean on that day?

General Walters. I then—

Mr. DASH. The 26th.

General Walters. I then called Mr. Dean again and he asked me to come down and see him, I believe, at 11:30 or 11:35. I believe it is indicated on the memorandum I wrote.

Mr. DASH. Will you relate to the committee the conversation you had with Mr. Dean at that time, on June 26, 1972?

General Walters. Mr. Dean said that he was handling this whole matter of the Watergate, that it was causing a lot of trouble, that it was very embarrassing. The FBI was investigating it. The leads had led to some important people. It might lead to some more important people.

The FBI was proceeding on three hypotheses, namely, that this break-in had been organized by the Republican National Committee, by the Central Agency, or by someone else; whereupon I said I did not know who else organized it but I know that the Central Intelligence Agency did not organize it. I said, furthermore—I related to Mr. Dean my conversation with Mr. Haldeman and Mr. Ehrlichman on the previous Friday, and told him I had checked within the Agency and found there was nothing in any of the ongoing FBI investigations that could jeopardize CIA activities or sources or compromise them in any way in Mexico.

He then said, "Well, could this not have happened without your knowledge?" "Well," I said, "originally perhaps, but I have inquired. I have talked to Mr. Helms and I am sure that we had no part in this operation against the Democratic National Committee."

He kept pressing this. There must have been. These people all used to work for the CIA, and all this thing. I said maybe they used to, but they were not when they did it and he pressed and pressed on this and asked if there was not some way I could help him, and it seemed to me he was exploring perhaps the option of seeing whether he could put some of the blame on us. There was not any specific thing he said but the general tenor was in this way and I said to him—I did not have an opportunity to consult with anybody—I simply said,
Mr. Dean, any attempt to involve the Agency in the crisis of this affair would be a disaster. It would destroy the credibility of the Agency with the Congress, with the Nation. It would be a grave disservice to the President. I will not be a party to it and I am quite prepared to resign before I do anything that will implicate the Agency in this matter.

This seemed to shock him somewhat. I said that anything that would involve any of these Government agencies like the CIA and FBI in anything improper in this way would be a disaster for the Nation. Somewhat reluctantly he seemed to accept this line of argument and I left.

Mr. Dash. Now, General Walters, since you had made the check prior to seeing Mr. Dean concerning whether in fact any FBI investigation in Mexico would seriously or not seriously involve any covert activities of the CIA, and you reported that to Mr. Dean at this meeting, did you believe that you were responding at that meeting then to the concern that you had received at the earlier meeting from the statement from Mr. Haldeman?

General Walters. Yes, Mr. Dash, I did. At the risk of perhaps seeming naive in retrospect it did not occur to me at that time that Mr. Dean would not tell Mr. Gray. Mr. Gray was in touch with Mr. Dean. Mr. Dean told me he was in touch with Mr. Gray. In retrospect I should, of course, have called Mr. Gray directly. I regret that I did not.

Mr. Dash. And you had been informed by Mr. Ehrlichman when you checked as to whether you should talk to Mr. Dean, that Mr. Dean was a person you could talk to, that he was handling the matter?

General Walters. That is correct.

Mr. Dash. I think when you were testifying just a little while ago you said that you may have incorrectly put in your memorandum of the June 26 meeting something that should have been in another meeting. I want to show you your memorandum or a writing that appears to be a memorandum prepared by you on June 28 dealing with the conversation you had with Mr. Dean on June 26 and ask you if you want to make a correction as to that memorandum for the record. You will notice, General Walters, that there is an excised portion of that memorandum which has been cut out and on our receipt of that, it appeared to be matters which dealt with national security and, therefore, was excised.

General Walters. Fine. I am very appreciative of the committee for doing this.

Yes, it does. If I were to make a correction somewhat complicated it would really be that the fourth paragraph, the sixth and seventh paragraphs belong to the conversation of the 26th rather than the conversation of the 28th.

Mr. Dash. And that dealt with the question of money, bail money from the CIA.

General Walters. That is correct. This is a correct copy.

Mr. Dash. It is a correct copy of your memorandum?

General Walters. Yes, it is.

Mr. Dash. Mr. Chairman, could we have that memorandum marked as an exhibit and received in evidence?

Senator Ervin. The memorandum will be appropriately numbered as an exhibit and received in evidence as such.
37. On or about June 27, 1972 John Dean and Fred Fielding, his assistant, delivered to FBI agents a portion of the materials from Howard Hunt's safe. The materials given to the FBI agents included top secret diplomatic dispatches relating to Vietnam. The portion withheld from the FBI agents included fabricated diplomatic cables purporting to show the involvement of the Kennedy administration in the fall of the Diem regime in Vietnam, memoranda concerning the Plumbers unit, a file relating to an investigation Hunt had conducted for Charles Colson at Chappaquidick, and two notebooks and a pop-up address book.

37.1 John Dean testimony, 3 SSC 937-38, 948.


37.4 Extract from court proceedings, November 5, 1973, United States v. Liddy.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JUNE 25 AND 26, 1973
Book 3

Printed for the use of the
Select Committee on Presidential Campaign Activities

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON: 1973

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - 1760 23
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[820]
When Petersen arrived at Kleindienst's office he gave a status report of the investigation. Kleindienst then related my concern to Petersen. Petersen was troubled by the case and the implications of it. Kleindienst had another meeting, so Petersen and I— I believe the other meeting was in his office, so Petersen and I went into Mr. Kleindienst's back office and talked further. To the best of my recollection, we did not discuss specifics, rather it was a general discussion.

I told him I had no idea where this thing might end, but I told him I did not think the White House could withstand a wide-open investigation. The sum and substance of our conversation was that I had no idea how far this matter might go, but I had reason—without being specific— to suspect the worst. The meeting ended on that note, that I hoped I was wrong.

I do not recall ever reporting this meeting to Ehrlichman, because he had a somewhat strained relationship with Kleindienst and I thought he would raise havoc that I did not have an assurance from Kleindienst that he would take care of everything. I did report, however, that I felt Petersen would handle this matter fairly and not pursue a wide-open inquiry into everything the White House had been doing for 4 years. I made this statement not because of anything Petersen specifically said, as much as the impression he gave me that he realized the problems of a wide-open investigation of the White House in an election year.

Returning now to the contents of Mr. Hunt's safe, it was mid-morning on Tuesday, June 20, when the GSA men brought several cartons to my office, which contained the contents of Hunt's safe. I had learned earlier that morning from Fielding that the boxes had been secured in Kehrl's office overnight. Fielding also reported that they had found a handgun in the safe, which Kehrl had disengaged, a large briefcase containing electronic equipment, and a number of documents, some of which were classified. I told Fielding I would like his assistance later that day in going through the material.

During the afternoon of the 20th, Fielding and I began going through the cartons of Hunt's materials. I remember looking in the briefcase, which contained electronic equipment. I frankly do not know what it was it contained, but it contained loose wires, chapsticks for your lips with wires coming out of them and instruction sheets for walkie-talkies. As I recall, there were also some antennas in there.

We then began sorting the documents. The bulk of the papers were classified cables from the State Department relating to the early years of the war in Vietnam. These were separated out from the rest of the papers. The other papers I assumed related to Hunt's work at the White House. Also, there were personal papers. I will attempt, to the best of my recollection, to describe the papers and documents that were found in the safe. I must point out, however, that I personally did not look at all the documents, rather it was a combined effort by Fielding and myself to determine what was in Hunt's safe.

First, among his personal papers were copies of his submissions for his per diem pay as a consultant, a few travel vouchers, and an envelope containing materials of a personal nature relating to his wife.

Among the papers that I assumed related to his work at the White House were numerous memorandums to Chuck Colson regarding Hunt's assessment of the plumbers unit operation and critical of Mr.
Krug's handling of matters; a number of materials relating to Mr. Daniel Ellsberg, such as news clippings and a psychological study of Ellsberg which apparently had been prepared by someone who had never actually met or talked with Mr. Ellsberg; a bogus cable—that is, other cables spliced together into one cable regarding the involvement of persons in the Kennedy administration in the fall of the Diem regime in Vietnam; a memorandum regarding some discussion about the bogus cable with Colson and Mr. William Lambert; some materials relating to an investigation Hunt had conducted for Colson at Chapaaapdick, some materials relating to the Pentagon Papers and a paperback book containing the published Pentagon Papers.

Upon examining the contents of the safe, I recall that Fielding and I discussed our concern about the public impact some of these documents might have if they became public, particularly in an election year. I requested that Fielding remove the politically sensitive documents from the others, which he did. The classified State Department cables were too bulky for my own safe, so I called David Young and requested that he store them for me in his office, as I assumed at that time that they would probably be returned to the State Department. I told Young when he came to pick up the materials that they had come from Hunt’s safe and he should store them—all together—until I told him what to do with them. Accordingly, Mr. Young took the State Department documents to his office. The large briefcase was stored in a locked closet in my office suite, and the politically sensitive documents and Hunt’s personal papers were placed in a safe in my office. The remaining materials were left in the cartons on the floor in my office.

I subsequently met with Ehrlichman to inform him of the contents of Hunt’s safe. I gave him a description of the electronic equipment and told him about the bogus cable, the materials relating to Ellsberg and the other politically sensitive documents. I remember well his instructions: He told me to shred the documents and “deep six” the briefcase. I asked him what he meant by “deep six.” He leaned back in his chair, reached into the second drawer in his desk, picked out a book containing all the files, and said, “Well, when you cross over the bridge on your way home, just toss the briefcase into the river.”

I felt very much on the spot, and I told him in a joking manner that I would bring the materials over to him and he could take care of them because he also crossed the river on his way home at night. He said, “no thank you, and I left his office and returned to my office.

After leaving Ehrlichman’s office I thought about what he had told me to do and was very troubled. I raised it with Fielding and he shared my feelings that this would be an incredible action to destroy potential evidence. I think Mr. Fielding appreciated my quandary—when Ehrlichman said do something, he expected it to be done. I decided to think it over. I did take the briefcase out of my office because the closet that it was being stored in was used by the secretaries in the office and I did not have an available safe to hold the large briefcase. I was also giving serious consideration to Ehrlichman’s instructions. Accordingly, I placed the briefcase in the trunk of my car, where it remained until I returned it to the office after I had reached a decision that I could not follow Ehrlichman’s instructions. I will explain in a few minutes how I handled the material in Hunt’s safe, but before doing so, I would like to continue with the sequence of events.
been earlier, that the CIA could not and would not be brought in to solve the problems confronting the White House and reelection committee as a result of the Watergate incident.

I subsequently informed Ehrlichman and Haldeman that unless the President directed the CIA to provide support for those involved that the CIA was not going to get involved. I told them I agreed with Walters that this would be a terrible mistake and they both told me they agreed.

**Transmitting the Materials in Mr. Hunt's Safe to the FBI**

I would now like to explain the transmitting of the materials in Hunt's safe to the FBI. As I noted earlier, shortly after the FBI interview on June 22 of Colson, and my later instructions from Ehrlichman to "Deep Six" the briefcase and shredded documents, I had informed the FBI that I would forward the material found in Hunt's office. After weighing the implications of Ehrlichman's instructions to destroy the items I decided that I would not engage in any such activity myself or be pushed into it. Accordingly, I asked David Young to return the State Department cable to my office. I had already returned the briefcase from my car trunk to my office.

I received several calls from the FBI requesting the material, but I had not yet figured out how to tell Ehrlichman I was not going to destroy the material. I knew I had to develop a good argument to give Ehrlichman as to why the materials should not be destroyed. On June 25 or 26 I went to Ehrlichman to explain that I thought the men who drilled the safe had probably seen the briefcase, that the Secret Service agent who was present had probably seen some of the material; that Mr. Kehrl and Fielding had seen it—and what would happen when all those people were later asked by the FBI about the contents of the safe. Then, I said I felt we must turn over the material to the FBI. With regard to the sensitive documents, I suggested that they be given directly to Gray. I told Ehrlichman that, if ever asked under oath, I had to be able to testify that to the best of my knowledge, everything found in the safe had been turned over to the FBI.

The FBI agents came to my office. I believe on June 26 or 27, I gave them one box, which had been packed and told them that as soon as the other material was packed I would get it to them. When I got tied up in a meeting, I phoned Fielding and asked him to pack up the remainder of the materials, which I believe was the State Department cables and the briefcase. He did so and turned over the remainder of the materials, with the exception of the two envelopes which contained the politically sensitive materials I described earlier. I spoke with Ehrlichman on the 28th and informed him the material had been sent to the FBI with the exception of the politically sensitive documents. He told me he was meeting later that day with Gray and I should bring them over at that time.

I went to Ehrlichman's office just before Mr. Gray arrived. I placed the envelopes on the coffee table in his office. When Gray arrived, Ehrlichman told him that we had some material for him that had come from Hunt's safe. Ehrlichman described it as politically sensitive, but not related to the Watergate. I told Gray that Fielding and I had gone through Hunt's documents and had turned over all the materials to the agents except the documents in these two envelopes.
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DEVELOPMENTAL NATIONAL COMMITTEE, et al.,
Plaintiffs,

vs.

JAMES W. McCORD, et al.,
Defendants.

FRANCIS L. DALE, et al.,

Plaintiffs,

vs.

LAWRENCE F. O'BRIEN,
Defendant.

MAURICE H. STANS,
Plaintiff,

vs.

LAWRENCE F. O'BRIEN,
Defendant.

Washington, D.C.
Tuesday, May
Deposition of

FRED F. FIELDING,

a witness, called for examination by counsel for the plaintiffs Democratic National Committee and Strauss, pursuant to notice, a copy of which is attached to the court copy of this deposition, at the offices of Cohen and Uretz, 1730 M Street, N. W., Washington, D. C., beginning at 10:15 o'clock a.m., before Hilmar R. Klamans, Jr., a Notary Public in and for the District of Columbia:

In Civil Action No. 1233-72:

For the Plaintiffs Democratic National Committee and Strauss:

BULMAN, GOLDSTEIN, FELD & DUNIE
BY: MAURICE R. DUNIE, ESQ.

COHEN AND URETZ
BY: SHELDON S. COHEN, ESQ.
ROBERT E. WEISS, ESQ.

For the Plaintiff O'Brien:

WELCH & MORGAN
BY: CHARLES A. McNELIS, ESQ.

For the Defendants Committee for the Re-Election of the President, Finance Committee to Re-Elect the President and Francis L. Dale:

JACKSON, LASKEY & PARKINSON
BY: KENNETH WELLS PARKINSON, ESQ.

For the Defendant Sloan:

STONER, TREES & NIFFNER
BY: JAMES R. STONER, ESQ.
correct? Would it be the morning of the 20th? Yes, the morning of the 20th. When you went through the boxes with Mr. Dean, what was contained in those boxes?

A: Aside from the briefcase, of course, the bulk of the material were cables, copies of cables.

Q: Did you read the cables?

A: Just briefly I looked at them.

Q: Do you recall the contents of those cables?

A: Only generally. The cables, as I recall, were classified.

Q: Do you know if they are still classified?

A: I would have no way of knowing if they have been declassified or not. They bore classification markings on them.

Q: What were the markings that indicated to you that they were classified?

A: Standard top secret.

Q: Stamp?

A: These were Thermofax. I don't really recall if they were stamped or just typed only.

Q: Are these the telegrams that we have been reading about in the paper which Mr. Hunt allegedly has doctored up?

A: No. There were a lot of cables that I would consider to be legitimate cables. In addition, there was a folder with
over, to the best of my knowledge, it was all turned over, but
I wanted to qualify it to that extent, that it wasn't all turned
over to the same person, but it was all turned over to the same
organization, to the best of my knowledge.

Q: Did Mr. Dean tell you who he had these discussions
with?

A: Yes.

Q: Who were those people?

A: He told me it was discussed with Mr. Ehrlichman.

Q: With Mr. Haldeman?

A: No. As I recall, the only name that I recall in that
collection was Mr. Ehrlichman. Conceivably, he could have
talked to any number of people. I don't know. I wasn't privy
to any conversation except between Mr. Dean and myself.

Q: You were not in on any conversations?

A: No.

Q: You were getting reports as to how this was going to
be handled?

A: It wasn't even reports. It was just conversations
that we had. During this period of time that that material
was in the safe, I was doing other things.

Q: When did the material come out of the safe, to the
best of your knowledge?
I believe on the 27th. I got a call from Mr. Dean and he asked me -- he told me that he had turned over some of the things that morning and asked me to get a box --

Q. Let me stop you. You say he turned over some of the things. What type of things did he turn over?

A. He called me and said he had turned over some of the things that morning or that afternoon -- I don't remember precisely what the time frame was -- and would I get a box and turn over the rest of it, that the FBI agents would come and pick it up. I got a box. He told me the material to be turned over was sitting on the coffee table in his office. I got a box, went in, put the material in the box, put the briefcase in the box, sealed the box, marked it "Top Secret," presuming that that was the highest classification of anything there.

When the agents came up to pick it up, they had already had some materials. As I recall, they gave me an inventory sheet at that point, although I don't recall whatever happened to the inventory sheet. We have looked for it subsequently. That is why it is fresh in my mind that I didn't know where it was. They wanted to return the gun, the pistol, and I told them they either took all or nothing, so they went back and checked, got on the telephone and did something and then agreed that they would keep the pistol and then they took the box.
LOUIS PATRICK GRAY III

HEARINGS
BEFORE THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION
ON
NOMINATION OF LOUIS PATRICK GRAY III, OF CONNECTICUT,
TO BE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

FEBRUARY 28, MARCH 1, 6, 7, 8, 9, 12, 20, 21, and 22, 1973

Printed for the use of the Committee on the Judiciary
WEDNESDAY, MARCH 7, 1973

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The committee met, pursuant to recess, at 10:45 a.m. in room 2228, Dirksen Senate Office Building, Senator James O. Eastland (chairman) presiding.

Present: Senators Eastland, Ervin, Byrd of West Virginia, Tunney, Hatfield, and Gurney.

Also present: John H. Holuman, chief counsel, and Francis C. Rosenberger, Thomas D. Hart, and Hite McLean, professional staff members.

Senator EASTLAND. The committee will come to order.

Senator ERVIN. Mr. Gray, there was a publication in the press of a statement that the California lawyer, Mr. Young, had given an affidavit to representatives of the Washington Post, stating in substance that Mr. Segretti communicated with Mr. Young and told him that he had been subpoenaed to testify in the Watergate criminal prosecution, that he had been interviewed by the FBI, and that 2 days before the convening of the Republican National Convention he was in Miami, and that a White House aide showed him statements which he said had been made to the FBI, and was told about giving some kind of suggestions from the White House aide as to how he should testify in case he were called as a witness in the criminal prosecution.

What steps, if any, did the FBI take to ascertain the correctness or accuracy or inaccuracy of any statements made to him by Mr. Segretti?

TESTIMONY OF LOUIS PATRICK GRAY III—Resumed

Mr. Gray. As far as Mr. Segretti is concerned, Senator Ervin, we interviewed him the 26th, the 28th, and the 30th of June, and later he was subsequently contacted on the 18th of August 1972, when he was served with a summons ordering him to appear before the Federal Grand Jury in Washington on the 22d of August 1972. He was not interviewed at this time.

Senator ERVIN. Was he ever interviewed with a view to finding out whether a White House aide did present to him statements he had made to the FBI, and the identity of that White House aide?

Mr. Gray. No, he was not. The only thing that was ever done was the call that I made to Mr. Dean when I saw this article in the newspaper. Because, the only individual who had these from me was Mr.
Mr. John Dean, Legal Counsel to Richard M. Nixon, President of the United States, Executive Office Building, 17th and Pennsylvania Avenue, N.W., Washington, D.C. (WDC), provided Special Agents Daniel C. Mahan and Michael J. King of the FBI, WDC, one cardboard box, which he stated was the effects of Mr. Everett Howard Hunt taken from Room 338 of the Executive Office Building. The effects contained in this box provided by Mr. Dean are listed as follows:

1. One small metal box.
2. One .25 caliber automatic Colt revolver, bearing Serial Number 321503.
3. One clip for this revolver, containing live ammunition.
4. One holster.
5. One Rolodex file.
6. One copy of the book "Pentagon Papers".
7. Numerous sheets of carbon copy papers.
8. Two White House pads.
10. One desk calendar.
11. A quantity of office supplies, three stamp pads, scissors, pens and pencils, sealed tape, staples, staple gun, glue, and a clipboard.
12. Two folders (instructions of office operation).
13. One plastic carrying case.

Interviewed on June 27, 1972, at Washington, D.C. File No. WFO 139-166; by SAs Daniel C. Mahan and Michael J. King. Date dictated June 29, 1972.

Federal Bureau of Investigation
Date of transcription: July 3, 1972.

Mr. Fred Fielding, Assistant to the Legal Counsel to Richard M. Nixon, President of the United States, Executive Office Building, 17th and Pennsylvania Avenue, N.W., Washington, D.C. (WDC), furnished Special Agents Daniel C. Mahan and Michael J. King of the FBI, WDC, one large cardboard box sealed with tape and marked with pen "Top Secret".

An inventory of the contents of that box is listed as follows:

1. One brown envelope marked "Howard Hunt, Eyes Only, Personal, Unclassified".
2. Six brown envelopes containing classified material relating to the "Pentagon Papers".
3. One tan folder marked "Ellsberg" containing numerous papers concerning Daniel Ellsberg.
4. One tan folder marked "Pentagon Papers" containing newspaper articles.
5. One tan folder marked "Time and Pay Records" containing verification of hours worked at the White House.
6. One tan folder marked "Correspondence" containing copies of letters.
7. One tan folder marked "Press Contacts" containing press contacts and newspaper articles.
8. One tan folder marked "John Paul Vann" containing a newspaper article.
9. One empty gray folder.
10. One black attache case containing the following list of items:
   - Four Kel-Con Transceivers Technical Manual and Operating Instruction—Bell and Howell 14S-174MC.
   - Two antennas—LG-447/U and numbered 54855.
   - RG-35A/U, Belden 8229 Antenna Lead Wire.
   - Four rechargeable model B1 nicked cadmium batteries—Bell and Howell.
   - Two microphones—insulated chapletick containers.
   - Three antenna leads.
   - Two earphones, numbered 8813, 9042.
   - Four antennas, bendable wire.
   - Six jack wires.
One shoulder harness with white lead wire and phone jack;  
Three shoulder harnesses;  
Three belt harnesses;  
Three operating instructions for Bell and Howell Portable Transmitter;  
One Mead Oil Co. map of Delaware, Maryland, Virginia and West Virginia,  
with pencil circle around Warrenton, Virginia area and with pencil circle around  
Union Station area;  
Two lead wires with black end and pink end;  
One Avis rental car map of the Baltimore, Md., and WDC area, with circles  
to ind junction of Route 695 and 155, circle in the area of junction with George  
Washington Memorial Parkway and 155, circle area of junction with George  
Washington Memorial Parkway and Route 108, circle area of junction of Capital  
Beltway and Maryland Route 190 (River Road), circle area of junction with  
1270 and 143, circle area of Campbell Corner, Maryland, circle area of 14th  
and K Streets, N.W., with a pencil note traced from the House of Representatives  
Office Buildings to the 14th and K Street areas.  

Interviewed on June 27, 1972, at Washington, D.C. File No. BFO 130-166; by  
Sms Daniel C. Mahan and Michael J. King. Date dictated June 29, 1972.  

Senator Byrd. Did the FBI believe Mr. Dean turned over every-  
thing that had been taken from Mr. Hunt's safe?  

Mr. Gray. I know allegations have been made that this did not  
occur. This came up in October, as I recall, when I think there was a  
motion to suppress evidence filed by Mr. Hunt, and his attorney. At  
that time we again went into this allegation, with the assistant U.S.  
attorney and with the Assistant Attorney General in the Criminal  
Division, regarding a pocket notebook and a Hermes notebook.  

I think I am correct in saying that the agents went to stores here in  
Washington trying to identify a Hermes notebook or a Hermes note-  
book, whatever that is. But the allegations were made in that motion  
to suppress that this pocket notebook and this Hermes notebook were  
not turned over.  

That was not found in any of the effects of Howard Hunt. This was  
looked into in the presence of the special agent, the assistant U.S.  
attorney—this was at the time we were preparing to respond to that  
motion—and the Assistant Attorney General in charge of the Criminal  
Division.  

And there is no evidence at all that that pocket notebook and that  
Hermes notebook were there.  

Senator Byrd. Was Mr. Dean subsequently questioned?  

Mr. Gray. He was questioned at that time, yes; he was. Yes, that is  
correct.  

Senator Byrd. On what date was he questioned?  

Mr. Gray. I will have to get the date for you for the record.  

(Mr. Gray subsequently submitted the following document for the  
record.)  

Mr. Gray. Upon checking the records, Senator Byrd, I have learned that on  
January 4, 1972, in pretrial preparation, Mr. Dean, Mr. McDonald and Mr. Fielding  
were all questioned by Assistant U.S. Attorney Silbert, in the presence of Assistant  
Attorney General Peterson of the Criminal Division and a Special Agent of our  
Washington Field Office in Mr. Peterson's office at the Justice Building.  

Senator Byrd. Was he questioned subsequent to the first interrogation?  
Were there followups?  

Mr. Gray. No; I will have to look at the date of the list of inter-  
views. I am talking now about when he was questioned regarding the  
motion to suppress and the fact that there were items missing from  
the material turned over to us.  

Senator Byrd. Are you convinced that there was no effort to conceal  
anything?
37.4 Extract from Court Proceeding  
November 5, 1973,  
U.S. v. Liddy  

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA  

THE UNITED STATES OF AMERICA  

JAMES F. DAVEY, Clerk  

V.  

E. HOWARD HUNT  
JAMES W. McCORD  
BERNARD L. BARKER  
EUGENIO R. MARTINEZ  
FRANK A. STURGIS  
VIRGILIO H. GONZALEZ  

Defendants.  


Before THE HONORABLE CHIEF JUDGE JOHN J. SIRICA for Hear 

As To Legal Sufficiency of Motions of Defendants to Withdraw 
Pleas of Guilty and As To Defendant McCord's Motion in The 
Nature of a Writ of Error Coram Nobis.  

APPEARANCES  

On behalf of the United States:  

PHILIP LACOVARA, ESQ.  
RICHARD BEN-VENISTE, ESQ.  
PETER KREINDLER, ESQ.  

On behalf of the defendants:  

SIDNEY SACHS, ESQ.  
BERNARD L. FENSTERMA LD, ESQ.  
DANIEL E. SCHULTZ, ESQ.  

NOTEREAD BY  

PAGES 1 - 123
THE COURT: Mr. Shultz --

MR. SHULTZ: Yes, Your Honor.

THE COURT: As to the defendants whom you represent, do you waive their right to be present here today?

MR. SHULTZ: Yes, I do, Your Honor.

THE COURT: Mr. Shultz, I will hear you with reference to the motion filed by your clients to withdraw their pleas of guilty. I will allow you one half-hour and then I will allow the Government one half-hour to answer.

MR. BEN-VENISTE: May I make a brief statement of facts?

THE COURT: Yes.

MR. BEN-VENISTE: Your Honor, this is in connection with the motion made by the defendant Hunt and it relates to
evidence which has recently come into our possession from John W. Dean III. As you know, Your Honor, Mr. Dean pleaded guilty on October 19th before this Court and following that time we had occasion to interview him from time to time but the developments over the last few weeks inhibited us to some extent from doing that as thoroughly as we would like. However, last Friday, while we were in Court, members of our staff interviewed Mr. Dean and questioned him with respect to the contents of Mr. Hunt's safe. This was the first occasion on which members of the Special Prosecution Force had the opportunity to question him about this matter. Mr. Dean related that at some time in late January, 1973, he discovered a file folder in his office containing the President's estate plan, two cloth-bound notebooks with cardboard covers and lined pages containing some handwriting. Dean at that time recalled that these had come from Howard Hunt's safe. Dean did not look at the contents and cannot recall what might have been in them. He assumed it related to the Ellsberg break-in. He shredded both notebooks in his shredder.

At the same time he also discovered a pop-up address book containing some names with each page x-d out in ink. Dean threw this pop-up notebook into the waste basket at the time. These are facts, of course, which defense counsel should know about. We are apprising the Court of them at this time for that purpose. It is our belief that this does not alter our
legal argument which we will present to the Court in due course.

Thank you, Your Honor.

THE COURT: Do you wish to say anything?

MR. SACHS: At this time, no, Your Honor.

THE COURT: Mr. Shultz, I will hear from you.

MR. SHULTZ: Your Honor, my understanding of the argument today with respect to the motions filed for leave to withdraw guilty pleas is to address ourselves to the question of whether or not what we have submitted is legally sufficient either to grant the motions on the basis of the papers that have been submitted or to require a hearing. I would like to say at the outset that for possibly the first time, at least in part, we agree with the Government. We feel that based upon what has been submitted that a hearing isn't necessary either, but we feel because the motions should be granted.

The affidavits which we have submitted pursuant to the Court's request and the Government's urging we feel set for the fact that these defendants, Mr. Martinez, Mr. Gonzalez, Mr. Sturgis and Mr. Barker, do have a defense to the charges themselves. In large part, the only reason and purpose for a hearing at this point would be for the Government to challenge the validity of their defense, and we think the authorities are clear in saying that in terms of ruling on a motion to withdraw and one made pre-sentence that the Court is not supposed to delve into the merits of the proffered defense. While on the
38. On June 26 or 27, 1972 Dean met with Walters and asked if there was any way the CIA could provide the bail money or pay the salaries of the persons arrested in connection with the break-in at the DNC headquarters. Walters said the CIA would do so only on a direct order from the President. According to Dean, his proposal to the CIA had previously been approved by John Ehrlichman. Dean also has testified that he reported to Ehrlichman regarding Walters' negative position on the proposal, and that he was asked by Ehrlichman to push Walters a little harder. Ehrlichman has denied receiving these reports from Dean. On June 28, 1972 at 10:45 a.m. Dean met with Ehrlichman. At 11:30 a.m. Dean telephoned Walters and asked Walters to see him in his EOB office. At this meeting Walters and Dean discussed the Dahlberg check and the Mexican checks, and Dean again asked whether the CIA could do anything to stop the FBI investigation of these checks. Walters said there was nothing his Agency could do.

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38.1 John Ehrlichman log, June 26-28, 1973 (received from SSC).
38.2 John Dean testimony, 3 SSC 946-48.
38.3 Lt. Gen. Vernon Walters testimony, 9 SSC 3410-12.
38.4 John Ehrlichman testimony, 7 SSC 2835.
### MONDAY, JUNE 26, 1972

<table>
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<td>Roosevelt Room</td>
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<tr>
<td>10:00</td>
<td>Colman, MacGregor</td>
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<td>11:00</td>
<td>President</td>
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<tr>
<td>12:25</td>
<td>John Dean</td>
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<tr>
<td>12:45</td>
<td>Randall Smith (publisher of National Journal)</td>
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<td>2:30</td>
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<tr>
<td>3:30</td>
<td>President, Shultz, Weinberger, Stein (budget)</td>
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### TUESDAY, JUNE 27, 1972

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<td>9:55</td>
<td>President</td>
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<tr>
<td>10:00</td>
<td>President, Republican Members of Senate Finance Committee</td>
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<td>12:00</td>
<td>Bruce Agnew (Business Week)</td>
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<td>Fred Malek</td>
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<td>1:00</td>
<td>Lunch in Mess with Jan, Pete, Barb Preve</td>
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<td>2:00</td>
<td>Robert Toth (LA Times)</td>
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<tr>
<td>4:15</td>
<td>Klein's group of local anchor men - EOB Conference Room</td>
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### WEDNESDAY, JUNE 28, 1972

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<td>Roosevelt Room</td>
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<td>John Dean</td>
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<tr>
<td>12:30</td>
<td>Joan Sullivan, Susan Engstrom (Santa Monica High School)</td>
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<td>2:10</td>
<td>John Dean</td>
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<tr>
<td>2:30</td>
<td>President</td>
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<tr>
<td>3:45</td>
<td>Weinberger's office - HRH</td>
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<tr>
<td>4:55</td>
<td>Tennis with Vernon Jordan (Urban League), Hullin, Young</td>
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<tr>
<td>6:30</td>
<td>L. Patrick Gray, III, John Dean</td>
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tion I was bringing to their attention, that this information was being given to the President.

I do not recall when actually I received the first written information from the FBI, but I believe it was after July 21 when I received a summary report that had been prepared on the investigation to that stage.

I would also like to now summarize to the bottom of the page, and indicate that when—

Mr. DASH. Bottom of page 72.

Mr. DEAN. Seventy-two, correct, and indicate that after I did get possession of the documents, the FBI files, I found them not very meaningful and later Mr. Mardian, Mr. Parkinson, Mr. O'Brien came over to my office and read the reports, and Mardian, they all reached the same conclusion and I recall Mardian's reaction was that the documents indicated that the investigation was not vigorous and he was quite critical of Gray and asked me to call Gray to slow down but I never made such a call.

It was after I showed a copy of the July 21 report to Mr. Mitchell that Mardian insisted that he be permitted to see the FBI reports. Mitchell agreed, and thought that Paul O'Brien and Ken Parkinson should also see them.

I recall that when Mardian, O'Brien and Parkinson finally came to my office to look at the reports, they realized that they were not very meaningful. It was Mr. Mardian, however, who became very excited because of the scope of the investigation that Gray was conducting and the tone of the cables he was sending out of headquarters. Mardian clearly thought that Gray was being too vigorous in his investigation of the case and was quite critical of Gray's handling of the entire matter. He demanded that I tell Gray to slow down, but I never did so.

Summarizing the first paragraph on page 72, I would also note that I never showed any of these reports to any persons who were interviewed by the FBI and they were only given to Mr. Dick Moore of the White House staff when he was working on the Segretti matter for Mr. Ehrlichman and Mr. Haldeman.

I do not recall ever finding anything in the FBI reports which I scanned, that was worth reporting to Ehrlichman and Haldeman and so I never read all of the reports that were sent to me. The FBI files containing the reports never left my office, nor were they shown to anyone in the White House other than Dick Moore when Mr. Moore had been instructed to prepare a report on the Segretti incident by Ehrlichman. I never showed the reports to any of the persons who were interviewed by the FBI after their interviews.

**FIRST DEALINGS WITH THE CIA**

I will turn now to the first dealings I had with the CIA. It was during the meeting in Mitchell's office on June 23 or 24 that Mardian first raised the proposition that the CIA could take care of this entire mat-

Note.—Indented matter represents portions of Mr. Dean's prepared statement which were omitted or summarized in his presentation.
ter if they wished, in that they had funds and covert procedures for distributing funds. I was personally unaware of the workings of the CIA, but Mardian and Mitchell appeared very knowledgeable. As a result of this conversation, which was prompted by my reporting that Gray thought the CIA might be involved, Mitchell suggested I explore with Ehrlichman and Haldeman having the White House contact the CIA for assistance. It was also argued that the individuals involved in the Watergate incident, as former CIA operatives, might compromise the CIA in some manner, and the CIA should be interested in assisting.

On Monday morning, June 26, I spoke with Ehrlichman regarding this suggestion. He thought it was a good idea and worth exploring. He told me to call the CIA and explore it with them. I told him that I had never dealt with anyone at the CIA and did not know Director Helms. He told me that I should not call Helms, rather General Walters. I told him I did not know General Walters either. He then told me that he and Haldeman had had a little chat—as he called it—with Helms and General Walters a few days earlier about their dealings with the FBI in relationship to the investigation. He was not specific. He then told me that I should deal with General Walters because he was a good friend of the White House and the White House had put him in the Deputy Director position so they could have some influence over the Agency. He told me that I should tell General Walters that I was calling because he (Ehrlichman) had requested that I follow up on the earlier meeting they had and if there were any problems General Walters should call him. After my meeting with Ehrlichman, I telephoned General Walters. I told him I was calling at Ehrlichman’s request on a matter relating to his previous discussions with Ehrlichman and Haldeman, and would like to have him visit with me if possible. He seemed somewhat surprised and uncertain about my call, so I told him that he might like to check with Mr. Ehrlichman. He said he would get back to me and he later called me back to set up a meeting for about noon at that day.

When General Walters came to my office I told him again that I was making a visit to Ehrlichman’s request. I made some general comments about the Watergate case. It was from my discussion as a result of general comment with Walters that I became aware of the fact that Ehrlichman and Haldeman had discussed the Dahlgren and Mexican money. We then discussed the fact that some of the leads that the FBI were pursuing were, to my understanding, were unrelated to the Watergate but could result in persons, totally uninvolved, being embarrassed. I would just like to note to counsel for the record that some of this is different from the original pagination of my draft that may have been lost through the transcribing of it here. I also told him that I understood that the FBI had developed three possible theories of the case, which I explained and then asked if, in fact, any of the men arrested were persons that were working for the CIA. General Walters assured me that they were not. I then told him that I had been asked to explore every possible means of dealing with this rather embarrassing and troublesome situation, because some of the men involved were looking for assistance. I asked him if there was any possible way the CIA could be of assistance in providing support for the individuals involved. General Walters told me that while
it could, of course, be done, he told me that he knew the Director's feelings about such a matter and the Director would only do it on a direct order from the President. He then went on to say that to do anything to compound the situation would be most unwise and that to involve the CIA would only compound the problem because it would require that the President become directly involved.

While I cannot recall in detail everything General Walters told me, I do recall that his argument was most sound and very persuasive. I told him I agreed with his position fully and I had merely been asked to explore the potential, which he very rightly stated was too great a risk. As the discussion ended I asked him that if he had any further ideas and told him I would appreciate the benefit of his thoughts. I thanked him for his coming over and his candid answers and he departed.

Subsequent to my meeting with General Walters, I reported back to Ehrlichman that Walters had informed me that any involvement by the CIA in this matter was impossible. I recall that when I reported this to Ehrlichman, he very cynically said "very interesting". He told me that I should talk with General Walters further and push him a little harder to see if the CIA couldn't help out, particularly with regard to the unnecessary pursuit of investigative leads. I also recall Ehrlichman saying something to the effect that General Walters seems to have forgotten how he got where he is today.

I would like to skip the paragraph on page 77 regarding the call from Gray, and turn to the last paragraph on 77.

I received a phone call from Gray on June 27 in which he expressed both concern and confusion about his determining if the CIA was over or was not concerned about the FBI investigation. I was also confused by Gray's call and do not recall at this time what, if anything, I did after I received it. However, I do recall that Ehrlichman had mentioned to me that he wanted Gray to deal with General Walters rather than Director Helms. Apparently this was the cause of the confusion on Gray's behalf.

On the morning of June 28 I arranged again to meet with General Walters. I was first embarrassed about requesting the meeting because he had been most explicit and convincing to me at the first meeting. I told him I thought it best to further discuss the problems of the Dahlberg and Mexican checks. I told him what I knew about the matters and that, to the best of my knowledge, they were not related to the Watergate incident. I then asked him if he had any suggestions. He expressed sympathy over the situation, but said there was nothing his agency could do. He again explained reasons similar to his earlier comments regarding CIA involvement and I expressed my understanding. I then asked him if he had any ideas at all and he said that it might be possible to explain the matter as an anti-Castro activity. We had some general discussion of this, but nothing concrete emerged from the discussion. Before Walters departed I assured him that I agreed that it would be most unwise to involve the CIA, and I thanked him—almost apologetically—for coming by again. At no time did I push him as I had been instructed.

At the conclusion of this meeting I was totally convinced, as I had

Note—Indented matter represents portions of Mr. Dein's prepared statement which were omitted or summarized in his presentation.
been earlier, that the CIA could not and would not be brought in to solve the problems confronting the White House and reelection committee as a result of the Watergate incident.

I subsequently informed Ehrlichman and Haldeman that unless the President directly ordered the CIA to provide support for those involved that the CIA was not going to get involved. I told them I agreed with Walters that this would be a terrible mistake and they both told me they agreed.

TRANSMITTING THE MATERIALS IN MR. HUNT'S SAFE TO THE FBI

I would now like to explain the transmitting of the materials in Hunt's safe to the FBI. As I noted earlier, shortly after the FBI interview on June 22 of Colson, and my later instructions from Ehrlichman to "Dest S. F. the briefcase and shred documents," I had informed the FBI that I would forward the material found in Hunt's office. After weighing the implications of Ehrlichman's instructions to destroy the items I decided that I would not engage in any such activity myself or be pushed into it. Accordingly, I asked David Young to return the State Department cable to my office. I had already returned the briefcase from my car trunk to my office.

I received several calls from the FBI requesting the material, but I had not yet figured out how to tell Ehrlichman I was not going to destroy the material. I knew I had to develop a good argument to give Ehrlichman as to why the materials should not be destroyed. On June 25 or 26 I went to Ehrlichman to explain that I thought the men who drilled the safe had probably seen the briefcase, that the Secret Service agent who was present had probably seen some of the material; that Mr. Kahrl and Fielding had seen it—and what would happen when all those people were later asked by the FBI about the contents of the safe. Then, I said I felt we must turn over the material to the FBI. With regard to the sensitive documents, I suggested that they be given directly to Gray. I told Ehrlichman that if ever asked under oath, I had to be able to testify that to the best of my knowledge, everything found in the safe had been turned over to the FBI.

The FBI agents came to my office; I believe on June 26 or 27. I gave them one box, which had been packed and told them that as soon as the other material was packed I would get it to them. When I got tied up in a meeting, I phoned Fielding and asked him to pack up the remainder of the materials, which I believe was the State Department cables and the briefcase. He did so and turned over the remainder of the materials, with the exception of the two envelopes which contained the politically sensitive materials I described earlier. I spoke with Ehrlichman on the 28th and informed him the material had been sent to the FBI with the exception of the politically sensitive documents. He told me he was meeting later that day with Gray and I should bring them over at that time.

I went to Ehrlichman's office just before Mr. Gray arrived. I placed the envelopes on the coffee table in his office. When Gray arrived, Ehrlichman told him that we had some material for him that had come from Hunt's safe. Ehrlichman described it as politically sensitive but not related to the Watergate. I told Gray that Fielding and I had gone through Hunt's documents and had turned over all the materials to the agents except the documents in these two envelopes.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973
Book 9

Printed for the use of the
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WASHINGTON : 1973

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[844]
[The document referred to was marked exhibit No. 139.*]

Mr. Dasr. After that meeting with Mr. Dean on June 24, did you report back to former Director Helms?

General Walters. I did. I told Mr. Helms generally what had transpired and he approved of my firm stand with Dean and I related in some detail the various matters that I had discussed with Mr. Dean and the fact that I had told Mr. Dean that no Agency assets would be compromised by the pursuit of the FBI investigation in Mexico.

Mr. Dasr. I think you mentioned earlier that you did again meet with Mr. Dean. When did you next meet with Mr. Dean?

General Walters. On the following morning, June 27, I received another telephone call from Mr. Dean summoning me down to his office. I went down to Mr. Dean's office. I believe the time is indicated in the memorandum, 11:30 a.m.

Mr. Dasr. I think 11:45 a.m.

General Walters. 11:45 a.m., and Mr. Dean said that the investigation was continuing, that some of the suspects were 'babbling' and might talk and I said, "Well, that is just too bad but it has nothing to do with us because nothing that they can say can implicate the Agency." So he again said, "Have you not discovered something about Agency involvement in this matter?" And I said, "No, I have not discovered anything about Agency involvement in this matter." He said, "Is there not something the Agency can do to help?" I said, "I do not see how we can be helpful." Then he said, "Well, would there be any way in which you could go bail or pay the salaries of these defendants while they are in jail?" And I said, "No way. To do so would implicate the Agency in something in which it is not implicated. I will have no part in this."

Again I went through the reasoning of the appalling effect it would have. I made plain to him that if the Agency were to intervene in this, it would become known in the leaking atmosphere in Washington, that it would be a total disaster, and I would like to say, if I may at this point, that I have not spent the whole of my adult life in the Central Intelligence Agency. I joined it for the first time in May of 1972. But I am convinced that an effective CIA is essential if the United States is to survive as a free and democratic society in the rough world in which we live, and I was determined that I would not see it destroyed or implicated as might be desired in this business. I further told Mr. Dean that when we expended funds, covert funds within the United States, we were required to report this to our congressional oversight committees and this seemed to cool his enthusiasm considerably. We had a few more discussions and again he asked me whether there was any way we could be helpful and I said, "No, we could not be."

Mr. Dasr. Did you, by the way, at the meeting on June 25—do you have a copy of your memorandum with you?

General Walters. Yes, I do.

This is the meeting of the 28th or the memorandum written on the 28th?

Mr. Dasr. No. The meeting of the following day, the meeting you have just testified to.


*See p. 3816.
Mr. Dash. Yes. First let me show you your copy of a memorandum you prepared on June 29 of your meeting on June 27 and ask if this is a correct copy of that meeting.

General Walters. Yes, it is.

Mr. Dash. Mr. Chairman, if we can have that marked for identi-
cation and received.

Senator Ervin. That will be marked and appropriately numbered
as an exhibit and received in evidence as such.

[The document referred to was marked exhibit No. 131.*]

Mr. Dash. All right, now General Walters, the very next day, it
appears that you had another meeting with Mr. Dean.

General Walters. That is right.

Mr. Dash. Did you report to former Director Helms on your 27th
meeting?

General Walters. Mr. Helms was extremely interested in this whole
business and I reported to him immediately returning to the Agency
on each occasion.

Mr. Dash. On the 28th when you began to write these memorandums,
could you tell the committee what caused you to begin to put this down
in writing?

General Walters. Well, as soon as he broached the question of bail
paying the salaries of these defendants, I realized that for the
first time there was a clear indication that something improper was
being explored, and I discussed this with Mr. Helms and we agreed,
again I don't know whether he or I suggested it, that we write the
memorandum, that I wrote the memorandum on these meetings and
kept a record of them and that is how the memorandums came to be
recorded. It will be noted I wrote practically five of them on the same
day to catch up with the past.

Mr. Dash. Yes.

The meeting on the 28th it appears was a fairly significant meeting
because it was a followup again of a third meeting that you had with
Mr. Dean. Do you have a copy of that memorandum?

General Walters. Of my meeting of the 28th?

Mr. Dash. Yes; which you prepared on June 29, 1972.

General Walters. Yes, I do have it.

Mr. Dash. Would you read that memorandum in full, General
Walters?

General Walters [reading]:

On 28 June at 11:30 John Dean asked me to see him at his office in the
Executive Office Building. I saw him alone.

He said that the Director's meeting—

That is Director Helms' meeting—

with Patrick Gray, FBI Director, was canceled and that John Ehrlichman had
suggested that Gray deal with me instead.

The problem was how to stop the FBI investigation beyond the five suspects.

Leads led to two other people—Ken Dahlberg and a Mexican named Guerra.

Dean said that the $80,000 was unrelated to the bugging case and Dahlberg was
refusing to answer questions. Dean then asked hopefully whether I could do
anything or had any suggestions.

I reiterated that as Deputy Director, I had no independent authority. I was
not in the channel of command and had no authority other than that given me
by the Director. The idea that I could act independently was a delusion and had
no basis in fact.

*See p. 3518.
Dean then asked what might be done and I said that I realized he had a tough problem, but if there were Agency involvement, it could be only at Presidential directive and the political risks that were concomitant appeared to me to be unacceptable. At present there was a high explosive bomb but intervention such as he had suggested would transform it into a megaton hydrogen bomb. The present case was awkward and unpleasant. Directed intervention by the Agency could be electorally mortal if it became known and the chances of keeping it secret until the election were almost nil. I noted that scandals had a short life in Washington and other newer spicer ones soon replaced them. I urged him not to become unduly agitated by this one.

He then asked if I had any ideas and I said that this affair already had a strong Cuban flavor and everyone knew the Cubans were conspiratorial and anxious to know what the policies of both parties would be toward Castro. They, therefore, had a possible motive for attempting this amateurish job which any skilled technician would deplore. This might be costly but it would be plausible.

Dean said he agreed that this was the best tack to take but it might cost half a million dollars. He also agreed (for the second time) that the risks of Agency involvement were unacceptable. After a moment's thought he said that he felt that Gray's cancellation of his appointment with Director Helms might well be reversed in the next few hours.

Dean thanked me and I left.

Mr. Dash. First, General Walters, where was this meeting to be held on June 28 which was canceled?

General Walters. I did not know, Mr. Dash, I did not know what he was talking about. I presume some arrangement outside of me had been made for Director Helms to see Mr. Gray.

Mr. Dash. But in any event, as your memorandum shows, Mr. Ehrlichman had indicated he had preferred Gray meet with you on an ongoing basis.

General Walters. This is what Mr. Dean said.

Mr. Dash. Could you tell the committees at least what your impression was concerning that part of your memorandum—where you said this meeting is mostly concerning a Cuban conspiratorial plot and Dean's statement that he agreed that this was the best tack to take but it might cost a half million dollars.

General Walters. Yes, Mr. Dash.

Dean went back at this point in the conversation, as I remember it, to the three hypotheses and he was sort of saying, "Who could have done this, who could have done this." He did not indicate at any time that he knew where the origin of this was. Quite frankly at this point my principal purpose was to divert him from pursuing the option of involving the Agency in this. I had read, I believe, about that time an article in the newspaper which put out a hypothesis that the Cubans might have been at the origin of this in order to try to find out what the policies of the Democratic Party would be if it were elected in 1972. This is what I basically said to Dean, that the Cubans had a plausible motive for doing this.

Mr. Dean, obviously understood this as a suggestion of mine that he should try to blame the Cubans. In retrospect, as is so often said here from this table, I should have corrected him. Frankly, I was so relieved at seeing him apparently abandoning the idea of involving the Agency or at least retreating on the idea of involving the Agency that I did not correct his impression when he said he obviously thought I was suggesting that he could buy the Cubans.

Mr. Dash. Would that be the inference that Mr. Dean's statement that it might cost a half million dollars would actually require paying somebody off or take this position?
38.4 John Ehrlichman testimony

PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JULY 26, 27, AND 30, 1973
Book 7

Printed for the use of the
Select Committee on Presidential Campaign Activities

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

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Washington, D.C. 20402. Price $2
at this meeting, and what it was General Walters was going to go and
talk to Mr. Gray about.

Senator Ervin. I think this may be an appropriate time to recess
for lunch.

Mr. Wilson. Mr. Chairman, may I inquire about the schedule. Mr.
Haldeman is our next witness and I would like-to ask would you
suggest that he be here at 2 o'clock? He has a statement which
would take no longer than 2 hours to read and I would suggest that he read
it the same day.

Senator Ervin. I would suggest that he come in at 3 o'clock. I think
we can finish with Mr. Ehrlichman at that time. I don't know whether
we can or not.

[Whereupon at 12:30 p.m., the committee recessed to reconvene at
2 p.m. on the same day.]

Afternoon Session, Monday, July 20, 1973

Senator Ervin. The committee will come to order.

Counsel will resume the interrogation of the witness.

Mr. Dash. Mr. Ehrlichman, following the meeting that you had
on June 23 with Mr. Walters, Mr. Helms, and Mr. Haldeman, did
you instruct Mr. Dean to contact Mr. Walters and follow up on the
June 23 meeting?

Mr. Ehrlichman. No, sir. I simply notified Mr. Dean that there
had been a meeting that General Walters was going to be talking
with Mr. Gray, and that we had indicated to General Walters that
Mr. Dean would be his contact from that point forward.

Mr. Dash. Did there come a time when General Walters did call
you and tell you that he was going to have a meeting or that Dean had
contacted him and was it all right for him to speak to Mr. Dean?

Mr. Ehrlichman. It either happened that way or I told him at
the time of the meeting on the 23d that Dean would be his contact,
one or the other, but I am quite sure that I indicated to General
Walters that Dean was the White House man who was looking after
this whole subject.

Mr. Dash. Were you aware that Mr. Dean did in fact meet with
General Walters on June 28?

Mr. Ehrlichman. No, I was not aware of those meetings.

Mr. Dash. There were a series of meetings?

Mr. Ehrlichman. Yes, I understand there were, and I was not
aware of that series of meetings until just recently.

Mr. Dash. And Mr. Dean did not report to you on them?

Mr. Ehrlichman. No, he did not.

Mr. Dash. Now, on June 28, 1972, you met with Mr. Dean and Mr.
Gray, and we have had some testimony on that, and on that same day
you had two earlier meetings with Mr. Dean. Do you recall what the
two earlier meetings were about before the meeting with Mr. Dean and
Mr. Gray?

Mr. Ehrlichman. Not specifically. I surmised that one of them was
simply an informational meeting knowing that I was about to leave
town for an extended period of time. As I recall, there was a conversa-
tion and whether it was by meeting or whether it was by telephone.
I cannot recall, but on the same day that we met with Pat Gray I am
On the morning of June 27, 1972 Gray met with Mark Felt and Charles Bates of the FBI to receive a briefing on the latest Watergate break-in developments. During that briefing Dean telephoned Gray. Gray has testified that in the ensuing conversation he told Dean that if Dahlberg continued to evade the FBI, Dahlberg would be called before a grand jury. Gray also has testified that he asserted to Dean the importance of an aggressive FBI investigation to determine the motive and identity of all persons involved.

On June 27, 1972 CIA Director Helms received a memorandum from the Chief of the Western Hemisphere Division of the CIA stating that there were no CIA traces on Manuel Ogarrio and that the CIA's last contact with a person named Kenneth Dahlberg occurred in 1961 and concerned the manufacturing of a hearing aid for a high level Peruvian. Later that day, Helms told Gray that the CIA had no interest in Ogarrio. Helms confirmed with Gray their plan to meet the following day.

39.1 Memorandum from CIA Western Hemisphere Chief to Director Helms, June 27, 1972 (received from CIA).

39.2 L. Patrick Gray log, June 27, 1972 (received from SSC).

39.3 L. Patrick Gray testimony, 9 SSC 3454.
DOCUMENTATION PROVIDED BY CIA
VOLUME III
MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Mr. Manuel Ogarrio Daguerre and Mr. Kenneth Harry Dahlberg

1. The information contained in paragraph 2 is for your information.

2. In response to your 27 June 1972 request for traces, the following is submitted:

   a. **Manuel Ogarrio Daguerre** has an office on 156 Paseo de la Reforma in Mexico City. This office is located in the same building as the Banco Internacional of Mexico City. His home address is Cerro de Maika 310, Mexico City. There are no CIA traces on Manuel Ogarrio Daguerre. This man is listed in the Mexico City telephone directory.

   b. **Kenneth Harry Dahlberg.** The Office of Security gave DCS an approval on 13 July 1965 to contact Kenneth Harry Dahlberg. Security File No. EE 30944 indicates Dahlberg was born on 30 June 1917 in St. Paul, Minnesota. Discussions with DCS reveal Kenneth Harry Dahlberg is president of Dahlberg Company, 7731 Country Club Drive, Minneapolis, which manufactures hearing aids. CIA's last recorded contact with Dahlberg was in May 1961 when he worked on a hearing aid for a high level Peruvian. The cards indicate there was interest in reconctacting Dahlberg in April 1965, but there is no record if he was contacted. The Dahlberg file is in Archives and will be available to us on 28 June 1972. The FBI wanted traces on Kenneth Dahlberg. Thus it is not clear if Kenneth Dahlberg, who is of interest to the FBI is identical with Kenneth Harry Dahlberg who was in touch with CIA.

   [Comment: Kenneth Harry Dahlberg originally contacted CIA in 1958 on radio matters, not further specified. There is an outside chance that radio matters could be tied to audio operations.] Additional conversations with the FBI on the working level will be needed to sort out the various interests in the name Kenneth Dahlberg.

Theodore G. Shackley
Chief, Western Hemisphere Division
SECRET/SENSITIVE
EYES ONLY
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On Tuesday morning, June 27, 1972, I met with Mr. Bates and Mr. Mark Felt, Acting Associate Director, to receive a briefing on the latest developments. While they were in the office Mr. Dean called. The call involved establishing the chain of custody for the contents of Howard Hunt's safe and his providing us with photographs of certain White House staff members to aid us in identifying an individual who had been with Mr. Hunt at the Miami Playboy Club in December of 1971. In this conversation I also told Mr. Dean that if Mr. Dahlberg continued to evade us he would be called before the grand jury. Although I cannot pinpoint the exact telephone conversation, I believe that by this date Mr. Dean had requested that Mr. Dahlberg not be interviewed because of alleged CIA interest in him.

In this same conversation, I also told Mr. Dean that it was extremely important that the FBI continue its aggressiveness until we determine the motive, reasons, and identity of all persons involved. I said that I might be called upon at a later date to testify before congressional committees and we would not have the FBI accused of not pursuing this case to the end.

Following the briefing by Mr. Felt and Mr. Bates and as an outgrowth of it, I telephoned Director Helms of the CIA and asked him to tell me specifically if the CIA had any interest in Mr. Ogarrio that would prevent us from interviewing him and also asked that he and General Walter call the following day at 2:30 p.m. in my office with me, Mr. Felt, and Mr. Bates to review our respective positions in this investigation. Director Helms told me that he would have to check to determine whether the CIA had any interest in Mr. Ogarrio and would call me later. I advised Mr. Felt of this meeting and also asked that he notify Mr. Bates. Director Helms called me back later that afternoon, told me the CIA had no interest in Mr. Ogarrio, and confirmed our meeting for the next day.

Just 7 minutes after Director Helms' call to me, Mr. Dean called me at 3:47 p.m. and although I cannot be absolutely certain, I believe this was a call again requesting me to hold off interviewing Mr. Ogarrio and Mr. Dahlberg because of CIA interest in these men. I cannot recall if I told him that I had just talked to Director Helms who informed me that CIA had no interest in Mr. Ogarrio and that I was going to order that Mr. Ogarrio be interviewed. I seem to remember that Mr. Dean said to me that these men have absolutely nothing to do with Watergate, but I cannot remember whether he said this to me in this conversation or in earlier conversations.

On Wednesday, June 28, 1972, at 10:25 a.m., Mr. Dean telephoned me and talked about rumors of leaks from the FBI, the material from Hunt's safe previously delivered to the FBI, rumors of a slowdown in
On June 28, 1972 at 10:25 a.m. Dean telephoned L. Patrick Gray about rumors of leaks from the FBI, the material from Hunt's safe, a slowdown in the investigation, and the tracing of the Mexican money. According to Gray, he may have told Dean during this conversation of the meeting he had scheduled with Helms for 2:30 p.m. that day. At 10:45 a.m. Dean met with John Ehrlichman. At 10:55 a.m. Ehrlichman telephoned Gray. Gray has testified that when he returned the call at 11:17 a.m., Ehrlichman said, "Cancel your meeting with Helms and Walters today; it is not necessary." At 11:23 a.m. Gray called Helms to cancel their meeting. Helms asked Gray to call off interviews which the FBI had scheduled with two CIA employees. (In July 1971, pursuant to a request from Ehrlichman to Deputy CIA Director Robert Cushman, the two CIA employees had provided Howard Hunt with disguises, hidden cameras, and other material for use in domestic clandestine operations. In requesting CIA assistance for Hunt, Ehrlichman had told Cushman that Hunt "has been asked by the President to do some special consulting work on security problems.")

40.1 L. Patrick Gray log, June 28, 1972 (received from SSC).
40.2 L. Patrick Gray testimony, 9 SSC 3454-55.
40.3 John Ehrlichman log, June 28, 1972 (received from SSC).
40.4 John Ehrlichman testimony, 6 SSC 2562-63.
40.5 Richard Helms testimony, 8 SSC 3241.
40.6 Memorandum from Richard Helms to Vernon Walters, June 28, 1972 (received from CIA).
40.7 CIA employee affidavit, May 18, 1973 (received from CIA).

40.8 Partial transcript of telephone call from John Ehrlichman to General Robert Cushman, July 7, 1971, and accompanying affidavit of CIA employee, February 5, 1974 (received from CIA).
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PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., AUGUST 3, 6, 7; SEPTEMBER 24 AND 25, 1973

Book 9

Printed for the use of the
Select Committee on Presidential Campaign Activities
U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

For sale by the Superintendent of Documents, U.S. Government Printing Office-
Washington, D.C. 20402 - Price $3
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Again I told Mr. Dean that we would hold off temporarily with interviews of Ogarrio and work around this problem to determine what we were encountering.

On Tuesday morning, June 27, 1972, I met with Mr. Bates and Mr. Mark Felt, Acting Associate Director, to receive a briefing on the latest developments. While they were in the office Mr. Dean called. The call involved establishing the chain of custody for the contents of Howard Hunt's safe and his providing us with photographs of certain White House staff members to aid us in identifying an individual who had been with Mr. Hunt at the Miami Playboy Club in December of 1971. In this conversation I also told Mr. Dean that if Mr. Dahlberg continued to evade us he would be called before the grand jury. Although I cannot pinpoint the exact telephone conversation, I believe that by this date Mr. Dean had requested that Mr. Dahlberg not be interviewed because of alleged CIA interest in him.

In this same conversation, I also told Mr. Dean that it was extremely important that the FBI continue its aggressiveness until we determine the motive, reasons, and identity of all persons involved. I said that I might be called upon at a later date to testify before congressional committees and we could not have the FBI accused of not pursuing this case to the end.

Following the briefing by Mr. Felt and Mr. Bates and as an outgrowth of it, I telephoned Director Helms of the CIA and asked him to tell me specifically if the CIA had any interest in Mr. Ogarrio that would prevent us from interviewing him and also asked that he and General Walters meet the following day at 2:30 p.m. in my office with me, Mr. Felt, and Mr. Bates to review our respective positions in this investigation. Director Helms told me that he would have to check to determine whether the CIA had any interest in Mr. Ogarrio and would call me later. I advised Mr. Felt of this meeting and also asked that he notify Mr. Bates. Director Helms called me back later that afternoon, told me the CIA had no interest in Mr. Ogarrio, and confirmed our meeting for the next day.

Just 7 minutes after Director Helms' call to me, Mr. Dean called me at 3:41 p.m., and although I cannot be absolutely certain, I believe this was a call again requesting me to hold off interviewing Mr. Ogarrio and Mr. Dahlberg because of CIA interest in these men. I cannot recall if I told him that I had just talked to Director Helms who informed me that CIA had no interest in Mr. Ogarrio and that I was going to order that Mr. Ogarrio be interviewed. I seem to remember that Mr. Dean said to me that these men have absolutely nothing to do with Watergate, but I cannot remember whether he said this to me in this conversation or in earlier conversations.

On Wednesday, June 28, 1972, at 10:25 a.m., Mr. Dean telephoned me and talked about rumors of leaks from the FBI, the material from Hunt's safe previously delivered to the FBI, rumors of a slowdown in
the FBI, and leaks from the FBI concerning the tracing of the $114,000. Once again I believe there was some discussion about Ogarrio and Dahlberg, and it is my recollection that I was asked if I had ordered the interviews of Ogarrio and Dahlberg. I replied that I had either ordered or was going to order the interview of Ogarrio. In this discussion, I may have told Mr. Dean that I had arranged to meet with Director Helms and Deputy Director Walters at 9:20 p.m. that afternoon to try to get this CIA situation resolved, but I cannot be positive that I did.

At 10:55 a.m. on this same day Mr. Ehrlichman called me. I was not available, but I returned his call at 11:17 a.m. His first words, issued abruptly, were: "Cancel your meeting with Helms and Walters today; it is not necessary." I asked him for his reasons and he simply said that such a meeting is not necessary. I then asked him point blank who was going to make the decisions as to who is to be interviewed. He responded, "You do."

I then telephoned Director Helms to tell him that I was canceling our meeting. I also advised Messrs. Felt and Bates of the cancellation, but stated that the three of us would meet. In this same conversation with me, Director Helms requested that we not interview active CIA men Karl Wagner and John Caswell. I passed this information to Mr. Felt and instructed that these men not be interviewed. Before orders could get to the field, however, Mr. Caswell had already been interviewed.

I met with Mr. Felt and Mr. Bates in my office at 2:30 p.m. on this Wednesday afternoon, June 28, to review the CIA situation. In this meeting I was brought up to date on all the latest developments in the case. I can recall specifically discussing with them the alleged compartmentalization at CIA where the right hand is not supposed to know what the left is doing in sensitive operations and asked if this could occur. We agreed that it was possible, but unlikely in the absence of some special White House interest in the highest classification of national security interests where the need to know was rigidly controlled.

Mr. Bates pointed out that under no circumstances should we back off any investigation at the request of CIA without forcing them to reveal completely their interest in this matter. We all agreed that the FBI's reputation was at stake and I assured them that I would not hold back the FBI in this investigation at anyone's request, including the President of the United States, in the absence of overriding and valid considerations. I told them that if I were ordered to do so without valid reasons, I would resign.

It was in this meeting that I believe I gave Mr. Felt and Mr. Bates instructions to go ahead with the interview of Mr. Ogarrio and to continue our efforts to locate and interview Mr. Dahlberg.

At 3:25 p.m. June 28, Mr. Dean called and I was not available. I returned the call at 4:35 p.m. and I believe now that this call involved a request by Mr. Dean to hold up on the interview of Miss Kathleen Chenow for alleged reasons of national security until she returned from her vacation in England. I'm sure I said we would hold up for the time being but she would have to be interviewed soon. I can recall saying that we will interview her in England unless she returns from vacation at an early date. Mr. Dean gave me her address
MONDAY, JUNE 26, 1972

8:00 HRH office
8:15 Roosevelt Room
10:00 Colson, MacGregor
11:00 President
12:25 John Dean
12:45 Randall Smith (publisher of National Journal)
2:30 Roosevelt Room - p.r. group
3:30 President, Shultz, Weinberger, Stein (budget)
6:00 Tennis with Hullin, Mrs. E., Hruska

TUESDAY, JUNE 27, 1972

8:00 HRH office
8:15 Roosevelt Room
9:55 President
10:00 President, Republican Members of Senate Finance Committe
12:00 Bruce Agnew (Business Week)
12:30 Fred Malek
1:00 Lunch in Mess with Jan, Pete, Barb Preve
2:00 Robert Toth (LA Times)
4:15 Klein's group of local anchorman - EOB Conference Room

WEDNESDAY, JUNE 28, 1972

8:00 HRH office
8:15 Roosevelt Room
10:45 John Dean
12:30 Joan Sullivan, Susan Engstrom (Santa Monica High School)
2:10 John Dean
2:30 President
3:45 Weinberger's office - HRH
4:55 Tennis with Vernon Jordan (Urban League), Hullin, Young
6:30 L. Patrick Gray, III, John Dean
Mitchell to do this. I had in effect set this up without knowing it by telling Walters that Dean was his White House contact from that day forward. But I did not know about these conversations.

Mr. Thompson. Dean did not report back to you?

Mr. Ehrlichman. Not about that; no, sir.

Mr. Thompson. Did you have occasion to call Mr. Gray to call off a meeting which he and Walters scheduled on June 28, to tell him that the meeting would no longer be necessary, that matters had been worked out some way?

Mr. Ehrlichman. Well, I didn't realize that I had canceled it. My strong concern about that meeting was that it was going to include some staff members from the FBI and as I say, we were experiencing these leak problems and right at that particular time, one of the people who would have been included in that meeting was under very strong suspicion as being the source of that leak. We had had independent information which we were talking to Mr. Kleindienst about, about that specific individual and it appeared that this whole thing was going to include him. So that was the reason for my call.

Mr. Thompson. Did you ask precisely who would be in attendance at the meeting?

Mr. Ehrlichman. Yes. Well, I don't know as I asked him. I think I was told. As a matter of fact, I think Mr. Dean told me.

Mr. Thompson. Did you tell Mr. Gray of your suspicions or concerns about the individual?

Mr. Ehrlichman. Not at that time.

Mr. Thompson. Why?

Mr. Ehrlichman. Because at that time, we were talking with Mr. Kleindienst about how to go about smoking out this problem around Mr. Gray, frankly.

Mr. Thompson. Why?

Mr. Ehrlichman. Why?

Mr. Thompson. Why around Mr. Gray?

Mr. Ehrlichman. Because Mr. Gray at that time was not acknowledging the problem.

Mr. Thompson. You had spoken to him about it?

Mr. Ehrlichman. Oh, I had spoken to him about the leaks. I hadn't spoken to him about this specific man in this specific meeting until this call. Mr. Kleindienst and I discussed on several occasions how we might go about determining the source of the leak. He proposed the idea of planting a story or a set of circumstances and seeing if it turned up and this kind of thing. So we were dealing with the Attorney General on that.

Mr. Thompson. Did you talk to Walters about this meeting?

Mr. Ehrlichman. I don't believe so. I don't believe I talked to John Walters again——

Mr. Thompson. Could not Gray and Walters have had a meeting, the two of them, to solve the problem?

Mr. Ehrlichman. Yes, that was the whole idea.

Mr. Thompson. Was that suggested?

Mr. Ehrlichman. That was suggested in the inception.

Mr. Thompson. You didn't tell him that the meeting would not be necessary?

Mr. Ehrlichman. I don't recall what I told him, except that——
Mr. Thompson. It would be inconsistent with your desire to solve the matter, I assume, as to whether or not there was CIA involvement.

Mr. Ehrlichman. Well, whatever I told him was for the purpose of not having staff meetings on this particular subject. I can't tell you precisely what I told him.

Mr. Thompson. Going back to July of 1971, July 7, 1971, did you call Deputy Director Cushman and ask him to give Mr. Hunt assistance in his activities at that time?

Mr. Ehrlichman. No, I have been asked many times about that telephone call and I simply have no recollection of having made that call.

Mr. Thompson. Did you know what Mr. Hunt was doing during that period of time? Were you informed?

Mr. Ehrlichman. I knew from my one meeting with Mr. Colson and Mr. Hunt jointly what he was supposed to be doing, yes.

Mr. Thompson. What was he doing?

Mr. Ehrlichman. He was supposed to be engaged in an analysis of the Pentagon Papers and in determining their accuracy, whether or not they were in fact complete accounts of the events which took place or whether they were edited, tailored accounts which did not include the complete facts.

Mr. Thompson. In June, when you were talking to Helms and Walters about the possible CIA problem or uncovering some collateral CIA activity, this all evolved around the so-called Mexican money problem, I assume, is that correct?

Mr. Ehrlichman. Well, it was much broader than that. It was any unassociated CIA activity.

Mr. Thompson. Well, what brought it to anyone's attention? I thought it was the so-called Barker money that had come from Mexico.

Mr. Ehrlichman. You mean that precipitated the meeting?

Mr. Thompson. Yes.

Mr. Ehrlichman. No, it was a much broader concern than that, and it included, as I said, the question of direct involvement, it included whatever exposure there might be for any CIA activity. I think the Mexican money or the Florida bank account or whatever, which involved one of these people who had been a former CIA agent or client or whatever they call them, was raised as an example in the meeting by one of us as the kind of thing that the President evidently was concerned about. And it was discussed as a specific example. But the meeting was by no means limited to that.

Mr. Thompson. Can you recall any other specific examples that were discussed?

Mr. Ehrlichman. Bay of Pigs.

Mr. Thompson. How did that come in?

Mr. Ehrlichman. Well, because apparently, the President had specifically mentioned the Bay of Pigs to Bob Haldeman in suggesting the meeting, and then he mentioned it to me again in July as the kind of thing that apparently, CIA might be embarrassed about, that some of the people who were involved in Watergate, apparently, had been involved in the Bay of Pigs and accordingly, whether there was any CIA exposure still existing.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

HEARINGS
BEFORE THE
SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
OF THE
UNITED STATES SENATE
NINETY-THIRD CONGRESS
FIRST SESSION

WATERGATE AND RELATED ACTIVITIES
Phase I: Watergate Investigation
WASHINGTON, D.C., JULY 31, AUGUST 1, AND 2, 1973
Book 8

Printed for the use of the
Select Committee on Presidential Campaign Activities
U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

For sale by the Superintendent of Documents, U.S. Government Printing Office
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[868]
Mr. Helms. It is my recollection that it was at the meeting of the 27th, which was Tuesday, I believe, that the issue first came up of whether or not the CIA, out of its covert funds, was prepared to provide bail money for the defendants in the Watergate burglary. Not only did this issue come up, but I also believe that the additional point was made would it be possible for the CIA to pay the salaries of these individuals while they served their jail sentences. General Walters and I have talked about the conversation I had with General Walters the day before about how he was to guide himself in this matter, pointed out to me that the Agency could not possibly do anything like that. That he had no authority to do it on his own, that his authority is derived from me and that he knew what my position was, and in addition, he said he could not conceivably imagine that a thing like that would remain secret forever, and had but not least, under the ground rules which we operate within the Congress, or which the Agency operates with the Congress of the United States, any exceptional expenditure of this kind would have to be identified with the chairman of the Senate Appropriations Committee and the chairman of the House Appropriations Committee. This obviously cooled Mr. Donn's ardor.

Mr. Donn. And it was so reported to you?

Mr. Helms. Yes.

Mr. Donn. During the week of the 28th did you receive a telephone call from Patrick Gray with respect to setting up a meeting between representatives of the two agencies?

Mr. Helms. Yes, I do recall a conversation to set up a meeting because I was anxious to have one with him. There were a lot of leaks we were running, the involvement of these former CIA people that we had been passing to the FBI, there was starting to be a lot of leaks out of the FBI for the first time that I could remember on matters of this kind but leaks of ongoing operational material, and I wanted to get together with him and some of his people to see if we could not get some of these things not straightened out so much as get to walking along in harmony.

So we agreed to have the meeting the next day. The next morning, which I believe was the 28th, I may be mistaken, it is all in the record, I am sure, he called back and said that he was so busy that he could not make the meeting, it was not possible for him to hold it and he would probably have to put it off until the following week. I told him I was sorry about that because I was planning to leave the end of the week in which we are speaking to go to Australia and that I was not going to be there the following week, if he had a meeting, it was going to have to be with General Walters.

Mr. Donn. Now, may I ask you about the second two meetings on the 28th and 29th between General Walters and Mr. Donn? Did the summary that you gave us apply to the two meetings together or was that solely with respect to the meeting of the 27th?

Mr. Helms. I am not able any longer, Mr. Counsel, to sort out precisely what, out of my own memory, what occurred at each of these meetings. I have two very clear recollections, one was that it was at the second meeting that the question of the bail money came up because I don't recall that at all in connection with my longer conversation with General Walters after the first meeting. As far as the third meet-
Basic Data--St. George's Allegations
16 November 1973, Senate Armed Services Committee Hearing
1. Acting Director Gray of the FBI 'phoned me this morning to cancel our meeting scheduled for 2:30 this afternoon. He indicated that he would not be able to get together until next week. I informed him that I would be away but that you would be available with and for any such meeting. I did, however, use the opportunity of this call to make two points to Acting Director Gray: 1) That I would appreciate his calling off interviews with Karl Wagner and John Caswell (this he agreed to do); and 2) that Kenneth Harry Dahlberg was no agent of the CIA and that we had no ties to him. I stated that our last verifiable contact with him was in May 1961. Acting Director Gray confirmed that this is the same Kenneth Dahlberg about whom he was inquiring as soon as I identified the gentleman as the President of Dahlberg Company in Minneapolis.

2. I informed and this morning; in preparation for the scheduled meeting this afternoon, that the Agency is attempting to "distance itself" from this investigation and that I wanted them along as "reference files" to participate in the conversation when requested. I told them that I wanted no free-sampling exposition of hypotheses or any effort made to conjecture about responsibility or likely objectives of the Watergate intrusion. "In short, at such a meeting, it is up to the FBI to lay sure cards on the table. Otherwise, we are unable to be of help. In addition, we still adhere to the request that they confine themselves to the personalities already arrested or directly under suspicion and that they desist from expanding this investigation into other areas which may well, eventually, run afloat of our operations."

3. This brings you up-to-date as of 3:00, 25 June.

Richard Helms
Director
40.7 NOTE

The following document was provided to the House Judiciary Committee by the CIA. The names of CIA personnel have been deleted at the request of the CIA.
STATE OF VIRGINIA

COUNTY OF FAIRFAX

I, being first duly sworn, state:

1. I was born on 8 March 1924 in Milwaukee, Wisconsin. After serving as an Army officer in World War II and completing my college education, I joined the Central Intelligence Agency in October 1950. I have held the position of Executive Assistant to the Deputy Director of Central Intelligence since November 1969.

2. On 22 July 1971 Mr. E. Howard Hunt, a former Agency employee who had joined the White House staff, called on the Deputy Director of Central Intelligence, General Cushman. I was present in the room because General Cushman usually asked me to sit in on his meetings. When Mr. Hunt arrived he said that he wanted to talk to General Cushman privately and I withdrew.

3. Later that day General Cushman told me that Mr. Hunt had asked for some help (of an unspecified nature), that he (General Cushman) had checked it out and that it was all right, and that he had told Mr. Hunt to get in touch with me to obtain the assistance. Mr. Hunt called me later in the day and requested aid in obtaining a physical disguise and "pocket litter" documentation in alias to assist him in connection with an extremely sensitive project, which he could not further discuss, and which had been approved by Mr. Ehrlichman. Under these circumstances my presumption was that the request must be legitimate and proper.
4. I then contacted Mr. Acting Chief of Technical Services Division, and instructed him to make arrangements for furnishing a physical disguise and alias documentation to an individual (Mr. Hunt), who had insisted that his identity not be known to the TSD officers. I explained to Mr. that the undertaking was for an extremely sensitive project which had been requested by the White House, of which I was not at liberty to describe further and the nature of which I was unaware. I also indicated that because of the sensitivity factor all the requested support should be handled by TSD.

5. When Mr. explained that it would be necessary for a TSD officer to meet the subject before creating a disguise, and because Mr. Hunt was unwilling to come to the Headquarters building again, I arranged for the TSD officer to meet Mr. Hunt, who was under an assumed name, in an Agency safehouse. I obtained a key to the safehouse from the Office of Logistics on 23 July and passed it to a TSD representative, Mr. I believe. TSD was able to provide Mr. Hunt (who dealt with them under the alias of "Mr. Edward") with a disguise and alias documentation later that day (23 July 1971).

6. Following my contacts with TSD officers I notified the Executive Assistant to the DDP, Mr. that on the instruction of General Cushman I had enlisted the assistance of TSD (which was subordinate to the Directorate for Plans) in a project for the White House which was said to be extremely sensitive and whose nature was unknown to me.

7. My next contact with Mr. Hunt was a telephone call from him on 18 August 1971 to a request that the Agency furnish a specific secretary (who was named) for a temporary assignment of between 30 and 90 days. Mr. Hunt said that he needed the secretary to work on a highly sensitive assignment and that Mr. John Ehrlichman had suggested that he call General
Cushman. Mr. Hunt said that he did not want the young lady's Division
Chief to know that he or the White House was involved in the request.
Mr. Hunt suggested that the Director's office should immediately recall
the young lady from her assignment overseas and explain to all concerned
that she was urgently needed for an unspecified special assignment. Mr.
Hunt again stressed that White House involvement should not be mentioned.
After discussing the case with General Cushman and the Office of Personnel
I informed Mr. Hunt that the Agency would be unwilling to withdraw the
secretary from her overseas assignment. I suggested that if Mr. Hunt
would furnish us with a statement of his requirements we might be able to
provide a qualified secretary from Headquarters. Mr. Hunt replied that
the individual he had requested was the only secretary he would accept
because of the "loyalty factor." Mr. Hunt said that he would discuss our
attitude with Mr. Ehrlichman and I heard no more of this particular matter.

8. Mr. Hunt's records show that we were again in contact by
telephone on 20 August 1971 regarding a new request from Mr. Hunt for a
tape recorder and business cards in alias. Since there was nothing
improper in this request and it was consistent with my understanding of the
assistance we were authorized to give Mr. Hunt, I instructed Mr. to
proceed with this assistance.

9. My records show that Mr. Hunt called me on 26 August 1971
to express concern about additional assistance that had been requested by
Mr. Hunt. I learned that Mr. Hunt had introduced an unidentified associate
who had been given a disguise and identification documents in alias. Mr.
Hunt had also on about 25 August requested and received training in clan-
destine photography and was given a camera concealed in a tobacco pouch
in connection with a new assignment. Mr. expressed concern that
Mr. Hunt now possessed a considerable amount of special materials and
noted that the concealed camera was a particularly sensitive item. I agreed with Mr. that it raised the question of the use of Agency materials in domestic clandestine activity. I told Mr. that I would report his call promptly and obtain guidance, and that additional gear should not be given to Mr. Hunt and his requests referred to the Deputy Director's office. (It should also be noted that General Cushman's office was informed only after the camera had been given to Mr. Hunt and his associate outfitted with a disguise.)

10. I summarized my conversation with Mr. in a memorandum for General Cushman and gave it to him the next morning (27 Aug.). My covering buckslip stated that Mr. Hunt's latest request raised two significant problems for the Agency. Mr. Hunt had introduced a stranger into the picture without any word of explanation to General Cushman from the White House. I noted that this unknown person was now aware of Agency support to Hunt in whatever he was doing. I also noted that Mr. Hunt's possession and use of unique clandestine equipment (the disguised camera) in domestic activity of uncertain nature also contained potential for trouble. My buckslip read: "The Agency could suffer if its clandestine gear were discovered (being) used in domestic secret operations." My buckslip continued that I would instruct TSD to clear all of Hunt's requests with the Deputy Director's office and recommended that General Cushman seek Mr. Ehrlichman's assurance that Mr. Hunt's "latest caper" was legitimate. (We were still operating on the assumption that the White House project was proper but feared that Mr. Hunt had exceeded his authority.) My buckslip concluded that "Even then (if Mr. Ehrlichman validated Mr. Hunt's request) this does not relieve the Agency from its vulnerability if associated with domestic clandestine operations against Americans."
11. I had given my memorandum to General Cushman on the morning of 27 August 1971 when Mr. Hunt called me again to report additional troublesome requests from Mr. Hunt on the previous day. Mr. Hunt said that he was increasingly concerned at the nature of assistance requested by Mr. Hunt. The latter was now pressing for fully backstopped documentation and support including a driver's license and car rental credit cards in alias. Mr. Hunt said that he had turned down this request. Mr. Hunt also asked that the Agency arrange to backstop a New York telephone number either through an answering service there or by a hookup which would permit the New York number to be answered in Washington. Mr. Hunt said that this action was beyond his Division's capability. I told Mr. Hunt's latest requests drew the Agency even further into the sensitive area of domestic clandestine operations against Americans and that all such requests should be referred to General Cushman's office. I added that, meanwhile, Mr. Hunt's requests should not be met. I reported Mr. Hunt's request promptly to General Cushman and recommended that the Agency terminate its support to Mr. Hunt because he was drawing us into a compromising and dangerous situation in which we were not authorized to be engaged, i.e., facilitating domestic clandestine operations against Americans.

12. General Cushman's notes on my bucks lists indicate that he promptly spoke to Mr. Ehrlichman by telephone at 1100 hours on 27 August 1971, and explained why CIA could not meet Mr. Hunt's requests. General Cushman noted on the bucks list that Mr. Ehrlichman indicated he would call a halt to Mr. Hunt's activities.

13. I informed Mr. Hunt on 27 August that General Cushman had notified Mr. Ehrlichman that CIA could not give additional help to
Mr. Hunt, that TSD should not accept any more requests from Mr. Hunt, and that Mr. Hunt should be instructed to return the sensitive materials from TSD. TSD records show that when Mr. Hunt next contacted TSD personnel on 31 August 1971 he was again informed that the Agency could not provide further assistance.

14. The 27th of August was a Friday. On Monday, 30 August, I wrote a memorandum reporting on my 27 August conversation with Mr. and my instruction not to meet Mr. Hunt’s new request. General Cushman sent the memorandum to Director Helms and wrote on the covering buckslip that he told Mr. Ehrlichman on 27 August that the Agency could not accept Mr. Hunt’s requests for clandestine equipment or operational support. Director Helms initialed the buckslip with the comment “Good.”

15. With the closing off of Agency contacts with Mr. Hunt I discarded my handwritten notes covering my talks with Mr. Hunt and Mr.

I filed my memoranda to General Cushman, however. In June 1972, when Mr. Howard Hunt’s name turned up in connection with the Watergate affair, I retrieved these memoranda and went to see Director Helms to remind him of the contacts with Mr. Hunt a year earlier. I left these memoranda with Mr. Helms.

16. Shortly thereafter the CIA Director of Security, Mr., informed me that a representative of the FBI wanted to talk to me because my name had been found in a telephone list in Mr. Howard Hunt’s office. I informed Director Helms of this fact and he said that he would take up the matter with the Department of Justice. He said that if an
FBI officer contacted me directly I should say that since my contacts with Mr. Hua had been in an official capacity, all inquiries should be referred to Director Helms. I heard nothing more from the FBI.

SUBSCRIBED and SWORN to before me this [handwritten] day of [handwritten], 1973.

[Signature]

A Notary Public in and for the County of Fairfax, Virginia.

My Commission Expires: My Commission Expires September 25, 1976
Volume 1
CIA Materials Furnished to the Special Counsel Committee on the Judiciary, House of Representatives

SECRET

CIA

DV

SECRET
40.8 NOTE

The following documents were provided to the House Judiciary Committee by the CIA. The index which accompanied the documents identified them as "CIA Tapes and Transcripts of Tapes." The names of CIA personnel have been deleted at the request of the CIA.
AFFIDAVIT

STATE OF VIRGINIA  
COUNTY OF FAIRFAX  

being first duly sworn, state:

1. I was born on 8 March 1924 in Milwaukee, Wisconsin. After serving as an Army officer in World War II and completing my college education, I joined the Central Intelligence Agency in October 1950. I have held the position of Executive Assistant to the Deputy Director of Central Intelligence since November 1969.

2. This affidavit is submitted at the request of Mr. William E. Colby to explain the circumstances of my discovery on February 4, 1974 of a file of stenographers' notes among which was the attached note of Miss summarizing a telephone conversation between Lt. General Robert E. Cushman, Jr. and Mr. John Ehrlichman on 7 July 1971.

3. Director Colby's secretary, Miss , came to my office on Monday morning, February 4, 1974. She said that Mr. Colby would like me to go through my files once more to make certain that there were no misplaced transcripts of conversations which had been recorded in the Office of the Deputy Director of Central Intelligence. The recording of visitors' conversations had been done on a very selective basis and this practice was discontinued after General Cushman left CIA in December 1971.

DV
4. During the morning of February 6, 1973, I went through the papers in my safe in order to determine if any misplaced transcripts of conversations were located there. At the bottom of the second drawer were two folders of material that contained information used for General Walters' orientation briefings after he was appointed Deputy Director of Central Intelligence in March 1972. Under these briefing files I found a brown folder containing ten stenographic notes summarizing General Cushman's telephone conversations with members of the White House staff in 1970, 1971 and 1971. In this folder was a summary of General Cushman's 7 July 1971 conversation with Mr. John Ehrlichman.

5. These stenographic notes in this folder included summaries of General Cushman's conversations with Dr. Kissinger on leaks of intelligence reports in the press, and his request for an analytical paper on Cambodia. There were also conversations with other White House officials on intelligence leaks and on requests for name checks of foreigners. The conversations with Dr. Kissinger were on top of the file of ten stenographic notes and one memorandum written by the CIA General Counsel. The note of General Cushman's conversations with Mr. Ehrlichman on 7 July 1971 was included about two thirds of the way down in the file. I had looked at this file in May 1973 when Dr. Schlesinger requested employees to "search all files for material which might have been related to Howard Hunt and the Watergate affair. At that time I noted the records of the conversations with Dr. Kissinger and others on matters which were completely unrelated to Watergate. I did not see the single page item on General Cushman's conversation with Mr. Ehrlichman about Howard Hunt, and presumably, inadvertently failed to uncover it when I was paging through these papers.
6. The file of summary notes of General Cushman's telephone conversations was maintained by his secretary. I usually did not see them when they were made because they were chiefly used by the secretaries to clarify questions which might be raised later. In many cases, General Cushman probably did not see them either.

In December 1971 Miss , General Cushman's secretary, and I reviewed General Cushman's papers after he left CIA to become Marine Commandant. I decided to retain only those papers which related to General Cushman's conversations with members of the White House staff.

020226

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Affiant.

SUBSCRIBED and SWORN to before me this 22nd day of February, 1974.

Notary Public

By Certification Exple March 15, 1977

(DRILL)
Telephone Call to General Cushman from John Ehrlichman - 7 July 1971

Mr. Ehrlichman: I want to alert you that an old acquaintance, Howard Hunt, has been asked by the President to do some special consultant work on security problems. He may be contacting you sometime in the future for some assistance. I wanted you to know that he was in fact doing some things for the President. He is a long-time acquaintance with the people here. He may want some help on computer runs and other things. You should consider he has pretty much carte blanche.

[notes]

NOTE: After the above conversation, General Cushman called Mr. to alert him.