
Don Edwards

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30. In June 1971 Dwight Chapin, the President's Appointments Secretary, and Gordon Strachan, an aide to H. R. Haldeman, recruited Donald Segretti to disrupt the campaigns of candidates for the Democratic presidential nomination. Shortly thereafter, Haldeman met with Herbert Kalmbach and authorized Kalmbach to pay out of political funds Segretti's salary and expenses, which totaled $45,000 during the next year.

30.1 Donald Segretti testimony, 10 SSC 3980.
30.2 Gordon Strachan testimony, 6 SSC 2502.
30.3 H. R. Haldeman testimony, 7 SSC 2877.
30.4 Herbert Kalmbach testimony, United States v. Chapin, April 2, 1974, 386-88.
30.7 Checks issued to Donald Segretti by Herbert Kalmbach, SSC Exhibit 223, 10 SSC 4311-13.
On June 5, 1970 the President, H. R. Haldeman, John Ehrlichman and Presidential Staff Assistant Tom Huston met with FBI Director J. Edgar Hoover, Defense Intelligence Agency Director Donald Bennett, National Security Agency Director Noel Gayler, and Central Intelligence Agency Director Richard Helms. The President discussed the need for better domestic intelligence operations in light of an escalating level of bombings and other acts of domestic violence. He appointed Hoover, General Bennett, Admiral Gayler, and Helms to be an ad hoc committee to study intelligence needs and restraints. He named Hoover as the chairman and Huston as the White House liaison.

20.2 Tom Charles Huston testimony, Senate Armed Services Committee Executive Session, May 21, 1973, 133-35 (received from Senate Armed Services Committee).
20.3 H. R. Haldeman testimony, 8 SSC 3027-28.
20.4 John Ehrlichman testimony, 6 SSC 2527.
21. On June 25, 1970 the Committee completed its report entitled "Special Report Interagency Committee on Intelligence (Ad Hoc)" known as "The Huston Plan." The report included a discussion of the current restraints on intelligence collection with respect to electronic surveillance, mail coverage, surreptitious entry, use of campus informers, use of military undercover agents, and other intelligence-gathering procedures. The Report set forth the arguments for and against maintaining or relaxing existing restraints on the various forms of intelligence collection and of establishing an inter-agency intelligence evaluation committee. Specific options for expanded intelligence operations were set forth for the President's consideration. The Report stated that two of the proposed intelligence-gathering procedures, surreptitious entry and opening first class mail, were illegal. At Director Hoover's insistence, the Report included notations that the FBI objected to proposals for establishing a permanent coordinating committee and for lifting restraints on intelligence collection methods in all categories except legal mail coverage and National Security Agency communications intelligence.

21.1 Special Report Interagency Committee on Intelligence (Ad Hoc), June 1970 (received from CIA).


21.3 Tom Charles Huston testimony, House Armed Services Committee Executive Session, July 9, 1973, 1381-82.

21.4 H. R. Haldeman testimony, 8 SSC 3029.

22. During the first week of July 1970 Huston sent the Special Report and a Top Secret memorandum entitled "Operational Restraints on Intelligence Collection" to Haldeman. In the memorandum Huston recommended that the President, from among the options discussed by the Report, select in most areas discussed the option relaxing the restraints on intelligence collection. Huston specifically noted that covert mail covers and surreptitious entries were illegal but nonetheless recommended that the restraints on the use of these techniques be relaxed. Huston justified his recommendation in part on the past practices of the FBI. Huston also recommended the formation of an interagency evaluation committee, as outlined in the Report.

22.1 Tom Charles Huston memorandum, "Operational Restraints on Intelligence Collection" (received from House Armed Services Committee).


22.3 H. R. Haldeman testimony, 8 SSC 3028.
23. On July 14, 1970 H. R. Haldeman sent a Top Secret memorandum to Huston stating that the President had approved Huston's recommendations for relaxing restraints on intelligence collection. Haldeman requested that a formal decision memorandum be prepared. On or about July 23, 1970 Huston prepared and distributed to the members of the Ad Hoc Committee a Top Secret decision memorandum, with copies to the President and Haldeman, advising of the President's decision to relax the restraints on intelligence gathering by use of the techniques of covering international communications facilities, electronic surveillance and penetrations, illegal mail covers, surreptitious entries, and development of campus sources.

23.1 H. R. Haldeman testimony, 7 SSC 3030.

23.2 Memorandum from H. R. Haldeman to Tom Charles Huston, July 14, 1970 (received from SSC).

23.3 H. R. Haldeman testimony, 7 SSC 2874.

23.4 Tom Charles Huston testimony, Senate Armed Services Committee Executive Session, May 21, 1973, 139-42 (received from Senate Armed Services Committee).

23.5 Tom Charles Huston testimony, House Armed Services Committee Executive Session, July 9, 1973, 1389-90.


23.7 Memorandum from Tom Charles Huston to Richard Helms, July 23, 1970 (received from CIA).

24.1 John Mitchell testimony, 4 SSC 1603-04.


24.3 Richard Helms memorandum to the record, July 28, 1970 (received from House Armed Services Committee).
25. On either July 27 or July 28, 1970 Huston, on instructions from Haldeman, recalled the decision memorandum of July 23, 1970 and requested that the members of the Ad Hoc Committee return their copies to the White House. Haldeman told Huston that Mitchell had called concerning the Plan, that the memorandum would be reconsidered and that Haldeman, Hoover and the Attorney General would meet to discuss the subject. Mitchell has testified that he informed the President and Haldeman of his opposition to the Plan.

25.1 Tom Charles Huston testimony, Senate Armed Services Committee Executive Session, May 21, 1973, 142-44.


25.3 Richard Helms memorandum, July 28, 1970 (received from House Armed Services Committee).

25.4 John Mitchell testimony, 4 SSC 1604-05.

25.5 John Mitchell testimony, 5 SSC 1824.

25.6 H. R. Haldeman testimony, 8 SSC 3029-30.

25.7 Memorandum from Tom Charles Huston to H. R. Haldeman, August 5, 1970 (received from SSC).

25.8 Memorandum from Tom Charles Huston to H. R. Haldeman, August 7, 1970 (received from SSC).
26. In or around August 1970 H. R. Haldeman transferred White House responsibility for matters of domestic intelligence for internal security purposes from Tom Charles Huston to John Dean. On September 17, 1970 Dean and Attorney General Mitchell discussed procedures for commencing a domestic intelligence operation. On September 18, 1970 Dean wrote a memorandum to the Attorney General regarding the establishment of an interagency domestic intelligence unit and the use of an existing group called the Inter- Divisional Information Unit (IDIU) as a cover for the operation of the new unit. Dean recommended that restraints should be removed as necessary to obtain needed intelligence rather than on a blanket basis. Dean informed Mitchell that Haldeman had suggested he would be happy to join Mitchell in a meeting with Hoover.

26.1 Tom Charles Huston testimony, Senate Armed Services Committee Executive Session, May 21, 1973, 144.

26.2 John Dean testimony, 3 SSC 916.

26.3 John Dean testimony, 4 SSC 1446, 1456.

26.4 John Mitchell log, September 17, 1970 (received from SSC).

26.5 Memorandum from John Dean to Attorney General Mitchell, September 18, 1970 (received from Department of Justice).

27. In or before December 1970 the Intelligence Evaluation Committee was created to improve coordination among the intelligence community and to prepare evaluations and estimates of domestic intelligence.


27.2 John Dean testimony, 3 SSC 916, 1064-67.

27.3 John Mitchell testimony, 4 SSC 1637.
28. In the latter part of 1970 the Secret Service installed a wiretap on the telephone of Donald Nixon, the President's brother, in Newport Beach, California, and also instituted physical surveillance. Caulfield was assigned by Ehrlichman to monitor and report to him on the wiretap. Caulfield has testified that the purpose of the surveillance was the concern that Donald Nixon might be involved with persons seeking to use him for improper political influence and thereby embarrass the President. The President has stated that his brother was aware of the surveillance while it was occurring because he asked about it, was told about it, and he approved of it.


29. On February 10, 1971 in the month before Director Hoover was to appear before a House Subcommittee on Appropriations, the FBI terminated the nine wiretaps from the 1969-71 electronic surveillance program which were still in operation.

29.1 Report by Senators John Sparkman and Clifford Case to the Senate Foreign Relations Committee, 19-20 (received from Senate Foreign Relations Committee).


29.3 Memorandum from W.C. Sullivan to Tolson, February 10, 1971 (received from Department of Justice).
31. On June 13, 1971 The New York Times published the first installment of excerpts from the History of U.S. Decision-Making Process on Viet Nam Policy, popularly known as the "Pentagon Papers." The Pentagon Papers, prepared in 1967 and 1968 at the direction of the Secretary of Defense, were based largely upon CIA and State and Defense Department documents classified "top secret." On June 15, 1971, at the direction of the President, the government instituted legal actions in an unsuccessful attempt to prohibit further publication of Pentagon Papers material by The New York Times and by The Washington Post which also had gained access to it. On that day, at the request of Attorney General Mitchell, the FBI began an investigation to determine how the newspapers had obtained copies of the Pentagon Papers.


31.5 Letter from J. Edgar Hoover to H.R. Haldeman, July 6, 1971 (received from White House).
32. Following the June 13, 1971 publication of the "Pentagon Papers," Daniel Ellsberg publicly acknowledged copying and releasing the documents. On June 28, 1971 Ellsberg was indicted in California on charges of unauthorized possession of defense information and conversion of government property, the Pentagon Papers.

32.2 Washington Post, June 29, 1971, 1, 12.
33. In the two weeks following the publication of the Pentagon Papers the President met at various meetings with Haldeman, Ehrlichman, Kissinger and Colson. According to Ehrlichman and Colson the participants at these meetings discussed the adverse effect of the publication of the Pentagon Papers upon national security and foreign policy and considered the possibility that Daniel Ellsberg, identified as the probable source of the published papers, possessed additional sensitive information that he might disclose. During this period, White House staff members were told by Assistant Attorney General in charge of the Internal Security Division that some or all of the Pentagon Papers had been delivered to the Soviet Embassy on June 17, 1971.

33.1 John Ehrlichman affidavit, United States v. Ehrlichman, April 26, 1974, 1-4.

33.2 Charles Colson affidavit, United States v. Ehrlichman, April 29, 1974, 1-4.

33.3 Memorandum from Charles Colson to John Ehrlichman, July 13, 1971 (received from White House).

33.4 Memorandum of conversation, July 24, 1971 (received from White House).

33.5 Meetings and conversations between the President and Charles Colson, June 14 to July 20, 1971 (received from White House).

33.6 Meetings and conversations between the President and John Ehrlichman, June 14 to July 10, 1971 (received from White House).
34. The President has stated that in the week following the publication of the Pentagon Papers he authorized the creation of a Special Investigations Unit whose principal purpose would be to stop future disclosure of sensitive security matters, and that he looked to John Ehrlichman to supervise that unit. This unit became known as the "Plumbers."

34.1 President Nixon Statement, May 22, 1973, 9 Presidential Documents, 695.

34.2 Letter from President Nixon to Judge Gerhard Gesell, April 29, 1974, United States v. Ehrlichman.
35. On June 23, 1971 Haldeman sent several projects to Strachan for implementation. One of the projects envisaged 24-hour-a-day surveillance of Senator Edward Kennedy. Caulfield and Dean objected to this project because of the risks involved and the project was not implemented. Strachan has testified that Dean told him that physical surveillance of Kennedy was in fact conducted on a periodic basis and that Strachan received reports on Kennedy's activities.

35.1 John Caulfield testimony, SSC Executive Session, March 16, 1974, 84-85.

35.2 Gordon Strachan testimony, SSC Executive Session, July 12, 1973, 59-60.

35.3 John Dean testimony, 3 SSC 922-23.
On June 5, 1970 the President, H. R. Haldeman, John Ehrlichman and Presidential Staff Assistant Tom Huston met with FBI Director J. Edgar Hoover, Defense Intelligence Agency Director Donald Bennett, National Security Agency Director Noel Gayler, and Central Intelligence Agency Director Richard Helms. The President discussed the need for better domestic intelligence operations in light of an escalating level of bombings and other acts of domestic violence. He appointed Hoover, General Bennett, Admiral Gayler, and Helms to be an ad hoc committee to study intelligence needs and restraints. He named Hoover as the chairman and Huston as the White House liaison.

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20.4 John Ehrlichman testimony, 6 SSC 2527.
I will not abandon my responsibilities. I will continue to do the job I was elected to do.

In the accompanying statement, I have set forth the facts as I know them as they relate to my own role.

With regard to the specific allegations that have been made, I can and do state categorically:

1. I had no prior knowledge of the Watergate operation.
2. I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate.
3. At no time did I authorize any offer of executive clemency for the Watergate defendants, nor did I know of any such offer.
4. I did not know, until the time of my own investigation, of any effort to provide the Watergate defendants with funds.
5. At no time did I attempt, or did I authorize others to attempt, to implicate the CIA in the Watergate matter.
6. It was not until the time of my own investigation that I learned of the break-in at the office of Mr. Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne.
7. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct, in the matters under investigation. I want the public to learn the truth about Watergate and those guilty of any illegal actions brought to justice.

Allegations surrounding the Watergate affair have so escalated that I feel a further statement from the President is required at this time.

A climate of sensationalism has developed in which even second- or third-hand hearsay charges are headlined as fact and repeated as fact.

Important national security operations which themselves had no connection with Watergate have become entangled in the case.

As a result, some national security information has already been made public through court orders, through the subpoenaing of documents, and through testimony witnesses have given in judicial and Congressional proceedings. Other sensitive documents are now threatened with disclosure. Continued silence about those operations would compromise rather than protect them, and would also serve to perpetuate a grossly distorted view—which recent partial disclosures have given—of the nature and purpose of those operations.
The purpose of this statement is threefold:
—First, to set forth the facts about my own relationship to the Watergate matter;
—Second, to place in some perspective some of the more sensational—and inaccurate—of the charges that have filled the headlines in recent days, and also some of the matters that are currently being discussed in Senate testimony and elsewhere;
—Third, to draw the distinction between national security operations and the Watergate case. To put the other matters in perspective, it will be necessary to describe the national security operations first.

In citing these national security matters, it is not my intention to place a national security "cover" on Watergate, but rather to separate them out from Watergate and at the same time to explain the context in which certain actions took place that were later misconstrued or misused.

Long before the Watergate break-in, three important national security operations took place which have subsequently become entangled in the Watergate case.

—The first operation, begun in 1969, was a program of wiretaps. All were legal, under the authorities then existing. They were undertaken to find and stop serious national security leaks.
—The second operation was a reassessment, which I ordered in 1970, of the adequacy of internal security measures. This resulted in a plan and a directive to strengthen our intelligence operations. They were protested by Mr. Hoover, and as a result of his protest they were not put into effect.
—The third operation was the establishment, in 1971, of a Special Investigations Unit in the White House. Its primary mission was to plug leaks of vital security information. I also directed this group to prepare an accurate history of certain crucial national security matters which occurred under prior administrations, on which the Government's records were incomplete.

Here is the background of these three security operations initiated in my Administration.

1969 Wiretaps

By mid-1969, my Administration had begun a number of highly sensitive foreign policy initiatives. They were aimed at ending the war in Vietnam, achieving a settlement in the Middle East, limiting nuclear arms, and establishing new relationships among the great powers. These involved highly secret diplomacy. They were closely interrelated. Leaks of secret information about any one could endanger all.

Exactly that happened. News accounts appeared in the press, which were obviously based on leaks—some of them sensitive and detailed—by people having access to the most highly classified security materials.

There was no way to carry forward these diplomatic initiatives unless further leaks could be prevented. This required finding the source of the leaks.

In order to do this, a special program of wiretaps was initiated in mid-1969 and terminated in February 1971. Fewer than 20 taps, of varying duration, were involved. They produced important leads that made it possible to tighten the security of highly sensitive materials. I authorized this entire program. Each individual tap was undertaken in accordance with procedures legal at the time and in accord with longstanding precedent.

The persons who were subject to these wiretaps were determined through coordination among the Director of the FBI, my Assistant for National Security Affairs, and the Attorney General. Those wiretapped were selected on the basis of access to the information leaked, material in security files, and evidence that developed as the inquiry proceeded.

Information thus obtained was made available to senior officials responsible for national security matters in order to curtail further leaks.

The 1970 Intelligence Plan

In the spring and summer of 1970, another security problem reached critical proportions. In March a wave of bombings and explosions struck college campuses and cities. There were 400 bomb threats in one 24-hour period in New York City. Rioting and violence on college campuses reached a new peak after the Cambodian operation and the tragedies at Kent State and Jackson State. The 1959-70 school year brought nearly 1,800 campus demonstrations and nearly 250 cases of arson on campus. Many colleges closed. Gun battles between guerrilla-style groups and police were taking place. Some of the disruptive activities were receiving foreign support.

Complicating the task of maintaining security was the fact that, in 1966, certain types of undercover FBI operations that had been conducted for many years had been suspended. This also had substantially impaired our ability to collect foreign intelligence information. At the same time, the relationships between the FBI and other intelligence agencies had been deteriorating. By May 1970, FBI Director Hoover shut off his agency's liaison with the CIA altogether.

On June 5, 1970, I met with the Director of the FBI (Mr. Hoover), the Director of the Central Intelligence Agency (Mr. Richard Helms), the Director of the Defense Intelligence Agency (Gen. Donald V. Bennett), and the Director of the National Security Agency (Adm. Noel Gayler). We discussed the urgent need for better intelligence operations. I appointed Director Hoover as chairman of an interagency committee to prepare recommendations.

On June 23, the committee submitted a report which included specific options for expanded intelligence operations, and on July 23 the agencies were notified by
The United States Senate

Report of Proceedings

Hearing held before

Committee on Armed Services

CENTRAL INTELLIGENCE AGENCY

Monday, May 21, 1973

Washington, D.C.

(Wet copy of Tape and Wate turned over to the Committee for destruction)

WARD & PAUL
410 FIRST STREET, S.E.
WASHINGTON, D.C. 20003

(202) 544-6000
About the same time then finally I met with Mr. Haldeman and Mr. Ehrlichman and Mr. Krogh and said to them that I felt that the President should get together with the Director of the FBI, the Director of the Central Intelligence Agency, the Director of NSA, and the Director of DIA and have a community-wide assessment of the internal security threat made with particular emphasis upon what efforts each agency were making to collect intelligence and what restraints they operated under or what rather were imposed by their own decision or otherwise so that the President would know what it was that they were up against.

This meeting then was held, I believe, on the fifth of June and at that time those present were the four directors, Mr. Haldeman, Mr. Ehrlichman, Mr. Finch, and myself.

Senator Symington. Who were the four directors?

Mr. Huston. Mr. Helms, Mr. Hoover, Admiral Gayler and General Bennett.

At that meeting the President discussed his concern with the acts of violence, escalating acts of violence, his concern about the extent to which there was the possibility that the whole system of order was coming apart at the seams, and indicated -- I recall, for example, that he had met that morning with President Caldera of Venezuela and he commented that the President of Venezuela had expressed
concern to him about Stokley Carmichael and other Black leaders who the President of Venezuela at least thought were involved in stirring up revolutionary activity in the Caribbean and you know the President commented to Mr. Helms that it appeared that we were reaching the point that we were exporting violent and revolutionary not as a matter of government policy but simply as a practical matter and asked Mr. Helms what he knew about the situation, and he, as I recall, indicated that he was not aware of it but he would have his people prepare a report for the President as to the extent to which U.S. nationals were involved in inciting U.S. revolution activity in the Caribbean.

I recall the President went around and asked one of the Directors whether they thought the Government was doing all that it could to protect the lives of innocent people and whether they felt that they were operating under restraints that made it impossible for them to do the job that they thought they had to do?

It is my best recollection that each of the directors in turn indicated that they did not believe we were doing all we could do to guard against this problem and that there were in fact restraints that limited them.

Now, at the same time the President was concerned about the lack of cooperation, the coordination among intelligence agencies. At that meeting the Directors all assured the
President that everything was fine and they were cooperating.

The fact of the matter was that some months previously Mr. Hoover had terminated all liaison with the Central Intelligence Agency and shortly, as I recall, before this meeting or shortly thereafter, I am almost sure it was before, he had terminated all liaison with the CIA, DIA, Military Services, I think he left the Secret Service and White House on. So that there was in fact no coordination at least insofar as the Bureau was concerned.

With this background then the Committee, there was prepared guidelines of specifically, because the President didn't want simply another, you know, independent rehash, everyone just putting into the President what they had already put in, he wanted essentially a USIB type analysis of the internal security threat.

Mr. Woolsey. By USIB you mean United States Intelligence Board?

Mr. Huston. Yes, sir; essentially a threat assessment.

Sometime shortly thereafter, and I believe June 5th that year, I think it was on a Friday, and sometime the following week, the four Directors and I met in Mr. Hoover's office to discuss the report and how it would be handled. At that meeting it was decided to establish a working group, that each Director would designate one of his senior staff people to work on this report.
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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Stock No. 002-000-00017-6
Mr. Haldeman. All right. My testimony would be in exact accord with that.

Mr. Dash. Did you help prepare the President's statement?

Mr. Haldeman. No, sir. I did not. But I would say that that delineates in a few words the extent and nature of the problem as it existed at that time. The reason for the White House concern and the reason for attempting to take some action.

Mr. Dash. I still would like rather than your reading the President's statement——

Mr. Haldeman. I haven't read it. I didn't read it.

Mr. Dash. I know, I said would you just give us as briefly as you can your own recollection——

Mr. Haldeman. Sure.

Mr. Dash [continuing]. Of what that purpose was, what the problem was?

Mr. Haldeman. The problem was, and I have indicated this in my statement also, I believe, was the wave of violence, bombings, arson, trashimg, and other sorts of activities of damaging property, some of them—killing people, that were sweeping across the country at that time.

Mr. Dash. And this led to what we have now been referring to as the Huston plan, did it not?

Mr. Haldeman. Yes, it did.

Mr. Dash. And I take it you were aware of all of the facets of the Huston plan, what the recommendations were that were being made and as it finally went up to the President.

Mr. Haldeman. Not in any detail. The inception of the so-called Huston plan was a meeting that the President called—first, Mr. Huston, as a staff man, had done some preliminary work on analysis of the problem, and analysis of the efforts to deal with the problem, and of the shortcomings that appeared to be in existence at that time with relation to the problem and the efforts to deal with it as a result of which the President called a meeting of the heads of the various security agencies, the FBI, the NSA, the CIA, and the DIA. I sat in that meeting, as did Mr. Huston. The President discussed with these agency heads the nature of the problem, the shortcomings of domestic intelligence, the concern that some of these activities that were underway or being threatened during that period of time were possibly, at least, and I think demonstrably, as I recall, connected with foreign activities. Some of the organizations that were declaring themselves out to destroy institutions and in some cases the Government, were doing their training in foreign countries and were studying under foreign dissident organizations, and there was a feeling that there was a crossover here that needed to be dealt with in terms of better intelligence, that we didn't know who was causing these things, who was directing them, who was financing them, nor did we know what they were going to be directed to.

Mr. Dash. How did you receive specific evidence of these events? You didn't know, you say, who was doing what, but obviously you were concerned that the events occurred. What evidence occurred as to who might be involved?

Mr. Haldeman. There was evidence in terms of the people who were
carrying some of them out, at least, in self-declared, both intentions and in backing, and the reasons for what they were doing.

There was some intelligence—there was some FBI intelligence in this area, there was some Secret Service intelligence in this area as it related to Presidential threats and security. And there was some investigative reporting by the press going on as to the background of some of these activities, and all of these I think would add together to be the sources at that time of what we did have.

Mr. Dash. But is it your statement that you were not fully aware of the specifics of the Huston plan?

Mr. Haldeman. I was not—let me get into how that was set up. In the meeting with the President and the heads of the security agencies the problem was outlined and the President made it very clear that he expected some cooperation, which there did not—which did not exist at that time between these agencies, in getting better information, evaluating the information more effectively, and disseminating it so that action could be taken if there was action indicated, or at least awareness—there would be awareness of what was happening or what was going to happen.

The group assembled in his office at that time was designated by the President as a task force to prepare recommendations for him as to what ought to be done, what steps should be taken to meet the problem and carry out the request that the President made of this group.

It is my understanding that that—those agency heads themselves or by designation of members of their staff did set up such a task force under the chairmanship of Director Hoover which prepared an extensive set of recommendations. Mr. Huston worked with them. I understand on this, or at least they transmitted these recommendations to him upon their preparation, and these recommendations were submitted to the President. They were submitted, as was customary procedure to Mr. Huston, the staff man assigned to that project, through Mr. Huston to me and through me to the President.

Mr. Dash. Mr. Huston actually reported to you?

Mr. Haldeman. He reported through me in this particular area. He was—well, I do not know where he was assigned at that time. He was sometimes—part of the time he was at the White House he was on the staff of the counsel and part of the time he was on Mr. Buchanan's staff.

Mr. Dash. Well, in reporting to you or through you, you saw all of the papers that were being reviewed, did you not?

Mr. Haldeman. I saw all the papers—not all the working papers of the committee. I saw the recommendations that went to the President.

Mr. Dash. All right. Did you read the recommendations that went to the President?

Mr. Haldeman. I am not sure I did or not. If I did it was not in any detail. I had an idea it was a proposal for an expanded intelligence activity.

Mr. Dash. Were you aware in that proposal there was a recommendation for both national and internal security, that there be an increased use of wiretapping and surreptitious entry or break-in?

Mr. Haldeman. I am not sure whether I was or not. I may very well have been.
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 18, 19, 20, 23, 24, AND 25, 1973
Book 6

Printed for the use of the
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WASHINGTON: 1973

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Mr. Dash. Were you aware of his particular role as liaison between Mr. Haldeman and the Committee To Re-Elect the President?
Mr. Ehrlichman. Only very vaguely.
Mr. Dash. Did he ever report anything to you when he came back from the Committee To Re-Elect the President?
Mr. Ehrlichman. No.
Mr. Dash. Now, were you aware of the fact that by the summer of 1970, Mr. Haldeman and the President had felt a need for an improved intelligence system with regard to domestic dissent or internal security?
Mr. Ehrlichman. The answer to the question is, yes, but not the Huston plan. There have really been two things talked about in the course of the hearings, and I knew about one of them and I had only the merest brush with the other.
Mr. Dash. The question really is not about the Huston plan. I asked you whether you were aware of a feeling for the need for an improved intelligence plan to deal with, say, internal security?
Mr. Ehrlichman. Well, I was aware of the feeling of the need, and I shared it.
Mr. Dash. All right. Now, what plan were you aware of?
Mr. Ehrlichman. I was aware of a proposal which eventually, I believe, was put into effect to establish a small office in the Justice Department to correlate and coordinate and bring together in one place what the various law enforcement agencies, both in and out of the Federal Government, knew about these terrorism bombings and the violent—the street violence and these other activities that were going on around the country because it looked then like there really was a pattern, and that it was a coordinated, planned, and executed thing. These things went in waves from one part of the country to the other, and it appeared that if what the police knew, for instance, in the city of New York could be shared with the police in other parts of the country, that you would get a whole lot better response to this kind of lawbreaking.
So under Mr. Mardian’s aegis, this effort was made to bring together the things that were known to all of the law enforcement people around the country.
Mr. Dash. All right.
Now, did you know about the Huston plan?
Mr. Ehrlichman. I did not know about the Huston plan until I was invited to attend a meeting that I think has been previously referred to here in the President’s Office, attended by Admiral Gayler and J. Edgar Hoover and the heads of the various—Mr. Helms, the heads of the various intelligence agencies, where this proposal was announced.
Mr. Dash. What was the stage of that proposal at this point announced as a proposal that would go forward?
Mr. Ehrlichman. I gathered it was an accomplished fact.
Mr. Dash. Yes. Did you know what the proposal was about?
Mr. Ehrlichman. Just from what I heard at that meeting. I had not seen the written.
Mr. Dash. Did you know that the proposal included removal of certain restrictions on break-ins, surreptitious entry, or wiretapping?
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HOUSE OF REPRESENTATIVES

STENOGRAPHIC TRANSCRIPT

OF

HEARINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES

Subcommittee on Intelligence

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IN THE MATTER OF: BRIEFING

DATE: Monday, July 9, 1973

PAGE: 1357 TO 1444 VOLUME: 12

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EXECUTIVE SESSION

BRIEFING

HOUSE OF REPRESENTATIVES
Committee on Armed Services
Subcommittee on Intelligence
Washington, D. C.
Monday, July 9, 1973

The Subcommittee met, pursuant to adjournment, at 10:47 a.m. in Room 2337, Rayburn House Office Building, the Honorable Lucien N. Nedzi, Chairman of the Subcommittee, presiding.

Mr. Nedzi. The Subcommittee will come to order.

This morning we are continuing our hearings on intelligence matters, and we have as our witness Mr. Tom Charles Huston, former member of the White House Staff.

Mr. Huston, if you will rise, I will administer the oath.

(The oath was administered by Mr. Nedzi.)

Mr. Nedzi. Please sit down.

Mr. Huston, do you have a statement of any kind you would like to make to the Committee?

Mr. Huston. No, sir.

Mr. Nedzi. If not, could you tell us what your employment in the White House was at the time we are talking about?

Mr. Huston. From January, 1970, until August of 1972, I was a Staff Assistant to the President, assigned to the...
Speech-writing and Research Staff from approximately August 1970 until I left the White House in June of 1971 I was
associate counsel for the President, in Mr. Dean's office.

Mr. Hustin. Did you work for Mr. Dean?

Mr. Hustin. From August of 1970 until June of 1971.

Mr. Hustin. Can you describe a little more specifically
what your responsibilities were in that assignment?

Mr. Hustin. When I worked for Mr. Dean and subsequent
to this period?

Mr. Hustin. Not times, when you first went on the Staff,
and when you began working for Mr. Dean.

Mr. Hustin. I was principally a speech-writer, although
on a number of occasions I would receive special assignments
from the President through either Mr. Haldeman or Mr. Ehrlich-
man, as I did in the case of the Intelligence matters before
this Committee. When I worked for Mr. Dean, my principal
responsibilities related to conflict of interest clearances,
reviewing executive orders, the routine things in the counsel's
office, because he had taken over the responsibilities in
the internal security of the domestic intelligence area that I
had had prior to that time.

Mr. Hustin. He had taken over the responsibilities?

Mr. Hustin. Mr. Dean had.

Mr. Hustin. He took over the responsibilities which you
had?
activities abroad. I received a copy of that, along, I
think, Mr. Fincher received a copy and Dr. Kissinger. But I
don't remember whether that was before or after. But I had no
contact with the principals of the CIA until after the June
5 meeting.

Mr. Nadel. Were there any other agencies with whom you
had contact during this period?

Mr. Huston. Well, one of the problems at the same
time this was going on I had another assignment from the
President that wasn't related to intelligence but was related
to foreign policy that involved contact with other agencies,
primarily the State Department and the Department of Defense.
And in the course of that other project there may have been
contacts, but I think any contacts there went through Dr.
Kissinger's office or General Hughes' office. I don't
recall any contact at all with anyone other than the FBI
between the time I proposed the June 1639 report and the time
that the June 5, 1979 meeting was held.

Mr. Nadel. What happened at the June 5th meeting?

Mr. Huston. Well, the President expressed his concern
to the Directors of various agencies about this problem. He
recounted that he had just ....

Mr. Nadel. Was the President?

Mr. Huston. Mr. Flaks, General Carter, General O'Neill,
Mr. Hoover, Mr. Rockefeller, Mr. Heathcliff, and Mr. [7486]eh, and
Mr. Madsen. Mr. Krogh was not there?

Mr. Huston. No, sir. I recall the President commented he had just met that morning with President Caldera of Venezuela who had expressed his concern about Black Nationalist activities in the Caribbean, and indicated he thought this was a serious problem, that many of the Latin American countries, or governments, including his own, were concerned about it. The President commented to Mr. Helms that it appeared the United States was reaching a point of exporting revolutionary violence, unlike the Russians, were not doing it as a conscious governmental policy but nevertheless it was being done. He asked Mr. Helms if he knew how serious this problem was in the Caribbean, and Mr. Helms replied that he did not, but that he would have a report prepared for the President so that he could be aware of this point that President Caldera raised. He then discussed the problem of the domestic aspects and the growing escalation and the violence and commented on the fact he asked Congress for new anti-bombing legislation. And then he commented, I recall he mentioned concern in the media particularly about repression, and he indicated he wanted everyone to understand this Administration was not going to engage in any activities that would constitute repression, but that he had collating level of violence and innocent people were being killed and that the Government

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had a responsibility to do everything within its power to try to come to grips with this, and he wanted the Directors to prepare a report that would essentially give him an assessment of the threat, give him an analysis of the gaps that existed in our intelligence-gathering effort, and to give him a full range of options as to what steps he might take to deal with the gaps to insure that the Government was doing everything it possibly could to minimize the risks of loss of life arising out of the domestic violence.

Mr.co. Was there any specific assignment to the Directors and to yourself at this meeting?

Mr. Huston. Well, they were asked to prepare a report, and they were told that I would be the contact person at the White House with whom they would work, and the President indicated he understood each of those people would have a working group that would actually prepare the report. I recall he suggested to Mr. Hoover that Mr. Sullivan be chairman of that working group.

Mr. H(Hdai. Was Mr. Hoover to be the--

Mr. Huston. Yes, he was to be chairman of the committee.

Mr. H(Hdai. Chairman of the committee?

Mr. Huston. Yes, sir.

Mr. H(Hdai. Did you have anybody working for you at this time?

Mr. Huston. No, sir.
21. On June 25, 1970 the Committee completed its report entitled "Special Report Interagency Committee on Intelligence (Ad Hoc)" known as "The Huston Plan." The report included a discussion of the current restraints on intelligence collection with respect to electronic surveillance, mail coverage, surreptitious entry, use of campus informers, use of military undercover agents, and other intelligence-gathering procedures. The Report set forth the arguments for and against maintaining or relaxing existing restraints on the various forms of intelligence collection and of establishing an inter-agency intelligence evaluation committee. Specific options for expanded intelligence operations were set forth for the President's consideration. The Report stated that two of the proposed intelligence-gathering procedures, surreptitious entry and opening first class mail, were illegal. At Director Hoover's insistence, the Report included notations that the FBI objected to proposals for establishing a permanent coordinating committee and for lifting restraints on intelligence collection methods in all categories except legal mail coverage and National Security Agency communications intelligence.

21.1 Special Report Interagency Committee on Intelligence (Ad Hoc), June 1970 (received from CIA).
21.3 Tom Charles Huston testimony, House Armed Services Committee Executive Session, July 9, 1973, 1381-82.
21.4 H. R. Haldeman testimony, 8 SSC 3029.
SPECIAL REPORT
INTERAGENCY COMMITTEE ON
INTELLIGENCE (AD HOC)

CHAIRMAN J. EDGAR HOOVER

JUNE, 1970
June 25, 1970

This report, prepared for the President, is approved by all members of this committee and their signatures are affixed hereto.

/s/ J. Edgar Hoover
Director, Federal Bureau of Investigation
Chairman

/s/ Richard Helms
Director, Central Intelligence Agency

/s/ Lt. General D. V. Bennett, USA
Director, Defense Intelligence Agency

/s/ Vice Admiral Noel Gayler, USN
Director, National Security Agency
PREFACE

The objectives of this report are to: (1) assess the current internal security threat; (2) evaluate current intelligence collection procedures; identify restraints under which U. S. intelligence services operate; and list the advantages and disadvantages of such restraints; and (3) evaluate current interagency coordination and recommend means to improve it.

The Committee has attempted to set forth the essence of the issues and the major policy considerations involved which fall within the scope of its mandate.
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PART ONE

SUMMARY OF INTERNAL SECURITY THREAT

I. MILITANT NEW LEFT GROUPS

A. Assessment of Current Internal Security Threat

The movement of rebellious youth known as the "New Left," involving and influencing a substantial number of college students, is having a serious impact on contemporary society with a potential for serious domestic strife. The revolutionary aims of the New Left are apparent when their identification with Marxism-Leninism is examined. They pointedly advertise their objective as the overthrow of our system of government by force and violence. Under the guise of freedom of speech, they seek to confront all established authority and provoke disorder. They intend to smash the U.S. educational system, the economic structure, and, finally, the Government itself. New Left groups do not have a large enough number of rank-and-file followers, nor do they have a unity of purpose to carry out massive or paralyzing acts of insurrection. They do, on the other hand, have the will to carry on more militant efforts in local situations and an inclination to utilize more extreme means to attain their objectives.

1. Student Protest Groups. The Students for a Democratic Society (SDS) has, in the past year, split into several factions, including the Revolutionary Youth Movement (RYM), which has control over 30 chapters; and the Worker Student Alliance (WSA), which consists of 63 chapters. The WSA faction, dominated by the pro-Chinese communist Progressive Labor Party (PLP), aims to build a worker-student movement in keeping with the PLP's aim of developing a broad worker-based revolutionary movement in the United States.

There are some 85 unaffiliated SDS chapters generally sympathetic to revolutionary tactics and goals. The trend of increased radical campus organizations is noticeable at campuses where recognition of SDS has been refused or rescinded and SDS members have banded together, with or without sanction, under a new title to attract student support. In addition, numerous ad hoc groups have been established on campuses and elsewhere to exploit specific issues.

The National Student Strike (NSS), also known as the National Strike Information Center, was formed following the entry of the United States forces into Cambodia and the deaths of four students at Kent State University. NSS, which helped to coordinate the nationwide student strike in May, 1970, has three regional centers and includes
among its leadership SDS members and other New Left activists. The NSS has established a nationwide communications system of "ham" radio stations on campuses to encourage student demonstrations and disruptions. This communications capability may have a significant impact on campus stability in the coming school year.

The Venceremos Brigade (VB), established to send United States youth to Cuba to aid in the 1970 harvest, has continually received favorable publicity in Cuban propaganda media. To date, over 900 members of the VB have visited Cuba and another group of approximately 500 members are expected to follow suit. While in Cuba, VB members were individually photographed and questioned in detail about their backgrounds. Because of their contacts with Cuban officials, these individuals must be considered as potential recruits for Cuban intelligence activities and sabotage in the United States.

The greatest threat posed to the security of the country by student protest groups is their potential for fomenting violence and unrest on college campuses. Demonstrations have triggered acts of arson by extremists against war-oriented research and ROTC facilities and have virtually paralyzed many schools. There has been a growing number of noncampus, but student-related, acts of violence which increase tensions between "town and gown" and which constitute a marked escalation of the scope and level of protest activities. Few student protests are currently related to exclusively campus issues; virtually all involve political and social issues. Increasingly, the battlefield is the community with the campus serving primarily as a staging area.

The efforts of the New Left aimed at fomenting unrest and subversion among civil servants, labor unions, and mass media have met with very limited success, although the WSA and its parent, the PLP, have attempted through their "Summer Work-Ins" to infiltrate and radicalize labor. The inability of these groups to subvert and control the mass media has led to the establishment of a large network of underground publications which serve the dual purpose of an internal communication network and an external propaganda organ.

Leaders of student protest groups have traveled extensively over the years to communist countries; have openly stated their sympathy with the international communist revolutionary movements in South Vietnam and Cuba; and have disseminated others' activities which support these movements. These individuals must be considered to have potential for...
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recruitment and participation in foreign-directed intelligence activity. The Soviet and bloc intelligence services are directing numerous operations against Americans who travel behind the Curtain. In the U.S.S.R., the Second Chief Directorate of the KGB works against U.S. visitors, including students, on a mass basis to effect recruitment. This activity is responsive to Central Committee policy and directives.

2. Antiwar Activists. The impetus and continuity for the antiwar movement is provided by the New Mobilization Committee to End the War in Vietnam (NMC) and the Student Mobilization Committee to End the War in Vietnam (SMC). The NMC is a coalition of numerous antiwar groups and individuals including communist "old left" elements. The SMC is under the control of the Trotskyist Socialist Workers Party (SWP).

The NMC and SMC have announced a policy of "nonexclusion" which places no limitation on the type of individuals allowed to participate in demonstrations. This policy opens the door for violence-prone individuals who want to capitalize on the activities of these groups. Both groups profess to follow a policy of nonviolence; however, the very nature of the protests that they sponsor sets the stage for civil disobedience and police confrontation by irresponsible dissident elements. Various individuals in NMC and SMC are calling for more militant protest activities, a subject to be discussed at national meetings by both groups in late June, 1970.

Although antiwar groups are not known to be collecting weapons, engaging in paramilitary training, or advocating terrorist tactics, the pro-Hanoi attitude of their leaders, the unstable nature of many NMC advocates and their policy of "nonexclusion" underscore the use of the antiwar movement as a conduit for civil disorder. This is further emphasized by the NMC leadership's advocacy of civil disobedience to achieve desired objectives.

There is no indication that the antiwar movement has made serious inroads or achieved any more than a slight degree of influence among labor unions, the mass media, and civil servants. One group, however, the Federal Employees for a Democratic Society (FEDS), offers a means of protest for recent radical graduates employed by the Federal Government.
The military and educational institutions are the prime targets of the antiwar movement. In addition to vandalism, arsons, and bombings of ROTC facilities, there has been stepped-up activity to spread antiwar sympathy among American servicemen from within through sympathetic members in the military and from without through such programs as "GI Coffeehouses" and the proposed National GI Alliance. The increasing access by members of the military to the underground press, the establishment of servicemen's unions, and organizations which facilitate desertions, have contributed significantly to the increasing instances of dissent in the military services.

NMC and SMC leaders are constantly speaking before student groups and endeavoring to use student radicals to further the antiwar movement. They have called for an end to the ROTC and have demonstrated, often violently, to force universities to halt war-related research projects.

The NMC maintains close contact with the Soviet-controlled World Council for Peace and Stockholm Conference on Vietnam. A new organization dominated by NMC leaders, the Committee of Liaison with Families of Servicemen Detained in North Vietnam, emerged in January, 1970, after contacts with North Vietnamese representatives. It attempts to present a favorable picture of North Vietnamese treatment of American prisoners of war.

One NMC official is known to have met with a Soviet intelligence officer. NMC leaders have frequently traveled abroad. It is therefore necessary to consider these individuals as having potential for engaging in foreign-directed intelligence collection.

The Central Intelligence Agency (CIA), in its analysis of bloc intelligence, is of the view that the Soviet and bloc intelligence services are committed at the political level to exploit all domestic dissidents wherever possible. This attack is being conducted through recruited agents, agents of influence, and the use of front groups. It is established bloc policy to deploy its forces against the United States as "the main enemy" and to direct all bloc intelligence forces toward ultimately political objectives which disrupt U. S. domestic and foreign policies.

3. New Left Terrorist Groups. The Weatherman terrorist group, which emerged from a factional split of SDS during the Summer of 1969, is a revolutionary youth movement which actively supports the
revolutionary leadership role of the Negro in the United States. It has evolved into a number of small commando-type units which plan to utilize bombings, arsons, and assassinations as political weapons.

There has been evidence of Weatherman involvement in terrorist tactics, including the accidental explosion of a "Weatherman bomb factory" in New York City on March 6, 1970; the discovery of two undetonated bombs in Detroit police facilities on the same date; and the blast at New York City police installations on June 9, 1970.

While Weatherman membership is not clearly defined, it is estimated that at least 1,000 individuals adhere to Weatherman ideology. In addition, groups such as the White Panther Party, Running Dog, Mad Dog, and the Youth International Party (Yippies) are supporters of Weatherman terrorism but have no clearly definable ideology of their own.

Adherents to Weatherman ideology are also found within radical elements on campuses, among those living in off-campus communes, among New Left movement lawyers and doctors, and the underground press. Individuals who adhere to the Weatherman ideology have offered support and aid to hard-core Weatherman members, including 21 Weatherman members currently in hiding to avoid apprehension.

They identify themselves politically with North Vietnam, Cuba, and North Korea and consider pro-Soviet and pro-Chinese organizations as being aligned with imperialist powers. In addition, some of the Weatherman leaders and adherents have traveled to communist countries or have met in Western countries with communist representatives.

Weatherman leaders and other members of terrorist groups are not known at this time to be involved in foreign-directed intelligence collection activity. The fugitive and underground status of many of these people, as well as their involvement in activities which would likely bring them to the attention of American authorities, would be a deterrent to contacts by foreign intelligence organizations.

B. Assessment of Current Intelligence Collection Procedures

1. Scope and Effectiveness of Current Coverage. Although New Left groups have been responsible for widespread damage to DOE facilities, for the halting of some weapons-related research, and for the increasing dissent within the military services, the major threat to the internal security of the United States is that directed against the civilian sector of our society.
Coverage of student groups is handled primarily through live informants and it is generally effective at the national level or at major meetings of these groups where overall policy, aims, and objectives of the groups are determined.

The antiwar movement's activities are covered through the FBI by live informants in all organizations of interest. This is supported by information furnished by all members of the intelligence community and other Federal, state, and local agencies. Key leaders and activists are afforded concentrated and intensified investigative coverage on a continuing basis and, in situations where there are positive indications of violence, electronic surveillances have been implemented on a selective basis. Informant and electronic coverage does not meet present requirements.

Although several SDS chapters on college campuses which adhere to Weatherman ideology have been penetrated by live informants, there is no live informant coverage at present of underground Weatherman fugitives. There is electronic coverage on the residence of a Weatherman contact in New York City and on the residence of an alleged Weatherman member in San Francisco; however, no information has been developed concerning the whereabouts of the 21 Weatherman fugitives.

2. Gaps in Current Coverage. Established, long-term coverage is not available within student protest groups due to the fact that the student body itself changes yearly, necessitating a constant turnover in the informants targeted against these groups. His idealism and immaturity, as well as the sensitive issues of academic freedom and the right to dissent, all serve to increase the risk that the student informant will be exposed as such.

Generally, day-to-day coverage of the planned activities of student protest groups, which are somewhat autonomous and disjointed, could be strengthened. Advance notice of foreign travel by student militants is particularly needed. Campus violence is generally attributable to small, close-knit extremist groups among radical students. Coverage of these latter groups is minimal.
The antiwar movement is comprised of a great many organizations and people which represent varied political, moral and ethnic beliefs. Current manpower commitments preclude optimum coverage of all antiwar activities on a day-to-day basis.

Existing coverage of New Left extremists, the Weatherman group in particular, is negligible. Most of the Weatherman group has gone underground and formed floating, commando-type units composed of three to six individuals. The transitory nature of these units hinders the installation of electronic surveillances and their smallness and distrust of outsiders make penetration of these units through live informants extremely difficult.

Financially, the Weatherman group appears to be without a centralized source of funds. Wealthy parents have furnished funds to some of these individuals, including those in a fugitive status. Many members have also been involved in the thefts of credit and identification cards, as well as checks, and have utilized them for obtaining operating expenses.

3. Possible Measures to Improve Intelligence Collection.

To establish effective coverage of student protest groups would require the expansion of live informant coverage of individual campus chapters of these organizations. This would entail extensive use of student informants to obtain maximum utilization of their services for the periods of their college attendance.

Because of the great number of individuals and groups in the antiwar movement, an increase in the manpower assigned to these investigations would facilitate more intensive coverage. In addition, there are several key leaders involved in virtually all antiwar activities, including international contacts, against whom electronic surveillances and mail covers would be particularly effective.

Improvement of intelligence gathering against New Left terrorists depends on a combination of live informant coverage among key leaders and selective electronic surveillances. Because of the nature of the Weatherman groups, live informant coverage will most likely result through the defection of a key leader.
Extensive efforts have been undertaken which should produce a live informant capable of furnishing information as to the location of Weatherman fugitives and planned terrorist acts. In the event a commune is located, prompt installation of electronic coverage should produce similar results. Utilization of additional resources to expand and intensify this collection would be beneficial.
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II. BLACK EXTREMIST MOVEMENT

A. Assessment of Current Internal Security Threat

1. Black Panther Party. The most active and dangerous black extremist group in the United States is the Black Panther Party (BPP). Despite its relatively small number of hard-core members—approximately 800 in 40 chapters nationwide—the BPP is in the forefront of black extremist activity today. The BPP has publicly advertised its goals of organizing revolution, insurrection, assassination and other terrorist-type activities. Moreover, a recent poll indicates that approximately 25 per cent of the black population has a great respect for the BPP, including 43 per cent of blacks under 21 years of age.

The Panther newspaper has a current circulation of approximately 150,000 copies weekly. Its pages are filled with messages of racial hatred and call for terrorist guerrilla activity in an attempt to overthrow the Government. The BPP has been involved in a substantial number of planned attacks against law enforcement officers, and its leadership is composed in large part of criminally inclined, violence-prone individuals.

Weapons are regularly stockpiled by the Party. During 1968 and 1969, quantities of machine guns, shotguns, rifles, hand grenades, homemade bombs, and ammunition were uncovered in Panther offices.

2. New Left Support for BPP. The BPP has received increasing support from radical New Left elements. During 1970, the BPP formed a working relationship with radical student dissenters by injecting the issue of Government "repression" of Panthers into the antiwar cause. Students for a Democratic Society (SDS) supported the BPP in a 1969 "united front against fascism." The probability that black extremists, including the BPP, will work closely with New Left white radicals in the future increases the threat of escalating terrorist activities. It would be safe to project that racial strife and student turmoil fomented by black extremists will definitely increase.

3. BPP Propaganda Activities. Despite its small membership, the BPP has scored major successes in the propaganda arena. In
1969, BPP representatives spoke at 139 colleges throughout the Nation, while in 1967 there were only 11 such appearances. Although no direct information has been received to date indicating that the BPP has initiated any large-scale racial disorders, the year 1970 has seen an escalation of racial disorders across the Nation compared to 1969. This fact, coupled with an increasing amount of violent Panther activity, presents a great potential for racial and civil unrest for the future.

4. Appeal to Military. The BPP has made pointed appeals to black servicemen with racist propaganda. High priority has been placed on the recruitment of veterans with weapons and explosives training. The BPP has also called for infiltration of the Government. These activities, should they achieve even minimum success, present a grave threat.

5. BPP Philosophy and Foreign Support. The BPP relies heavily on foreign communist ideology to shape its goals. Quotations from Mao Tse-tung were the initial ideological bible of the BPP. Currently, the writings of North Korean Premier Kim Il-sung are followed and extensive use of North Korean propaganda material is made in BPP publications and training. The Marxist-oriented philosophy of the BPP presents a favorable environment for support of the Panthers from other communist countries.

BPP leaders have traveled extensively abroad including visits to Cuba, Russia, North Korea, and Algeria. International operations of the BPP are directed by Eldridge Cleaver, a fugitive from United States courts. Cleaver has established an international staff in Algeria, from where communist propaganda is constantly relayed to the BPP headquarters in Berkeley, California. He has also established close ties with Al Fatah, an Arab guerrilla organization, whose leaders have reportedly extended invitations to BPP members to take guerrilla training during 1970. Cleaver in a recent conversation, indicated that North Koreans are conducting similar training for BPP members. Radical white students in Western Europe and the Scandinavian countries have organized solidarity committees in support of the BPP. These committees are the sources of financial contributions to the Party and provide outlets for the BPP newspaper.

6. Other Black Extremist Groups. The Nation of Islam (NOI) is the largest single black extremist organization in the United States with an estimated membership of 8,000 in approximately 100 mosques. The NOI
preaches hatred of the white race and advocates separation of the races. 
The NOI as a group has, to date, not instigated any civil disorders; 
however, the followers of this semi-religious cult are extremely 
dedicated individuals who could be expected to perform acts of violence 
if so ordered by the NOI head, Elijah Muhammed. When Muhammed, 
who is over 70 years of age, is replaced, a new leader could completely 
alter current nonviolent tactics of the organization. For example, 
Muhammed's son-in-law, Raymond Sharrief, now among the top 
hierarchy of NOI, could rise to a leadership position. Sharrief is 
vicious, domineering, and unpredictable.

There are numerous other black extremist organizations, 
small in numbers, located across the country. There is also a large 
number of unaffiliated black extremists who advocate violence and 
guerrilla warfare. One particular group, the Republic of New Africa 
(RNA), headquartered in Detroit, Michigan, calls for the establishment 
of a separate black nation in the South to be protected by armed forces. 
These groups, although small, are dedicated to the destruction of our 
form of government and consequently present a definite potential for 
instigating civil disorder or guerrilla warfare activity.

7. Black Student Extremist Influence. Black student extremist 
activities at colleges and secondary schools have increased alarmingly. 
Although currently there is no dominant leadership, coordination or 
specific direction between these individuals, they are in frequent contact 
with each other. Consequently, should any type of organization or 
cohesiveness develop, it would present a grave potential for future 
violent activities at United States schools. Increased informant coverage 
would be particularly productive in this area. Black student extremists 
have frequently engaged in violence and disruptive activity on campuses. 
Major universities which made concessions to nonnegotiable black 
student demands have not succeeded in calming extremist activities. 
During the school year 1969-70, there were 227 college disturbances 
having racial overtones. There were 530 such disturbances in secondary 
schools compared with only 320 during the previous school year.

Although there is no hard evidence indicating that the black extremist 
movement is substantially controlled or directed by foreign elements, 
there is a marked potential for foreign-directed intelligence or support 
activity among black extremist leaders and organizations. These groups 
are highly susceptible to exploitation by hostile foreign intelligence 
services.
Currently, the most important foreign aspect of the black extremist movement is the availability of foreign asylum, especially with regard to black extremists subject to criminal prosecution in the United States. Some foreign countries, such as Cuba, provide a temporary safe haven for these individuals. Information has been received that passports and funds for travel have also been furnished by countries such as Cuba, North Korea, and Algeria. Communist intelligence services do not, at present, play a major role in the black extremist movement; however, all such services have established contact with individual black militants. Thus, the penetration and manipulation of black extremist groups by these intelligence services remain distinct possibilities. Communist intelligence services are capable of using their personnel, facilities, and agent assets to work in the black extremist field. The Soviet and Cuban services have major capabilities available.

B. Assessment of Current Intelligence Collection Procedures

There are some definite gaps in the current overall intelligence penetration of the black extremist movement. For example, although there appears to be sufficient live informant coverage of the BPP at the rank-and-file level, additional penetration of the national leadership of the BPP, especially at a Central Committee level, is needed. High echelon informant coverage could conceivably prevent violence, sabotage, or insurrection if such activity was planned by BPP leadership. Insufficient coverage of the national leadership of the BPP is offset to some extent by technical coverage of BPP headquarters and various branch offices. Penetration of leadership levels has been hindered in part by current BPP policies which prevent rank-and-file members from advancing to leadership roles.

Improvement in coverage of BPP financial activities could be made, particularly with regard to sources of funds and records. Information received to date indicates that financial support for the BPP has been furnished by both foreign individuals and domestic sources. Thus a deeper penetration and correlation of foreign and domestic information received is essential to a full determination of BPP finances. Coverage of BPP finances has been hampered by fact that BPP leaders handle financial matters personally.

In view of the increased amount of foreign travel and contacts by BPP leaders currently, there is a clear-cut need for more complete coverage of foreign involvement in BPP activities.
1. Other Black Extremist Organizations. Informant coverage of the NOI is substantial, enabling its activities to be followed on a current basis. Coverage of militant black student groups and individuals is very limited because of the sensitive areas involved. An effective source of such coverage would be reliable, former members of the Armed Forces presently attending college. Live informant coverage, particularly with respect to the activities and plans of unaffiliated black militants, needs to be increased. More sources both in the United States and abroad in a position to determine the amount of foreign involvement in black extremist activities need to be developed. Maximum use of communication interceptions would materially increase the current capabilities of the intelligence community to develop highly important data regarding black extremist activities.
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III. INTELLIGENCE SERVICES OF COMMUNIST COUNTRIES

A. Assessment of Current Internal Security Threat

The threat posed by the communist intelligence services must be assessed in two areas: (1) direct intervention in fomenting and/or influencing domestic unrest; (2) extensive espionage activities.

Taken in complete context, these services constitute a grave threat to the internal security of the United States because of their size, capabilities, widespread spheres of influence, and targeting of the United States as "enemy number one." The largest and most skilled of these services is the Soviet Committee for State Security (KGB) which has roughly 300,000 personnel of whom some 10,000 are engaged in foreign operations.

1. Intervention in Domestic Unrest. There have been no substantial indications that the communist intelligence services have actively fomented domestic unrest. Their capability cannot, however, be minimized and the likelihood of their initiating direct intervention would be in direct relationship to the deterioration of the political climate and/or imminence of hostilities. The ingredients for a first-rate capability are present, including both the personnel and the ingrained philosophy and know-how for using such tactics.

Communist intelligence has shown a real capability to foment disorder in a number of trouble spots. The dissidence and violence in the United States today present adversary intelligence services with opportunities unparalleled for forty years. While fomenting disorder and rebellion through communist parties and fronts is a potent weapon in the communist arsenal, their past success has been evident in clandestine recruitment efforts on campuses during times of unrest. H. A. R. (Kim) Philby, Guy Burgess, and Donald Maclean were all students at Cambridge during the depression period of the 1930's and were in the vanguard of what was then the New Left. Their recruitment and cooperation with Soviet intelligence wreaked havoc on British intelligence and also compromised U.S. security in those sectors where they had authorized access.

Although these services have not, as yet, directly intervened in domestic unrest, the Cuban and Soviet intelligence services have major capabilities in this area based primarily on the accessibility of...
members and leaders of protest groups. For instance, about 900 members of the Venceremos Brigade, a group of American youths, recently completed a round trip to Cuba. This travel was financed by the Cuban Government. While in Cuba, they were exhorted to actively participate in United States revolutionary activities upon their return to the United States. The organizers of the Brigade were instructed to direct any questions to an individual assigned to the Cuban Mission to the United Nations who has been identified as a member of the Cuban intelligence service.

A sabotage manual, prepared in Cuba, turned up in the hands of individuals responsible for recent bombings in Puerto Rico and New York City. While the potential for widespread, well-organized incidents of violence generated and controlled by the Cuban intelligence service is considered minimal, isolated occurrences of this nature must be considered probable. The Soviet services appear to have assumed the passive roles of observers and reporters.

The communist intelligence services maintain contacts and exert influence among a variety of individuals and organizations through the exploitation of ideological, cultural, and ethnic ties. Most of these liaisons are maintained with some degree of openness with individuals associated with the Communist Party, USA, various of its front groups, other pro-Soviet organizations, nationality groups, and foreign-language newspapers. These contacts are exploited as sources for and propaganda outlets of communist intelligence services. Regarded individually, these efforts cannot be considered a major threat to our internal security; however, in total, they represent a sizable element of our population which can be influenced in varying degrees by communist intelligence service operations.

2. Intelligence Operations. Persistent and pervasive intelligence operations which have their inspiration and direction supplied by communist intelligence services represent a major threat to the internal security. The Soviet intelligence services (SIS) are the most formidable intelligence presence in the United States. Of the 648 Soviet officials assigned to the United States, 220 are known or suspected intelligence officers. This number will be augmented when the Soviet Consulate is opened in San Francisco, where it can be predicted that a minimum of 50 percent of the officials will be primarily concerned with espionage and related clandestine activities.
Paralleling the operations of the SIS and often coordinated by them are the intelligence services of the bloc countries. By last count, more than one-third of the official representation of these countries in the United States were identified intelligence personnel. The threat posed by such numerical concentration is readily apparent. Specifically, the damage these operations can inflict in any given circumstance can be extreme.

In addition to their efforts at collecting extensive intelligence data through both overt and covert means, their chief and ongoing aim is to gain high-level penetration within the U. S. Government, including U. S. intelligence services.

The recruitment of U. S. military personnel is high on the list of adversary intelligence services. In a recent instance, a Soviet diplomat did his utmost to recruit a U. S. Air Force field grade officer with access to sensitive information. Of particular interest, the Soviets appear to consider the U. S. Air Force as a prime source of information relating to Communist China.

In addition to the legal representation of SIS, it is believed that as many as 20 SIS illegal networks may be operating in the eastern portion of North America. Our current lack of definitive knowledge regarding both the individuals involved and their targets makes a threat assessment difficult; however, one such network, exposed in a friendly foreign country, determined that SIS, through the efforts of the illegals, had access to construction plans of an atomic submarine. Two of the four agents surfaced in this operation were Americans.

Information developed by a U. S. Air Force-controlled double agent operating against a bloc intelligence service has given indications that the bloc service has shown willingness to progress to the eventual establishment of an illegal U. S.-based operation.

These deep cover operations, with little or no tie-in with official Soviet and bloc establishments, would continue to function following a break in diplomatic relations. The threat posed by such operations is considerably heightened by current lack of knowledge about their identity.
The Chinese communist (Chicom) intelligence service, lacking a legal base in the United States, is considerably handicapped in any extensive intelligence undertaking; however, the Chicoms do have a Canadian-based intelligence apparatus directing operations against the United States. Among the large ethnic Chinese population in the United States are 3,500 scientists employed in sensitive positions, many of whom have relatives in Communist China. Current intelligence pinpoints the United Nations Secretariat, where there are a number of pro-Chicom employees, as being the hub of their domestic activities.

The potential for increased Chicom activity in the United States is a considerable factor, but is dependent mainly on the establishment of legal Chicom establishments in the United States.

B. Assessment of Current Intelligence Collection

1. Scope and Effectiveness. The scope of overall intelligence efforts is encompassed in the threefold goals of penetration, intelligence, and prosecution. Domestic implementation of these goals is delimited by agreement among United States intelligence agencies. Intelligence components of the United States military services are immediately concerned with protecting the integrity of their personnel and installations. Although this is primarily a defensive stance, they have furnished a potent offensive weapon in the controlled utilization of their personnel in double agent operations directed against hostile intelligence services. Central Intelligence Agency, with basic foreign responsibility, nevertheless, uses similar tools, mentioned below, to achieve the same end: the collection of intelligence primarily related to hostile intelligence services.

Methods used in these endeavors, employed in varying degrees by U.S. intelligence agencies dependent upon their specific tasks are: penetrations; defectors; double agent operations; physical, technical, and photographic surveillances; examination and analysis of overt publications; information supplied by friendly intelligence services; and COMINT. 

Of the methods enumerated above, penetration is decidedly the most important. There have been successful penetrations of both Soviet and bloc intelligence services both here and abroad. Hard
information received through these penetrations, coupled with collateral investigations, has developed valid intelligence about modus operandi, intelligence personnel, and agent networks. Several of the cases resulted in successful prosecution. With the current lack of an effective Soviet defector-in-place, the ideal penetration, both the range and effectiveness of the coverage have been lessened.

Current coverage utilizing physical surveillances, limited technical surveillances, and the development and operation of double agents depends, in part, for its effectiveness on the resources in terms of manpower and material which may be committed to any given operation. The double agent, while providing current operational information, chiefly about hostile equipment, tactics, goals, and officer identification, rarely gains an insight into the adversary service at a level comparable to that of penetration. This coverage on Soviet and bloc services, in its present form, is considered only moderately effective. This evaluation refers to intelligence operations directed under legal cover. In the area of illegal operations, effectiveness, which in the past was substantial, is currently minimal.

2. Gaps in Current Coverage. The major gap, by far, is the lack of high-echelon penetration of the SIS. The presence of such a source increases the effectiveness of all other programs and, conversely, the absence of this inside information relegates U.S. intelligence agencies to time-consuming and manpower-draining techniques.

As of June 1, 1970, 1,050 Soviet and bloc official personnel (excluding dependents) were stationed in the United States. One-third of these are known or suspected intelligence officers. Of the Soviet entourage, 220 intelligence officers have been identified. This does not include an unknown number of illegals, agents, and sources. While in a given incident the full resources of the FBI could be brought into play, there are less than 300 Special Agents assigned full time against this formidable array. This ratio approximates the FBI coverage of other communist intelligence services.

These limitations require a high degree of selectivity in the assignment of personnel to realize maximum effectiveness. It would be unrealistic to assume that optimum coverage is possible under these circumstances. Although manpower itself is not the
answer for completely effective coverage, any expansion in this area would certainly allow a broader selective process and result in a proportionate improvement in effective coverage.

Penetration of communications is one of the most effective mechanisms in the counterintelligence arsenal. There are currently only eight telephone surveillances on 14 Soviet establishments in the United States and only eight on the 35 other Soviet-bloc establishments. There are no surveillances of this type on the residence telephones of any Soviet-bloc personnel in this country. By contrast, five Soviet technical penetrations of U.S. embassies were discovered from April, 1967, through July, 1969. One device was discovered in Bucharest in the heel of a shoe worn by the U.S. Deputy Chief of Mission, who conducted business in the Embassy in a room-within-a-room. Testing showed that the device was strong enough to transmit through this defense.

Communications intelligence could be increased if member agencies provided greater targeting directions which would permit a more meaningful computer scanning of very large volumes of traffic. Additionally, certain diplomatic and attache traffic which might provide valuable intelligence is not decipherable by normal means and requires clandestine assistance in procuring crypto materials in order to be readable.

Manpower considerations preclude comprehensive coverage of official Soviet-bloc visitors to the United States and visits of Americans to Soviet-bloc countries. Both of these areas have proven fertile fields for SIS intelligence activities.

There is currently a serious void in knowledge of SIS illegal operations in the United States. Sophisticated coverages have, in the past, proven most effective in developing this type of intelligence.
IV. OTHER REVOLUTIONARY GROUPS

A. Assessment of Current Internal Security Threat

1. Communist Party. The Communist Party continues as a distinct threat to the internal security because of its extremely close ties and total commitment to the Soviet Union. There are many thousands of people in the United States who adhere to a Marxist philosophy and agree with the basic objectives of the Communist Party although they do not identify themselves specifically with the organization. The Party receives most of its finances from the Soviet Union, adheres to Soviet policies explicitly, and provides a major outlet for Soviet propaganda. The Party will without question continue to implement whatever orders it receives from the Soviets in the future.

There is little likelihood that the Communist Party, USA, will instigate civil disorders or use terrorist tactics in the foreseeable future. Its strong suit is propaganda. Through its publications and propaganda it will continue its efforts to intensify civil disorders, and foment unrest in the Armed Forces, labor unions, and minority groups. The Party is on the periphery of the radical youth movement and is striving to strengthen its role in this movement and to attract new members through a recently formed youth organization, but it does not appear this group will achieve any substantial results for the Party in the future.

2. Socialist Workers Party and Other Trotskyist Groups. These organizations have an estimated membership of 2,500. The major Trotskyist organization, the Socialist Workers Party, has attained an influential role in the antiwar movement through its youth affiliate, the Young Socialist Alliance, which dominates the Student Mobilization Committee to End the War in Vietnam and which has more than doubled its size on college campuses in the past year. Trotskyist groups have participated in major confrontations with authorities both on and off campuses and have consistently supported civil disorders. At this time they do not pose a major threat to instigate insurrection or to commit terrorist acts. The propaganda of these groups, while emphasizing student unrest, is also aimed at creating unrest, faction in labor organizations and in the Armed Forces. The Trotskyist organizations maintain close relations with the Fourth International, a foreign-based worldwide Trotskyist movement.
3. Pro-Chinese Communist (Chicom) Groups. There are approximately ten organizations in the United States which follow the ideology of Red China and their total membership is estimated at 1,000. Most of these groups are seeking ties with the Chicom Government, but there is no evidence to date that any are receiving substantial Chicom support. These groups are extremely militant and, therefore, attractive to youthful activists. In fact, the Progressive Labor Party, the principal pro-Chicom organization, controls a faction of the Students for a Democratic Society.

These groups generally advocate revolution. Some have marked potential for terrorism and sabotage, although it is likely that such acts would be isolated instances of adventuristic violence. All of these organizations stress the use of propaganda to foment unrest in the Armed Forces and among labor, minority, and student groups.

4. Puerto Rican Nationalist Extremist Groups. The radical Puerto Rican independence movement has spawned approximately ten violently anti-American groups committed to Puerto Rican self-determination. Revolutionary violence is a major aim of the estimated 1,000 members of these groups and if sufficiently strong, they would not hesitate to mount armed insurrection. Since July, 1957, some 130 bombings in Puerto Rico and in the New York City area have been attributed to these extremists. American-owned businesses have been the main targets, but there has been a recent upsurge of violence against U.S. defense facilities in Puerto Rico.

The leading groups have reportedly received guerrilla training and money from the Cuban Government and in one instance funds were received from Communist China for use in sabotage activities. One group, organized and led by Cuban espionage agents, is reported to have committed numerous bombings in Puerto Rico and New York City in the past 18 months.

B. Assessment of Current Intelligence Coverage

1. Scope and Effectiveness. Coverage of the Communist Party is considered arduous, through live interrogations and limited electronic surveillances. This coverage affords access to leadership
decisions and should provide information concerning any plans developed for insurrectionary activity. There is effective penetration regarding the Party’s receipt and expenditure of funds.

Coverage of the Trotskyist and pro-Chicom groups is less effective. Access to their top leadership levels is limited because these groups are heavily splintered and often have very small memberships. Current live informant coverage can furnish information on the general activities of these groups and it should serve to warn of policy changes in favor of insurrection or sabotage. It is doubtful that advance warning of isolated acts of violence would be received, however.

Informant penetration of the Puerto Rican independence groups provides information on the objectives of most of these organizations as well as the identities of their members. However, these sources have limited ability to provide advance information regarding violence committed by these groups or by individual members.

2. Gaps in Current Coverage. There is very limited coverage of foreign travel by members of the Communist Party. Better coverage is needed of the high-level meetings and sources of funds of the Trotskyist and pro-Chicom groups. The limited penetration is due in part to multiplicity of these groups and their generally small memberships.

Closer coverage at the policy-making levels of the Puerto Rican independence groups is needed to obtain more comprehensive information on persons involved in terrorist activities. The small memberships of many of these organizations is a major reason for the limited coverage.

3. Possible Measures to Improve Intelligence Collection. The selective use of electronic surveillances would materially enhance the intelligence coverage of the policy-making levels of these organizations. A particular benefit of electronic surveillance in the Puerto Rican field could be the development of information identifying persons involved in terrorist activities. Communications intelligence coverage and travel control measures could be improved to provide greater awareness of the travel and other activities of individuals of security interest. Through the establishment of additional informant coverage on college campuses, the involvement of these organizations in the radicalization of students could be assessed with increased accuracy.
PART TWO

RESTRAINTS ON INTELLIGENCE COLLECTION

The Committee noted that the President had made it clear that he desired full consideration be given to any regulations, policies, or procedures which tend to limit the effectiveness of domestic intelligence collection. The Committee further noted that the President wanted the pros and cons of such restraints clearly set forth so that the President will be able to decide whether or not a change in current policies, practices, or procedures should be made.

During meetings of the Committee, a variety of limitations and restraints were discussed. All of the agencies involved, Defense Intelligence Agency (DIA), the three military counterintelligence services, the Central Intelligence Agency (CIA), the National Security Agency (NSA), and the Federal Bureau of Investigation (FBI), participated in these considerations.

In the light of the directives furnished to the Committee by the White House, the subject matters hereinafter set forth were reviewed for the consideration and decision of the President.

I. SPECIFIC OPERATIONAL RESTRAINTS

A. Interpretive Restraint on Communications Intelligence

Preliminary Discussion

NSA develops significant domestic intelligence information in the course of monitoring foreign communications traffic. However, this information is not developed on a systematic basis but as a "fall out" from other targeting responsibilities. NSA currently interprets its jurisdictional mandate as precluding the production and dissemination of intelligence from communications between U. S. citizens and as precluding specific targeting against communications of U. S. nationals. The current practice of acquiring such information as a "fall out" benefit could, in NSA's opinion, be systematized only by an appropriate clarification at the Executive level of restrictions set forth in National Security Council Intelligence Directive Number 6 (NSCID-6).
Nature of Restriction

According to NSA interpretation of NSCID-6, which is the basis of NSA authority for development of communications intelligence, the processing of "foreign communications" sharply limits its authority with respect to those communications in which a U. S. citizen is a sender or recipient. While a case-by-case approach is used in producing such data, the continuation of such a procedure would inhibit the production of domestic intelligence and any expansion could result in encroachment on the jurisdiction of the FBI, as set forth in NSCID-6. Broader interpretation by Executive clarification of "foreign" to include any communications of any individuals using international facilities regardless of the nationality of the sender or recipient could rectify this situation.

Advantages of Maintaining Restriction

1. Extreme vigilance would be required to prevent expanded coverage from straying into an appearance of censorship.

2. Expanded coverage in this area, if disclosed, could result in unfavorable publicity and a move underground by those who now take calculated advantage of the supposed inviolability of normal communications.

3. Significant expansion in this area would constitute a breach of the intent of original National Security Council Intelligence Directive Number 6 establishing jurisdiction.

4. Expanded operations would require special operating procedures, including a continuation of current regulations and procedures as a "front."

Advantages of Relaxing Restriction

1. Circumstances have altered considerably since the original intelligence directive was written. Subversive activity has materially increased and now represents a significant danger to public order and stability.
2. A relaxation of the restriction now in effect would sharply increase the amount of intelligence information bearing on foreign involvement in U. S. affairs, and would permit more processing and thus a more timely flow of such information as it is obtained.

DECISION: Interpretative Restraint on Communications Intelligence

Interpretation of Intelligence Directive Number 6 should not be relaxed.

Present interpretation should be broadened to permit and program for coverage by NSA of the communications of U. S. citizens using international facilities.

Present interpretation should be broadened to permit and program for coverage by NSA at the request of the FBI of the communications of U. S. citizens using international facilities.

More information is needed.
B. Electronic Surveillances and Penetrations

Preliminary Discussion

The limited number of electronic surveillances and penetrations substantially restricts the collection of valuable intelligence information of material importance to the entire intelligence community. NSA has been particularly hard-hit by this limitation, for the absence of electronic penetration of foreign diplomatic establishments has severely curtailed its capability for the exploitation of potentially available communications intelligence. Additionally, other agencies are deprived of access to high-level political, diplomatic, and military information, as well as valuable data regarding hostile intelligence operations.

Nature of Restrictions

Electronic surveillances have been used on a selective basis. Restrictions, initiated at the highest levels of the Executive Branch, arose as a result of the condemnation of these techniques by civil rights groups, Congressional concern for invasion of privacy, and the possibility of their adverse effect on criminal prosecutions.

Advantages of Maintaining Restrictions

1. Disclosure and embarrassment to the using agency and/or the United States is always possible since such techniques often require that the services or advice of outside personnel be used in the process of installation.

2. The disclosure of electronic coverage of diplomatic establishments could result in strained relations between the United States and the target country.

3. Certain elements of the press in the United States and abroad would undoubtedly seize upon disclosure of electronic coverage in an effort to discredit the United States.

4. The monitoring of electronic surveillances requires considerable manpower and, where foreign establishments are involved, the language resources of the agencies could be severely taxed.
Advantages of Relaxing Restrictions

1. The U.S. Government has an overriding obligation to use every available scientific means to detect and neutralize forces which pose a direct threat to the Nation.

2. Every major intelligence service in the world, including those of the communist bloc, use such techniques as an essential part of their operations, and it is believed the general public would support their use by the United States for the same purpose.

3. The President historically has had the authority to act in matters of national security. In addition, Title III of the Omnibus Crime Control and Safe Streets Act of 1968 provides a statutory basis.

4. Intelligence data from electronic coverage is not readily obtainable from other techniques or sources. Such data includes information which might assist in formulating foreign policy decisions, information leading to the identification of intelligence and/or espionage principals and could well include the first indication of intention to commit hostile action against the United States.

5. Acquisition of such material from COMINT without benefit of the assistance which electronic surveillance techniques can provide, if possible at all, would be extremely expensive. Therefore, this approach could result in considerable dollar savings compared to collection methods.
DECISION: Electronic Surveillances and Penetrations

Present procedures on electronic coverage should continue.

Present procedures should be changed to permit intensification of coverage of individuals and groups in the United States who pose a major threat to the internal security.

Present procedures should be changed to permit intensification of coverage of foreign nationals and diplomatic establishments in the United States of interest to the intelligence community.

More information is needed.

NOTE: The FBI does not wish to change its present procedure of selective coverage on major internal security threats as it believes this coverage is adequate at this time. The FBI would not oppose other agencies seeking authority of the Attorney General for coverage required by them and thereafter instituting such coverage themselves.
C. Mail Coverage

Preliminary Discussion

The use of mail covers can result in the collection of valuable information relating to contacts between U.S. nationals and foreign governments and intelligence services. CIA and the military investigative agencies have found this information particularly helpful in the past. Essentially, there are two types of mail coverage: routine coverage is legal, while the second—covert coverage—is not. Routine coverage involves recording information from the face of envelopes. It is available, legally, to any duly authorized Federal or state investigative agency submitting a written request to the Post Office Department and has been used frequently by the military intelligence services. Covert mail coverage, also known as "sophisticated mail coverage," or "flaps and seals," entails surreptitious screening and may include opening and examination of domestic or foreign mail. This technique is based on high-level cooperation of top echelon postal officials. Insofar as civilian use is concerned, only mail designated to diplomatic establishments in the United States and airmail addressed to specific foreign locations has been covered.

Nature of Restrictions

Covert coverage has been discontinued while routine coverage has been reduced primarily as an outgrowth of publicity arising from disclosure of routine mail coverage during legal proceedings and publicity afforded this matter in Congressional hearings involving accusations of governmental invasion of privacy.

Advantages of Maintaining Restrictions

Routine Coverage:

1. Although this coverage is legal, charges of invasion of privacy, no matter how ill-founded, are possible.

2. This coverage depends on the cooperation of rank-and-file postal employees and is, therefore, more susceptible to compromise.
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Covert Coverage:

1. Coverage directed against diplomatic establishments, if disclosed, could have adverse diplomatic repercussions.

2. This coverage, not having sanction of law, runs the risk of any illicit act magnified by the involvement of a Government agency.

3. Information secured from such coverage could not be used for prosecutive purposes.

Advantages of Relaxing Restrictions

Routine Coverage:

1. Legal mail coverage is used daily by both local and many Federal authorities in criminal investigations. The use of this technique should be available to permit coverage of individuals and groups in the United States who pose a threat to the internal security.

Covert Coverage:

1. High-level postal authorities have, in the past, provided complete cooperation and have maintained full security of this program.

2. This technique involves negligible risk of compromise. Only high echelon postal authorities know of its existence, and personnel involved are highly trained, trustworthy, and under complete control of the intelligence agency.

3. This coverage has been extremely successful in producing hard-core and authentic intelligence which is not obtainable from any other source. An example is a case involving the interception of a letter to a Soviet establishment in 1964. The writer offered to sell information to the Soviets and enclosed a sample of information available to him. Analysis determined that the writer could have given the Soviets information which might have been more damaging than the U-2 incident, represented a cost to the United States of tens of millions of dollars, and could conceivably have precipitated war. Other examples include the positive identification of illegal agents operating in the United States under Soviet control.
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DECISION: Mail Coverage

Present restrictions on both types of mail coverage should be continued.

Restrictions on legal coverage should be removed.

Present restrictions on covert coverage should be relaxed on selected targets of priority foreign intelligence and internal security interest.

More information is needed.

NOTE: The FBI is opposed to implementing any covert mail coverage because it is clearly illegal and it is likely that, if done, information would leak out of the Post Office to the press and serious damage would be done to the intelligence community. The FBI has no objection to legal mail coverage providing it is done on a carefully controlled and selective basis in both criminal and security matters.
D. Surveptitious Entry

Preliminary Discussion

NSA has a particular interest in the use of surveptitious entry as a tool for obtaining cryptographic materials necessary for deciphering important diplomatic and foreign intelligence service traffic. In many instances enciphered messages of this kind can be read only if keying materials can be surreptitiously obtained. NSA could exploit the communications of many additional foreign governments if a surveptitious entry program were reinstituted.

Nature of Restrictions

Use of surreptitious entry, also referred to as "anonymous sources" and "black bag jobs," has been virtually eliminated. It involves clandestine entry into areas occupied by an individual, organization or diplomatic establishment to collect intelligence material. In the foreign intelligence field, it includes the collection of vital cryptographic material which enables the deciphering of intercepted diplomatic traffic.

Advantages of Maintaining Restrictions

1. The activity involves illegal entry and trespass.

2. Information which is obtained through this technique could not be used for prosecutive purposes.

3. The public disclosure of this technique would result in widespread publicity and embarrassment. The news media would portray the incident as a flagrant violation of civil rights and/or diplomatic immunity.

Advantages of Relaxing Restrictions

1. Operations of this type are performed by a small number of carefully trained and selected personnel under strict supervision. The technique is implemented only after full security is assured. It has been used in the past with highly successful results and without adverse effects.
2. Benefits accruing from this technique in the past have been innumerable. In addition to identifying espionage agents, including illegals, vital cryptographic information has been obtained. Without cryptographic material which often can be obtained only from these operations, much significant diplomatic traffic cannot be deciphered even with the most sophisticated equipment. Such cryptographic material has been valued at millions of dollars in terms of the savings in cryptanalytic resources and in terms of the high-level intelligence information which it produced.

3. In the past this technique, when used against subversives, has produced valuable intelligence material.

**DECISION: Surreptitious Entry**

- Present restrictions should be continued.

- Present restrictions should be modified to permit procurement of vitally needed foreign cryptographic material.

- Present restrictions should also be modified to permit selective use of this technique against other urgent and high priority internal security targets.

- More information is needed.

**NOTE:** The FBI is opposed to surreptitious entry of embassies for the purpose of obtaining cryptographic materials because the increase in the number of police guarding these embassies adds to the operational hazards.
E. Development of Campus Sources

Preliminary Discussion

Public disclosure of CIA links with the National Student Association and the subsequent issuance of the Katzenbach Report have contributed to a climate adverse to intelligence-type activity on college campuses and with student-related groups. It should be noted that the Katzenbach Report itself does not specifically restrain CIA from developing positive or counterintelligence sources to work on targets abroad.

Restrictions currently in force limit certain other elements of the intelligence community access to some of the most troublesome areas: campuses, college faculties, foreign and domestic youth groups, leftist journalists, and black militants. It is recognized that these are prime targets of communist intelligence services and that the opportunity for foreign communist exploitation increases in proportion to the weakness of a U.S. counterintelligence effort.

Nature of Restrictions

The need for great circumspection in making contacts with students, faculty members, and employees of institutions of learning is widely recognized. However, the requirements of the intelligence community for increased information in this area is obvious from the concern of the White House at the absence of hard information about the plans and programs of campus and student-related militant organizations. At the present time no sources are developed among secondary school students and, with respect to colleges and universities, sources are developed only among individuals who have reached legal age, with few exceptions. This policy is designed to minimize the possibility of embarrassment and adverse publicity, including charges of infringement of academic freedom.
Advantages of Maintaining Restrictions

1. Students, faculty members, and others connected with educational institutions are frequently sensitive to and hostile towards any Government activity which smacks of infringement on academic freedom. They are prone to publicize inquiries by governmental agencies and the resulting publicity can often be misleading in portraying the Government's interest.

2. Students are frequently immature and unpredictable. They cannot be relied on to maintain confidences or to act with discretion to the same extent as adult sources.

Advantages of Relaxing Restrictions

1. To a substantial degree, militant New Left and antiwar groups in the United States are comprised of students, faculty members, and others connected with educational institutions. To a corresponding degree, effective coverage of these groups and activities depends upon development of knowledgeable sources in the categories named. In this connection, the military services have capabilities which could be of value to the FBI.

2. Much of the violence and disorders which have occurred on college campuses have been of a hastily planned nature. Unless sources are available within the student bodies, it is virtually impossible to develop advance information concerning such violence.

3. The development of sources among students affiliated with New Left elements affords a unique opportunity to cultivate informant prospects who may rise to positions of leadership in the revolutionary movement or otherwise become of great long-range value.

4. The extraordinary and unprecedented wave of destruction which has swept U.S. campuses in the past several months and which in some respects represents a virtual effort to overthrow our system provides a clear justification for the development of campus informants in the interest of national security.
5. Contacts with students will make it possible to obtain information about travel abroad by U.S. students and about attendance at international conferences.

DECISION: Development of Campus Sources

_____ Present restrictions on development of campus and student-related sources should be continued.

_____ Present restrictions should be relaxed to permit expanded coverage of violence-prone campus and student-related groups.

_____ CIA coverage of American students (and others) traveling abroad or living abroad should be increased.

_____ More information is needed.

NOTE: The FBI is opposed to removing any present controls and restrictions relating to the development of campus sources. To do so would severely jeopardize its investigations and could result in leaks to the press which would be damaging and which could result in charges that investigative agencies are interfering with academic freedom.
F. Use of Military Undercover Agents

Preliminary Discussion

The use of undercover agents by the military services to develop domestic intelligence is currently limited to penetration of organizations whose membership includes military personnel and whose activities pose a direct threat to the military establishment. For example, although the Navy has approximately 54 Naval ROTC units and numerous classified Government contract projects on various campuses across the country, the Naval Investigative Service conducts no covert collection on college campuses. The same is true of the other military services.

Nature of Restrictions

The use of undercover agents by the military investigative services to develop domestic intelligence among civilian targets is believed beyond the statutory intent of the Congress as expressed in Title 10, U. S. Code, and in current resource authorizations. The Delimitations Agreement (1949 agreement signed by the FBI, Army, Navy and Air Force which delimits responsibility for each agency with regard to investigations of espionage, counter-espionage, subversion and sabotage) reflects the current missions of the FBI and the military services. Further, there is a lack of assets to undertake this mission unless essential service-related counterintelligence missions are reduced. There is also concern for morale and disciplinary reactions within the services should the existence of such covert operations become known.

Advantages of Maintaining Restrictions

1. If the utilization of military counterintelligence in this mission is contrary to the intent of the Congress, discovery of employment may result in unfavorable legislation and further reductions in appropriations.

2. Lacking direct statutory authority, the use of the military services in this mission could result in legal action directed against the Executive Branch.

3. The use of military personnel to report on civilian activities for the benefit of civilian promoters will reduce the ability of the military services to assist service-connected intelligencer
4. If expansion of the mission of the military services with regard to college campuses is to provide coverage of any significance, it will require corollary increases in resources.

5. Prosecutions for violations of law discovered in the course of military penetration of civilian organizations must be tried in civil courts. The providing of military witnesses will require complicated interdepartmental coordination to a much greater extent than the present and will serve, in the long run, to reduce security.

6. Disclosure that military counterintelligence agencies have been furnishing information obtained through this technique to nonmilitary investigative agencies with respect to civilian activities would certainly result in considerable adverse publicity. The Army's recent experience with former military intelligence personnel confirms this estimate. Since obligated service officers, first enlistees and draftees are drawn from a peer group in which reaction is most unfavorable, morale and disciplinary problems can be anticipated.

Advantages of Relaxing Restrictions

1. Lifting these restrictions would expand the scope of domestic intelligence collection efforts by diverting additional manpower and resources for the collection of information on college campuses and in the vicinity of military installations.

2. The use of undercover agents by the military counterintelligence agencies could be limited to localized targets where the threat is great and the likelihood of exposure minimal. Moreover, controlled use of trusted personnel leaving the service to return to college could expand the collection capabilities at an acceptable risk.

3. The military services have a certain number of personnel pursuing special academic courses on campuses and universities. Such personnel, who in many instances have already been investigated for security clearance, would represent a valuable pool of potential sources for reporting on subversive activities of campus and student-related groups.
DECISION: Use of Military Undercover Agents

Present restrictions should be retained.

The counterintelligence mission of the military services should be expanded to include the active collection of intelligence concerning student-related dissident activities, with provisions for a close coordination with the FBI.

No change should be made in the current mission of the military counterintelligence services; however, present restrictions should be relaxed to permit the use of trusted military personnel as FBI assets in the collection of intelligence regarding student-related dissident activities.

More information is needed.

NOTE: The FBI is opposed to the use of any military undercover agents to develop domestic intelligence information because this would be in violation of the Delimitations Agreement. The military services, joined by the FBI, oppose any modification of the Delimitations Agreement which would extend their jurisdiction beyond matters of interest to the Department of Defense.
II. BUDGET AND MANPOWER RESTRICTIONS

The capability of member agencies, NSA, CIA, DIA, FBI, and the military counterintelligence services, to collect intelligence data is limited by available resources, particularly in terms of budget and/or qualified manpower. For some agencies fiscal limitations or recent cutbacks have been acute. Budgetary requirements for some agencies, other than the FBI, are reviewed and passed upon by officials who, in some instances, may not be fully informed concerning intelligence requirements.

CIA reported that recent and current manpower reductions (the Balance of Payments and Operation Reduction exercises) have lowered CIA's capabilities abroad with a corresponding decrease in its level of operational effectiveness. Lowered capabilities have occurred at a time when the communist services are expanding in Western Europe, Africa, the Near East, and Latin America. There has also been a serious loss in flexibility of deployment and some loss of cover positions.

The military services noted that cuts in budget requirements for counterintelligence activities have the effect of severely hampering the ability of these services to accomplish missions relating to coverage of threats to the national security. Budgetary deficiencies have occurred at a time when investigative work loads are increasing significantly.

Manpower limitations constitute a major restriction on the FBI's capabilities in the investigation of subversive activities. The problem is further complicated by the fact that, even if substantial numbers of Agents could be recruited on a crash basis, the time required to conduct background investigations and to provide essential training would mean several months' delay in personnel being available for use against the rapidly escalating subversive situation.

NSA, which has a potential to report on the activities of U.S. subversive elements, has neither the current funds nor the budgetary mechanism for expanding its resources in this direction. This is due to the nature of NSA's statutory mission, which is limited to coverage of "foreign communications," which is interpreted to exclude a U.S. citizen who is sender or recipient of such communications. If NSA resources can be expanded, funding for the expansion will have to be through a "cut-out" arrangement or reimbursable basis.
In the event, as a result of this report, additional collection requirements should be levied on the agencies involved, it would be necessary to provide for essential funding. For example, if the scope of NSA coverage is broadened to permit coverage of activities of U.S. subversive elements and/or the military services are called upon to provide counterintelligence functions or assistance not being furnished at present, adjustments will be necessary in their budgets to cover the increased costs.

DECISION: Budget and Manpower Restrictions

Each agency should submit a detailed estimate as to projected manpower needs and other costs in the event the various investigative restraints herein are lifted.

Each agency must operate within its current budgetary or manpower limitations, irrespective of action required as result of this report.

More information is needed.
PART THREE

EVALUATION OF INTERAGENCY COORDINATION

I. CURRENT PROCEDURES TO EFFECT COORDINATION

There is currently no operational body or mechanism specifically charged with the overall analysis, coordination, and continuing evaluation of practices and policies governing the acquisition and dissemination of intelligence, the pooling of resources, and the correlation of operational activities in the domestic field.

Although a substantial exchange of intelligence and research material between certain of the interested agencies already exists, much remains to be done in the following areas: (1) the preparation of coordinated intelligence estimates in a format useful for policy formulation; (2) the coordination of intelligence collection resources of the member agencies and the establishment of clear-cut priorities for the various agencies; and (3) the coordination of the operational activities of member agencies in developing the required intelligence.

II. SUGGESTED MEASURES TO IMPROVE THE COORDINATION OF DOMESTIC INTELLIGENCE COLLECTION

It is believed that an interagency group on domestic intelligence should be established to effect coordination between the various member agencies. This group would define the specific requirements of the various agencies, provide regular evaluations of domestic intelligence, develop recommendations relative to policies governing operations in the field of domestic intelligence, and prepare periodic domestic intelligence estimates which would incorporate the results of the combined efforts of the entire intelligence community.

Membership in this group should consist of the principal officers responsible for domestic intelligence collection activities of the Federal Bureau of Investigation, the Central Intelligence Agency,
the National Security Agency, the Defense Intelligence Agency, and the counterintelligence agencies of the Departments of the Army, Navy, and Air Force. In addition, an appropriate representative of the White House would have membership. The committee would report periodically to the White House, and a White House staff representative would coordinate intelligence originating with this committee in the same manner as Dr. Henry Kissinger, Assistant to the President, coordinates foreign intelligence on behalf of the President. The chairman would be appointed by the President.

This interagency group would have authority to determine appropriate staff requirements and to implement these requirements, subject to the approval of the President, in order to meet the responsibilities and objectives described above.

**DECISION: Permanent Interagency Group**

An ad hoc group consisting of the FBI, CIA, NSA, DIA, and the military counterintelligence agencies should be appointed and should serve as long as the President deems necessary, to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, and carry out the other objectives indicated above.

A permanent committee consisting of the FBI, CIA, NSA DIA, and the military counterintelligence agencies should be appointed to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, and carry out the other objectives indicated above.

No further action required.

More information is needed.

**NOTE:** The FBI is opposed to the creation of a permanent committee for the purpose of providing evaluations of domestic intelligence, however the FBI would approve of preparing periodic domestic intelligence estimates.
Report of Proceedings

Hearing held before

Committee on Armed Services

CENTRAL INTELLIGENCE AGENCY

Monday, May 21, 1973

Washington, D.C.

(Stenotype Tape and Wasc turned over to the Committee for destruction)

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410 FIRST STREET, S. E.
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[7541]
Mr. Huston. No; I say in the process of preparing a report there was more than one working draft, but, no, this is the signed report.

Mr. Woolsey. This is the final report?

Mr. Huston. This is the report that went to the President, yes, sir. The signature is on it.

Mr. Woolsey. Thank you.

Mr. Huston. That report then was reviewed by the principals, by at least -- and again, now, Senator Thurmond, I am getting into an area where I can't testify as to direct knowledge, only what I was told -- but the decision was made after the initial draft report had been prepared and reviewed by the members of the working group, that a report would go back to their principals for approval and the reports went. I was told at least that the draft reports went to Mr. Helms, Admiral Gayler and General Bennett for their approval. However, I did know at that time the draft report had not gone to Mr. Hoover for his approval because Mr. Sullivan and others that were working there, who were from the FBI, felt that unless this report had the unanimous approval of the other principals that Mr. Hoover simply would not sit still for anything that smacked of interference with his own operations and so it was my understanding it was not until after the report had been cleared with the three other principals that they then submitted the report to
Mr. Hoover.

Mr. Hoover then proceeded to object to virtually, -- I can't recall, it has been three years since I read the report -- but I don't remember whether he objected to any of the analyses but he objected to virtually every option available to the President that would in any way change in any manner the way in which he was at that time operating the FBI.

I was told that he originally wanted to place his objections into the body of the report; however, his staff tried, successfully prevailed upon him to understand that although he was Chairman of the Committee it was not a report of the FBI but a report of all of the agencies and, therefore, his objections should be relegated or should be in the form of a footnote.

He then proceeded to footnote his objections and the report then was signed after some disagreement among the other principals as to what the effect of these footnotes were and all.

At that point then the report was transmitted by Mr. Hoover to the White House and was submitted then to Mr. Haldeman. At that time I prepared a memorandum in which I outlined what I believed to be the consensus of the working group as to what options were available to the President that he should choose and also set forth what I
walked up together to Mr. Hoover's office. Just before we were going to go into Mr. Hoover's office, Bill Sullivan pulled us aside and told us that morning the Director, Mr. Hoover, had decided to change some of the language in the report, and that he had not bothered to clear it with any of the other four men who were coming for the purpose of signing the report. So Mr. Sullivan showed us the changes that had been made, and Mr. Helms and I agreed that the changes weren't substantive enough to justify raising the question with Mr. Hoover. I remember General Bennett and Admiral Gilmer concurred. Prior to the meeting I received calls from both General Bennett and Admiral Gilmer complaining about the fact Mr. Hoover had footnoted his objections. Both of them wanted to raise this question with Mr. Hoover at the meeting, and indicated they frankly didn't want to sign the report without putting in their objections to these footnotes.

My concern from the very beginning, very early in the game, was to try to keep Mr. Hoover from being unnecessarily pillaged by all this. I asked General Bennett and Admiral Gilmer not to raise this point at the meeting, that I understood their position, and that I would see that the President was informed of it.

We went into the meeting -- I forget how it happened -- but inevitably either General Bennett or Admiral Gilmer raised some question about this. Fortunately Mr. Helms kind of
intervened and we glossed over it, went ahead and signed the report and went back.

That is really what I recall essentially what it was.

Mr. Medzi. What was their objection?

Mr. Huston. Well, I think their point was that first of all the report itself did not make any recommendations, it merely expressed reported options, listed options. And that, secondly, it was a report from the four agencies, and not from Mr. Hoover.

I think that was it. I think with Admiral Cilker there was a more fundamental difference because he had talked to me about this question of surreptitious entry with respect to acquisition of information that would be useful to the NSA and apparently he had discussed with Mr. Hoover, and not gotten a satisfactory response, and I think that he was concerned substantively to the specific objection Mr. Hoover made with regard to that matter.

Mr. Medzi. Can you help the Subcommittee on this problem of surreptitious entry for the purpose of securing cryptological data, I guess?

Should that kind of information be obtained, doesn't the other side normally change their codes as soon as something like that is discovered?

Mr. Huston. In as it is discovered. That is the difference between surreptitious entry or breaking in and entering. For
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
Washington, D.C. 20402 - Price $3
Stock No. 028-001-01040-0

[7549]
Mr. Dash. Were you aware that Mr. Hoover, Director of the FBI, opposed, at least entered his opposition to most of the recommendations in that plan?

Mr. Haldeman. I knew that—I think in the recommendation itself which was signed by Director Hoover as chairman of the committee, he had indicated in the various recommendations his disagreement with some of them in spite of the fact that they were the committee recommendation. He was transmitting them as the committee recommendation with his dissent.

Mr. Dash. Well, now, did Mr. Huston seek to get your assistance in overriding Mr. Hoover's objections?

Mr. Haldeman. Yes; I think he did.

Mr. Dash. And did he send a series of memorandums to you with regard to that?

Mr. Haldeman. I have seen the memorandums that have been put into exhibit and reprinted in the papers and they would indicate that he did, yes.

Mr. Dash. Well, did you just see them as they were reprinted in the papers or do you actually recall receiving those memorandums and reading them?

Mr. Haldeman. I have a general recollection. I cannot identify having seen or acted upon any specific memorandum without looking at it and reviewing it. I do know that there was a definite concern on Mr. Huston's part and on the other side, on the President's part, that there was—we knew there was a problem going into this. One of the reasons for bringing this group together was the fact that communication between the FBI and other intelligence agencies was at best minimal.

Mr. Dash. Let me just show you one memorandum and I think this has already gone into the record. See at least if you can recollect it. It is a memorandum dated August 5, 1910, from Mr. Huston to you, subject, "Domestic Intelligence"*, which is primarily dealing with the problem of Mr. Hoover's objections and indicating that the program ought to move forward and asking your assistance. I ask you to take a look at it, see if you do recall it and if you do, would you comment.

Mr. Wilson. May we keep this, Mr. Dash?

Mr. Dash. It is my only copy at the moment. We can make a Xerox copy for you. Unfortunately, our Xerox machine is broken down. That is why members of our committee do not have copies.

This has been entered in the record at a prior time.

Mr. Haldeman. I cannot positively, without any doubt, say I read that memorandum at the time it was sent to me but I have a very clear recollection of the general content of the problem that existed at that time and I probably did read this memorandum.

Mr. Dash. Would it be fair to characterize that memorandum as Mr. Huston being considerably upset over Mr. Hoover's obstinacy in opposing the plan and—

Mr. Haldeman. Yes.

Mr. Dash [continuing]. And indicating that it was quite urgent that the plan go forward and seeking your assistance?

Mr. Haldeman. Yes.

*See Book 3, exhibit No. 37, p. 1325
The Watergate Investigation

Statements by the President. May 22, 1973

Recent news accounts growing out of testimony in the Watergate investigations have given grossly misleading impressions of many of the facts, as they relate both to my own role and to certain unrelated activities involving national security.

Already, on the basis of second- and third-hand hearsay testimony by persons either convicted or themselves under investigation in the case, I have found myself accused of involvement in activities I never heard of until I read about them in news accounts.

These impressions could also lead to a serious misunderstanding of those national security activities which, though totally unrelated to Watergate, have become entangled in the case. They could lead to further compromise of sensitive national security information.

I will not abandon my responsibilities. I will continue to do the job I was elected to do.

In the accompanying statement, I have set forth the facts as I know them as they relate to my own role.

With regard to the specific allegations that have been made, I can and do state categorically:

1. I had no prior knowledge of the Watergate operation.
2. I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate.
3. At no time did I authorize any offer of executive clemency for the Watergate defendants, nor did I know of any such offer.
4. I did not know, until the time of my own investigation, of any effort to provide the Watergate defendants with funds.
5. At no time did I attempt, or did I authorize others to attempt, to implicate the CIA in the Watergate matter.
6. It was not until the time of my own investigation that I learned of the break-in at the office of Mr. Ellsberg’s psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne.
7. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct, in the matters under investigation, want the public to learn the truth about Watergate and those guilty of any illegal actions brought to justice.

Allegations surrounding the Watergate affair have escalated that I feel a further statement from the President is required at this time.

A climate of sensationalism has developed in whieh
even second- or third-hand hearsay charges are headline
as fact and repeated as fact.

Important national security operations which their
selves had no connection with Watergate have become
entangled in the case.

As a result, some national security information has
already been made public through court orders, through
the subpoenaing of documents, and through testimony
which have given in judicial and Congressional pro-
cedures. Other sensitive documents are now consider-
would compromise rather than protect them, and it
also serve to perpetuate a grossly distorted view—until
recent partial disclosures have given—of the nature or
purpose of those operations.
The purpose of this statement is threefold:
— First, to set forth the facts about my own relationship to the Watergate matter;
— Second, to place in some perspective some of the more sensational—and inaccurate—of the charges that have filled the headlines in recent days, and also some of the matters that are currently being discussed in Senate testimony and elsewhere;
— Third, to draw the distinction between national security operations and the Watergate case. To put the other matters in perspective, it will be necessary to describe the national security operations first.

In citing these national security matters, it is not my intention to place a national security “cover” on Watergate, but rather to separate them out from Watergate—and at the same time to explain the context in which certain actions took place that were later misconstrued or misused.

Long before the Watergate break-in, three important national security operations took place which have subsequently become entangled in the Watergate case.

— The first operation, begun in 1969, was a program of wiretaps. All were legal, under the authorities then existing. They were undertaken to find and stop serious national security leaks.

— The second operation was a reassessment, which I ordered in 1970, of the adequacy of internal security measures. This resulted in a plan and a directive to strengthen our intelligence operations. They were protested by Mr. Hoover, and as a result of his protest they were not put into effect.

— The third operation was the establishment, in 1971, of a Special Investigations Unit in the White House. Its primary mission was to plug leaks of vital security information. I also directed this group to prepare an accurate history of certain crucial national security matters which occurred under prior administrations, on which the Government’s records were incomplete.

Here is the background of these three security operations initiated in my Administration.

1969 Wiretaps

By mid-1969, my Administration had begun a number of highly sensitive foreign policy initiatives. They were aimed at ending the war in Vietnam, achieving a settlement in the Middle East, limiting nuclear arms, and establishing new relationships among the great powers. These involved highly secret diplomacy. They were closely interrelated. Leaks of secret information about any one could endanger all.

But the leaks occurred, and they were widespread, based on sources who had learned them extensive and detailed—by people having access to the most highly classified security materials.

There was no way to carry forward these diplomatic initiatives unless further leaks could be prevented. This required finding the source of the leaks.

In order to do this, a special program of wiretaps was instituted in mid-1969 and terminated in February 1971. Fewer than 20 taps, of varying duration, were involved. They produced important leads that made it possible to tighten the security of highly sensitive materials. I authorized this entire program. Each individual tap was undertaken in accordance with procedures legal at the time and in accord with longstanding precedent.

The persons who were subject to these wiretaps were determined through coordination among the Director of the FBI, my Assistant for National Security Affairs, and the Attorney General. Those wiretapped were selected on the basis of access to the information leaked, material in security files, and evidence that developed as the inquiry proceeded.

Information thus obtained was made available to senior officials responsible for national security matters in order to curtail further leaks.

The 1970 Intelligence Plan

In the spring and summer of 1970, another security problem reached critical proportions. In March a wave of bombings and explosions struck college campuses and cities. There were 400 bomb threats in one 24-hour period in New York City. Rioting and violence on college campuses reached a new peak after the Cambodian operation and the tragedies at Kent State and Jackson State. The 1969–70 school year brought nearly 1,800 campus demonstrations and nearly 250 cases of arson on campus. Many colleges closed. Gun battles between guerilla-style groups and police were taking place. Some of the disruptive activities were receiving foreign support.

Complicating the task of maintaining security was the fact that, in 1968, certain types of undercover FBI operations that had been conducted for many years had been suspended. This also had substantially impaired our ability to collect foreign intelligence information. At the same time, the relationships between the FBI and other intelligence agencies had been deteriorating. By May 1970, FBI Director Hoover had cut off his agency’s liaison with the CIA altogether.

On June 5, 1970, I met with the Director of the FBI (Mr. Hoover), the Director of the Central Intelligence Agency (Mr. Richard Helms), the Director of the Defense Intelligence Agency (Gen. Donald V. Bennett), and the Director of the National Security Agency (Adm. Noel G. Gover). We discussed the urgent need for better intelligence operations. I appointed Director Hoover as

On June 23, the committee submitted a report which included specific options for expanded intelligence operations, and on July 23 the agencies were
During the first week of July 1970 Huston sent the Special Report and a Top Secret memorandum entitled "Operational Restraints on Intelligence Collection" to Haldeman. In the memorandum Huston recommended that the President, from among the options discussed by the Report, select in most areas discussed the option relaxing the restraints on intelligence collection. Huston specifically noted that covert mail covers and surreptitious entries were illegal but nonetheless recommended that the restraints on the use of these techniques be relaxed. Huston justified his recommendation in part on the past practices of the FBI. Huston also recommended the formation of an interagency evaluation committee, as outlined in the Report.

22.1 Tom Charles Huston memorandum, "Operational Restraints on Intelligence Collection" (received from House Armed Services Committee).


22.3 H. R. Haldeman testimony, 8 SSC 3028.
OPERATIONAL RESTRAINTS ON INTELLIGENCE COLLECTION

Interpretive Restraint on Communications Intelligence. (pp. 23-29)

Recommendation:

Present interpretation should be broadened to permit and program for coverage by NSA of the communications of U.S. citizens using international facilities.

Rationale:

The FBI does not have the capability to monitor international communications. NSA is currently doing so on a restricted basis, and the information it has provided has been most helpful. Much of this information is particularly useful to the White House and it would be to our disadvantage to allow the FBI to determine what NSA should do in this area without regard to our own requirements. No appreciable risk is involved in this course of action.

Electronic Surveillances and Penetrations. (pp. 26-28)

Recommendation:

Present procedures should be changed to permit intensification of coverage of individuals and groups in the United States who pose a major threat to the internal security.

ALSO, present procedures should be changed to permit intensification of coverage of foreign nationals and diplomatic establishments in the United States of interest to the intelligence community.

Rationale:

At the present time, less than 65 electronic penetrations are operative. This includes coverage of the CPUSA and organized crime targets, with only a few authorized, against subjects of pressing internal security interest.
Mr. Hoover's statement that the FBI would not oppose other agencies seeking approval for and operating electronic surveillances is gratuitous since no other agencies have the capability.

Everyone knowledgeable in the field, with the exception of Mr. Hoover, concurs that existing coverage is grossly inadequate. CIA and NSA note that this is particularly true of diplomatic establishments, and we have learned at the White House that it is also true of New Left groups.

C. Mail Coverage (pp. 29-31)

Recommendation:

Restrictions on legal coverage should be removed.

ALSO, present restrictions on covert coverage should be relaxed on selected targets of priority foreign intelligence and internal security interest.

Rationale:

There is no valid argument against use of legal mail covers except Mr. Hoover's concern that the civil liberties people may become upset. This risk is surely an acceptable one and hardly serious enough to justify denying ourselves a valuable and legal intelligence tool.

Covert coverage is illegal and there are serious risks involved. However, the advantages to be derived from its use outweigh the risks. This technique is particularly valuable in identifying espionage agents and other contacts of foreign intelligence services.

D. Surreptitious Entry (pp. 32-33)

Recommendation:

Present restrictions should be modified to permit procurement of vitally needed foreign cryptographic material.

ALSO, present restrictions should be modified to permit selective use of this technique against other urgent and high priority internal security targets.
Rationale:

Use of this technique is clearly illegal; it amounts to burglary. It is also highly risky and could result in great embarrassment if exposed. However, it is also the most fruitful tool and can produce the type of intelligence which cannot be obtained in any other fashion.

The FBI, in Mr. Hoover's younger days, used to conduct such operations with great success and with no exposure. The information secured was invaluable.

NSA has a particular interest since it is possible by this technique to secure materials with which NSA can break foreign cryptographic codes. We spend millions of dollars attempting to break these codes by machine. One successful surreptitious entry can do the job successfully at no dollar cost.

Surreptitious entry of facilities occupied by subversive elements can turn up information about identities, methods of operation, and other invaluable investigative information which is not otherwise obtainable. This technique would be particularly helpful if used against the Weathermen and Black Panthers.

The deployment of the Executive Protector Force has increased the risk of surreptitious entry of diplomatic establishments. However, it is the belief of all except Mr. Hoover that the technique can still be successfully used on a selective basis.

E. Development of Campus Sources (pp. 34-36)

Recommendation:

Present restrictions should be relaxed to permit expanded coverage of violence-prone campus and student-related groups.

ALSO, CIA coverage of American students (and others) traveling or living abroad should be increased.
Rationale:

The FBI does not currently recruit any campus sources among individuals below 21 years of age. This dramatically reduces the pool from which sources may be drawn. Mr. Hoover is afraid of a young student surfacing in the press as an FBI source, although the reaction in the past to such events has been minimal. After all, everyone assumes the FBI has such sources.

The campus is the battle-ground of the revolutionary protest movement. It is impossible to gather effective intelligence about the movement unless we have campus sources. The risk of exposure is minimal, and where exposure occurs the adverse publicity is moderate and short-lived. It is a price we must be willing to pay for effective coverage of the campus scene. The intelligence community, with the exception of Mr. Hoover, feels strongly that it is imperative that we increase the number of campus sources this fall in order to forestall widespread violence.

CIA claims there are no existing restraints on its coverage of overseas activities of US nationals. However, this coverage has been grossly inadequate since 1965 and an explicit directive to increase coverage is required.

F. Use of Military Undercover Agents (pp. 37-39)

Recommendation:

Present restrictions should be retained.

Rationale:

The intelligence community is agreed that the risks of lifting these restraints are greater than the value of any possible intelligence which could be acquired by doing so.
BUDGET AND MANPOWER RESTRICTIONS
(pp. 40-41)

Recommendation:

Each agency should submit a detailed estimate as to projected manpower needs and other costs in the event the various investigative restraints herein are lifted.

Rationale:

In the event that the above recommendations are concurred in, it will be necessary to modify existing budgets to provide the money and manpower necessary for their implementation. The intelligence community has been badly hit in the budget squeeze (I suspect the foreign intelligence operations are in the same shape) and it may well be necessary to make some modifications. The projected figures should be reasonable, but will be subject to individual review if this recommendation is accepted.

MEASURES TO IMPROVE DOMESTIC INTELLIGENCE OPERATIONS
(pp. 42-43)

Recommendation:

A permanent committee consisting of the FBI, CIA, NSA, DIA, and the military counterintelligence agencies should be appointed to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, and carry out the other objectives specified in the report.

Rationale:

The need for increased coordination, joint estimates, and responsiveness to the White House is obvious to the intelligence community. There are a number of operational problems which need to be worked out since Mr. Hoover is fearful of any mechanism which might jeopardize his autonomy. CIA would prefer an ad hoc committee to see how the system works, but other members believe that this would merely delay the establishment of effective coordination and joint operations. The value of lifting intelligence collection restraints is proportional to the availability of joint operations and evaluation, and the establishment of this inter-agency group is considered imperative.
Report of Proceedings

Hearing held before
Committee on Armed Services

CENTRAL INTELLIGENCE AGENCY

Monday, May 21, 1973

Washington, D.C.

6:11

(Stenotype Tape and Waste turned over to the Committee for destruction)

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410 FIRST STREET, S.E.
WASHINGTON, D.C. 20003

(202) 544-6000
Mr. Hoover.

Mr. Hoover then proceeded to object to virtually, --
I can't recall, it has been three years since I read the report -- but I don't remember whether he objected to any of the analyses but he objected to virtually every option available to the President that would in any way change in any manner the way in which he was at that time operating the FBI.

I was told that he originally wanted to place his objections into the body of the report; however, his staff tried, successfully prevailed upon him to understand that although he was Chairman of the Committee it was not a report of the FBI but a report of all of the agencies and, therefore, his objections should be relegated or should be in the form of a footnote.

He then proceeded to footnote his objections and the report then was signed after some disagreement among the other principals as to what the effect of these footnotes were and all.

At that point then the report was transmitted by Mr. Hoover to the White House and was submitted then to Mr. Haldeman. At that time I prepared a memorandum in which I outlined what I believed to be the consensus of the working group as to what options were available to the President that he should choose and also set forth what I
regarded as essentially being the risks involved with each option as opposed to the potential benefits.

Mr. Woolsey. Let me break in at this point and say Mr. Chairman, that the Committee has as part of the documents that were provided by the Department of Defense and the intelligence communities a copy of an unsigned and undated documented called "Operational Restraint on Intelligence Collection," which appears to be a document containing recommendations and rationale with the page numbers keyed to this overall study.

I would like to ask the witness if this is the memorandum or a memorandum which he prepared to go along with the report?

Mr. Huston. Yes; this is the memorandum to Mr. Haldeman.

Mr. Woolsey. Thank you.

Mr. Huston. That memorandum then went to Mr. Haldeman with the report I believe sometime in the first week of July.

As I recall, at that time, at the time Mr. Hoover sent the report to the White House, the President was at San Clemente and we decided to wait until he got back before submitting the report.

Then on, as I recall, sometime in mid-July, I received a memorandum from Mr. Haldeman saying that the President had
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
carrying some of them out, at least, in self-declared, both intentions and in backing, and the reasons for what they were doing.

There was some intelligence—there was some FBI intelligence in this area, there was some Secret Service intelligence in this area as it related to Presidential threats and security. And there was some investigatory reporting by the press going on as to the background of some of these activities, and all of these I think would add together to be the sources at that time of what we did have.

Mr. DASH. But is it your statement that you were not fully aware of the specifics of the Huston plan?

Mr. HALDEMAN. I was not—let me get into how that was set up. In the meeting with the President and the heads of the security agencies the problem was outlined and the President made it very clear that he expected some cooperation, which there did not—which did not exist at that time between these agencies, in getting better information, evaluating the information more effectively, and disseminating it so that action could be taken if there was action indicated, or at least awareness—there would be awareness of what was happening or what was going to happen.

The group assembled in his office at that time was designated by the President as a task force to prepare recommendations for him as to what ought to be done, what steps should be taken to meet the problem and carry out the request that the President made of this group.

It is my understanding that that—those agency heads themselves or by designation of members of their staff did set up a task force under the chairmanship of Director Hoover which prepared an extensive set of recommendations. Mr. Huston worked with them. I understand on this, or at least they transmitted these recommendations to him upon their preparation, and those recommendations were submitted to the President. They were submitted, as was customary procedure to Mr. Huston, the staff man assigned to that project, through Mr. Huston to me and through me to the President.

Mr. DASH. Mr. Huston actually reported to you?

Mr. HALDEMAN. He reported through me in this particular area. He was—well, I do not know where he was assigned at that time. He was sometimes—part of the time he was at the White House he was on the staff of the counsel and part of the time he was on Mr. Buchanan's staff.

Mr. DASH. Well, in reporting to you or through you, you saw all of the papers that were being reviewed, did you not?

Mr. HALDEMAN. I saw all the papers—not all the working papers of the committee. I saw the recommendations that went to the President.

Mr. DASH. All right. Did you read the recommendations that went to the President?

Mr. HALDEMAN. I am not sure I did or not. If I did it was not in any detail. I had an idea it was a proposal for an expanded intelligence activity.

Mr. DASH. Were you aware in that proposal there was a recommendation for both national and internal security, that there be an increased use of wiretapping and surreptitious entry or break-in?

Mr. HALDEMAN. I am not sure whether I was or not. I may very well have been.
23. On July 14, 1970 H. R. Haldeman sent a Top Secret memorandum to Huston stating that the President had approved Huston's recommendations for relaxing restraints on intelligence collection. Haldeman requested that a formal decision memorandum be prepared. On or about July 23, 1970 Huston prepared and distributed to the members of the Ad Hoc Committee a Top Secret decision memorandum, with copies to the President and Haldeman, advising of the President's decision to relax the restraints on intelligence gathering by use of the techniques of covering international communications facilities, electronic surveillance and penetrations, illegal mail covers, surreptitious entries, and development of campus sources.

23.1 H. R. Haldeman testimony, 7 SSC 3030.
23.2 Memorandum from H. R. Haldeman to Tom Charles Huston, July 14, 1970 (received from SSC).
23.3 H. R. Haldeman testimony, 7 SSC 2874.
23.4 Tom Charles Huston testimony, Senate Armed Services Committee Executive Session, May 21, 1973, 139-42 (received from Senate Armed Services Committee).
23.5 Tom Charles Huston testimony, House Armed Services Committee Executive Session, July 9, 1973, 1389-90.
23.7 Memorandum from Tom Charles Huston to Richard Helms, July 23, 1970 (received from CIA).
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Stock No. 5270-01968
Mr. Dash. Do you know why Mr. Hoover opposed the plan?
Mr. Haldeman. I am not sure. I do not recall whether this memorandum outlined the nature of his objections or not.
Mr. Dash. Now, are you aware after the plan was submitted to the President, that this plan was in fact approved by the President?
Mr. Haldeman. Yes.
Mr. Dash. After that approval, was the plan implemented?
Mr. Haldeman. No; it was not. As I understand it, the approval was rescinded. I believe it was 5 days later by notification to the agency head and therefore, in effect, the plan was not implemented.
Mr. Dash. Why was it rescinded?
Mr. Haldeman. Again, as I understand it, because of Director Hoover's objection to a number of parts of the plan.
Mr. Dash. Did you know that Mr. Mitchell opposed this plan, the Attorney General?
Mr. Haldeman. I am not sure that I knew that he did or that he did not.
Mr. Dash. Well, he has testified here before this committee that he was not in on the original planning of the plan but when he first learned about it, I think he says to Mr. DeLoach of the FBI, that he went to see you and the President and strongly opposed it and then the plan was not implemented. He assumed that it was partly on the basis of his objection. Do you recall that?
Mr. Haldeman. I do not; but that is not necessarily—I certainly would not deny that. If Mr. Mitchell does feel that is the case, I do not recall—I do recall the plan not being put into effect. I recall considerable discussion back and forth as to whether it would be or not, and the ultimate decision first, to approve and then to rescind.
Mr. Dash. Did you become aware of an in-house White House effort for that special investigative unit after the Huston plan was rescinded?
Mr. Haldeman. Well, the step following the rescission of the Huston plan as it is now called, was the formulation of an intelligence evaluation committee that was another interagency and interdepartmental group. It was not an in-house White House group, although there was a White House representative, I believe Mr. Dean, on that intelligence evaluation committee and its purpose was—one of the purposes of the Huston plan, coordination between the various intelligence agencies and an attempt to share and evaluate intelligence.
Mr. Dash. And who was supervising this?
Mr. Haldeman. I am not sure. It was set up—it was not an in-house White House unit, as I said, it was an interagency unit. I believe John Dean was the White House representative on it and I am not sure how it was structured.
Mr. Dash. Would it be true that it was Mr. John Dean's role to be liaison for the White House on intelligence programs like this?
Mr. Haldeman. Yes; it would be.
Mr. Dash. Now, did there come a time when there was an in-house White House special investigative unit?
Mr. Haldeman. You are leading—the question relates. I assume, to this special investigations unit that was set up in 1971.
July 14, 1970

TOP SECRET

MEMORANDUM FOR: MR. HUSTON

SUBJECT: Domestic Intelligence Review

The recommendations you have proposed as a result of the review have been approved by the President.

He does not, however, want to follow the procedure you outlined on page 4 of your memorandum regarding implementation. He would prefer that the thing simply be put into motion on the basis of this approval.

The formal official memorandum should, of course, be prepared and that should be the device by which to carry it out.

I realize this is contrary to your feeling as to the best way to get this done. If you feel very strongly that this procedure won't work you had better let me know and we'll take another stab at it. Otherwise let's go ahead.

H. R. Haldeman

TOP SECRET
Turning to the question of security problems, it has been alleged that there was an atmosphere of fear at the White House regarding security matters. I can state categorically that there was no climate of fear at all. There was, however, a healthy and valid concern for a number of matters in the general area of national security and for a number of other matters in the general area of domestic security. This was a rational concern, and it was of sufficient import to require that considerable thought be given to steps to combat the actual problems and potential dangers that existed.

With regard to leaks of information, especially in the national security area, it became evident in 1969 that leaks of secret information were taking place that seriously jeopardized a number of highly sensitive foreign policy initiatives that had been undertaken by the administration, including the ending of the war in Vietnam, the Middle East crisis, nuclear arms limitation, and the establishment of new relationships among the great powers. These initiatives were closely interrelated; leaks about any one of them could seriously endanger all of them; and such leaks were taking place.

In order to deal with these leaks, a program of wiretaps was instituted in 1969 and continued into early 1971. The President has stated that each of these taps was undertaken in accordance with procedures that were legal at the time and in accord with longstanding practice in this area. This program was authorized by the President of the United States and the wiretaps were determined by coordination between the Director of the FBI, the President's Assistant for National Security Affairs, and the Attorney General of the United States.

In 1970 the domestic security problem reached critical proportions as a wave of bombings and explosions, rioting and violence, demonstrations, arson, gun battles, and other disruptive activities took place across the country—on college campuses primarily—but also in other areas.

In order to deal with this problem, the President set up an interagency committee consisting of the Directors of the FBI, the CIA, the Defense Intelligence Agency and the National Security Agency. This committee was instructed to prepare recommendations for the President—which they did. The report they submitted included specific options for expanded intelligence operations and Mr. Huston, the White House staff man for this project, was notified by a memorandum from me of the approval of the President.

As has been reported, Director Hoover expressed opposition to parts of this program and as a result, the agencies were subsequently notified that the approval had been rescinded. This approval was withdrawn before the plan was implemented so the net result was that it never went into effect.

Instead of this program, an Intelligence Evaluation Committee was created in December of 1970 that included representatives of the White House, CIA, FBI, NSA, and the Departments of Justice, Treasury,
Report of Proceedings

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Monday, May 21, 1973

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I would like to ask the witness if this is the memorandum or a memorandum which he prepared to go along with the report?

Mr. Huston. Yes; this is the memorandum to Mr. Haldeman.

Mr. Woolsey. Thank you.

Mr. Huston. That memorandum then went to Mr. Haldeman with the report I believe sometime in the first week of July.

As I recall, at that time, at the time Mr. Hoover sent the report to the White House, the President was at San Clemente and we decided to wait until he got back before submitting the report.

Then on, as I recall, sometime in mid-July, I received a memorandum from Mr. Haldeman saying that the President had
approved the recommendations that had been submitted to him and that they were to be implemented; however, they were not to be implemented in the manner in which I had suggested, which was that the President reconvene himself, the four principals and explain to them the decisions that he had made and to deal with them personally because I frankly was convinced that anything less than that would otherwise, any written communication to Mr. Hoover from anyone other than the President, knowing Mr. Hoover, would not be well received.

Mr. Woolsey. Mr. Chairman, let me ask at this point, we also have a document provided by the Defense Department and the intelligence community dated July 14, unsigned, but a memorandum to Mr. Huston from Mr. H. R. Haldeman, subject, "Domestic Intelligence Review."

I ask the witness if this is this document to which he just referred?

Mr. Huston. Yes.

Mr. Woolsey. Mr. Chairman, if I might break in at this moment with a second question.

The witness is recalling with great detail these documents of three years ago. I would like to ask him whether in the last few days or since his leaving the White House he has either re-read them or seen some parts of them or discussed them in detail with anyone?

[7583]
Mr. Huston. Well, some of these dates I have related back to diary entries that I made and others I have talked with Mr. Buzhardt, you know, because I was uncertain frankly as to what the guidelines were with respect to what matters I would be free to testify. But I want to emphasize that I am largely speaking from memory and that if I say July 5th and it might be July 6th, then I don't want you to think I am misleading you. I am trying to be as accurate as I recall.

Mr. Woolsey. That is fully understandable. I just want to get on the record to what degree within the last few days or since you have come to Washington your recollection has been refreshed?

Mr. Huston. I came to Washington late last night so I was here this morning and I have talked briefly with Mr. Buzhardt at the White House this morning and we discussed what documents. He told me I should come up and tell you what I know and that is what I am trying to do.

Mr. Woolsey. Fine, thank you.

Mr. Huston. So at this point, I received the memorandum from Mr. Haldeman and then, as I say, I had recommended, and I think the thing I refer to says your recommendation on page so-and-so was, and I am sure that related to the recommendation I made that he call the Directors back personally, and so then a decision memorandum was prepared to be
sent out, which is the document that you read into the record.

Mr. Woolsey. Let me ask you in connection with that, tacked on to the back of the decision document, which I noticed you glanced at very briefly, is a 2-page document called "Organization and Operation of International Agencies Group on Domestic Intelligence and Security," which discusses its membership, observers, White House liaison, staffing, meeting, security and other procedures.

Let me ask if that document was one that accompanied the decision document, to the best of your knowledge, at the time?

Mr. Huston. Yes, I think so. In any event, that decision memorandum went out, July 20, did you say July 23 -- sometime in late July the decision memorandum went out to our four agencies.

Shortly after it had been received by Mr. Hoover I received a call from Bill Sullivan saying that the Director had gone through the roof and that he had called the Attorney General or was going to talk to the Attorney General saying he felt that the Attorney General should have been consulted, that the decision as reflected in the memorandum was incorrect and he was going to get it turned around.

Senator Symington. You are saying up to this time the Attorney General did not know about this?

Mr. Huston. To the best of my knowledge the Attorney
out on the street protesting against the war or causing political embarrassment to the President generally doing anything, but meant people who were either engaged in sabotage, espionage, or overt acts of violence.

Mr. Medzi. Do you continue to have that kind of faith in the integrity of these agencies?

Mr. Huston. I have seen nothing to make me believe my judgment of the integrity of the individuals is wrong in the intelligence community. But I must say what has happened since I left the White House has made me question my whole premise that the decisions of this sort can in any event be afforded to be based on the appraisal of the integrity of the individuals. I still continue to believe that Mr. Helms is an honorable man, and Mr. Hoover is an honorable man, and that these Directors were honorable men.

But things have happened, then, which, frankly, people I thought were honorable that I worked for, they should question — rather you can afford to make decisions on the estimate of a man's integrity.

Mr. Medzi. When this memorandum was sent to the various agencies was it sent on your own initiative, or were you directed to send it to them?

Mr. Huston. No, sir. After I received a memorandum from Mr. Haldeman indicating that the President had approved my recommendation — again I should point out I don't know the
SECRET

President approved it, all I know is Mr. Haldeman in the
memorandum said the President approved it — I then prepared
that memorandum and sent it to Mr. Haldeman for his approval,
because I certainly was not — was not authorized to, and,
secondly, I was sufficiently junior on the staff I wasn't about
to send something like that to Mr. Helms when all Mr. Helms
had to do was pick up the telephone and call the President
and say, Hey, wait a minute, did you authorize this?" I sent
to Mr. Haldeman the exact memorandum, and asked him if this
was — I told him I thought this reflected accurately the
decisions that had been made, and with his approval I would
arrange for it to go out to the four Directors. I received
his approval. I can't find any memoranda of that, but I
don't know, I must have done it on the phone or somewhere, but
I just know that I sent the thing to him for his approval, and
that I sure as heck wouldn't have taken it upon myself to
send it to Helms without him having approved it. I invoked the
President's name, and the critical nature of the thing
justified, in my judgment, the President see it, but I don't
know whether he ever did or not.

Mr. Nodak. Was the Attorney General notified at all of
this report?

Mr. Nixson. No, sir. As I indicated, the first time that
I know that the Attorney General became involved was when Mr.
Hoover went to him after he received this memorandum.
Weekly Compilation of
PRESIDENTIAL
DOCUMENTS

Monday, May 28, 1973

Volume 9 • Number 21

Pages 685–714
Kunzig, who is now an associate judge of the U.S. Court of Claims.

Mr. Sampson has been Acting Administrator of General Services since June 2, 1972. He joined the General Services Administration in 1969 as Commissioner of the Federal Supply Service. From 1970 to 1972 he was Commissioner of the Public Buildings Service in GSA and the first Deputy Administrator of GSA for Special Projects.

He came to the General Services Administration after 6 years in Pennsylvania State government, where he was secretary of administration and budget secretary under Gov. Raymond P. Shafer, and deputy secretary for procurement, department of property and supplies, under Gov. William W. Scranton. Prior to entering government service, he was employed by the General Electric Co. for 12 years.

Mr. Sampson was born on October 8, 1926, in Warren, R.I. He received his B.S. degree in business administration from the University of Rhode Island in 1951 and has done graduate work at the George Washington University.

Active in several professional organizations, Mr. Sampson was presented the Synergy III Award for outstanding contributions toward the advancement of architecture by the Society of American Registered Architects in 1972. In 1973 he was selected as one of the Top Ten Public Works Men of the Year, and he was named an honorary member of the American Institute of Architects.

He and his wife, Blanche, have four children and reside in Washington, D.C.

NOTE: For the President's statement upon announcing his intention to nominate Mr. Sampson, see the preceding item.

The Watergate Investigation

Recent news accounts growing out of testimony in the Watergate investigations have given grossly misleading impressions of many of the facts, as they relate both to my own role and to certain unrelated activities involving national security.

Already, on the basis of second- and third-hand hearsay testimony by persons either convicted or themselves under investigation in the case, I have found myself accused of involvement in activities I never heard of until I read about them in news accounts.

These impressions could also lead to a serious misunderstanding of those national security activities which, though totally unrelated to Watergate, have become entangled in the case. They could lead to further compromise of sensitive national security information.

I will not abandon my responsibilities. I will continue to do the job I was elected to do.

In the accompanying statement, I have set forth the facts as I know them as they relate to my own role.

With regard to the specific allegations that have been made, I can and do state categorically:

1. I had no prior knowledge of the Watergate operation.
2. I took no part in, nor was I aware of, any subsequent efforts that may have been made to cover up Watergate.
3. At no time did I authorize any offer of executive clemency for the Watergate defendants, nor did I know of any such offer.
4. I did not know, until the time of my own investigation, of any effort to provide the Watergate defendants with funds.
5. At no time did I attempt, or did I authorize others to attempt, to implicate the CIA in the Watergate matter.
6. It was not until the time of my own investigation that I learned of the break-in at the office of Mr. Ellsberg's psychiatrist, and I specifically authorized the furnishing of this information to Judge Byrne.
7. I neither authorized nor encouraged subordinates to engage in illegal or improper campaign tactics.

In the accompanying statement, I have sought to provide the background that may place recent allegations in perspective. I have specifically stated that executive privilege will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct, in the matters under investigation. I want the public to learn the truth about Watergate and those guilty of any illegal actions brought to justice.

Allegations surrounding the Watergate affair have so escalated that I feel a further statement from the President is required at this time.

A climate of sensationalism has developed in which even second- or third-hand hearsay charges are headlined as fact and repeated as fact.

Important national security operations which themselves had no connection with Watergate have become entangled in the case.

As a result, some national security information has already been made public through court orders, through the subpoenaing of documents, and through testimony witnesses have given in judicial and Congressional proceedings. Other sensitive documents are now threatened with disclosure. Continued silence about those operations would compromise rather than protect them, and would also serve to perpetuate a grossly distorted view—which recent partial disclosures have given—of the nature and purpose of those operations.

[7592]
The purpose of this statement is threefold:
—First, to set forth the facts about my own relationship to the Watergate matter;
—Second, to place in some perspective some of the more sensational—and inaccurate—of the charges that have filled the headlines in recent days, and also some of the matters that are currently being discussed in Senate testimony and elsewhere;
—Third, to draw the distinction between national security operations and the Watergate case. To put the other matters in perspective, it will be necessary to describe the national security operations first.

In citing these national security matters, it is not my intention to place a national security “cover” on Watergate, but rather to separate them out from Watergate—and at the same time to explain the context in which certain actions took place that were later misconstrued or misused.

Long before the Watergate break-in, three important national security operations took place which have subsequently become entangled in the Watergate case.

—The first operation, begun in 1969, was a program of wiretaps. All were legal, under the authorities then existing. They were undertaken to find and stop serious national security leaks.

—The second operation was a reassessment, which I ordered in 1970, of the adequacy of internal security measures. This resulted in a plan and a directive to strengthen our intelligence operations. They were protested by Mr. Hoover, and as a result of his protest they were not put into effect.

—The third operation was the establishment, in 1971, of a Special Investigations Unit in the White House. Its primary mission was to plug leaks of vital security information. I also directed this group to prepare an accurate history of certain crucial national security matters which occurred under prior administrations, on which the Government’s records were incomplete.

Here is the background of these three security operations initiated in my Administration.

1969 WIRETAPS

By mid-1969, my Administration had begun a number of highly sensitive foreign policy initiatives. They were aimed at ending the war in Vietnam, achieving a settlement in the Middle East, limiting nuclear arms, and establishing new relationships among the great powers. These involved highly secret diplomacy. They were closely interrelated. Leaks of secret information about any one could endanger all.

Exactly that happened. News accounts appeared in 1969, which were obviously based on leaks—some of them extensive and detailed—by people having access to the most highly classified security materials.

There was no way to carry forward these diplomatic initiatives unless further leaks could be prevented. This required finding the source of the leaks.

In order to do this, a special program of wiretaps was instituted in mid-1969 and terminated in February 1971. Fewer than 20 taps, of varying duration, were involved.

They produced important leads that made it possible to tighten the security of highly sensitive materials. I authorized this entire program. Each individual tap was undertaken in accordance with procedures legal at the time and in accord with longstanding precedent.

The persons who were subject to these wiretaps were determined through coordination among the Director of the FBI, my Assistant for National Security Affairs, and the Attorney General. Those wiretapped were selected on the basis of access to the information leaked, material in security files, and evidence that developed as the inquiry proceeded.

Information thus obtained was made available to senior officials responsible for national security matters in order to curtail further leaks.

THE 1970 INTELLIGENCE PLAN

In the spring and summer of 1970, another security problem reached critical proportions. In March a wave of bombings and explosions struck college campuses and cities. There were 400 bomb threats in one 24-hour period in New York City. Rioting and violence on college campuses reached a new peak after the Cambodian operation and the tragedies at Kent State and Jackson State. The 1969-70 school year brought nearly 1,800 campus demonstrations and nearly 250 cases of arson on campus. Many colleges closed. Gun battles between guerrilla-style groups and police were taking place. Some of the disruptive activities were receiving foreign support.

Complicating the task of maintaining security was the fact that, in 1966, certain types of undercover FBI operations that had been conducted for many years had been suspended. This also had substantially impaired our ability to collect foreign intelligence information. At the same time, the relationships between the FBI and other intelligence agencies had been deteriorating. By May 1970, FBI Director Hoover shut off his agency’s liaison with the CIA altogether.

On June 5, 1970, I met with the Director of the FBI (Mr. Hoover), the Director of the Central Intelligence Agency (Mr. Richard Helms), the Director of the Defense Intelligence Agency (Gen. Donald V. Bennett), and the Director of the National Security Agency (Adm. Noel Gayler). We discussed the urgent need for better intelligence operations. I appointed Director Hoover as chairman of an interagency committee to prepare recommendations.

On June 25, the committee submitted a report which included specific options for expanded intelligence operations, and on July 23 the agencies were notified by
memorandum of the options approved. After reconsideration, however, prompted by the opposition of Director Hoover, the agencies were notified 5 days later, on July 28, that the approval had been rescinded. The options initially approved had included resumption of certain intelligence operations which had been suspended in 1966. These in turn had included authorization for surreptitious entry—breaking and entering, in effect—on specified categories of targets in specified situations related to national security.

Because the approval was withdrawn before it had been implemented, the net result was that the plan for expanded intelligence activities never went into effect.

The documents spelling out this 1970 plan are extremely sensitive. They include—and are based upon—assessments of certain foreign intelligence capabilities and procedures, which of course must remain secret. It was this unused plan and related documents that John Dean removed from the White House and placed in a safe deposit box, giving the keys to Judge Sirica. The same plan, still unused, is being headlined today.

Coordination among our intelligence agencies continued to fall short of our national security needs. In July 1970, having earlier discontinued the FBI’s liaison with the CIA, Director Hoover ended the FBI’s normal liaison with all other agencies except the White House.

To help remedy this, an Intelligence Evaluation Committee was created in December 1970. Its members included representatives of the White House, CIA, FBI, NSA, the Departments of Justice, Treasury, and Defense, and the Secret Service.

The Intelligence Evaluation Committee and its staff were instructed to improve coordination among the intelligence community and to prepare evaluations and estimates of domestic intelligence. I understand that its activities are now under investigation. I did not authorize nor do I have any knowledge of any illegal activity by this Committee. If it went beyond its charter and did engage in any illegal activities, it was totally without my knowledge or authority.

**THE SPECIAL INVESTIGATIONS UNIT**

On Sunday, June 13, 1971, The New York Times published the first installment of what came to be known as “The Pentagon Papers.” Not until a few hours before publication did any responsible Government official know that they had been stolen. Most officials did not know they existed. No senior official of the Government had read them or knew with certainty what they contained.

All the Government knew, at first, was that the papers comprised 47 volumes and some 7,600 pages, which had been taken from the most sensitive files of the Departments of State and Defense and the CIA, covering military and diplomatic moves in a war that was still going on.

Moreover, a majority of the documents published with the first three installments in The Times had not been included in the 47-volume study—raising serious questions about what and how much else might have been taken.

There was every reason to believe this was a security leak of unprecedented proportions.

It created a situation in which the ability of the Government to carry on foreign relations even in the best of circumstances could have been severely compromised. Other governments no longer knew whether they could deal with the United States in confidence. Against the background of the delicate negotiations the United States was then involved in on a number of fronts—with regard to Vietnam, China, the Middle East, nuclear arms limitations, U.S.-Soviet relations, and others—in which the utmost degree of confidentiality was vital, it posed a threat so grave as to require extraordinary actions.

Therefore during the week following the Pentagon Papers publication, I approved the creation of a Special Investigations Unit within the White House—which later came to be known as the “plumbers.” This was a small group at the White House whose principal purpose was to stop security leaks and to investigate other sensitive security matters. I looked to John Ehrlichman for the supervision of this group.

Egil Krogh, Mr. Ehrlichman’s assistant, was put in charge. David Young was added to this unit, as were E. Howard Hunt and G. Gordon Liddy.

The unit operated under extremely tight security rules. Its existence and functions were known only to a very few persons at the White House. These included Messrs. Haldeman, Ehrlichman, and Dean.

At about the time the unit was created, Daniel Ellsberg was identified as the person who had given the Pentagon Papers to The New York Times. I told Mr. Krogh that as a matter of first priority, the unit should find out all it could about Mr. Ellsberg’s associates and his motives. Because of the extreme gravity of the situation, and not then knowing what additional national secrets Mr. Ellsberg might disclose, I did impress upon Mr. Krogh the vital importance to the national security of his assignment. I did not authorize and had no knowledge of any illegal means to be used to achieve this goal.

However, because of the emphasis I put on the crucial importance of protecting the national security, I can understand how highly motivated individuals could have felt justified in engaging in specific activities that I would have disapproved had they been brought to my attention.

Consequently, as President, I must and do assume responsibility for such actions despite the fact that I at no time approved or had knowledge of them.

I also assigned the unit a number of other investigatory matters, dealing in part with compiling an accurate record of events related to the Vietnam war, on which the Government’s records were inadequate (many previous
THE WHITE HOUSE
WASHINGTON

July 23, 1970

TOP SECRET
HANDLE VIA COMINT CHANNELS ONLY

MEMORANDUM FOR:
RICHARD HELMS, DIRECTOR
CENTRAL INTELLIGENCE AGENCY

SUBJECT: DOMESTIC INTELLIGENCE

The President has carefully studied the Special Report of the Interagency Committee on Intelligence (Ad Hoc) and made the following decisions:

1. **Interpretive Restraint on Communications Intelligence.** National Security Council Intelligence Directive Number 6 (NSCID-6) is to be interpreted to permit NSA to program for coverage the communications of U.S. citizens using international facilities.

2. **Electronic Surveillances and Penetrations.** The intelligence community is directed to intensify coverage of individuals and groups in the United States who pose a major threat to the internal security. Also, coverage of foreign nationals and diplomatic establishments in the United States of interest to the intelligence community is to be intensified.

3. **Mail Coverage.** Restrictions on legal coverage are to be removed. Restrictions on covert coverage are to be relaxed to permit use of this technique on selected targets of priority foreign intelligence and internal security interest.

4. **Surreptitious Entry.** Restraints on the use of surreptitious entry are to be removed. The technique is to be used to permit procurement of vitally needed foreign cryptographic material and against other urgent and high priority internal security targets.

TOP SECRET

#SC 06875-70
5. Development of Campus Sources. Coverage of violence-prone campus and student-related groups is to be increased. All restraints which limit this coverage are to be removed. Also, CIA coverage of American students (and others) traveling or living abroad is to be increased.

6. Use of Military Undercover Agents. Present restrictions are to be retained.

7. Budget and Manpower. Each agency is to submit a detailed estimate as to projected manpower needs and other costs required to implement the above decisions.

8. Domestic Intelligence Operations. A committee consisting of the Directors or other appropriate representatives appointed by the Directors, of the FBI, CIA, NSA, DIA, and the military counter-intelligence agencies is to be constituted effective August 1, 1970, to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, carry out the other objectives specified in the report, and perform such other duties as the President shall, from time to time, assign. The Director of the FBI shall serve as chairman of the committee. Further details on the organization and operations of this committee are set forth in an attached memorandum.

The President has directed that each addressee submit a detailed report, due on September 1, 1970, or the steps taken to implement these decisions. Further such periodic reports will be requested as circumstances merit.

The President is aware that procedural problems may arise in the course of implementing these decisions. However, he is anxious that such problems be resolved with maximum speed and minimum misunderstanding. Any difficulties which may arise should be brought to my immediate attention in order that an appropriate solution may be found and the President's directives implemented in a manner consistent with his objectives.

TOM CHARLES HUSTON

Attachment
cc: The President
H.R. Haldeman

TOP SECRET
ORGANIZATION AND OPERATIONS OF THE INTERAGENCY
GROUP ON DOMESTIC INTELLIGENCE AND
INTERNAL SECURITY (IAG)

1. Membership. The membership shall consist of representatives of the FBI, CIA, DIA, NSA, and the counterintelligence agencies of the Departments of the Army, Navy, and Air Force. To insure the high level consideration of issues and problems which the President expects to be before the group, the Directors of the respective agencies should serve personally. However, if necessary and appropriate, the Director of a member agency may designate another individual to serve in his place.

2. Chairman. The Director of the FBI shall serve as chairman. He may designate another individual from his agency to serve as the FBI representative on the group.

3. Observers. The purpose of the group is to effectuate community-wide coordination and secure the benefits of community-wide analysis and estimating. When problems arise which involve areas of interest to agencies or departments not members of the group, they shall be invited, at the discretion of the group, to join the group as observers and participants in those discussions of interest to them. Such agencies and departments include the Departments of State (I & R, Passport); Treasury (IRS, Customs); Justice (BNDD, Community Relations Service), and such other agencies which may have investigative or law enforcement responsibilities touching on domestic intelligence or internal security matters.

4. White House Liaison. The President has assigned to Tom Charles Huston staff responsibility for domestic intelligence and internal security affairs. He will participate in all activities of the group as the personal representative of the President.

5. Staffing. The group will establish such sub-committees or working groups as it deems appropriate. It will also determine and implement such staffing requirements as it may deem necessary to enable it to carry out its responsibilities, subject to the approval of the President.
6. **Duties.** The group will have the following duties:

(a) Define the specific requirements of member agencies of the Intelligence community.

(b) Effect close, direct coordination between member agencies.

(c) Provide regular evaluations of domestic intelligence.

(d) Review policies governing operations in the field of domestic intelligence and develop recommendations.

(e) Prepare periodic domestic intelligence estimates which incorporate the results of the combined efforts of the intelligence community.

(f) Perform such other duties as the President may from time to time assign.

7. **Meetings.** The group shall meet at the call of the Chairman, a member agency, or the White House representative.

8. **Security.** Knowledge of the existence and purpose of the group shall be limited on a strict "need to know" basis. Operations of, and papers originating with, the group shall be classified "Top Secret-Handle Via Comint Channels Only."

9. **Other Procedures.** The group shall establish such other procedures as it believes appropriate to the implementation of the duties set forth above.
MEMORANDUM FOR

RICHARD HELMS, DIRECTOR
CENTRAL INTELLIGENCE AGENCY

SUBJECT: DOMESTIC INTELLIGENCE

The President has carefully studied the Special Report of the Interagency Committee on Intelligence (Ad Hoc) and made the following decisions:

1. Interactive Restraint on Communications Intelligence. National Security Council Intelligence Directive Number 6 (NSCID-6) is to be interpreted to permit NSA to program for coverage the communications of U.S. citizens using international facilities.

2. Electronic Surveillances and Penetrations. The intelligence community is directed to intensify coverage of individuals and groups in the United States who pose a major threat to the internal security. Also, coverage of foreign nationals and diplomatic establishments in the United States of interest to the intelligence community is to be intensified.

3. Mail Coverage. Restrictions on legal coverage are to be removed. Restrictions on covert coverage are to be relaxed to permit use of this technique on selected targets of priority foreign intelligence and internal security interest.

4. Supeitious Entry. Restrictions on the use of surreptitious entry are to be removed. The technique is to be used to permit procurement of vitally needed foreign cryptographic material and against other urgent and high priority internal security targets.
6. Use of Military, U.S. Agency, Counterintelligence, and all other appropriate agencies to be increased. All restrictions which limit the use of agencies to be removed. Also,otted dates (American students and others) traveling or living abroad to be increased.

7. Budget and Manpower. Each agency is to submit a detailed estimate as to projected manpower needs and other costs required to implement the above decisions.

8. Domestic Intelligence Operations. A committee consisting of the Directors or other appropriate representatives appointed by the Directors, of the FBI, CIA, NSA, and the military counter-intelligence agencies is to be constituted effective August 1, 1970, to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, carry out the other objectives specified in the report, and perform such other duties as the President shall, from time to time, assign. The Director of the FBI shall serve as chairman of the committee. Further details on the organization and operations of this committee are set forth in an attached memorandum.

10031

The President has directed that each addressee submit a detailed report, due on September 1, 1970, on the steps taken to implement these decisions. Further such periodic reports will be requested as circumstances merit.

The President is aware that procedural problems may arise in the course of implementing these decisions. However, he is anxious that such problems be resolved with maximum speed and minimum misunderstanding. Any difficulties which may arise should be brought to my immediate attention in order that an appropriate solution may be found and the President's directives implemented in a manner consistent with his objectives.

TO: CHARLES HUTSON

Attachment
cc: The President
     H. R. Haldeman
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24.1 John Mitchell testimony, 4 SSC 1603-04.


24.3 Richard Helms memorandum to the record, July 28, 1970 (received from House Armed Services Committee).
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 27, 28, 29, AND JULY 10, 1973
Book 4

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 53.00
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sometime in 1970. Mr. Mitchell, were you aware of concern in the White House and, perhaps, in your own office, the Department of Justice, that the existing intelligence programs against internal dissent or demonstrations throughout the country were lacking and that there was need for some new programs?

Mr. Mitchell. Well, I think, Mr. Dash, I would put that on the basis that there was lack of adequate intelligence. That probably more importantly so there was failure of coordination among the intelligence-gathering agencies to the point where problems were existing in the country, that there was a general feeling that we did not have, the Government did not have, adequate intelligence to anticipate the activities that were being carried out at that particular time.

Mr. Dash. After the Safe Streets Act of 1968, Mr. Mitchell, you did receive as Attorney General some powers involving electronic surveillance, did you not?

Mr. Mitchell. Yes, sir, that is correct.

Mr. Dash. Was it your position, publicly taken, that, with regard to internal dissent, you had the power to authorize electronic surveillance without court approval?

Mr. Mitchell. Well, when you say internal dissent, that is not a sufficiently descriptive term. In addition to that, as you know, the Safe Streets Act did not change measurably the activities that had been carried out in connection with electronic surveillance in prior administrations.

Mr. Dash. What term would you use, "internal security" as a better word?

Mr. Mitchell. Internal security would, I think, be a better general term to describe it.

Mr. Dash. Right. And it was your position, was it not, that you did have the authority under the act, whether it was prior practice or not, to authorize electronic surveillance without first having to go to a court for approval?

Mr. Mitchell. I would believe, Mr. Dash, a better way to put it was that we continued the practice that was then in effect concerning the use of electronic surveillance in connection with internal security.

Mr. Dash. Were you aware, Mr. Mitchell, of the so-called Huston plan, which we have received as part of the testimony of this committee, for an interagency intelligence program which would improve somewhat the intelligence gathering in this country?

Mr. Mitchell. Well, there was a matter of time in connection with it. I was not aware of the fact that the heads of the various agencies were meeting on the subject matter. It came to my attention, was brought to my attention by the Director of the Federal Bureau of Investigation. To the best of my recollection I met with Mr. DeLoach and I met with Mr. Hoover. We discussed the so-called Huston plan which is the term that you have been using. The document that we discussed very briefly, I didn't get into many of the details of it, it was more an oral discussion of it, at that stage had Mr. Hoover's dissent to the provisions of it. I was of the opinion, I needed very little convincing by Mr. DeLoach and Mr. Hoover that this was not the proper approach to the problems that existed at the time, and I joined Mr. Hoover in opposing its implementation.
Mr. Dash. Were you aware, Mr. Mitchell, that the plan did provide for removing certain restrictions against illegal break-ins and electronic surveillance?

Mr. Mitchell. Oh, yes, these items were discussed in conversations that I had with Mr. DeLoach and Mr. Hoover.

Mr. Dash. Do you recall when you first became aware of the plan?

Mr. Mitchell. I can't put the date on it. I shouldn't try because I don't recall.

Mr. Dash. Did you have the plan ever in your possession or did you peruse the plan?

Mr. Mitchell. I had, as I recall, the plan in my possession during the period that the Director of—the Associate Director of the FBI was discussing it with me. As I am sure you are aware, Mr. Dash, this matter was handled and considered aside and apart from the Attorney General. It was considered in the committee that involved the heads of the intelligence gathering community.

Mr. Dash. Well, did you know who in the White House were backing the plan?

Mr. Mitchell. No, I can't say who was backing it and who was opposed to it but obviously Mr. Huston was apparently backing it because he was the author of part of it. The other people in the White House that I communicated with, at the stage in the process in which I communicated, were understanding of the position that the Director and I were supporting and the matter was disposed of.

Mr. Dash. Well, were you aware of the so-called Haldeman-Huston memos relating to this plan?

Mr. Mitchell. No, sir; I do not recall seeing any White House correspondence on the subject.

Mr. Dash. Did you know when the plan had at one time been approved by the President?

Mr. Mitchell. No, sir, I did not know that until these hearings were held.

Mr. Dash. Why did you oppose the plan, Mr. Mitchell?

Mr. Mitchell. I opposed the plan for the very simple reason that in the case of domestic problems that I was very much opposed to the thought of surreptitious entry, the mail covers, and all of the other aspects of it that were involved at the particular time.

Mr. Dash. To whom did you express this disapproval other than Mr. Hoover or Mr. DeLoach?

Mr. Mitchell. My recollection is that I talked to both Mr. Haldeman and the President about the subject matter.

Mr. Dash. And do you recall when that was?

Mr. Mitchell. No, but it was, of course, in the limited timeframe in which this activity took place.

Mr. Dash. Did you know their reaction to your opposition at that time?

Mr. Mitchell. My recollection is that they, both of them were appreciative of my views on the subject matter and reconsidered it and that was the end of it.

Mr. Dash. Now, during 1971——

Mr. Mitchell. I say—excuse me, Mr. Dash—when I say reconsider it I don't know how far they had gone into the consideration of it be-
because there has been too long a practice in this country for one of these agencies to have information about intelligence matters that get into the file in the operative agencies that can carry out a mission to prohibit some of these things just do not have that information, and I think a good example, without knowing the facts, is the recent assassination of the member of the Israeli Embassy here in the District of Columbia. Now, obviously, the greatest amount of intelligence that could possibly come with respect to that matter would be the CIA, and if the CIA were knowledgeable with respect to the individuals that might perpetrate such a crime they certainly have to pass it on to the FBI and the Washington police in order that proper action can be taken.

I use this as a hypothetical case without any specific knowledge.

Senator Inouye. But did not the Huston papers describe something else besides coordination?

Mr. Mitchell. Oh, yes; very much so.

Senator Inouye. Did they not describe the activities of the DIA and CIA in surveilling citizens, dissident groups, Black Panthers, the Weathermen? We are not talking about foreign enemies.

Mr. Mitchell. Well, Senator, as I testified yesterday, I did not study the Huston plan. It was discussed with me, and I saw some of the notes from my recollection where Director Hoover objected to it. To the extent that it involved the items that you are talking about, in my opinion, is one of the reasons that it was turned down and not implemented. But I am saying that, and we started this discussion on the basis of CIA and its activities within the country, it has no operational activities and should not have, that is not what it was created for, but there is no rhyme or reason in the world why the intelligence that they have should not be passed on and imparted to the law enforcement or investigative agencies in this country that do have operational responsibilities.

Senator Inouye. Mr. Mitchell, getting back to the Presidential papers, if this committee should decide to issue a subpoena to get these papers, what do you think should be the response of the White House?

Mr. Mitchell. Well, I am afraid you are going to have to ask Mr. Buzhardt that; he seems to be making most of the decisions over there. I have no opinion on the subject matter.

Senator Inouye. As a former chief law officer, what are your thoughts, sir?

Mr. Mitchell. I am sorry, Senator. Was that question which you put to me as a former chief? It would depend entirely on the nature of the papers, as we discussed before. If they are matters of Presidential communications I think there is an absolute privilege. If they get into collateral areas where the President is not involved, I think that is an entirely different subject matter.

Senator Inouye. Once again to the Huston papers, you have indicated that your knowledge is limited to a discussion of it but according to testimony you had approved it. Did you approve the Huston plan?

Mr. Mitchell. No, sir, that is absolutely incorrect. If I may recount what I think the record shows, and certainly what is my recollection, is that with respect to the Huston papers there were conferences held under the aegis of, I presume, Mr. Huston from the White House, among the heads of the intelligence-gathering agencies, the CIA, the
FBI, and the DIA, which resulted in a memorandum that provided for activities with respect to domestic subversives, of course, as well as national security, and involved such things as surreptitious entry of places, mail covers, et cetera. I was not part of that committee. I had no knowledge of it until it was brought to my attention by the Director of the FBI. It was then that the matter was discussed with me and it was then or shortly thereafter that the concept was terminated.

Senator Inouye. Were you aware that the President of the United States approved the Huston plan?

Mr. Mitchell. No, sir, I testified yesterday I was not.

Senator Inouye. Is it not strange that the Attorney General, as a participant in the discussions, that you were not aware of this?

Mr. Mitchell. As a participant in the discussions? I was not a participant in the discussions with respect to the plan. I was a participant in discussions when Mr. Hoover and. I believe, Mr. DeLoach came to me with their concerns about the matter. I was not a participant in the discussions that led to the formulation of the plan.

Senator Inouye. But you advised the President of the United States as to your misgivings and reservations?

Mr. Mitchell. It is my very strong recollection that I advised Mr. Haldeman and the President after it was brought to my attention by Mr. DeLoach and Mr. Hoover.

Senator Inouye. What is your relationship with Mr. Kalmbach, sir? Do you know him well?

Mr. Mitchell. Well, I can't say I know him well. I have known Mr. Kalmbach since 1968 and have seen him infrequently over that period of time. I knew him, of course, in connection with the 1968 campaign. Our contacts between 1968 and 1970 or 1971 have been very infrequent; probably more social than anything else. And, of course, I knew him during the 1971-72 campaign, when he was a fundraiser.

Senator Inouye. Did you have any relationship with him during the month of June, more specifically, 18, 19, and 20, of 1972?

Mr. Mitchell. Yes; I had a very, very close relationship with Mr. Kalmbach during that particular period of time, because it was during that particular period when I was talking to him daily or perhaps twice a day, because he was kind enough—he along with his wife and the secretaries in his office—to be of great assistance to my wife, who was then out in Newport, and I am sure you know the rest of the story.

Senator Inouye. Mr. Mitchell, I believe in response to a press inquiry relating to Mr. McCord, your answer was something to the effect that Mr. McCord has a private business and he had several clients and your committee was one of the clients. Isn't it true that you were personally acquainted with Mr. McCord?

Mr. Mitchell. Well, Senator, you are asking two questions. The press statement that you are talking about was the press statement that I put out when we first found out about the break-in, the burglary of the Democratic National Committee, where Mr. McCord was involved. Everything in it was actually true.

I had one meeting on April 5 with Mr. McCord—is the only time that I have ever met with the gentleman and talked to him. And that meeting was for the purpose of briefing me as I was coming into my law office, which was in the same building as the Committee To Re-
MEmORANDUM FOR THE RECORD

SUBJECT: Discussion with Attorney General Mitchell on Domestic Intelligence

1. During a private meeting with the Attorney General on 27 July 1970, it became clear, to my great surprise, that he had heard nothing whatever about the President's instructions on "Domestic Intelligence" until that very morning. In other words, the Attorney General had not been told of the meeting at the White House on 5 June 1970 or of the ad hoc committee meetings chaired by the FBI which had followed or about the report which was sent to the President around 1 July, setting forth constraints on domestic intelligence collection. As I understand it, the Attorney General first heard about these matters when the Director of the FBI complained to him about a memorandum from Mr. Tom Charles Huston which must be essentially the same text as the one I received under date of 23 July 1970 (#38-06875-70).

2. I told the Attorney General that we had put our backs into this exercise, because we had thought that he knew all about it and was behind it. The Attorney General was frank with me. In addition, he said that he had told Mr. Hoozer to "sit tight" until he (the Attorney General) had an opportunity to discuss this whole matter with the President upon his return to Washington from San Clemente next week.

3. In connection with the problems involved in domestic intelligence collection, I again suggested to the Attorney General that he have a talk with Mr. Sam J. Papich who, I pointed out, has now fully retired from the FBI. The Attorney General again wrote down Mr. Papich's name.

Richard Helms
Director

Distribution:
Orig - ESI's file
l c: - ER w/38-06875-70
On either July 27 or July 28, 1970 Huston, on instructions from Haldeman, recalled the decision memorandum of July 23, 1970 and requested that the members of the Ad Hoc Committee return their copies to the White House. Haldeman told Huston that Mitchell had called concerning the Plan, that the memorandum would be reconsidered and that Haldeman, Hoover and the Attorney General would meet to discuss the subject. Mitchell has testified that he informed the President and Haldeman of his opposition to the Plan.

25.1 Tom Charles Huston testimony, Senate Armed Services Committee Executive Session, May 21, 1973, 142-44.


25.3 Richard Helms memorandum, July 28, 1970 (received from House Armed Services Committee).

25.4 John Mitchell testimony, 4 SSC 1604-05.

25.5 John Mitchell testimony, 5 SSC 1824.

25.6 H. R. Haldeman testimony, 8 SSC 3029-30.

25.7 Memorandum from Tom Charles Huston to H. R. Haldeman, August 5, 1970 (received from SSC).

25.8 Memorandum from Tom Charles Huston to H. R. Haldeman, August 7, 1970 (received from SSC).
The United States Senate

Report of Proceedings

Hearing held before
Committee on Armed Services

CENTRAL INTELLIGENCE AGENCY

Monday, May 21, 1973

Washington, D.C.

(Stenotype Tape and Wastepaper turned over to the Committee for destruction)

WARD & PAUL
410 FIRST STREET, S. E.
WASHINGTON, D. C. 20003

(202) 541-0900
sent out, which is the document that you read into the record.

Mr. Woolsey. Let me ask you in connection with that, tacked on to the back of the decision document, which I noticed you glanced at very briefly, is a 2-page document called "Organization and Operation of International Agencies Group on Domestic Intelligence and Security," which discusses its membership, observers, White House liaison, staffing, meeting, security and other procedures.

Let me ask if that document was one that accompanied the decision document, to the best of your knowledge, at the time?

Mr. Huston. Yes, I think so. In any event, that decision memorandum went out, July 20, did you say July 23 -- sometime in late July the decision memorandum went out to our four agencies.

Shortly after it had been received by Mr. Hoover I received a call from Bill Sullivan saying that the Director had gone through the roof and that he had called the Attorney General or was going to talk to the Attorney General saying he felt that the Attorney General should have been consulted, that the decision as reflected in the memorandum was incorrect and he was going to get it turned around.

Senator Symington. You are saying up to this time the Attorney General did not know about this?

Mr. Huston. To the best of my knowledge the Attorney
General had not been aware of this group or its activities.

Senator Symington. What happened when Mr. Hoover
heard that it had been implemented?

Mr. Huston. All I know is second-hand, what I was told,
was Mr. Sullivan told me that the Director was furious and
that he was taking the matter up with the Attorney General.

It then seems to me that the next day or shortly there-
after I received a call from Mr. Haldeman saying that --
I know this is a point of some concern to you and I just
can't tell you exactly -- but either he said that he had
talked to the Attorney General or the Attorney General had
talked to the President, and it is my best recollection he
said the Attorney General had talked to the President but
I am uncertain on that point. But in any event, he wanted
me to recall the memorandum, that the President wanted to
reconsider this matter and that Mr. Haldeman, Mr. Hoover and
the Attorney General were going to meet to discuss it.

I don't believe I sent a memorandum out recalling. My
best recollection is that Dave McManus, who was then in
charge of the situation room in the White House, I went to
see Dave and asked him to arrange to have the document
recalled. I remember the documents being recalled because
I commented to Dave that each one of these documents that
came back had the staples removed from it and it was obvious
each of the agencies had kept a copy of the document on
though we had asked that it be recalled.

At that time that, I think, must have been either the last week of July or the first week of August. It was about this time that John Dean came over from the Justice Department and, as I recall, his appointment as counsel to the President had been announced while Mr. Nixon was in San Clemente in July. And when John came to the White House as counsel to the President I was told by Mr. Haldeman that John would henceforth take over the duties that I had had with respect to the internal security matters and in essence leading me to believe Mr. Hoover blamed me personally for the whole mess that he regarded as a mess.

Senator Symington. John? Who is John?

Mr. Huston. John Dean. That John Dean would take over, that Mr. Hoover associate him with this thing and, therefore, John would handle the matter.

From that point on I really know no more. I have no more first-hand knowledge about what happened. To the best of my knowledge, the report, the memoranda were withdrawn. I have no knowledge at any point any further that any action was taken to reinstitute it. I had heard from, I don't remember who, but a friend in the FBI told me in the early fall that there were discussions going on with John Dean and Bob Mardian and others with respect to this, and in September or so when Bob Mardian, after he had been over there.
Mr. Melvin Price. I want to ask, when did Mr. Hoover go to the Attorney General?

Mr. Euston. Well, I understand he went to the Attorney General as soon as he received it.

Mr. Melvin Price. When was that?

Mr. Euston. Well, it would have been, I think, on July 23rd or July 24th, some time in that period.

Mr. Melvin Price. The letter, there is a note from Mr. Eislems indicating he met with the Attorney General on July 27th, and that at that time the Attorney General said only on that very morning he first heard of the meeting, and so forth -- heard anything about the meetings.

Mr. Euston. Well, as I say, I don't have -- I have no way of knowing when he met or knew about it. All I know is what I was told that Mr. Sullivan had told me that Mr. Hoover had intended to go to the Attorney General and that subsequent to that Mr. Haldeman called me and told me that the Attorney General had talked to him or the President or somebody and the decision memorandum was that he would call. I never discussed it personally with the Attorney General. I was never in any meeting with the Attorney General.

Mr. Nadzi. Would you state again what you just said about the decision memorandum being recalled?

Mr. Euston. Well, at the time -- when Mr. Haldeman called me and told me about the Attorney General, Mr. Hoover having
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conferred with the Attorney General and the Attorney General
having intervened on the question --

Mr. Medzi. When did he tell you this?

Mr. Huston. Mr. Chairman, I don't know. You are asking
me about something that happened three years ago. It was
written a very short period of time after the decision
memorandum went out. I can't say it was two days, four days,
or five days.

Mr. Medzi. It wasn't two weeks?

Mr. Huston. No, it was not. It wasn't two weeks.

Mr. Medzi. We want the benefit of your recollection.

Mr. Huston. I think the easiest way to ascertain that is
I am sure the agencies know when they sent the memorandum back
to us. It obviously occurred prior to that time. Because I
then went -- I am not sure about this, I don't think I sent a
memorandum asking that it be returned. I think I asked Mr.
Mellanus in the Situation Room to call the various agencies and
ask them to send the memorandum back. Because I do remember
when I received the memorandum back.

Mr. Medzi. If I can help you. There is a memorandum from
Mr. Holms in the record dated 26 July for Mr. Mellanus, in
which he states that he is returning Mr. Huston's memorandum
to me.

Mr. Huston. Well, I thought that was what had happened,
but I couldn't find anybody that would confirm that. Mr.
Hollanus said he didn't remember.

So, in any event, all this happened between the time this memorandum went out on July 23rd or 24th -- it is dated the 23rd, I don't know when they received it -- the agencies know when they received it -- and when I had it recalled. The Attorney General got in the act as a result of Mr. Hoover's action. The memorandum was recalled. I remember it when it came back, I think three of the four of them had staples removed which indicated they of course kept copies. That we were interested in doing was getting the whole thing back and having it stopped.

Mr. Nedzi. Who made that decision?

Mr. Huston. I was instructed to bring that back, to call the memorandum back, by Mr. Haldeman.

Mr. Nedzi. Did Haldeman indicate whether this was the President's decision?

Mr. Huston. Like I said, I don't remember. He had told me, as I recall, the Attorney General had talked to him or the President, that he wanted the decision memorandum back, and that the Attorney General was going to meet with the President or with him and with Mr. Hoover to discuss the matter. So that I had the impression at that time that the decision memorandum were to be recalled. In essence, we were going back to where we were before the President had made his decision, and the matter was being reopened for further discussion between Mr.
Haldeman, Mr. Mitchell, Mr. Hoover, and the President.

So that is where the matter stood on the date, whatever it was, July 28th, or whenever it was, that I asked the memoranda to come back.

Mr. Nedzi. Why was it handled in that way and not through another memoranda simply rescinding the effect of the order?

Mr. Huston. I wondered about that, too. I think the answer to that was this was such a highly sensitive matter we didn't want any more papers floating around the agencies than were already there. I think that is the reason why we asked to have that memorandum come back.

Of course it was suggested at the time you could reasonably expect to get that document back without copies remaining to start with -- but I think that was the motive.

Mr. Nedzi. Whose judgment was that it be handled in that fashion?

Mr. Huston. I don't remember, Mr. Chairman. I just don't know the answer to that. I don't recall any discussion coming up as to any new memorandum saying "Forget the old one,"

All I recall was the decision, get the thing back. Of course there was certainly no doubt in my mind that once we told Admiral Ciller to sent the memorandum back there was going to be no doubt in his mind any hope he had for dealing with this problem was at an end until something further came along.

Mr. Nedzi. Was there any discussion as to why the
memorandum should be recalled?

Mr. Huston. Well, I think it was to be recalled because Mr. Haldeman or the President decided they didn't want the decision to stand after the Attorney General had intervened.

Mr. Nedzi. Was it your understanding that the reason for the President's move was that Mr. Hoover had prevailed upon the Attorney General?

Mr. Huston. That was my impression, yes.

Mr. Slatinsheik. Mr. Chairman.

Mr. Nedzi. Go ahead.

Mr. Slatinsheik. How many copies of that memorandum were produced initially and distributed by the White House, just the copy to the agency section?

Mr. Huston. Yes.

Mr. Slatinsheik. And one for your own files, presumably?

Mr. Huston. Yes.

Mr. Slatinsheik. They were all returned?

Mr. Huston. Yes, sir, I am sure they were.

Mr. Slatinsheik. What happened to them physically afterwards?

Mr. Huston. I assure they are still at the White House.

Mr. Slatinsheik. Were they returned to you?

Mr. Huston. They were returned to the Situation Room and then came back to me, yes.

Mr. Slatinsheik. You had them?
opinion. You see no reason why there couldn't be an exchange, each of them working with the other, on a field, but yet they had to be asked for -- the information had to be asked for by one of them, the FBI for information abroad, and for the CIA it would be the FBI for information in this country.

Mr. Hoston. Yes, sir. But I think sometimes you don't want to preclude the opportunity for one agency to voluntarily make information available.

Mr. Bray. Oh, no.

Mr. Hoston. If the CIA happens to come on a plot being hatched in Europe to blow up the Statue of Liberty they should be able to make that information available to the FBI.

Mr. Bray. They should be able to do that. But you should not run into the other's field. The FBI runs into many matters having to do with foreign intelligence?

Mr. Hoston. Yes, sir.

Mr. Bray. Thank you.

Mr. Medzi. Mr. Hoston, following the recall of the memorandum ordering into effect the recommendations in the report by the President, what happened?

Mr. Hoston. Well, I was told that there was going to be a subsequent meeting with Helmsman and Mitchell and Mr. Hoover to essentially go over and deal personally with Mr. Hoover's articulated objections. In anticipation of that, I wrote the memorandum, which I presume the committee has, in early August

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which was essentially what I regarded as a selected memorandum to the objections that Mr. Haldeman was likely to raise.

I never heard if there was any such meeting or not. I write that memorandum. I think I wrote another memorandum again urging if there was going to be a meeting — I think Mr. Haldeman left to go to Florida or something around this time — so that for a period of I would say probably running through most of August I was really uncertain as to what the status of it was, but I was, frankly, no less convinced then than I had been on July 23rd that the President made the right decision. But it was some time I think in August that Mr. Haldeman — maybe it was in September — I don't remember exactly — but I heard nothing from anybody, frankly. I was writing memoranda and nobody was responding.

Mr. Haldeman: You were writing letters to yourself?

Mr. Ruston: That is right. I wish I hadn't written so many of them.

So I think it must have been in late August or early September, finally Mr. Haldeman called me over and he told me essentially that John Dean was going to have responsibility as counsel to the President for all matters relating to internal security, domestic intelligence. I don't recall, I hate to paraphrase a conversation like this, I can only really give you impressions rather than quotes.

Mr. Haldeman: To understand.

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MEMORANDUM FOR: Mr. McManis

Per your telephone request, I am returning herewith Mr. Huston's memorandum to me, Subject: Domestic Intelligence, dated July 23, 1970.

Richard Helms

28 July 1970

(DATE)
Mr. Dash. Were you aware, Mr. Mitchell, that the plan did provide for removing certain restrictions against illegal break-ins and electronic surveillance?

Mr. Mitchell. Oh, yes, these items were discussed in conversations that I had with Mr. DeLoach and Mr. Hoover.

Mr. Dash. Do you recall when you first became aware of the plan?

Mr. Mitchell. I can't put the date on it. I shouldn't try because I don't recall.

Mr. Dash. Did you have the plan ever in your possession or did you peruse the plan?

Mr. Mitchell. I had, as I recall, the plan in my possession during the period that the Director of—the Associate Director of the FBI was discussing it with me. As I am sure you are aware, Mr. Dash, this matter was handled and considered aside and apart from the Attorney General. It was considered in the committee that involved the heads of the intelligence gathering community.

Mr. Dash. Well, did you know who in the White House were backing the plan?

Mr. Mitchell. No, I can't say who was backing it and who was opposed to it but obviously Mr. Huston was apparently backing it because he was the author of part of it. The other people in the White House that I communicated with, at the stage in the process in which I communicated, were understanding of the position that the Director and I were supporting and the matter was disposed of.

Mr. Dash. Well, were you aware of the so-called Haldeman-Huston memos relating to this plan?

Mr. Mitchell. No, sir; I do not recall seeing any White House correspondence on the subject.

Mr. Dash. Did you know when the plan had at one time been approved by the President?

Mr. Mitchell. No, sir, I did not know that until these hearings were held.

Mr. Dash. Why did you oppose the plan, Mr. Mitchell?

Mr. Mitchell. I opposed the plan for the very simple reason that in the case of domestic problems that I was very much opposed to the thought of surreptitious entry, the mail covers, and all of the other aspects of it that were involved at the particular time.

Mr. Dash. To whom did you express this disapproval other than Mr. Hoover or Mr. DeLoach?

Mr. Mitchell. My recollection is that I talked to both Mr. Haldeman and the President about the subject matter.

Mr. Dash. And do you recall when that was?

Mr. Mitchell. No, but it was, of course, in the limited timeframe in which this activity took place.

Mr. Dash. Did you know their reaction to your opposition at that time?

Mr. Mitchell. My recollection is that they, both of them were appreciative of my views on the subject matter and reconsidered it and that was the end of it.

Mr. Dash. Now, during 1971—

Mr. Mitchell. I say—excuse me, Mr. Dash—when I say reconsider it I don't know how far they had gone into the consideration of it be-
cause as of that particular time to my understanding the plan had not been implemented.

Mr. Dash. Well, did you ever receive any formal notice that the plan had not been approved or had been discontinued or been terminated?

Mr. Mitchell. Not to my recollection, I was just told verbally that it was nil.

Mr. Dash. Or whether it had been approved?

Mr. Mitchell. No, sir.

Mr. Dash. During 1971, were you aware of an intelligence operation that had been set up in the White House under Mr. Ehrlichman and Mr. Krogh which has become known as the Plumbers operation?

Mr. Mitchell. No, sir.

Mr. Dash. Was there a time that you did become aware of that operation?

Mr. Mitchell. Yes, sir, I did.

Mr. Dash. When was that?


Mr. Dash. Now also, Mr. Mitchell, in 1971 were you aware of the so-called Sandwedge plan proposed by Mr. Caulfield for political intelligence operations?

Mr. Mitchell. I was aware of the concept that Mr. Caulfield was proposing and, of course, I opposed that and it never came to fruition.

Mr. Dash. Did you ever have a copy of the so-called Sandwedge proposal or plan in your possession?

Mr. Mitchell. To the best of my knowledge—my knowledge of it came in discussions with John Dean.

Mr. Dash. Were you aware that that plan also included a so-called covert operation and the use of bugging or electronic surveillance?

Mr. Mitchell. No; I have seen that in one of Mr. Dean's exhibits but that was not the understanding that I had of the so-called Sandwedge proposal.

Mr. Dash. Did you know that the budget included actual funds to purchase electronic surveillance equipment?

Mr. Mitchell. No, sir; I had never got that far with the subject matter.

Mr. Dash. Now, in any event, after the recommendation of Mr. Caulfield for the so-called Sandwedge plan, did you ask Mr. Caulfield for any operation or any particular assignment?

Mr. Mitchell. There has been shown to me by this committee a memorandum that had to do with an investigation that apparently was made under Mr. Caulfield's aegis having to do with the so-called McCloskey campaign up in New Hampshire. I do not know who hired him or who paid him. I have seen the memorandum.

Aside from that, I would go to the point that Mr. Caulfield, who I saw on the 24th day of November 1971, wherein Mr. Dean brought him over to discuss the concept of his working for me in the campaign if and when I joined the campaign. Mr. Caulfield did come to work for the committee as what was purported to be an aide-de-camp at some time in March and within 2 weeks or so, he was gone, had left the committee.
FBI, and the DIA, which resulted in a memorandum that provided for activities with respect to domestic subversives, of course, as well as national security, and involved such things as surreptitious entry of places, mail covers, et cetera. I was not part of that committee. I had no knowledge of it until it was brought to my attention by the Director of the FBI. It was then that the matter was discussed with me and it was then or shortly thereafter that the concept was terminated.

Senator Inceye. Were you aware that the President of the United States approved the Huston plan?

Mr. Mitchell. No, sir. I testified yesterday I was not.

Senator Inceye. Is it not strange that the Attorney General, as a participant in the discussions, that you were not aware of this?

Mr. Mitchell. As a participant in the discussions? I was not a participant in the discussions with respect to the plan. I was a participant in discussions when Mr. Hoover and, I believe, Mr. DeLoach came to me with their concerns about the matter. I was not a participant in the discussions that led to the formulation of the plan.

Senator Inceye. But you advised the President of the United States as to your misgivings and reservations?

Mr. Mitchell. It is my very strong recollection that I advised Mr. Haldeman and the President after it was brought to my attention by Mr. DeLoach and Mr. Hoover.

Senator Inceye. What is your relationship with Mr. Kalmbach, sir? Do you know him well?

Mr. Mitchell. Well, I can't say I know him well. I have known Mr. Kalmbach since 1968 and have seen him infrequently over that period of time. I knew him, of course, in connection with the 1968 campaign. Our contacts between 1968 and 1970 or 1971 have been very infrequent; probably more social than anything else. And, of course, I knew him during the 1971-72 campaign, when he was a fundraiser.

Senator Inceye. Did you have any relationship with him during the month of June, more specifically, 18, 19, and 20, of 1972?

Mr. Mitchell. Yes; I had a very, very close relationship with Mr. Kalmbach during that particular period of time, because it was during that particular period when I was talking to him daily or perhaps twice a day, because he was kind enough—he along with his wife and the secretaries in his office—to be of great assistance to my wife, who was then out in Newport, and I am sure you know the rest of the story.

Senator Inceye. Mr. Mitchell. I believe in response to a press inquiry relating to Mr. McCord, your answer was something to the effect that Mr. McCord has a private business and he had several clients and your committee was one of the clients. Isn't it true that you were personally acquainted with Mr. McCord?

Mr. Mitchell. Well, Senator, you are asking two questions. The press statement that you are talking about was the press statement that I put out when we first found out about the break-in, the burglarization of the Democratic National Committee, where Mr. McCord was involved. Everything in it was actually true.

I had one meeting on April 5 with Mr. McCord—is the only time that I have ever met with the gentleman and talked to him. And that meeting was for the purpose of briefing me as I was coming into my law office, which was in the same building as the Committee To Re-
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
Mr. Dash. Were you aware that Mr. Hoover, Director of the FBI, opposed, at least entered his opposition to most of the recommendations in that plan?

Mr. Halderman. I knew that—I think in the recommendation itself which was signed by Director Hoover as chairman of the committee, he had indicated in the various recommendations his disagreement with some of them in spite of the fact that they were the committee recommendation.

He was transmitting them as the committee recommendation with his dissent.

Mr. Dash. Well, now, did Mr. Huston seek to get your assistance in overriding Mr. Hoover’s objections?

Mr. Halderman. Yes; I think he did.

Mr. Dash. And did he send a series of memorandums to you with regard to that?

Mr. Halderman. I have seen the memorandums that have been put into exhibit and reprinted in the papers and they would indicate that he did, yes.

Mr. Dash. Well, did you just see them as they were reprinted in the papers or do you actually recall receiving those memorandums and reading them?

Mr. Halderman. I have a general recollection. I cannot identify having seen or acted upon any specific memorandum without looking at it and reviewing it. I do know that there was a definite concern on Mr. Huston’s part and on the other side, on the President’s part, that there was—we knew there was a problem going into this. One of the reasons for bringing this group together was the fact that communication between the FBI and other intelligence agencies was at best minimal.

Mr. Dash. Let me just show you one memorandum and I think this has already gone into the record. See at least if you can recollect it. It is a memorandum dated August 5, 1970, from Mr. Huston to you, subject, “Domestic Intelligence,” which is primarily dealing with the problem of Mr. Hoover’s objections and indicating that the program ought to move forward and asking your assistance. I ask you to take a look at it, see if you do recall it and if you do, would you comment on it?

Mr. Wilson. May we keep this, Mr. Dash?

Mr. Dash. It is my only copy at the moment. We can make a Xerox copy for you. Unfortunately, our Xerox machine is broken down. That is why members of our committee do not have copies.

This has been entered in the record at a prior time.

Mr. Halderman. I cannot positively, without any doubt, say I read that memorandum at the time it was sent to me but I have a very clear recollection of the general content of the problem that existed at that time and I probably did read this memorandum.

Mr. Dash. Would it be fair to characterize that memorandum as Mr. Huston being considerably upset over Mr. Hoover’s obstinacy in opposing the plan and—

Mr. Halderman. Yes.

Mr. Dash [continuing]. And indicating that it was quite urgent that the plan go forward and seeking your assistance?

Mr. Halderman. Yes.

*See Book 3, exhibit No. 37, p. 1323.
Mr. Dash: Do you know why Mr. Hoover opposed the plan?
Mr. Haldeman: I am not sure. I do not recall whether this memorandum outlined the nature of his objections or not.

Mr. Dash: Now, are you aware after the plan was submitted to the President, that this plan was in fact approved by the President?
Mr. Haldeman: Yes.

Mr. Dash: After that approval, was the plan implemented?
Mr. Haldeman: No; it was not. As I understand it, the approval was rescinded. I believe it was 5 days later by notification to the agency head and that, therefore, in effect, the plan was not implemented.

Mr. Dash: Why was it rescinded?
Mr. Haldeman: Again, as I understand it, because of Director Hoover's objection to a number of parts of the plan.

Mr. Dash: Did you know that Mr. Mitchell opposed this plan, the Attorney General?
Mr. Haldeman: I am not sure that I knew that he did or that he did not.

Mr. Dash: Well, he has testified here before this committee that he was not in on the original planning of the plan but when he first learned about it, I think he says to Mr. DeLoach of the FBI, that he went to see you and the President and strongly opposed it and then the plan was not implemented. He assumed that it was partly on the basis of his objection. Do you recall that?

Mr. Haldeman: I do not; but that is not necessarily—I certainly would not deny that. If Mr. Mitchell does feel that is the case, I do not recall—I do recall the plan not being put into effect. I recall considerable discussion back and forth as to whether it would be or not, and the ultimate decision first, to approve and then to rescind.

Mr. Dash: Did you become aware of an in-house White House effort for that special investigative unit after the Huston plan was rescinded?

Mr. Haldeman: Well, the step following the rescission of the Huston plan as it is now called, was the formulation of an intelligence evaluation committee that was another interagency and interdepartmental group. It was not an in-house White House group, although there was a White House representative, I believe Mr. Dean, on that intelligence evaluation committee and its purpose was—one of the purposes of the Huston plan, coordination between the various intelligence agencies and an attempt to share and evaluate intelligence.

Mr. Dash: And who was supervising this?

Mr. Haldeman: I am not sure. It was set up—it was not an in-house White House unit, as I said, it was an interagency unit. I believe John Dean was the White House representative on it and I am not sure how it was structured.

Mr. Dash: Would it be true that it was Mr. John Dean's role to be liaison for the White House on intelligence programs like this?

Mr. Haldeman: Yes; it would be.

Mr. Dash: Now, did there come a time when there was an in-house White House special investigative unit?

Mr. Haldeman: You are leading—the question relates, I assume, to this special investigations unit that was set up in 1971.
TOP SECRET
HANDLE VIA COMINT CHANNELS ONLY

EYES ONLY

MEMORANDUM FOR H. R. HALDEMAN

FROM:  TOM CHARLES HUSTON

SUBJECT: DOMESTIC INTELLIGENCE

August 5, 1970

In anticipation of your meeting with Mr. Hoover and the Attorney General, I would like to pass on these thoughts:

1. More than the FBI is involved in this operation. NSA, DIA, CIA, and the military services all have a great stake and a great interest. All of these agencies supported the options selected by the President. For your private information, so did all the members of Mr. Hoover's staff who worked on the report (he'd fire them if he knew this.)
3. We are not getting the type of hard intelligence we need at the White House. We will not get it until greater effort is made through community-wide-coordination to dig out the information by using all the resources potentially available. It is, of course, a matter of balancing the obvious risks against the desired results. I thought we balanced these risks rather objectively in the report, and Hoover is escalating the risks in order to cloak his determination to continue to do business as usual.

4. At some point, Hoover has to be told who is President. He has become totally unreasonable and his conduct is detrimental to our domestic intelligence operations. In the past two weeks, he has terminated all FBI liaison with NSA, DIA, the military services, Secret Service -- everyone except the White House. He terminated liaison with CIA in May. This is bound to have a crippling effect upon the entire community and is contrary to his public assurance to the President at the meeting that there was close and effective coordination and cooperation within the intelligence community. It is important to remember that the entire intelligence community knows that the President made a positive decision to go ahead and Hoover has now succeeded in forcing a review. If he gets his way it is going to look like he is more powerful than the President. He had his say in the footnotes and RN decided against him. That should close the matter and I can't understand why the AG is a party to reopening it. All of us are going to look damn silly in the eyes of Helms, Cayler, Bennett, and the military chiefs if Hoover can unilaterally reverse a Presidential decision based on a report that many people worked their asses off to prepare and which, on its merits, was a first-rate, objective job.

5. The biggest risk we could take, in my opinion, is to continue to regard the violence on the campus and in the cities as a temporary phenomenon which will simply go away as soon as the Scranton Commission files its report. The one statement that Ronnie Davis made at NCE which I thought made sense was that the Attorney
General was kidding himself when he said the campuses would be quiet this fall. Davis predicted that at least 30 would be closed down in September. I don't like to make predictions, but I am not at all convinced, on the basis of the intelligence I have seen, that we are anyway near over the hump on this problem, and I am convinced that the potential for even greater violence is present, and we have a positive obligation to take every step within our power to prevent it.

6. Hoover can be expected to raise the following points in your meeting:

   (a) "Our present efforts are adequate." The answer is bullshit! This is particularly true with regard to FBI campus coverage.

   (b) "The risks are too great; these folks are going to get the President into trouble and RN had better listen to me." The answer is that we have considered the risks, we believe they are acceptable and justified under the circumstances. We are willing to weigh each exceptionally sensitive operation on its merits, but the Director of the FBI is paid to take risks where the security of the country is at stake. Nothing we propose to do has not been done in the past -- and in the past it was always done successfully.

   (c) "I don't have the personnel to do the job the President wants done." The answer is (1) he has the people and/or (2) he can get them.

   (d) "I don't object to NSA conducting surreptitious entry if they want to." The answer is that NSA doesn't have the people, can't get them, has no authority to get them, and shouldn't have to get them. It is an FBI job.
(c) "If we do these things the 'jackets of the press' and the AGLU will find out; we can't avoid leaks." Answer: We can avoid leaks by using trained, trusted agents and restricting knowledge of sensitive operations on a strict need to know basis. We do this on other sensitive operations every day.

(f) "If I have to do these things, the Attorney General will have to approve them in writing." This is up to the AG, but I would tell Hoover that he has been instructed to do them by the President and he is to do them on that authority. He needn't look for a scape goat. He has his authority from the President and he doesn't need a written memo from the AG. To maintain security, we should avoid written communications in this area.

(g) "We don't need an Inter-Agency Committee on Intelligence Operations because (1) we're doing fine right now -- good coordination, etc. -- and (2) there are other existing groups which can handle this assignment." The answer is that we are doing lousy right now and there aren't other groups which can do the job we have in mind because: (1) they don't meet; (2) they don't have the people on them we want or have some people we don't want; (3) they don't have the authority to do what we want done; (4) ultimately this new operation will replace them; and (5) they aren't linked to the White House staff.

There are doubtless another dozen or so specious arguments that Hoover will raise, but they will be of similar quality. I hope that you will be able to convince the AG of the importance and necessity of getting Hoover to go along. We have worked for nearly a year to reach this point; others have worked far longer and had abandoned hope. I believe we are talking about the future of this country, for surely domestic violence and disorder threaten the very fabric of our society. Intelligence is not the cure, but it can provide the diagnosis that makes a cure possible. More importantly, it can provide us with the means to prevent the
deterioration of the situation. Perhaps lowered voices and peace in Vietnam will defuse the tense situation we face, but I wouldn't want to rely on it exclusively.

There is this final point. For eighteen months we have watched people in this government ignore the President's orders, take actions to embarrass him, promote themselves at his expense, and generally make his job more difficult. It makes me fighting mad, and what Hoover is doing here is putting himself above the President. If he thought the Attorney General's advice should be solicited, he should have done so before the report was sent to the President. After all, Hoover was chairman of the committee and he could have asked the AG for his comments. But no, he didn't do so for it never occurred to him that the President would not agree with his footnoted objections. He thought all he had to do was put in a footnote and the matter was settled. He had absolutely no interest in the views of NSA, CIA, DIA, and the military services, and obviously he has little interest in our views, or apparently even in the decisions of the President. I don't see how we can tolerate this, but being a fatalist, if not a realist, I am prepared to accept the fact that we may have to do so.

TOM CHARLES HUSTON
August 7, 1970

MEMORANDUM FOR H. R. Haldeman

SUBJECT: DOMESTIC INTELLIGENCE REVIEW

Mr. Hoover has departed for the West Coast where he plans to vacation for three weeks. If you wait until his return to clear up the problems surrounding our Domestic Intelligence operations, we will be into the new school year without any preparation.

The situation in Portland is beginning to look very tense -- the American Legion Convention could become the first battleground for a new wave of youthful violence. Coming just as the school year begins, it could serve as a catalyst for widespread campus disorders.

I recommend that you meet with the Attorney General and secure his support for the President's decisions, that the Director be informed that the decisions will stand, and that all intelligence agencies are to proceed to implement them at once.

TOM CHARLES HUSTON