1974


Don Edwards

Follow this and additional works at: http://digitalcommons.law.scu.edu/watergate

Part of the Administrative Law Commons, Ethics and Professional Responsibility Commons, Legal History, Theory and Process Commons, and the Politics Commons

Automated Citation
http://digitalcommons.law.scu.edu/watergate/35

This Book is brought to you for free and open access by the Law Library Collections at Santa Clara Law Digital Commons. It has been accepted for inclusion in Watergate Hearings by an authorized administrator of Santa Clara Law Digital Commons. For more information, please contact sculawlibrarian@gmail.com.
On August 25, 1971 Hunt requested and received from the CIA alias identification and disguise material for Liddy and a camera concealed in a tobacco pouch. Later that day Hunt and Liddy flew to Los Angeles for the purpose of obtaining information about Ellsberg and the Pentagon Papers disclosure. While in Los Angeles Hunt and Liddy sought to determine the feasibility of an operation to gain access to Dr. Fielding's files. Hunt and Liddy took photographs of the interior and exterior of Dr. Fielding's office. Upon Hunt's return from Los Angeles on either August 26 or 27, 1971 a CIA employee met Hunt at the airport, had the film processed and returned the prints to Hunt the same day. Hunt and Liddy showed the photographs to Krogh and Young and reported that a surreptitious entry was feasible.

67.1 E. Howard Hunt testimony, 9 SSC 3774.
67.2 E. Howard Hunt testimony, Grand Jury, People v. Ehrlichman, June 7, 1973, 253, 275-76 (received from Los Angeles County Grand Jury).
67.3 CIA employee affidavit, May 9, 1973 and letter from John Warner to William Merrill, September 5, 1973 (received from CIA).
67.4 E. Howard Hunt testimony, SSC Executive Session, June 12, 1973, 270 (received from SSC).
67.5 John Ehrlichman testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 558 (received from Los Angeles County Grand Jury).
On August 26, 1971 Young sent a memorandum to Ehrlichman stating that the plan was to develop slowly a negative picture around the whole Pentagon study affair (preparation to publication) and to identify Ellsberg's associates and supporters on the new left with this negative image. The memorandum referred to material to be developed from the present Hunt/Liddy Project #1. The memo stated that it would be absolutely essential to have an overall game plan developed for its use in conjunction with a Congressional investigation. On the following day Ehrlichman sent a memorandum to Colson requesting a game plan for the use of materials obtained from Hunt/Liddy Special Project #1.

68.1 John Ehrlichman testimony, 6 SSC 2551.

68.2 Memorandum from David Young to John Ehrlichman, August 26, 1971, SSC Exhibit No. 91, 6 SSC 2646-50.

68.3 Memorandum from John Ehrlichman to Charles Colson, August 27, 1971, SSC Exhibit No. 91, 6 SSC 2651.

68.4 E. Howard Hunt testimony, 9 SSC 3675.

68.5 Charles Colson testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 648-49 (received from Los Angeles County Grand Jury).
69. On August 27, 1971 CIA Deputy Director Cushman telephoned Ehrlichman to request that Hunt be restrained in his requests to the CIA for further assistance. Hunt had requested from the CIA such items as a stenographer, credit cards, and an office in New York with a phone listed in New York that could be monitored in Washington. Ehrlichman agreed that the CIA need not meet Hunt's additional requests.

69.1 Robert Cushman testimony, 8 SSC 3293-94.

69.2 Memorandum for the record, August 30, 1971 and routing slip, August 31, 1971, SSC Exhibit No. 122, 8 SSC 3377-79.

69.3 John Ehrlichman testimony, Senate Appropriations Subcommittee, Executive Session, May 30, 1973, 239 (received from Senate Appropriations Committee).

69.4 CIA employee affidavit, May 18, 1973 (received from CIA).
Krogh and Young have testified that they telephoned Ehrlichman at Cape Cod on or about August 30, 1971 and reported that Hunt and Liddy had returned from California and reported that a covert operation could be undertaken and would not be traceable. Ehrlichman gave his approval. Ehrlichman has testified that he does not recall receiving this telephone call.


70.2 David Young testimony, District of Columbia Grand Jury, August 22, 1973, 57-59.

70.3 John Ehrlichman testimony, 6 SSC 2548.

70.4 John Ehrlichman log, August 29-September 5, 1971 (received from SSC).
71. Prior to September 2, 1971 either Krogh (according to Krogh) or Ehrlichman (according to Colson) requested Colson to obtain $5,000. The money was to be used to finance the Fielding operation. Colson requested Joseph Baroody, a Washington public relations consultant, to deliver $5,000 to Krogh who turned it over to Liddy. Several weeks later Colson caused Baroody to be repaid with $5,000 from a political contribution by a dairy industry political organization.

71.1 Charles Colson testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 651-56 (received from Los Angeles County Grand Jury).

71.2 John Ehrlichman testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 552-53 (received from Los Angeles County Grand Jury).


71.4 David Young testimony, District of Columbia Grand Jury, August 22, 1973, 77-80.

71.5 E. Howard Hunt testimony, 9 SSC 3774.

71.6 Joseph Baroody affidavit, January 30, 1974 (received from SSC).

71.7 George Webster deposition, Common Cause v. Finance Committee to Re-elect the President, December 24, 1973, 33-35.

71.8 Marion Harrison testimony, SSC Executive Session, December 4, 1973, 43-45 (received from SSC).
On or about September 2, 1971 Hunt and Liddy flew to Chicago where they purchased cameras and walkie-talkies. Then they flew to Los Angeles where they met Barker, Martinez and DeDiego and purchased a crow bar, glass cutter, and other burglary tools. On the night of September 3, 1971, Barker, Martinez and DeDiego entered Dr. Fielding's office by breaking a first floor window of the building and breaking open the door to Dr. Fielding's second floor office. The file cabinets and desk in Dr. Fielding's office were broken into and searched. Liddy maintained a watch outside the building while Hunt, who was in communication by walkie-talkie, watched Dr. Fielding's residence. Barker, Martinez and DeDiego have testified that they did not locate any file on Ellsberg and that no information was obtained. Dr. Fielding has testified that his file cabinet had been broken into and the file on Ellsberg withdrawn.

72.1 Bernard Barker testimony, 1 SSC 376.

72.2 E. Howard Hunt testimony, Grand Jury, People v. Ehrlichman, June 6, 1973, 291-92, 298-99, 301-02 (received from Los Angeles County Grand Jury).

72.3 Felipe DeDiego testimony, Grand Jury, People v. Ehrlichman, June 6, 1973, 191-99 (received from Los Angeles County Grand Jury).

72.4 Eugenio Martinez testimony, Grand Jury, People v. Ehrlichman, June 5, 1973, 390 (received from Los Angeles County Grand Jury).

72.5 Lewis Fielding testimony, Grand Jury, People v. Ehrlichman, June 5, 1973, 93-94 (received from Los Angeles County Grand Jury).

On or about September 7, 1971 Hunt and Liddy delivered reports to Krogh and Young which included photographs of the physical damage to Dr. Fielding's office. Hunt and Liddy recommended a further operation to seek the files at Dr. Fielding's home. Krogh reported these facts to Ehrlichman. Ehrlichman has testified that the action far exceeded the authorization he had given and disapproved any further covert activity. On the same day Hunt testified that he sought to discuss the entry into Fielding's office with Colson. Colson testified he declined to discuss the matter.

73.1 E. Howard Hunt testimony, Grand Jury, People v. Ehrlichman, June 6, 1973, 307-14 (received from Los Angeles County Grand Jury).

73.2 Egil Krogh testimony, District of Columbia Grand Jury, January 30, 1974, 40-47.


73.4 John Ehrlichman testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 549-50, 586-88 (received from Los Angeles County Grand Jury).

73.5 Charles Colson testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 660-61 (received from Los Angeles County Grand Jury).
At 10:45 a.m. on September 8, 1971 Ehrlichman met with Krogh and Young and they discussed the Fielding break-in. At 1:45 that afternoon Ehrlichman telephoned the President and between 3:26 p.m. and 5:10 p.m. Ehrlichman met with the President. Ehrlichman has testified that he did not tell the President about the Fielding break-in. On September 10, 1971 Ehrlichman met with the President from 3:03 to 3:51 p.m. and at 4:00 p.m. Ehrlichman met with Krogh and Young.

---

74.1 John Ehrlichman testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 604 (received from Los Angeles County Grand Jury).

74.2 Meetings and conversations between the President and John Ehrlichman, September 8 and September 10, 1971 (received from White House).

74.3 John Ehrlichman log, September 8 and September 10, 1971 (received from SSC).
75. In August or September 1971, Caulfield submitted to John Dean a written proposal for a political intelligence operation entitled Operation Sandwedge with a budget of $511,000. The proposal specified both clandestine offensive and defensive operations, including a black bag capability. The budget included an item of $15,000 for Equipment Electronic Surveillance. During September and October 1971, Strachan informed Haldeman that the proposal had been considered by Dean and Attorney General Mitchell. Haldeman instructed Strachan to arrange a meeting with Mitchell to discuss pending matters including the Sandwedge plan. On November 4, 1971 Haldeman, Mitchell, Magruder and Strachan discussed the plan. Operation Sandwedge was never instituted. On November 24, 1971 Mitchell discussed with Caulfield a position at CRP.

75.1 Operation Sandwedge proposal, Summer 1971, 5-6 (received from SSC).
75.2 Proposed Budget of Operation Sandwedge, SSC Exhibit No. 34-9, 3 SSC 1121-23.
75.3 John Dean testimony, 3 SSC 924-26.
75.4 John Caulfield testimony, SSC Executive Session, March 16, 1974, 108-110.
75.5 Memorandum from Gordon Strachan to H. R. Haldeman, September 24, 1971 (received from White House).
75.6 Memorandum from Gordon Strachan to H. R. Haldeman, October 7, 1971 (received from White House).
75.7 Gordon Strachan testimony, SSC Executive Session, July 12, 1973, 26-27, 61.

75.8 John Mitchell testimony, 4 SSC 1605.

75.9 John Mitchell log, November 4 and 24, 1971 (received from SSC).

75.10 Memorandum from Gordon Strachan to H. R. Haldeman, December 2, 1971 (received from White House).


76.2 United States v. Richard M. Nixon.

76.3 Letter drafted on Nixon stationery, SSC Exhibit No. 206.

76.4 Exhibit 26, United States v. Chapin, April 6, 1974, 277-278.

76.5 H. Howard Hunt transcript, 7-856 3724-43.

76.6 Gordon Strachan testimony, K 358 2458-59.

76.7 Gordon Segretti testimony, 10-356 3494, 3997.
76. Between September 1971 and June 16, 1972 Donald Segretti hired operatives to infiltrate the campaigns of various Democratic candidates, placed Senator Edmund Muskie under physical surveillance, disrupted campaign activities, and printed false and scurrilous materials attributed to various Democratic candidates. These publications, in violation of 18 U.S.C. Section 612, were mailed by Segretti to Dwight Chapin, the President's appointments secretary. During this same period, CRP employed individuals to infiltrate the Muskie, Humphrey and McGovern campaign staffs. These individuals were assigned code names such as Sedan Chair II and Fat Jack and supplied documents and intelligence information about the Democratic campaigns. Strachan has testified that a Sedan Chair II report was included in a Political Matters Memorandum sent by Strachan to Haldeman.

76.2 United States v. Segretti, Docket.
76.3 Letter drafted on Muskie stationery, SSC Exhibit No. 206, 10 SSC 4280.
76.4 Exhibit 25, United States v. Chapin, April 2, 1974, 327-29.
76.5 E. Howard Hunt testimony, 9 SSC 3742-43.
76.6 Gordon Strachan testimony, 6 SSC 2458-59.
76.7 Donald Segretti testimony, 10 SSC 3994, 3997.
77. On November 1, 1971, John Ehrlichman was informed by Egil Krogh and David Young in a memorandum that the prosecution of Daniel Ellsberg would be more difficult because (1) Ellsberg gave classified information to the press, not to a foreign power, (2) a few months after Ellsberg went public, the Department of Defense published virtually the same materials, and (3) there had been no apparent damage as a result of Ellsberg's disclosures.

77.1 Memorandum from Egil Krogh and David Young to John Ehrlichman, November 1, 1971 with attachment (received from White House).
78. Prior to November 9, 1971 members of the Plumbers Unit had conversed with the CIA staff psychiatrist who had directed the preparation of the Ellsberg psychological profile, and had sent materials to the CIA to be used in the development of that profile. On November 9, 1971 CIA Director Richard Helms wrote to David Young stating that the CIA's involvement in preparation of the Ellsberg profile should not be revealed in any context. On November 12, 1971 the CIA delivered to the Plumbers an expanded psychological profile of Daniel Ellsberg.

78.1 CIA staff psychiatrist affidavit, May 9, 1973 (received from SSC).
78.2 Memoranda among CIA employees, November 9 and November 8, 1971 (received from CIA).
78.3 Letter from Richard Helms to David Young, November 9, 1971 (received from CIA).
78.4 CIA document on Daniel Ellsberg delivered to David Young in early November 1971 (received from CIA).
79. On December 14, 1971, after publication in a newspaper column of facts about the U. S. position on the India-Pakistan War, Krogh and Young were assigned to investigate the disclosure. Krogh was dropped from the Unit on December 20, 1971 after he refused to authorize specific wiretaps. Subsequently, four FBI wiretaps were authorized and instituted, and Young pursued the investigation that coincidentally uncovered the fact that classified documents were being passed to the Joint Chiefs of Staff from the military liaison office at the National Security Council in the White House. The FBI files contain no written instructions or authorization from either the Attorney General or the White House. The records of these taps were kept completely isolated from regular FBI files, and they were not entered in the electronic surveillance indices. Young rendered a report on the investigation in early January 1972, but the taps continued past that date, the last being terminated June 20, 1972. The liaison office was abolished.

79.1 John Ehrlichman testimony, 6 SSC 2556.
79.2 Henry Kissinger testimony, Senate Armed Services Committee, Transmittal of Documents from the National Security Council to the Chairman of the Joint Chiefs of Staff, February 6, 1974, 48-49.
79.3 Fred Buzhardt testimony, Senate Armed Services Committee, Transmittal of Documents from the National Security Council to the Chairman of the Joint Chiefs of Staff, March 7, 1974, 9, 14-16, 19.
79.5 Egil Krogh statement, January 3, 1974, 7.
79.6 E. S. Miller interview, FBI, May 10, 1973, 3, with attachment dated February 26, 1973 (received from Department of Justice).
80. On or about December 14, 1971 Gordon Liddy left the White House staff to become counsel to CRP and then later to FCRP.

80.1 Memorandum from Gordon Strachan to H. R. Haldeman, December 6, 1971 (received from White House).
On December 29, 1971, a fifteen count indictment of Daniel Ellsberg was filed alleging violations of the conspiracy statutes, and statutes prohibiting the unauthorized distribution of classified information and misappropriation of government property. No counts were included alleging the transmission of documents to a foreign country or representatives of a foreign country because evidence was not developed to support such a charge.


On August 25, 1971 Hunt requested and received from the CIA alias identification and disguise material for Liddy and a camera concealed in a tobacco pouch. Later that day Hunt and Liddy flew to Los Angeles for the purpose of obtaining information about Ellsberg and the Pentagon Papers disclosure. While in Los Angeles Hunt and Liddy sought to determine the feasibility of an operation to gain access to Dr. Fielding's files. Hunt and Liddy took photographs of the interior and exterior of Dr. Fielding's office. Upon Hunt's return from Los Angeles on either August 26 or 27, 1971 a CIA employee met Hunt at the airport, had the film processed and returned the prints to Hunt the same day. Hunt and Liddy showed the photographs to Krogh and Young and reported that a surreptitious entry was feasible.

67.1 E. Howard Hunt testimony, 9 SSC 3774.

67.2 E. Howard Hunt testimony, Grand Jury, People v. Ehrlichman, June 7, 1973, 253, 275-76 (received from Los Angeles County Grand Jury).

67.3 CIA employee affidavit, May 9, 1973 and letter from John Warner to William Merrill, September 5, 1973 (received from CIA).

67.4 E. Howard Hunt testimony, SSC Executive Session, June 12, 1973, 270 (received from SSC).

67.5 John Ehrlichman testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 558 (received from Los Angeles County Grand Jury).


PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

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

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

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price $4
Senator Weicker. You initially notified—
Mr. Hunt [continuing]. For our reconnaissance stay.
Senator Weicker. I see.

Did you give a date certain as to when they should come to Los Angeles at that time or did you call from Los Angeles and request their presence?
Mr. Hunt. No, sir; the procedure was a little more complicated than that. Mr. Liddy and I returned from Los Angeles on or about August 27. We submitted a report of our findings and rather a detailed study which included photographs which had been developed for us and printed by the CIA, both internal and external photographs. There was a period of waiting while this report was being considered by Mr. Krogh and I now understand others.

Senator Weicker. In other words, the preliminary report was submitted to Mr. Krogh.
Mr. Hunt. Yes, sir.

Senator Weicker. And when you say others who would that include?
Mr. Hunt. I assumed then and I assume now that Mr. Ehrlichman was also considering the report inasmuch as our findings were that a secure entry could be made and in fact was.

Senator Weicker. Then who gave the final authorization to proceed with the actual break-in? You say you returned to Washington?
Mr. Hunt. Yes, sir.

Senator Weicker. While these photographs were being developed, while consultation took place, and on whose instructions then did you return to Los Angeles for the actual break-in?
Mr. Hunt. Well, Mr. Liddy told me "It is go, you have got the green light."

I then communicated with my assistants in Florida and told them to be in Los Angeles at the Beverly Hilton Hotel, on a date certain, where we would converge and I would give them details of the operation, which they did not have at that point.

In addition there was a question of money, of financing. A certain budget had been drawn up. We reached a point when Mr. Liddy and I were waiting in room 16 for the funds for the operation to be produced.

Senator Weicker. Room 16 being in the White House?
Mr. Hunt. The Plumbers room in the old Executive Office Building.

Senator Weicker. In the old Executive Office Building.
Mr. Hunt. And time was growing very short in terms of the departure of our scheduled aircraft.

Almost at the last minute Mr. Krogh came in very hurriedly and handed an envelope to Mr. Liddy and said, "OK, here it is. Get going."

Mr. Liddy took the money. We left. took a taxi. went to the airport, flew to Chicago. made certain photographic purchases out there. overnight in Chicago. In the morning we flew to Los Angeles where we met with the men who had flown directly there from Miami.

Senator Weicker. At the meeting at the Beverly Hilton Hotel then with the four Cuban-Americans, prior to their appearing in Los Angeles, they did not know the nature of the mission?
Mr. Hunt. They did not know the target of the mission.
People v. Ehrlichman, et al. (A 300 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

E. Howard Hunt

June 6, 1973
Q. How did that come about?

A. The request -- to go back to the origin of the material request, Mr. Hecht, I had made the request of Mr. Colson, and Mr. Liddy had no connection with the work that I was doing, conducting for Mr. Colson; so that the issuance of the material was made to me solely.

Subsequently, when the entry operation out here was decided upon, Liddy indicated that -- and I certainly agreed with him -- that it would be great if he, too, could be similarly supplied.

Do you want me to continue, Mr. Hecht?

Q. Yes, please.

A. I never reconsulted General Cushman. I never discussed it with Mr. Colson. I simply called my contact in the Technical Services Division of Central Intelligence Agency and said that there was another White House official who would be working with me on an unidentified activity; and that precisely the same items that had been issued me, I would require for issuance to him.

Q. And did that in fact come about?

A. That did.

Q. Were you ever told by anyone that Mr. Ehrlichman had allegedly called Mr. Cushman prior to your visiting with him?

A. We are talking about 1961?

Q. '71.

A. '71?

Q. Yes, sir.
your recommendation was and your findings out here, is that correct?

A  Yes, sir.

Q  Did you do that, or Mr. Liddy do that?

A  To the best of my recollection it was a joint effort in which I supplied perhaps 75 per cent of the written material.

Q  And were these memoranda that were prepared?

A  Not memoranda as such, sir; that is to say they had no heading "To" and "From". They were just simply a series of related paragraphs on different aspects of the operation.

Q  What was your expectation at the time as to who that recommendation would be forwarded to?

A  To Mr. Krogh.

Q  What did you base that expectation on?

A  Inasmuch as Mr. Krogh was the guiding personality of our unit.

Q  Did it ever come to your attention that that recommendation had in fact been sent on to Mr. Krogh, so to speak?

A  Inferentially.

Q  Did you discuss orally with Mr. Krogh, when you got back to Washington, what had happened out here in Los Angeles?

A  I recall discussing it with Mr. Young. I believe Mr. Liddy personally discussed it with Mr. Krogh, though I may very well have.
Q When did you discuss it with Mr. Young?
A Immediately upon our return.
Q Where did that discussion take place?
A Room 16.
Q Will you tell us, please, the substance of that discussion?
A I had the prints, the memorandum was in the process of being typed up.

I think I said to Mr. Young words to the effect
"I think we have a perfect situation here for a clandestine surreptitious entry.

Q What if anything did Mr. Young say?
A "Good."

Q What led you to the conclusion that you have just given us that it was Mr. Liddy who discussed the trip out here with Mr. Krogh?
A Because I don't recall discussing it with Mr. Krogh in any detail.

Q Okay. Did you ever see the report that was made up in its final form after it was typed?
A I would say yes to that.
Q And --
A I would have gone over it for typos, certainly, yes.

Q Do you know what happened to it after you went over it?
A I believe the last time I saw it it was in the physical possession of Mr. Liddy, that is to say lying in his
Q When did you discuss it with Mr. Young?
A Immediately upon our return.
Q Where did that discussion take place?
A Room 16.
Q Will you tell us, please, the substance of that discussion?
A I had the prints, the memorandum was in the process of being typed up.
    I think I said to Mr. Young words to the effect "I think we have a perfect situation here for a clandestine surreptitious entry.
Q What if anything did Mr. Young say?
A "Good."
Q What led you to the conclusion that you have just given us that it was Mr. Liddy who discussed the trip out here with Mr. Krogh?
A Because I don't recall discussing it with Mr. Krogh in any detail.
Q Okay. Did you ever see the report that was made up in its final form after it was typed?
A I would say yes to that.
Q And --
A I would have gone over it for typos, certainly, yes.
Q Do you know what happened to it after you went over it?
A I believe the last time I saw it it was in the physical possession of Mr. Liddy, that is to say lying in his
IMPEACHMENT INQUIRY

VOL 9 - CIA

DOCUMENTATION PROVIDED BY CIA

1 June 1973

VOLUME I
STATE OF VIRGINIA  
COUNTY OF FAIRFAX)

being first duly sworn, state:

1. I was born on

State College of

and have been an employee of the
Central Intelligence Agency since August 1969.

2. On 22 July 1971 I was in the parking lot behind the Technical
Services Division's South Building facility at about 5:10 p.m. when I was
called to Mr., who was the Acting Chief of Technical
Services Division. Mr. told me that I was to report to Mr. the
office the following morning and pick up keys for a safehouse
meeting with one person. This pertained to a request from the White
House for our services. I was to support a man, unknown to me, for non-
backstopped U.S. alias documentation and disguise material. He said this
was a sensitive case. At that time my Section Chief, who was also present,
asked if we could obtain a physical description of this individual for the
possible use of a mustache, glasses, wigs, etc. Mr. made a
telephone call to someone and received the physical description of the man.
This was of great assistance because later on that night I packed up dis-
 guise materials for the safehouse meeting. I was instructed to get bio data
from this man for the non-backstopped U.S. alias documentation and I was
to telephone this bio data to my Section Chief. He would, in turn, turn this
information over to who would prepare the non-backstop-
ped U.S. alias documentation made up for the individual. I was not given

F2 IMPRINT
CL. BY 000276

[8614]
any specifics as to what type of operation this was or what the requirements were.

3. On 23 July 1971 I met this man at the safehouse after first having gone to the Headquarters Building and obtained the keys from

I programmed the subject for a wig, glasses and a speech alteration device. He gave me the name of Edward J. Warren to use as the alias name. At the same time I telephoned in his bio data, such as date of birth, height, weight, color of hair, etc., to my Section Chief. "Edward" made mention of the fact that he wanted all of this that same afternoon; he then left. My Section Chief delivered the non-backstopped U.S. alias documentation late that afternoon and departed. "Edward" then returned. I gave him the documentation and the disguise materials. He seemed quite satisfied and said that if he needed any additional assistance he would be in contact with me. I gave him my Agency telephone number. I then went back to TSD the next morning, Saturday, 24 July 1971, and briefed Mr. on all the support I had given "Edward".

4. About a week later I was requested to adjust "Edward's" glasses and also bring with me someone who could deliver a tape recorder. At this second meeting I gave "Edward" some non-backstopped business cards which I had picked up at the Chief/TSD's office prior to this meeting. At this second meeting "Edward" asked for a second speech alteration device. I believe he requested a backstopped New York address and telephone number. Possibly as early as the second meeting, "Edward" also expressed an interest in credit cards, simply for identification purposes. My answer was that we did not issue credit cards. "Edward" said he also
wanted a second man disguised and non-backstopped U.S. alias documentation provided at that later meeting. I then returned to TSD and briefed Mr. I II and Mr. I II on the upcoming documents required.

5. At a third meeting I met "Edward" and an associate at another safehouse. At this time I disguised the second individual for glasses and a wig and telephoned the second individual's bio data to my Section Chief. "Edward" at this meeting requested a concealment camera, film and training in this device. "Edward" said he needed this that same day because he and the other person were leaving on a trip that afternoon. I contacted Mr. I II and he in turn referred me to the Chief, Photo Branch. As a result of this, the concealment camera and non-backstopped U.S. alias documentation for the second man was delivered that afternoon by Mr. I IV. I instructed the second man in the use of the concealment camera. I was working in the safehouse on the second individual when Mr. I IV brought the concealment camera. The second man said he had to be at the Pentagon before he made his airport connection that evening. "Edward" asked for my home telephone number and said he would call me there and let me know when he was coming into the Washington area so he could have the film developed. I gave him my home telephone number which is "Edward" said he would call me at my residence and give me instructions for the pickup once the film had been exposed. I telephoned Mr. I II at his residence about this and he said I was to keep him advised on any developments on the case.

6. On 23 August 1971 I received a call at my residence from "Edward" asking that I meet him and the second man at Dulles Airport at
6:30 in the morning to pick up the film. On that same evening I telephoned Mr. II at his residence and told him "Edward" had been in contact via long distance. Mr. II told me in turn to contact Mr. II at his home and tell him I would be bringing in the film for early development on the 24th of August.

7. The fourth meeting with "Edward" was on 24 August 1971 at Dulles Airport. At this meeting I picked up the film and camera in a tobacco pouch from "Edward". He also asked again about credit cards. I told him again we did not issue credit cards. "Edward" said he needed the film negatives and prints the same day. It was at this meeting that "Edward" said something to the second man about drugs. I do not know exactly what it was he said but there was the mention of drugs. I gave the film to Mr. II at TSD/Photo and discussed the case with Mr. II. It was at this meeting that Mr. II said these men were not operating under our supervision and Headquarters did not know what they were up to. Mr. II gave me specific orders to show him the pictures before I delivered them to "Edward" that afternoon. He also dictated a list of things I was to tell "Edward" at the afternoon meeting.

a. There was to be a delay in additional support until my superiors received further authorization from the Deputy Director of Central Intelligence with regard to the request for the camera, backstopped documents or any so far unrequested audio surveillance activity other than the commercial tape recorder already provided.

b. No backstopped documents can be provided unless requested through the Office of the Director.
c. Loan of the camera requested was to be a one-
time affair.

d. We would continue to assist "Edward" in terms
of notional alias documentation, servicing or maintaining
his disguise and tape recorder.

e. Request that all of the documents issued, particularly
those of his associate, identified in alias as "George" at this
time, be returned as soon after use as possible.

f. That "Mr. Edward" should not press Mr. for anything additional since Mr. supervisors
were not authorized to supply additional support.

g. None of the above was to preclude additional support
if it were properly authorized by the Office of the Director of
Central Intelligence.

Later that afternoon I delivered the film negatives and prints to "Edward"
at a safehouse and started to go through the listed items I was to tell him.
I got perhaps halfway through the list when "Edward" seemed in a hurry
and said if that was the way we wanted it, he would straighten it out.
Incidently, I had Xeroxed copies of the prints before I delivered them to
"Edward". As late possibly as the first of September 1971, I had not heard
anything from "Edward". One evening he called at my residence asking
once again for credit cards. I again stated Agency policy would not permit
issuance of credit cards and at the same time told him I had not received
further authorization from my superiors to continue support for him and
his colleague.
8. On 14 or 15 October 1971, Chief/TSO Dr. 15 called me to his office and told me General Cushman was going to have lunch with "Edward" the following day and he wanted a complete briefing on the case for General Cushman's benefit, which I gave him. At this meeting I gave Dr. 15 a Xerographed copy I had of the photographs that "Edward" and his colleague had taken.

9. I did not know the identity of either "Edward" or his colleague until it was published in the newspapers after the Watergate incident.

SUBSCRIBED and SWORN to before
me this 9th day of July, 1973.

Affiant.

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

My Commission Expires:  My Commission Expires March 15, 1977
Volume I
CIA Materials Furnished to the Special Counsel, Committee on the Judiciary, House of Representatives
5 September 1973

William H. Merrill, Esq.
Assistant Special Prosecutor
Watergate Special Prosecution Force
1425 "K" Street, N. W.
Washington, D. C. 20005

Dear Bill:

On 7 August 1973 you asked me to verify the date CIA developed films for Howard Hunt. On 8 August I advised you orally that paragraph 6 of the affidavit containing 24 August 1971 was the accurate date and that paragraph 11 of the affidavit was wrong. I regret to inform you that my conclusions were in error and that the date the films were developed is 27 August 1971.

A review of Agency files and records has uncovered a chronology prepared by John on 5 December 1972 and a chronology prepared by John on 14 October 1971, copies enclosed. It should be noted in the chronology that the term "bigot" is used which identifies Howard Hunt as the subject to receive the technical assistance and since it was a sensitive case, a "bigot list" was maintained as to who had contact with Hunt. There is also an additional source of confirmation and that is Howard Hunt's testimony before the Grand Jury 2 May 1973. Mr. Campbell, Assistant U. S. Attorney, states in a question to Mr. Hunt: "On 25 August you and Mr. Liddy traveled to Los Angeles and registered at the Beverly Hilton Hotel." Mr. Hunt answered: "That must be it. In any event, we were authorized to make a preliminary vulnerability and feasibility study for such an operation." Also memoranda written by John on 26 August 1971 and 30 August 1971 recounting conversations with Mr. John concerning support given by TSD to Howard Hunt.
From a careful review of the above mentioned documents the sequence of events appear to be as follows:

a. 25 August 1971 Hunt and Liddy met in a safehouse with 10 received the information for Liddy's alias documentation and telephoned this into his branch chief. At this same meeting, Hunt requested a concealed camera.

10 asked 11 via telephone for this support and arrangements were made for 14 to deliver the camera and the alias documentation to the safehouse. 14 arrived and instructed Liddy on the use of the camera and gave him his alias documents. Hunt said he and Liddy were going to catch a plane. This would tie in with Hunt's Grand Jury testimony that he registered at the Beverly Hilton Hotel on 25 August 1971.

b. 26 August 1971 11 had conversations with 13 reporting additional requests in which 13 advised 13 that Hunt had now asked for a disguise and documents for a second individual (Liddy) and also requested a concealed camera per 13 memo prepared contemporaneously. Late in the evening of 26 August 10 received a telephone call from Hunt at his residence and Hunt requested 10 to meet him at Dulles Airport at 6:30 a.m., 27 August 1971.

c. 27 August 1971 10 met Hunt at Dulles Airport on Friday morning, 27 August 1971, and received from Hunt the camera concealed in a tobacco pouch and a roll of exposed film. Hunt requested immediate development of the film and asked that the negatives and one print of each picture be delivered to him that day. 10 agreed to meet Hunt at a safehouse later that morning. The roll of film was developed and a single print was made in accordance with Hunt's instructions. However, a Xerox copy of the prints was made for the TSD files.
Before I left for his meeting with Hunt to deliver the prints, I asked to see the prints and asked the technician to further identify the name on the parking space in one of the pictures. This name was later inked in on the Xerox copy as Dr. Fielding. Later in the day of the 27th of August, 1971, I talked to 13 and told him that the film had been developed and prints delivered to Hunt. 13 wrote up this conversation in his memorandum of 30 August 1971.

Sincerely,

[Signature]

John S. Warner
Acting General Counsel

Enclosure
The United States Senate

Report of Proceedings

Hearing held before

Select Committee on Presidential Campaign Activities

SENATE RESOLUTION 60 -- GENERAL INVESTIGATION

CONFIDENTIAL

Tuesday, June 19, 1973

Washington, D.C.

Duplication or copying of this transcript by photographic, electronic, or other
fascimile means is NOT AUTHORIZED.
Copies available, when authorized by Com-
mittee, only through Official Reporters.

WARD & PAUL
410 FIRST STREET, N. W.
WASHINGTON, D. C. 20003

(202) 541-6030
nation. I requested that a camera would be made available which
could be used for internal photography, that in fact was made
available to Mr. Liddy. It was a Tosina Camera, concealed --
in a tobacco pouch. Mr. Liddy was given instructions on its
operation and use. In due course we returned it to the
Central Intelligence.

Mr. Armstrong. Do you know what Mr. Liddy used that camera
for?

Mr. Hunt. Of course.

Mr. Armstrong. What was that for, sir?

Mr. Hunt. For internal photography in the professional
premises of Dr. Louis [sic] Fielding in Beverly Hills, California.

Mr. Armstrong. Was it ever used on any other occasions?

Mr. Hunt. No, not to my knowledge.

Mr. Armstrong. At what point was that returned to the
CIA?

Mr. Hunt. It was returned immediately upon our return
from our initial reconnaissance. The camera was constructed
in such a way that it was pre-loaded by CIA technicians; we had
no way of entering it to take out a casette [sic] of film. The
entire object had to be returned to the CIA; we never saw it
again.

They took the film out of it, developed the film, processed
them, printed them, and returned them to me. I never saw the
camera again.
Mr. Armstrong. Do you know what Mr. Hidy used that came for?

Mr. Hunt. Of course.

Mr. Armstrong. What was that for, sir?

Mr. Hunt. For internal photography in the professional premises of Dr. Louis Fielding in Beverly Hills, California.

Mr. Armstrong. Was it ever used on any other occasions?

Mr. Hunt. No, not to my knowledge.

Mr. Armstrong. As that point was that returned to the

After we returned immediately upon our return from our holiday vacation and the camera was countersigned in rank very low does the present by CIA technicians, we had no way of ascertaining that to return the exposed film. The remains of the film in the can to remain in

They sent the film on as, developed the film.
People v. Ehrlichman, et al. (A 30Q 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

John Ehrlichman

June 8, 1973
impact or the effect on his ability to conduct foreign policy, of the disclosure, either public or to foreign governments, of some of these highly confidential facts and national security secrets.

Q. Can you give us a date when you first found out that Mr. Liddy and Mr. Hunt were conducting an investigation into the Pentagon Papers leak?

A. No, I can't. The way -- the way that it came up was that we were not able to improve the F.B.I. response to their requirements; and I believe it was Mr. Krogh informed me that it was his recommendation that we go forward with the use of these two men, to come to California and see if they could develop some facts which Krogh felt he badly needed, in defining the scope of the apparent conspiracy, and some of the missing details, as to how the Pentagon Papers had actually been obtained, duplicated, and disseminated.

Q. I sense from your answer that he was then making a recommendation to you in that regard; is that correct?

A. That is correct.

Q. And did you approve that recommendation?

A. I believe the recommendation was discussed specifically with the President, before it was approved.

Q. By you?

A. No. I -- as I say, I believe he -- he specifically approved it. And it's my recollection that he either discussed it with -- well, I know he discussed it with Mr. Hoover.
NOTE

Portions of the Grand Jury testimony of Egil Krogh have been separately distributed to Committee members.
NOTE

Portions of the Grand Jury testimony of David Young have been separately distributed to Committee members.
On August 26, 1971 Young sent a memorandum to Ehrlichman stating that the plan was to develop slowly a negative picture around the whole Pentagon study affair (preparation to publication) and to identify Ellsberg's associates and supporters on the new left with this negative image. The memorandum referred to material to be developed from the present Hunt/Liddy Project #1. The memo stated that it would be absolutely essential to have an overall game plan developed for its use in conjunction with a Congressional investigation. On the following day Ehrlichman sent a memorandum to Colson requesting a game plan for the use of materials obtained from Hunt/Liddy Special Project #1.

68.1 John Ehrlichman testimony, 6 SSC 2551.

68.2 Memorandum from David Young to John Ehrlichman, August 26, 1971, SSC Exhibit No. 91, 6 SSC 2646-50.

68.3 Memorandum from John Ehrlichman to Charles Colson, August 27, 1971, SSC Exhibit No. 91, 6 SSC 2651.

68.4 E. Howard Hunt testimony, 9 SSC 3675.

68.5 Charles Colson testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 648-49 (received from Los Angeles County Grand Jury).
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
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
Stock Number 970-6666
Mr. DASH. Well, do you recall telling Mr. Young that Mr. Krogh was going to be taking the responsibility for that and that Mr. Young reminded you that maybe Mr. Hunt or some others made some copies of this memorandum? And that you indicated that, well, if that was so, the position to take would be that it would be a national security matter and you would button up?

Mr. EHRLICHMAN. No. The conversation, basically, was for me to inquire of Mr. Young to get as much information as I could about what it was that Mr. Hunt was, in effect, threatening to say. And he went into this in considerable detail with me at that time—that is to say, the general subject matter.

Mr. DASH. Now, did you also indicate to him that the President knew about this and had fully authorized it or had felt that it was a perfectly legal matter at that time?

Mr. EHRLICHMAN. If—I may have. I well may have, because in that period of time, 20, 21, 22 March, somewhere in there, I did have a conversation with the President about this.

Mr. DASH. By the way, did you also receive a memorandum suggesting that there would be a congressional investigation about the Ellsberg affair?

Mr. EHRLICHMAN. I have had a memorandum in my file from Mr. Colson on that subject. I do not know if that is the one to which you refer.

Mr. DASH. Did you ever receive one from Mr. Young?

Mr. EHRLICHMAN. About a congressional investigation?

Mr. DASH. Yes, suggesting that Mr. Mardian and others might be involved in this.

Mr. EHRLICHMAN. I may have, but that goes way, way back in time. I have not seen anything like that.

Mr. DASH. Dated August 26, 1972.

Mr. EHRLICHMAN. I well may have.

Mr. DASH. Do you recall having received this memorandum?

Mr. EHRLICHMAN. It has my initial on it. I do not have a present recollection of the document.

Mr. DASH. Do you also note that there is an attached memorandum on the same date for Mr. Colson from you, Mr. Ehrlichman, subject, "Hunt/Liddy special project."

And I quote:

On the assumption that the proposed undertaking by Hunt and Liddy would be carried out and would be successful, I would appreciate receiving from you by next Wednesday a game plan on how and when you believe the materials should be used.

Do you recall that?

Mr. EHRLICHMAN. Yes, I have seen that recently on going back into the files.

Mr. DASH. Now, I just have one last question. There are others, Mr. Ehrlichman, that I would like to get into, but I have taken sufficient time and I will have a chance to question you later. But you also indicated this morning when I put the question to you whether you were concerned whether or not the so-called entry, whether you call it the Ellsberg break-in in this particular case, it was a break-in, the Ellsberg break-in, would become known publicly, whether that would be em-
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
Select Committee on Presidential Campaign Activities

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973
EXHIBITS SUBMITTED FOR THE RECORD

Nos. 78 through 86—(2276) Photographs used during the interrogation of Mr. Ulasewicz. 2223-2230

No. 87—(2328) Letter to Fred M. Vinson, Jr., Esq., from Archibald Cox, Special Prosecutor, dated June 12, 1973. 2634

No. 88—(2344) Various letters between Robert W. Barker, Esq., Fred M. Vinson, Esq., Maurice H. Stans, and Fred C. La Rue re: Finance Committee To Re-Elect the President funds in possession of La Rue. 2635

No. 89—(2367) Contents of a handwritten note furnished by Mr. Mardian after a telephone conversation with Mr. Stans on May 1, 1973. 2642

No. 90—(2554) White House note for Young/Krogh from John Ehrlichman with attached memorandum from Bud Krogh and David Young. Subject: Pentagon Papers Project—Status Report as of August 11, 1971. 2643

No. 91—(2554) Memorandum for John Ehrlichman from David R. Young. Subject: Status of Information Which Can Be Fed Into Congressional Investigation on Pentagon Papers Affair. Also memorandum for Charles Colson from John Ehrlichman. Subject: Hunt/Liddy Special Project No. 1. 2646

No. 92—(2554) For identification only and not for publication.

No. 93—(2607) Affidavit of Henry E. Petersen 2652

No. 94—(2626) Letter to Egil Krogh from J. Edgar Hoover re: President Nixon's letter of July 29, 1971, regarding disclosures of top-secret material to the public. 2855

Note: Figures in parentheses indicate page that exhibit was officially made part of the record.
EXHIBIT No. 91

THE WHITE HOUSE
WASHINGTON
August 26, 1971

MEMORANDUM FOR: JOHN EHRICICHMAN
FROM: DAVID R. YOUNG

SUBJECT: STATUS OF INFORMATION WHICH CAN BE FED INTO CONGRESSIONAL INVESTIGATION ON PENTAGON PAPERS AFFAIR

Initial Situation

On July 20, 1971, after a meeting with Congressmen Hebert and Arends, Mardian, Macomber and Buzhardt reported that the Congressmen:

-- were willing to pursue the idea of an investigation;

-- would begin the investigation in a low key under a Subcommittee of the House Armed Services Committee. Beginning with the questions of security clearance, classification and declassification, they would then move into the more specific case of the Pentagon Study;

-- agreed that Mardian, Macomber and Buzhardt would set the format, supply the substantive data and develop the scenario.

At that time it was also believed that the principal person involved in the whole publication of the Pentagon Study was Ellsberg. On this basis it was estimated that it would take a little over 30 days to develop sufficient information for a Congressional investigation.

The plan then was to slowly develop a very negative picture around the whole Pentagon Study affair (preparation to publication) and then to identify Ellsberg’s associates and supporters on the new left with this negative image. The end result would be to show (1) how they were
intent on undermining the policy of the government they were
supposedly serving, and (2) how they have sought to put themselves
above the law.

Present Situation

The above assumption that Ellsberg was the principal person responsi-
ble for the publication in the Times is no longer valid. In fact, it ap-
ppears that those in Justice and Defense most familiar with this whole
enterprise believe that substantial evidence is being developed for the
criminal prosecution of individuals other than Ellsberg; namely, Gelb,
Halperin, Warnke and Rand executives. Buckley states that only the
FBI is disposed to thinking that Ellsberg is the sole prime mover.

In addition, the investigations have uncovered a proliferation of drafts
involved in the 38, 43 and 47 volume sets and the number of copies of
the sets has expanded far beyond what was initially estimated on the
basis of distribution lists, etc.

It may well be that although Ellsberg is guilty of the crimes with which
he is charged, he did not in fact turn the papers over to the New York
Times. The Defense Department's analysis of the printed material may
even show that Ellsberg did not have some of the papers which the New
York Times printed.

Furthermore, the whole distribution network may be the work of still
another and even larger network.

Examples of the types of problems which are presently being examined
are as follows:

(1) The likelihood that a good portion of the four volumes were
prepared in final during the spring of 1969 while Gelb was still at
Defense, and Halperin at the NSC.

(2) The curious discovery that Bill Bundy received his 47-volume
set two months before anyone else.

Status of Actions

Over 30 people (some a number of times) have been interviewed by
Defense and Justice, and this week investigative teams have been
dispatched to Europe and Vietnam.

Buzhardt will be interviewing Clark Clifford this Friday.

Buzhardt will interview William Kaufman shortly and this could be quite helpful in that Kaufman was one of the few people that apparently quit the project after protesting to Gelb that it was biased. Buzhardt has reason to believe that Kaufman will name names and identify those who were using the Study as a brief.

An interview with McNamara will be conducted by Buzhardt as soon as McNamara returns from vacation in early September.

An all-out adversary interrogation of Halperin, Gelb, Warnke, Rand executives and any other prime targets developed by that time is to be undertaken by Buzhardt's team shortly.

Comment

My own impression of Buzhardt (and most of the above is based on his investigations, since Mardian's boys are concentrating on Ellsberg) is that, although he is not moving as fast as we'd like, he should get us what we want. He believes that within 14 days, when he has been able to reach some reasonably certain preliminary conclusions, we will have a good basis for setting a Congressional strategy. He is convinced that at least Gelb and the Rand executives are lying in a very grave manner, and if he can prove this I think we'll have a good idea of where we want to go and how to get there.

Recommendation

That we give Defense and Justice a little more time to develop their cases and that we set up a strategy meeting for September 9, 1971, to determine an overall game plan.

Issues to be addressed would include the following:

(1) If there is enough to bring criminal actions against Gelb, the Rand executives, etc., do we want to prosecute or do we want...
to bring such material out through the Congressional investigation?

(2) If criminal prosecution is decided against for all except Ellsberg, when would it be most desirable to undertake the Congressional investigation?

(3) What strategy should be followed in the actual committee investigation (a) if only Ellsberg is to be prosecuted, or (b) if all the key persons are to be prosecuted?

(4) Do we want the Congressional investigation to also get into the substance of the Pentagon Study? If so, a game plan must be devised for determining what, when and how information should be fed to the committee.

(5) If the decision is made to move ahead in these substantive areas, careful consideration should be given to the effect of the credibility fall-out on us. For this reason it might be best to stick with specific blunders such as the 1963 coup, the miscalculation on the need of forces, etc.

[NOTE: I am sending you a separate Hunt to Colson memorandum which attempts to select the politically damaging material involving the Democratic hierarchy. I personally believe a good deal more material could be developed along these lines. To begin with, we have Concin, Lansdale, Harkins and Nolting who could possibly be called upon to testify.]

(6) To what extent should we try to show the lack of objectivity, and the intent of the participants in the Pentagon Study to distort and misled. (Note that exploitation of this theme undercuts points (4) and (5).

(7) Effect of South Vietnamese election on timing of investigation.

(8) Effect of Ellsberg trial which will now not come up before March of 1972 on timing of investigation.

(9) How quickly do we want to try to bring about a change in Ellsberg's image?
Action

That you schedule a strategy meeting on September 9th with Macomber, Mardian, Burchardt, Krogh and Young. (I have discussed this approach with Bud and he is in agreement).

Approve ___________________________

Disapprove ___________________________

Other ___________________________

In connection with issue (9), it is important to point out that with the recent article on Ellsberg’s lawyer, Boudin, we have already started on a negative press image for Ellsberg. If the present Hunt/Liddy Project is successful, it will be absolutely essential to have an overall game plan developed for its use in conjunction with the Congressional investigation. In this connection, I believe that the point of Buchanan’s memorandum on attacking Ellsberg through the press should be borne in mind; namely, that the situation being attacked is too big to be undermined by planted leaks among the friendly press.

If there is to be any damaging of Ellsberg’s image and those associated with him, it will therefore be necessary to fold in the press planting with the Congressional investigation. I mentioned these points to Colson earlier this week, and his reply was that we should just leave it to him and he would take care of getting the information out. I believe, however, that in order to orchestrate this whole operation we have to be aware of precisely what Colson wants to do.

Recommendation: That you sign the memorandum to Colson asking him to draw up a game plan (Tab A).
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
Select Committee on Presidential Campaign Activities

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973
EXHIBITS SUBMITTED FOR THE RECORD

Nos. 78 through 86—(2276) Photographs used during the interrogation of Mr. Ulasewicz. 2228-2230

No. 87—(2325) Letter to Fred M. Vinson, Jr., Esq., from Archibald Cox, Special Prosecutor, dated June 12, 1973. 2634

No. 88—(2344) Various letters between Robert W. Barker, Esq., Fred M. Vinson, Esq., Maurice H. Stans, and Fred C. La Rue re: Finance Committee To Re-Elect the President funds in possession of LaRue. 2633

No. 89—(2367) Contents of a handwritten note furnished by Mr. Mardian after a telephone conversation with Mr. Stans on May 1, 1973. 2642

No. 90—(2554) White House note for Young/Krogh from John Ehrlichman with attached memorandum from Bud Krogh and David Young. Subject: Pentagon Papers Project—Status Report as of August 11, 1971. 2643

No. 91—(2554) Memorandum for John Ehrlichman from David R. Young. Subject: Status of Information Which Can Be Fed Into Congressional Investigation on Pentagon Papers Affair. Also memorandum for Charles Colson from John Ehrlichman. Subject: Hunt/Liddy Special Project No. 1. 2646

No. 92—(2554) For identification only and not for publication. 2852

No. 93—(2607) Affidavit of Henry E. Petersen. 2652

No. 94—(2626) Letter to Egil Krogh from J. Edgar Hoover re: President Nixon's letter of July 29, 1971, regarding disclosures of top-secret material to the public. 2855

Note: Figures in parentheses indicate page that exhibit was officially made part of the record.
August 27, 1971

MEMORANDUM FOR  CHARLES COLSON
FROM  JOHN EHRlichMAN
SUBJECT  HUNT/LIDDy SPECIAL PROJECT #1

On the assumption that the proposed undertaking by Hunt and Liddy would be carried out and would be successful, I would appreciate receiving from you by next Wednesday a game plan as to how and when you believe the materials should be used.

A TRUE COPY
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

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

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

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

[8653]
psychological assessment on Dr. Ellsberg. I believe that the CIA, the
FBI, and perhaps the Counter-Intelligence Corps were requested to
provide the Plumbers group with their full holdings on Ellsberg. And
in due course, we did enter the office of Dr. Fielding, who had been
Dr. Ellsberg's psychiatrist, to determine if there were any psychiatric
notes.

Mr. DASH. Now, Mr. Chairman, this particular memorandum,
July 28, 1971, from Mr. Hunt to Mr. Colson, the subject, "Neutraliza-
tion of Ellsberg," I would like to have identified for the record and
admitted in evidence.

Senator ERVIN. It will be appropriately marked as an exhibit and
received in evidence as such.

[The document referred to was marked exhibit No. 150.*]

Mr. DASH. Now, I think you testified in your statement, you have
indicated that you did indeed engage in a break-in. Was it subse-
quently determined that an attempt should be made to obtain Dr. Ells-
berg's medical files from the psychiatrist's office?

Mr. HUNT. Yes, sir.

Mr. DASH. You have a memorandum which the committee provided
you, dated August 27, 1971, from Mr. Ehrlichman to Charles Colson,
with the subject "Hunt-Liddy Special Project No. 1"?

Mr. HUNT. I have such a memorandum.

Mr. DASH. That is dated August 27. I think this was previously put
in the record by the committee, attached during Mr. Ehrlichman's tes-
timony. I have just been informed that it is exhibit No. 91 in the com-
mittee record.

Do you have a copy of that memorandum?

Mr. HUNT. I beg your pardon.

Mr. DASH. Do you have a copy of that memorandum?

Mr. HUNT. Yes, sir, I do.

Mr. DASH. Let me just read the memorandum; it is brief. This is
from Mr. Ehrlichman to Mr. Colson:

On the assumption that the proposed undertaking by Hunt and Liddy would
be carried out and would be successful, I would appreciate receiving from you
by next Wednesday a game plan as to how and when you believe the materials
should be used.

This is referring to Hunt-Liddy special project No. 1.

Mr. Hunt, what, from your understanding, on the date of August 27,
1971, would Hunt and Liddy's special project No. 1 be?

Mr. HUNT. I would assume it to be the Fielding entry, based on the
fact that Mr. Liddy and I, as of that date, would just have returned
from our initial reconnaissance of Dr. Fielding's professional premises
in Beverly Hills, we would have submitted a feasibility study.

Mr. DASH. And that the reference there for Hunt and Liddy special
project No. 1 would refer to the proposed covert entry of Dr. Fielding's
office for the psychiatric file?

Mr. HUNT. Yes.

Mr. DASH. Now, in fact, you and Mr. Liddy did go to Los Angeles
to determine whether a covert entry was feasible and you did determine
that it was; did you not?

Mr. HUNT. Yes.

*See p. 3886.
People v. Ehrlichman, et al. (A 300 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

Charles Colson

June 8, 1973
The text of the memorandum was something to the effect of:

"Consistent with the request that we get out some information on Mr. Ellsberg, would you disseminate --" or, no. "Would you try to get out the attached memorandum which I have received from Howard Hunt?"

And it was an article that Hunt had prepared actually, about Mr. Ellsberg and his relationship to Mr. Beaudine.

And that, through one of my staff, I had delivered to a reporter who was doing some writing in that area at the time.

I received a second memorandum from Mr. Ehrlichman on August 27th, although I don't think I received it until after the 31st; and it was a memorandum which had a caption on it. And I have -- it was unlike any other memorandum I had received from Mr. Ehrlichman.

The caption was entitled: "Hunt-Liddy Special Operation Number 1." And it was to the effect of -- I've forgotten the precise tenor of the memorandum, but it was: Assuming the information that Mr. Liddy and Mr. Hunt were working on is obtained, will you give me a -- your recommendations as to how it can best be distributed?

The memo was not -- I had never heard of the Hunt-Liddy Special Operation Number 1. It was a term that I had never seen nor heard.

I think Mr. Ehrlichman was out of town that.
weak. I recall writing on the top of the memorandum "See J.D.E." In other words, something that I would take up and discuss with him.

I put it in a folder of items that I maintained, to talk about -- put it in a folder that I kept for things that I would take up with Mr. Haldeman or Mr. Ehrlichman.

As I say, either the week after Labor Day or the second week in September, I met with Mr. Ehrlichman and asked him about the memorandum. He told me at that time that there had been a -- I asked him what it was that he wanted gotten out; what kind of information it was; what this was all about.

And he said that there was an attempt -- there had been an attempt to get at Mr. Ellsberg's psychiatric records; that it had failed -- or that it had not been successful, or that -- that they hadn't gotten them, I think is the phrase he used; and that I should not -- that I should forget about it.

He also told me that it was a matter that was classified, and that I should not discuss it.
On August 27, 1971 CIA Deputy Director Cushman telephoned Ehrlichman to request that Hunt be restrained in his requests to the CIA for further assistance. Hunt had requested from the CIA such items as a stenographer, credit cards, and an office in New York with a phone listed in New York that could be monitored in Washington. Ehrlichman agreed that the CIA need not meet Hunt's additional requests.

69.1 Robert Cushman testimony, 8 SSC 3293-94.
69.2 Memorandum for the record, August 30, 1971 and routing slip, August 31, 1971, SSC Exhibit No. 122, 8 SSC 3377-79.
69.3 John Ehrlichman testimony, Senate Appropriations Subcommittee, Executive Session, May 30, 1973, 239 (received from Senate Appropriations Committee).
69.4 CIA employee affidavit, May 18, 1973 (received from CIA).
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. 97-01-01079-00
Mr. Hamilton. Did Mr. Hunt make any request to you as to how these items should be delivered?

General Cushman. He said that he did not want to come back into the Agency and could they be delivered to him at a house, safe house, as it is called, somewhere off the premises of the CIA.

Mr. Hamilton. And did you agree to this?

General Cushman. Yes, sir. I did.

Mr. Hamilton. And did you subsequently report your actions to Mr. Helms who was then the Director of the CIA?

General Cushman. I discussed it with him to the best of my recollection a couple of days later. As I recall, on July 7 I was the Acting Director. Mr. Helms was not present. And therefore on the 8th is when I announced at the staff meeting about the phone call. Then after Mr. Hunt did appear on July 22, it is the best of my recollection that I did so report to the Director, probably along with a lot of other things that we talked about frequently, and whether he remembers this I don't know. The last time I talked to him he said he didn't recall as to whether I had talked to him or not. I think I did.

Mr. Hamilton. Is it your recollection, General, that he indicated his approval of the actions you had taken?

General Cushman. Yes.

Mr. Hamilton. Did there come a time around August 18, 1971, when Mr. Hunt began to make additional demands on the Agency?

General Cushman. Yes, sir. On July 18, 1971, he conveyed to me, not directly—I never did talk directly with Mr. Hunt after the interview as far as I recall—but he relayed through my executive assistant that he wanted the services of a stenographer whom he knew and we turned that down. I discussed it with Mr. Helms. We both agreed it was not a proper request.

Mr. Hamilton. Was it reported to you that these new requests that Mr. Hunt was making was in conjunction with what he described as a new assignment that he had been given by the White House?

General Cushman. I can't recall that exactly. I thought so. But I am not sure. I do know that I thought at the time that since he was a paid consultant, that he should be hiring a stenographer if he needed one and that he was probably trying to lighten the expenses of his job, so to speak, by borrowing whatever he could from us. And that was something that we could not do.

Mr. Hamilton. Would you outline for the committee the other requests that Mr. Hunt made of the agency besides the requests for a secretary?

General Cushman. Yes, sir.

Mr. Hamilton. And would you also indicate while doing this, General Cushman, which requests the Agency granted and which ones were turned down?

General Cushman. Yes. As I say, I regarded the secretary thing as something entirely separate, that he was trying to save the expenses of hiring a stenographer. And that request did get relayed to me promptly along about August 18. However, the other requests I didn't really find out about until they were cumulative and the technical services people began to worry about these requests and they called my office to see whether the instructions still stood to help Hunt out. I found that he had been given a tape recorder and that he had
been issued a camera. I found out that the camera had been used to expose some film and that we had developed it and delivered the prints, I think it was, to him. I found out that he had brought in another man whom I find out in 1973 was probably Liddy. He had brought in another man and talked the technical services people into giving that man an alias and some false papers. So all in all it struck me that he was exceeding what he had told me he was going to do; namely, a one-time interview, and that he was going to do this himself. So we discussed it, Mr. Helms and I, and decided to turn it off.

Mr. Hamilton. Just for the record, the recorder was contained in a typewriter case, that is correct?

General Cushman. I believe so. I never have seen any of the equipment. Until this year I never really saw a list of what had been issued.

Mr. Hamilton. And the camera was the type of camera that could be disguised in a tobacco pouch.

General Cushman. That is what I understand.

Mr. Hamilton. General, do you know what any of the equipment that Mr. Hunt obtained was used for?

General Cushman. I think he kept it. I believe the technical services people asked for its return, but it was not returned, with the exception, I have been told, of the camera, I believe it was, as being not suited to whatever it was he wanted to use it for.

Mr. Hamilton. Do you know what it was actually used for?

General Cushman. No, I have no idea.

Mr. Hamilton. Did Mr. Hunt also request that he be given a New York address and phone services in New York?

General Cushman. Yes, sir. And this was when we decided that these requests were clearly escalating into improper requests, in that they would involve CIA people. He wanted an office, and he wanted the telephone to be monitored, as an answering service would, when he was not there, and this, so to speak, was just too much, and I called up Mr. Ehrlichman and told him we could not accede to these types of requests. That I thought he was, he, Mr. Hunt, was not exercising proper judgment, and that, therefore, I passed the word on.

Mr. Hamilton. What was Mr. Ehrlichman's comment at that time?

General Cushman. He said "OK," which I took to mean that we did not have to accede to Hunt's request, and said that he would restrain Mr. Hunt.

Mr. Hamilton. Was this action taken on your own part or at the instruction of Mr. Helms?

General Cushman. We talked it over, and I made the phone call. It was on his instructions.

Mr. Hamilton. Now, that date on which you called Mr. Ehrlichman, which I believe you said was August 27, 1971. Is that correct?


Mr. Hamilton. Did Mr. Hunt make another request of the Agency?

General Cushman. I do not have any knowledge of it firsthand. I have been told that he asked for a credit card and that this was turned down.

Mr. Hamilton. Is it your information that he asked for that credit card on August 31?

General Cushman. Yes, that is what I understand.
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. 027-001-00004-8

[8666]
EXHIBITS SUBMITTED FOR THE RECORD

No. 110—(3029) White House memorandum for H. R. Haldeman from Bruce Kehrl. Subject: Committee for the Re-Election Support. 3313

No. 111—(3060) U.S. Senate subpoena served H. R. Haldeman to appear on May 4, 1973. 3316

No. 112—(3060) U.S. Senate subpoena served H. R. Haldeman to appear on July 18, 1973. 3318

No. 113—(3132) White House letter to John Wilson from J. Fred Buzhardt, dated July 30, 1973, re: President instructing Haldeman to decline to testify to Senate Select Committee on listening to tape-recorded conversations. 3320

No. 114—(3132) Justice Department letter to Samuel Dash, signed by John H. Davitt, Chief, Internal Security Section, Criminal Division, advising no information in their files, or FBI files, of any criminal acts involving Democrats. 3321

No. 115—(3190) White House memorandum for H. R. Haldeman from Ronald H. Walker, dated October 14, 1971, re: Charlotte, N.C., demonstrations. 3322

No. 116—(3190) Personal and confidential letter to John Mitchell from Hugh W. Sloan, Jr., re: Accounting of $2,000 that Haldeman requested be made available to Ron Walker. 3324


No. 118—(3207) Letter to Senator Ervin from Hans Linde, professor of law at the University of Oregon, dated July 25, 1973, re: Supreme Court opinion in Abel v. United States. 3327

No. 119—(3207) Text of Supreme Court decision in Abel v. United States. 3329

No. 120—(3221) White House memorandum for John Dean from H. R. Haldeman, dated January 28, 1971. Subject: Hughes retainer of Larry O'Brien, with attached memorandum. 3369

No. 121—(3221) Memorandum from Charles Colson for H. R. Haldeman dated March 30, 1972. Subject: ITT. 3372

No. 122—(3266) Routing slip and memorandum dated August 30, 1971. Subject: Additional request from Mr. Howard Hunt for agency support. 3377

No. 123—(3283) Routing slip and memorandum dated August 23, 1971. Subject: Request by Mr. Howard Hunt for special agency secretarial support. 3380

No. 124—(3292) Transcript of taped meeting between General Cushman and Howard Hunt on July 22, 1971. 3383

No. 125—(3295) Memorandum for John Ehrlichman from General Cushman regarding contact with Mr. Howard Hunt; dated January 3, 1973. 3390


No. 127—(3311) Memorandum for General Cushman with attached memorandum for the record, dated August 26, 1971. Subject: TSD request for guidance on extent of assistance to Mr. Howard Hunt. 3392

No. 128—(3311) White House memorandum for Richard Helms, Director, CIA, Subject: Domestic intelligence; dated July 23, 1970, with attachments. 3394

NOTE.—Figures in parentheses indicate page that exhibit was officially made part of the record.
### Official Routing Slip

<table>
<thead>
<tr>
<th>TO</th>
<th>NAME AND ADDRESS</th>
<th>DATE</th>
<th>INITIALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DCI</td>
<td>31 Aug 71</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ER - FILE**

Howard Hunt

**ACTION:** DIRECT REPLY  PREPARE REPLY

**APPROVAL:** DISPATCH  RECOMMENDATION

**COMMENT:** FILE  RETURN

**CONCURRENCE:** INFORMATION  SIGNATURE

**Remarks:**

I called John Publicman Friday and explained why we could not meet their request. I indicated Hunt was becoming a pain in the neck. John said he would continue Hunt.

27 Aug 71

Fold here to return to sender

<table>
<thead>
<tr>
<th>FROM: NAME, ADDRESS AND PHONE NO.</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCI</td>
<td>31 Aug 71</td>
</tr>
</tbody>
</table>

UNCLASSIFIED  CONFIDENTIAL  SECRET
MEMORANDUM FOR THE RECORD

30 August 1971

SUBJECT: Additional Request from Mr. Howard Hunt for Agency Support

1. Mr. Deputy Chief, TSD telephoned on 27 August 1971 to report additional requests from Mr. Howard Hunt. He said that Mr. Hunt had telephoned Mr. his regular TSD contact, on 26 August 1971 and asked him to meet a courier at the airport to receive exposed film and arrange for its development. Mr. Hunt also arranged to pick up the developed film later. Mr. said that the pseudonym of Mr. Hunt's colleague, whose identity remains unknown to us, is

2. Mr. said that he was increasingly concerned at the nature of assistance requested by Mr. Hunt. TSD had initially furnished Mr. Hunt with notional pocket-litter documentation. Hunt was now pressing for fully backstopped documentation and support. A driver's license and credit cards (including Hertz and Avis) had been requested in pseudonym. Mr. said that he had turned down this request. Hunt had also asked that the Agency arrange to backstop a New York phone number either through an answering service there or by a hookup which would permit the New York number to be answered in Washington. Hunt also wanted the Agency to arrange for a New York business office to acknowledge him. Mr. said this service was beyond TSD's capability and would have to be handled by the Office of Security.
3. I told Mr. that Mr. Hunt's latest requests drew us even further into the sensitive area of domestic operations against Americans and that all such requests should be referred to General Cushman's office. Meanwhile these requests should not be met.
EXECUTIVE SESSION

PURPORTED ATTEMPT TO INVOLVE THE CENTRAL INTELLIGENCE AGENCY
IN THE WATERGATE AND ELLSBERG INCIDENTS

WEDNESDAY, MAY 30, 1973

United States Senate,
Subcommittee of the Committee on Appropriations,
Washington, D.C.

The subcommittee met at 10:10 a.m., pursuant to call, in room 1223, Dirksen Senate Office Building, Hon. John L. McClellan (chairman of the subcommittee) presiding.

Present: Senators McClellan, Pastore, Young and Hruska.

Chairman McClellan. The committee will come to order.

Mr. Ehrlichman, we welcome you here this morning. We appreciate your response to our invitation to appear before the committee. I note you have counsel with you. In this particular inquiry in these executive sessions we have been having we have permitted counsel to be present. They can only, of course, advise you regarding your legal rights and so forth. Other than that, they are not permitted to ask questions or interrupt the proceedings in any way.

We have heretofore and in view of the delicacy of the inquiry that the committee is making and its importance we
Chairman McClellan. The pilfering of those papers was during the Nixon Administration?

Mr. Ehrlichman. Yes, sir. The documents themselves were assembled, collected and analyzed and so on.

How did Hunt secure CIA aid?

I received a phone call from General Robert Cushman, Deputy Director of the CIA, in late August 1971 -- he says it was August 27. I can't disagree with that -- saying that Hunt was receiving aid from the Agency which was becoming potentially awkward.

I asked him whether Hunt was acting for the Agency or the White House. He said the White House. I asked him what Hunt's assignment was from the White House. He said he did not know.

In response to his request I told the General I would take responsibility for the agency terminating its assistance to Hunt and if there were any squawks or kickbacks from anyone in the White House, to simply refer them to me.

In 1969 -- this would have been two years previous when we first came in office --

Senator Pastore. Before you leave that point, the testimony of General Cushman before this Committee is that you called General Cushman advising that Howard Hunt had been added to the Security Office of the White House.

Now you just testified that the first time you came
SECRET

EXECUTIVE SESSION

MONDAY, MAY 30, 1973

THIS MATERIAL CONTAINS INFORMATION AFFECTING THE NATIONAL DEFENSE OF THE UNITED STATES WITHIN THE MEANING OF THE ESPIONAGE LAWS, TITLE 18, U.S.C., SECTIONS 793 AND 794, THE TRANSMISSION OR REVELATION OF WHICH IN ANY MANNER TO AN UNAUTHORIZED PERSON IS PROHIBITED BY LAW.

UNITED STATES SENATE

Subcommittee of the Committee
on Appropriations

Washington, D.C.

The subcommittee met at 10:15 a.m., pursuant to call, in room 1223, Dirksen Senate Office Building, Hon. John E. McClellan (chairman of the subcommittee) presiding.

Present: Senator McClellan, Pastore, Young and Muskie.

Chairman McClellan. The committee will come to order.

Mr. Baklich, we welcome you here this morning. We appreciate your response to our invitation to appear before the committee. I note you have counsel with you. In this particular inquiry in these executive sessions we have been having we have permitted counsel to be present. They are only, of course, advised you regarding your legal rights and so forth. Unless that is, they are not permitted to ask questions.

We have heard on this and in view of the delicacy of the inquiry as to what is being written, and its importance in

[8674]
Chairman McClellan. The pilfering of those papers was during the Nixon administration?

Mr. Ehrlichman. Yes, sir. The documents themselves were assembled, collected and analyzed and so on.

How did Hunt secure CIA aid?

I received a phone call from General Robert Cushman, Deputy Director of the CIA, in late August 1971 -- he says it was August 27. I can't disagree with that -- saying that Hunt was receiving aid from the Agency which was becoming potentially awkward.

I asked him whether Hunt was acting for the Agency on the White House. He said the White House. I asked him what Hunt's assignment was from the White House. He said he did not know.

In response to his request I told the General I would take responsibility for the agency terminating its assistance to Hunt and if there were any squawks or kickbacks from anyone in the White House, to simply refer them to me.

In 1969 -- this would have been two years previous when we first came in office --

Senator Pasteur. Before you leave that point, the testimony of General Cushman before this Committee is that you called General Cushman claiming that you were a

administration security officer of the White House.

Are you just testifying that the first time
IMPEACHMENT INQUIRY

Vol 9 - CIA

DOCUMENTATION PROVIDED BY CIA

1 June 1973

VOLUME I
AFFIDAVIT

STATE OF VIRGINIA                          )
COUNTY OF FAIRFAX                          ) ss.

1. I, [Name], being first duly sworn, state:
   1. I was born on [Date] in [Place].

   After serving as an Army officer in World War II and completing my college education, I joined the Central Intelligence Agency in October. I have held the position of [Position] since November.

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

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

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

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

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

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

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

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

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

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

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

15. With the closing off of Agency contacts with Mr. Hunt I dis-
carded my handwritten notes covering my talks with Mr. Hunt and Mr.
I filed my memoranda to General Cushman, however. In June
1972, when Mr. Howard Hunt's name turned up in connection with the
Watergate affair, I retrieved these memoranda and went to see Director
Helms to remind him of the contacts with Mr. Hunt a year earlier. I left
these memoranda with Mr. Helms.

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

SUBSCRIBED and SWORN to before me this ___ day of ___, 1973.

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

My Commission Expires: My Commission Expires September 23, 1973
Krogh and Young have testified that they telephoned Ehrlichman at Cape Cod on or about August 30, 1971 and reported that Hunt and Liddy had returned from California and reported that a covert operation could be undertaken and would not be traceable. Ehrlichman gave his approval. Ehrlichman has testified that he does not recall receiving this telephone call.


70.2 David Young testimony, District of Columbia Grand Jury, August 22, 1973, 57-59.

70.3 John Ehrlichman testimony, 6 SSC 2548.

70.4 John Ehrlichman log, August 29-September 5, 1971 (received from SSC).
NOTE

Portions of the Grand Jury testimony of Egil Krogh have been separately distributed to Committee members.
NOTE

Portions of the Grand Jury testimony of David Young have been separately distributed to Committee members.
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
Select Committee on Presidential Campaign Activities

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973
Mr. Ehrlichman. Well, I don't know that or whether they would be in a medical record center or in a clinic or where, and in point of fact, as you know, Mr. Dash—

Mr. Dash. I think the memo is pretty clear.

Mr. Ehrlichman. Excuse me. In point of fact when they went in there, they didn't find it.

Mr. Dash. Yes, but read the memo again, Mr. Ehrlichman. The memo says, "Examine all the medical files still held by Ellsberg's psychoanalyst covering the 2-year period."

Mr. Ehrlichman. Yes.

Mr. Dash. I think a clear reading of that is that they are in his possession.

Mr. Ehrlichman. Again I don't mean to quibble with you. The words here are not my words. They are the words of the writers of the memo. The thing that was imparted to me by the word "covert" was that these people would not identify themselves as investigators of the White House or anything of this kind, and that their identities would not be known to the people that they were interrogating.

Mr. Dash. All right. So they would not identify themselves as representatives of the White House but through some identification they might get access to the building.

Mr. Ehrlichman. Not necessarily. They might have gotten access through another doctor, through a nurse. There are all kinds of ways that one could get this information.

Mr. Dash. But it would include getting access to the building, would it not?

Mr. Ehrlichman. Not inevitably.

Mr. Dash. I didn't say inevitably, it would include it.

Mr. Ehrlichman. As one of a number of possibilities.

Mr. Dash. And also, say, by some covert activity, but not identify themselves as members of the White House staff, of getting access to the office.

Would it not include that as one of the alternatives that they could take?

Mr. Ehrlichman. Well, you are asking me to define phrases in somebody else's memo.

Mr. Dash. Well, you approved this memo. You didn't put any other conditions on it, did you?

Mr. Ehrlichman. No, I am trying to tell you what I thought I was approving.

Mr. Dash. Well, those who read it undertook to also interpret what you thought you were approving. By the way, did Mr. Young and Mr. Krogh call you while you were in Cape Cod after Mr. Hunt and Mr. Liddy came back, and tell you that they had established that it was feasible that they could get access, and that you said, "OK, go ahead and let them do it."

Do you recall that call that Mr. Krogh and Mr. Young made to you in Cape Cod?

Mr. Ehrlichman. No. I don't—as a matter of fact, I don't recall any business calls while I was up there at all.

Mr. Dash. Would you be surprised if I told you that Mr. Young would so testify?

Mr. Ehrlichman. Yes, I would.
Sunday, August 29 - Sunday, September 5

Cape Cod

Tuesday, September 7

8:00  HRH office
8:15  Roosevelt Room
8:30  CIEP - Cabinet Room
11:00 Wrede Petersmeyer
2:00  Ken Cole
2:30  Senator Baker, Jim Jordan (Baker's AAs), Ruckelshaus, Train, Whitaker, Don Grabill
3:30  Sec., Connally, George Shultz
5:40  HRH

WEDNESDAY, SEPTEMBER 8

8:00  HRH office
8:15  Roosevelt Room
10:00 Bob Patricelli (to say goodbye)
10:45 Bud Krogh, David Young
11:25 Dr. Sidney Marland
12:15 Don Rice
12:45 Lunch in Mass with Sec. Richardson, Dick Nathan
2:00  Governor Dan Evans, Mrs. Evans, two sons
3:00  Ed Morgan
3:30  President
6:00  Dinner reservations at Le Grande Scone (Kennedy Center)
7:30  Kennedy Center "Mass" - BLACK TIE
     Reception following performance in North Lounge

THURSDAY, SEPTEMBER 9, 1971

8:00  HRH office
8:15  Roosevelt Room
9:30  Ken Cole
9:45  Ken Cole, Chuck Colson
10:00 Bill Magruder
11:00 Fred Buzhardt, Bob Martin, Krogh, Young
12:10 Motorcade departs South Driveway - JDF in Staff Car #1
12:30 Presidential address to Joint Session
1:15  Lunch in Mass with Governor Evans, Dwight Chapin
3:00  Secretary Morton - "T" Visit
5:00  Dinner
8:30  Kennedy Center - National Symphony - BLACK TIE
71. Prior to September 2, 1971 either Krogh (according to Krogh) or Ehrlichman (according to Colson) requested Colson to obtain $5,000. The money was to be used to finance the Fielding operation. Colson requested Joseph Baroody, a Washington public relations consultant, to deliver $5,000 to Krogh who turned it over to Liddy. Several weeks later Colson caused Baroody to be repaid with $5,000 from a political contribution by a dairy industry political organization.

71.1 Charles Colson testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 651-56 (received from Los Angeles County Grand Jury).

71.2 John Ehrlichman testimony, Grand Jury, People v. Ehrlichman, June 8, 1973, 552-53 (received from Los Angeles County Grand Jury).


71.4 David Young testimony, District of Columbia Grand Jury, August 22, 1973, 77-80.

71.5 E. Howard Hunt testimony, 9 SSC 3774.

71.6 Joseph Baroody affidavit, January 30, 1974 (received from SSC).

71.7 George Webster deposition, Common Cause v. Finance Committee to Re-elect the President, December 24, 1973, 33-35.

71.8 Marion Harrison testimony, SSC Executive Session, December 4, 1973, 43-45 (received from SSC).
People v. Ehrlichman, et al. (A 300 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

Charles Colson

June 8, 1973
corridor or talked to someone at the White House mess, the lunch room.

But I don't have any record of having had any meetings during that period.

Q Did you participate in an interview on or about May 8th, 1973, with two special agents from the Federal Bureau of Investigation?

A Yes.

Q And during the course of that conversation, did you tell them in substance that you had no discussions or advance information of the alleged burglary -- that must be referring to Dr. Fielding's office -- but that you knew that the Plumbers were going to the West Coast but did not know which of them would actually make the trip?

A I don't recall putting it specifically that way. The substance of that is correct, that I knew that they were conducting investigations.

As to when I knew that, I just don't know. I don't recall saying "I don't know which one."

Q Had you been asked for funds at or about this time by anyone associated with the Plumbers group?

A Well, my best recollection is I told the FBI, in that same interview, that I had a phone conversation. I cannot be precise as to when it was.

Q With whom was it, sir?

A My recollection is it was with Mr. Ehrlichman.

Q Will you tell us, please, the substance of that conversation?
A Yes. Mr. Ehrlichman asked me if I could obtain five thousand dollars for Mr. Krogh. And he indicated that the money was needed rather quickly, as I recall. And I obtained it from Mr. Joseph Baroody, who was at that time the -- that was a partner in the Public Relations firm that was organizing the committee for new prosperity, which was the group that was the outside support, public support or private -- a private group on the outside that was -- that had been formed to generate public support for the President's new economic policy.

I did not, during the course of that first interview, know that it was even Mr. Baroody that I had asked for the funds. I had to go back and check and discover that it was.

Q Do I understand you to tell me that the -- that Mr. Ehrlichman asked you to obtain five thousand dollars for Mr. Krogh?

A Yes.

Q When did he make this request from you?

A The only way I can tell is going back now, of course, and the benefit of piecing together the dates and the times and the places of what I now know, and looking at the records.

I would have to assume that it was the week before Labor Day. I can't, however, be more precise than that. It could have been after Labor Day.

Q Where were you when you received this telephone call from Mr. Ehrlichman?
A  I was in my office.
Q  In the White House?
A  Yes.
Q  Do you have any idea where Mr. Ehrlichman was when he made that request to you?
A  No; but one reason that I think it was the week before Labor Day is that I think Mr. Ehrlichman was on the West Coast. But that's -- I haven't checked that. I know it was a phone conversation.
Q  Was that a highly unusual request for you to receive from Mr. Ehrlichman?
A  Not really. One of my assignments in the White House had been -- throughout the course of the time I was in the White House, one of my assignments was to maintain liaison with all outside groups. That would include all organized groups, like anything from League of Women Voters to the labor unions, to veterans' groups, what-have-you.
I spent a large part of my time, and my staff did, seeing people from outside groups who would come in and want to have discussions with the President, with the President's staff.

I was also responsible for forming or helping to form or encouraging the formation of outside groups that would support the policies that the President was following. For example, we formed a support group for the President's effort to get approval of the anti-ballistics missile. We formed a support committee for economic policy.

Q How does that relate to the request by Mr. Ehrlichman for funds?

A I'm sorry, I gave you a long-winded answer. Because of this relationship with outside groups, I would often be the person that either Mr. Haldeman or Mr. Ehrlichman would call and ask if I could get funds for a particular -- usually for an outside project, but something that they wanted done.

In other words, a poll to be taken in connection with the A.B.M., I recall, the publication or the reprint of some materials that had been printed in the Reader's Digest.

I was often called and asked if I would be able to get someone to help finance a particular outside project.

Q Had Ehrlichman ever asked you to obtain funds for Mr. Krogh before?

A No.
Q. This was a request for five thousand dollars?
A. My best recollection is that the amount was five thousand, yes.

Q. And you secured the five thousand dollars?
A. No. I apparently -- I have had to go back and reconstruct this. I apparently called Mr. Baroody and asked if he could -- if he could get five thousand dollars, if he had it.

And he was the fellow at that particular point in time raising money for the committee for a new economic policy. He said he could.

And I asked if he would deliver it to Mr. Krogh's office, which he had subsequently told me that he did.

Q. Did he tell you when he delivered it?
A. No. His recollection, like mine, is that it was during this period of time, but the specific date we can't establish.

Q. Do you recall whether there was any immediacy attached to the request of Mr. Ehrlichman in terms of that money?
A. Well, it seems to me there was, but I'm not able to really be precise on what was said during that conversation.

Q. Do you recall whether or not there was any immediacy attached to your request to Mr. Baroody for obtaining that money?
A. I would have conveyed the same immediacy that Mr. Ehrlichman conveyed to me. If it was "Get it today, if
you can," fine. If it was, "Get it tomorrow, we need it by
tomorrow," or -- I just don't remember.

Q Did you ever talk to Mr. Krogh about that money?
A To the best of my knowledge, I did not.

Q Did you ever find out whether that money was
repaid?
A Yes, I made arrangements for repaying that money
through a committee in the District of Columbia, a political
committee in the District of Columbia that was at that point
raising funds, and it was repaid later -- late September,
according to -- as I said, I have had to go back and reconstruct
the events, but the money was repaid to Mr. Baroody in the
latter part of September.
People v. Ehrlichman, et al. (A 300 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

John Ehrlichman

June 8, 1973
A Well, he was a staff assistant to Mr. Krogh, and I think he just continued in that capacity.

Q And in connection with Mr. Hunt's payroll source, what budget was that taken out of?

A I don't know. I've heard since that he was carried on Mr. Colson's payroll, but I don't know that.

Q Did it ever come to your attention that incidental funds were needed in connection with any of the activities of the special unit?

A Yes. I've heard that since.

Q Had you been acquainted with the need for such funds prior to the Labor Day weekend of 1971?

A I don't recall that I was.

Q Did you ever play any part in approving any expenditures of any member of that special unit -- and by special unit, I mean Krogh, Young, Liddy or Hunt -- prior to the Labor Day weekend of 1971?

A Would you say the first part of your question again?

MR. HECHT: Yes.

Would you read the question, please?

(Record read by the reporter.)

THE WITNESS: No. Now, let me go on, if I could, and amplify that.
BY MR. HECHT: Please.

A. I have been asked in the fairly recent past if I recall a chain of circumstances where Mr. Krogh is supposed to have said to me, "I need travel expenses for Hunt and Liddy to go to the Coast and do this investigation. How do I arrange that?"

And, I am supposed to have referred him to Mr. Colson. I don't have any recollection of that transaction. I can't say it didn't happen, but I have no present recollection of it.

And, I don't recall any specific approval. I do know that there is no record of the travel expenses or the other provisions having been paid for out of my budget, out of the domestic budget of the White House, with the exception of a -- of a telephone.

And, I want to -- I have to qualify my answer in that connection, because there is -- apparently, a telephone which Hunt had installed -- or Krogh had installed at Hunt's instance, or something of this kind -- in the Plumbers office.

This phone was paid for out of our Domestic Affairs budget. And so to that extent, and to the extent that I had delegated general authority to a man named Campbell to approve accounts, and he approved this account, paid for the telephone; I have some -- I had some participation in that transaction.

But only to that extent.

Q. What office did the Plumbers Group operate out of, to your knowledge?
NOTE

Portions of the Grand Jury testimony of Egil Krogh have been separately distributed to Committee members.
NOTE

Portions of the Grand Jury testimony of David Young have been separately distributed to Committee members.
PRESIDENTIAL CAMPAIGN ACTIVITIES OF 1972
SENATE RESOLUTION 60

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

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

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

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price 53
Senator Weicker. You initially notified—
Mr. Hunt (continuing). For our reconnaissance stay.
Senator Weicker. I see.

Did you give a date certain as to when they should come to Los Angeles at that time or did you call from Los Angeles and request their presence?

Mr. Hunt. No, sir; the procedure was a little more complicated than that. Mr. Liddy and I returned from Los Angeles on or about August 27. We submitted a report of our findings and rather a detailed study which included photographs which had been developed for us and printed by the CIA, both internal and external photographs. There was a period of waiting while this report was being considered by Mr. Krogh and I now understand others.

Senator Weicker. In other words, the preliminary report was submitted to Mr. Krogh.

Mr. Hunt. Yes, sir.

Senator Weicker. And when you say others who would that include?

Mr. Hunt. I assumed then and I assume now that Mr. Ehrlichman was also considering the report inasmuch as our findings were that a secure entry could be made and in fact was.

Senator Weicker. Then who gave the final authorization to proceed with the actual break-in? You say you returned to Washington?

Mr. Hunt. Yes, sir.

Senator Weicker. While these photographs were being developed, while consultation took place, and on whose instructions then did you return to Los Angeles for the actual break-in?

Mr. Hunt. Well, Mr. Liddy told me "It is go, you have got the green light."

I then communicated with my assistants in Florida and told them to be in Los Angeles at the Beverly Hilton Hotel, on a date certain, where we would converge and I would give them details of the operation, which they did not have at that point.

In addition there was a question of money, of financing. A certain budget had been drawn up. We reached a point when Mr. Liddy and I were waiting in room 16 for the funds for the operation to be produced.

Senator Weicker. Room 16 being in the White House?

Mr. Hunt. The Plumbers room in the old Executive Office Building.

Senator Weicker. In the old Executive Office Building.

Mr. Hunt. And time was growing very short in terms of the departure of our scheduled aircraft.

Almost at the last minute Mr. Krogh came in very hurriedly and handed an envelope to Mr. Liddy and said, "OK, here it is. Get going."

Mr. Liddy took the money, we left, took a taxi, went to the airport, flew to Chicago, made certain photographic purchases out there, overnight in Chicago. In the morning we flew to Los Angeles where we met with the men who had flown directly there from Miami.

Senator Weicker. At the meeting at the Beverly Hilton Hotel then with the four Cuban-Americans, prior to their appearing in Los Angeles, they did not know the nature of the mission?

Mr. Hunt. They did not know the target of the mission.
AFFIDAVIT OF JOSEPH BAROODY

I, JOSEPH BAROODY, being duly sworn, hereby depose and say:

Since 1970 I have been employed in the public affairs consulting firm of Wagner and Baroody, 1100 Seventeenth Street, N.W., Suite 712, Washington, D.C. The consulting services which my firm renders consist of representing clients affected by Federal Government actions.

From October, 1970, to January 1972, my firm was retained for consulting services by the Associated Milk Producers, Incorporated for a fee of $2,500 per month. This consulting relationship was initiated with the assistance of the law firm of Reeves and Harrison of Washington, D.C., of which Marion Harrison, Esq. is a partner. I have met Mr. Marion Harrison on two or three occasions. Mr. Charles Colson, former special assistant to the President of the United States, was aware that my firm represented AMPI. It was my understanding that my firm was expected to look for ways in which we could advance the interests of AMPI. At no time, however, was I - or was any other person in my firm - connected in any way with, or aware of, any discussions between representatives of AMPI and the Administration concerning either milk price supports or possible contributions to the 1972 Presidential Campaign Fund.
I have been personally acquainted with Mr. Charles Colson for several years. In the latter part of August or the first part of September, 1971, Mr. Colson telephoned me and told me that the White House had an urgent need for $5,000 and he asked me to lend him this amount for a short period of time. He did not tell me why the money was needed. I gathered this sum together from my personal funds ($1,500 to $2,000) and from funds ($3,000 to $3,500) which had previously been given to me by Mr. Colson's office to use in preparing television responses to a Common Cause statement on ending the war in Southeast Asia. The next day I put $5,000 in an unmarked envelope and took it to Mr. Colson's office in the Executive Office Building. Mr. Colson told me to take the money to an office and give it to a person whom I would find there. I went to the office I had been told to go to and gave the money to a man whom I did not know but whom I now believe to have been Egil Krogh, Jr.

Two or three weeks afterwards, I received another telephone call from Mr. Colson's office. I was told that I could be repaid by going to Mr. George Webster, Esq., an attorney whose office was on Jefferson Place, N.W., in Washington, D.C. At the time I was wholly unaware that Mr. Webster was engaged in fund raising activities in connection with the President's re-election effort. Soon after receiving the call, I went to Mr. Webster's
office. He was not in. I identified myself to a receptionist who went to a nearby desk, opened a drawer and pulled out an unmarked envelope which she handed to me. The envelope contained $5,000 in cash.

In June of 1972, Mr. Colson called me on the telephone and told me that it appeared that the $5,000 might have been used to finance the September 1971 break-in of the offices of Dr. Lewis Fielding, the psychiatrist of Dr. Daniel Ellsberg. The purpose of Mr. Colson's call was to establish the date of the loan so as to determine whether, in fact, the funds could have been used for that purpose.

In the Spring of 1972 I received $22,000 from Mr. Colson's office to place advertisements in several major newspapers throughout the United States supporting President Nixon's military directives in entering the country of Cambodia. Subsequently, the advertising project was suspended and this money was returned by me to Mr. Colson's office. Thereafter, it was decided that the advertisements would be placed on a smaller scale and I was given approximately $6,800 with which to defray the costs of the reduced program.

The instances referred to previously herein are the only ones in which I have received White House funds.
a committee called "Citizens for a New Prosperity". Its function was to place advertisements and hold press conferences to build support for the economic policies embodied in the Economic Stabilization Act and Phases I and II. The Committee was bipartisan; its two principal officers were Hobart Lewis and former Treasury Secretary Fowler.

DATE: Jan 30, 1974
SIGNATURE: [Signature]

Subscribed and sworn to before me this 30th day of January, 1974.
My Commission expires:

DATE: Sept 14, 1976
Notary Public

[Signature]
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

COMMON CAUSE, et al.,

Plaintiffs,

v.

FINANCE COMMITTEE TO RE-ELECT THE PRESIDENT, et al.,

Defendants.

Washington, D. C.

Monday, December 24, 1973

Deposition of GEORGE DRURY WEBSTER, taken on behalf of the plaintiffs, pursuant to notice and agreement of counsel, on oral examination under the Rules of said Court, at the office of Webster & Kilcullen, 1747 Pennsylvania Avenue, N. W., Suite 1000, Washington, D. C., before Stephen S. Maxson, C.S.R., a notary public duly commissioned and qualified in and for the District of Columbia, commencing at approximately 10:40 a.m.
MR. ROGOVIN: No, we won't go into that then.

BY MR. ROGOVIN:

Q. In September of 1971 did you have a conversation with Charles Colson concerning the 5,000-dollar check that you believe was from T.A.P.E.?

A. I did.

Q. And where did the conversation take place?

A. Oh, I frankly don't recall where it took place.

Q. When, specifically, was the conversation?

A. The conversation was in the first part of September, that the -- the check was put in that account on the 7th of September, and that was all fairly simultaneous.

Q. Was anyone else aware, at the time, of the conversation that you had with Colson?

A. Not that I know of.

Q. You didn't tell anyone of your conversation with Colson?

A. Not at that time. I've told -- the whole world has now been told about it.

Q. And what was the name of your secretary at that time?

A. Jane Horsley.

Q. What did Mr. Colson ask of you?
A. He wanted to know if any of those committees that I'd set up to receive funds for the Republican National Committee were still alive.

Q. What was your response?
A. I said, "One."

Q. What had happened to the other committees?
A. We had closed them out.

Q. You say "we." Who?
A. Me.

Q. You.
A. Probably I told my secretary to do it.

Q. Who had authority to write checks on the People United for Good Government Committee?
A. The bank records would show, but I know that I did.

Q. What did Mr. Colson ask you, if anything, after you indicated that one committee still existed?
A. He said he wanted to put a deposit in there.

Q. Did he tell you the purpose of the deposit?
A. He did not.

Q. Did he tell you what he wanted of you after the deposit was made?
A. He did not.

Q. When did you receive the check?
A. About the -- about September 7th.
Q. What did you do with the check?
A. Put it in the bank.
Q. Then what did you do?
A. Left it there.
Q. How long was the check in the bank?
A. The bank records show, I think, that the money was taken out on September 21.
Q. And what were the circumstances surrounding the taking out of the money?
A. The circumstances, as I recall them, were that Mr. Colson called me up and said he wanted five thousand dollars in cash, and so I wrote a check for five and put the money in my safe. While I was away he called up -- I suppose it was he -- or came over -- I don't know which one it was -- and told my secretary that there would be a Mr. Baroody that would be over and pick up the $5,000.
Q. Were there any other funds in the account at the time, other than the five thousand?
A. None, to my knowledge, and also the records indicate there was nothing else in there.
Q. Did Mr. Colson tell you what the $5,000 was to be used for?
The United States Senate

Report of Proceedings

Hearing held before

Select Committee on Presidential Campaign Activities

SENATE RESOLUTION 60 - GENERAL INVESTIGATION

CONFIDENTIAL

Tuesday, December 4, 1973

Washington, D.C.

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

(202) 544-6000
Marion Harrison testimony, SSC Executive Session, December 4, 1973, 43-45.

or had organized for him, for projects that did not involve,
directly involve monies to the re-election of certain candidates
either in '70 or '72?

Mr. Harrison. I know of one, but my source of information
is totally hearsay; namely, Mr. Robert Sale, who was one of
the assistants, special prosecutors.

Mr. Weitz. Besides from what you have heard from either
the prosecutor or what you have read in the paper, you know
of nothing of any committees organized in behalf of Mr.
Colson to receive contributions?

Mr. Harrison. No.

Mr. Weitz. On that point, did there not come a time in
either August or September of 1971 when Mr. Colson requested
a $5,000 contribution from the dairy people? Asked of you to
obtain a $5,000 contribution of the dairy people?

Mr. Harrison. Well, the precise way you phrased it does
not lend to a "yes" answer.

If I can rephrase it slightly, the answer will be yes.
That is the one Mr. Sale told me about.

Yes, there came a time sometime in 1971, about August,
when Mr. Colson wanted to know if a dairy client, one of the
trusts, would make a contribution to a committee, and he
named the committee.

Mr. Schochet. What committee?

Mr. Harrison. I do not know; it was one of these nameless
Mr. Schochet. Would you recall if you were refreshed?

Mr. Harrison. I do not think I would.

Mr. Schochet. People United for Good Government?

Mr. Harrison. It could be; I am sure that it is one and the same committee I am going to testify to but I do not recall the precise name.

The committee had as its treasurer, had an address -- had as its treasurer George D. Webster, a very prominent Washington lawyer.

Mr. Colson either asked if that could be added to the list of committees or asked whether it could be contributed to, whatever way he phrased it. The net result was the same as asking me if I would recommend to the client that they make a contribution to that committee.

So I said, sure, and passed on the request to somebody in the client organization.

In due course, TAPE made a contribution of $5,000 to that committee. I remember it very, very distinctly because George Webster has one of those little converted townhouse offices on Jefferson Place, N.W. Our law firm had thought of buying a building and converting it; I had the idea that I would take the check over to him and have him show me his office, which he did.

Except for that, I would not remember so distinctly.
Mr. Weitz. You delivered the check to Mr. Webster?

Mr. Harrison. Personally, I did.

Mr. Weitz. How did you receive the check?

Mr. Harrison. Independently.

I do not remember -- Mr. Sale of the prosecutor's office thinks he has it established that at the AMPI annual meeting in 1971, at which I was in attendance, along with 40,000 people and the President and everybody else, a great number of senators and congressmen, somebody handed it to me there.

Mr. Weitz. You do not remember that?

Mr. Harrison. I do not remember having it handed to me. It could have been handed me; someone could have brought it to the office; it could have been mailed to the office.

Mr. Weitz. Do you know to what purpose the money was put?

Mr. Harrison. I know what Mr. Sale told me.

Mr. Weitz. Did you know other than that?

Mr. Harrison. No.

I was pleased to get the name of a committee -- I thought Mr. Colson was doing us a favor -- which had a prominent lawyer as the treasurer and not some bank clerk at Union Trust.

I have nothing against bank clerks. I was very suspicious at the names of some of those committees that Mr. Lee Nunn had come up with, with bank clerks as treasurers. They were not organized as knowingly and thoroughly as they ought to
or had organized for him, for projects that did not involve,
directly involve aides to the re-election of certain candidate
either in '70 or '72?

Mr. Harrison. I knew of one, but my source of information
is totally hearsay; namely, Mr. Robert Sala, who was one of
the assistants, special prosecutors.

Mr. Waitz. Besides from what you have heard from either
the prosecutor or that you have read in the paper, you know
of nothing of any committees organized in behalf of Mr.
Colson to receive contributions?

Mr. Harrison. No.

Mr. Waitz. On that point, did there not came a time in
either August or September of 1971 when Mr. Colson requested
a 35,000 contribution from the dairy people? Asked of you to
obtain a 35,000 contribution of the dairy people?

Mr. Harrison. Well, the precise way you phrased it does
not lead to a "yes" answer.

If I can rephrase it slightly, the answer will be yes.
That is the one Mr. Sala told me about.

Yes, there came a time sometime in 1971, about August,
when Mr. Colson wanted to know if a dairy client, one of the
trusts, would make a contribution to a committee, and he
named the committee.

Mr. Schoech. Which committee?

Mr. Harrison. I do not know; it was one of these anonymous
Mr. Schechter. Would you recall if you were reminded?

Mr. Harrison. I do not think I would.

Mr. Schechter. People United for Good Government?

Mr. Harrison. It could be; I am sure that it is one and
the same committee I am going to testify to but I do not recall
the precise name.

The committee had as its treasurer, had an address -- had
as its treasurer George B. Webster, a very prominent
Washington lawyer.

Mr. Coleen either asked if that could be added to the
list of committees or asked whether it could be contributed
to, whatever way he phrased it. The act would use the same
as asking me if I would recommend to the client that they
make a contribution to that committee.

So I said, sure, and passed on the request to somebody
in the client organization.

In due course, ISEF made a contribution of $5,000 to
that committee. I remember it very, very distinctly because
George Webster has one of those little converted warehouse
offices on Jefferson Place, N.W. Our law firm had thought of
buying a building and converting it; I had the idea that I
would take the check over to him and have him show me his
office, which he did.

Except for that, I would not remember so distinctly.
Mr. Waitz. You delivered the check to Mr. Webster?

Mr. Harrison. Personally, I did.

Mr. Waitz. How did you receive the check?

Mr. Harrison. Independently.

I do not remember—Mr. Sala of the prosecutor's office thinks he has it established that at the BWF annual meeting in 1971, at which I was in attendance, along with 40,000 people and the President and everybody else, a great number of senators and congressmen, somebody handed it to me there.

Mr. Waitz. You do not remember that?

Mr. Harrison. I do not remember having it handed to me.

It could have been handed to me; someone could have brought it to the office; it could have been mailed to the office.

Mr. Waitz. Do you know to what purpose the money was put?

Mr. Harrison. I know that Mr. Sala told me.

Mr. Waitz. Did you know other than that?

Mr. Harrison. No.

I was pleased to get the name of a committee—I thought Mr. Coleen was doing us a favor—which had a prominent lawyer as the treasurer and not some bank clerk at Union Trust.

I have nothing against bank clerks. I was very suspicious of the names of some of those committees that Mr. Leo Mann had come up with, with how shallow his investigations were and not organized as knowingly and thoroughly as they ought to
On or about September 2, 1971 Hunt and Liddy flew to Chicago where they purchased cameras and walkie-talkies. Then they flew to Los Angeles where they met Barker, Martinez and DeDiego and purchased a crow bar, glass cutter, and other burglary tools. On the night of September 3, 1971, Barker, Martinez and DeDiego entered Dr. Fielding's office by breaking a first floor window of the building and breaking open the door to Dr. Fielding's second floor office. The file cabinets and desk in Dr. Fielding's office were broken into and searched. Liddy maintained a watch outside the building while Hunt, who was in communication by walkie-talkie, watched Dr. Fielding's residence. Barker, Martinez and DeDiego have testified that they did not locate any file on Ellsberg and that no information was obtained. Dr. Fielding has testified that his file cabinet had been broken into and the file on Ellsberg withdrawn.

72.1 Bernard Barker testimony, I SSC 376.

72.2 E. Howard Hunt testimony, Grand Jury, People v. Ehrlichman, June 6, 1973, 291-92, 298-99, 301-02 (received from Los Angeles County Grand Jury).

72.3 Felipe DeDiego testimony, Grand Jury, People v. Ehrlichman, June 6, 1973, 191-99 (received from Los Angeles County Grand Jury).

72.4 Eugenio Martinez testimony, Grand Jury, People v. Ehrlichman, June 5, 1973, 390 (received from Los Angeles County Grand Jury).

72.5 Lewis Fielding testimony, Grand Jury, People v. Ehrlichman, June 5, 1973, 93-94 (received from Los Angeles County Grand Jury).

concept, was perfectly qualified for a mission of this nature. I submitted their names and records to Mr. Hunt over the phone—long-distance phone—and some time after that, I do not remember, he called me and said that the two men had been cleared for the mission.

Senator Gurney. Did he say who and how they were cleared?

Mr. Barker. No, he did not.

Senator Gurney. And then go on about the mission and be as brief as possible, because I want to get to the Watergate.

Mr. Barker. Mr. Hunt then called me one day and said to proceed with my men to Los Angeles and to stay at—I think it was—the Beverly Wilshire Hotel where he would contact me. I bought the tickets, alerted the men, and we took off and went to Los Angeles. I registered in the hotel and Mr. Hunt contacted me. He gave me a brief—he gave me the address of the place where we were to make the entry. I found the place and I went with my men to familiarize myself with the area. I had the exact address at that time. Then the general plan was given to us. We proceeded to the area, and eventually made the entry. I personally searched for those documents.

Senator Gurney. What documents?

Mr. Barker. A file of Daniel Ellsberg at his psychiatrist's office. This file was not there. I would search—file from file cabinet. I searched his desk and the file cabinet. The men also helped me in the search. The only thing that I found in connection with him was an address book which had his name. This we photographed, and we also photographed the file cabinet to prove that we had forced them open, and then we left.

Senator Gurney. Now then let us get to the Watergate. When and where did Mr. Hunt contact you about Watergate?

Mr. Barker. I do not remember whether—I believe it was in one of the trips down to Miami that he told me of an impending operation—double operation—which would take in length about a week.

Senator Gurney. Did you say double operation?

Mr. Barker. I beg your pardon?

Senator Gurney. Did you say double operation?

Mr. Barker. That is correct.

Senator Gurney. What does that mean?

Mr. Barker. At that time, I did not know but I knew at the time it would involve, after that it was quite evident it was an entry into the McGovern's headquarters as well as an entry into the Watergate headquarters.

Senator Gurney. Tell us now very carefully what his instructions were.

Mr. Barker. I would like to explain that Mr. Hunt was our immediate superior in this operation—that we were involved only in the documents that we were to obtain. We had no connection with the electronic part. It is—to the best of my recollection—that the electronic part was not even under the direction of Mr. Hunt, much less of myself. Mr. McCord appeared to be quite capable of that, he handled that. I had no knowledge of that bugging he was going to do. All that my mission—that our team mission was—the documents to which I have referred, and this was explained to me by Mr. Hunt at that time.
People v. Ehrlichman, et al. (A 300 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

E. Howard Hunt

June 6, 1973
this money?
  A.  He was in the general area, sir, but I don't know that he actually saw the physical transfer take place.

Q  All right. Where did the transfer take place?

A  In the outer office of Room 16.

Q  Did you have any parting words, last words with Mr. Young before you and Liddy left for Los Angeles again?

A  Mr. Young?

Q  Yes.

A  I don't recall any, no, sir.

Q  Prior to your departure from Washington, were any instructions given to you about notifying anybody about the success or failure of the Los Angeles mission?

A  Not to me, no, sir.

Q  To your knowledge -- or rather did Mr. Liddy ever make it known to you that he had engaged in such conversation?

A  Yes, sir.

Q  When did he make that known to you?

A  As we were on our way to Dulles Airport.

Q  Will you tell us what Mr. Liddy told you?

A  Mr. Liddy told me that immediately upon the termination of the operation, whether it was a success or whether it was a failure, that he, by designated or by prearrangement, was to call Mr. Krogh at his home in Suburban Washington.

Q  Are you sure he said Krogh, rather than Young?

A  Absolutely.

Q  Okay. Where did you go after you left Washington?
A: We flew to Los Angeles.

Q: Did you make any stopover in Chicago?

A: I beg your pardon, we did. We did. We flew directly to Chicago.

Q: Why did you go to Chicago?

A: We went to Chicago to purchase a Minolta camera and walkie-talkies.

Q: Why couldn't that material have been obtained in Washington?

A: It could have been.

Q: Why wasn't it?

A: Too close to the origin of the operation.

Q: Who actually purchased the items?

A: Mr. Liddy had control of the funds. He purchased the items.

Q: And did I understand you to say walkie-talkies were purchased?

A: Yes, sir.

Q: What part was it contemplated that the walkie-talkies would play in the forthcoming event?

A: Communication among the members of the team.

Q: What else was purchased?

A: In Chicago?

Q: Yes.

A: A Minolta camera.

Q: Did you have any other camera with you as you and Mr. Liddy left Washington for Chicago?

A: Not to the best of my recollection, no.
I had said I knew where Dr. Ellsberg was. That was a mis-
statement. That should have been Dr. Fielding.

Q All right. Did you, in fact, know where Dr.
Fielding was?

A I did not at that juncture, no.

Q Was any effort made to determine that?

A Yes, sir.

Q What did you do in that regard?

A We made some pretext telephone calls.

Q What conclusions were reached after doing that?

A That Dr. Fielding was in the area.

Q What knowledge did you have with respect to the
vulnerability of Dr. Fielding's office building during
nighttime hours?

A Our initial reconnaissance indicated that both
the front and rear doors of the building of the professional
building were open during the char forces access to the
building, that is to say, anyone coming from the street
could walk through the building and exit to the rear and
then advance into the parking area.

We had observed, Mr. Liddy and I, in our initial
reconnaissance, that those doors were kept open as late as
1:00 o'clock in the morning.

Q All right. Will you tell us what happened,
then, after you made the reconnaissance and after you engaged
in the telephone calls to determine the whereabouts of Dr.
Fielding?

A Well, we went into the logistics. We purchased
deliverymen's uniforms locally.

Q. Was that to be used in the delivery of the valise situation?

A. Yes, sir.

Q. Okay.

A. Purchased them. Purchased surgical gloves, I believe, also regular work gloves for the two men who were to make the entry. Purchased what would be called burglar tools in case we had to force, a glass cutter, masking tape, that sort of thing. Purchased a long length of nylon cord which was to be attached to the window in Dr. Fielding's suite and flung outside in case an emergency exit had to be made.

We then regrouped in the Beverly Hilton Hotel, went over the operation plan again, checked out each item of equipment from the checkoff list, and decided that all signs were go for that night.

Q. Were any identifying labels or stickers placed upon the valise or suitcase?

A. Yes, sir.

Q. For what purpose?

A. To persuade the char persons that this was a legitimate air express delivery.

Q. Was Mr. De Diego in personal contact with you or Mr. Liddy for a great deal of the time that you spent here in Los Angeles?

A. No, sir.

Q. Did you work through Mr. Barker as intermediary?
Q What was the plan as to when to tell the persons who would actually make the entry into Dr. Fielding's office what it is they were to look for?

A That was to be done immediately that Mr. Liddy determined that the local situation immediately around the office building would permit an entry.

Q What happened then, sir?

A I went out to -- drove out to Dr. Fielding's residence, took up a position out there, surveilled his apartment building for a time; checked by walkie-talkie with the team; indicated that there was no problem.

I got out of the car, walked up the alley, saw the lights were on in his apartment, returned to my car. After a while, the lights went out in Dr. Fielding's apartment building -- in his apartment, rather; strike that -- and I waited there a while longer, till I was satisfied that the Fieldings were in for the night.

Then I drove back to the area of Dr. Fielding's office.

Q What was your expectation as to what Mr. Liddy would be doing during the time you've just related to us, when you were surveilling Dr. Fielding's apartment?

A While I was out there?

Q Yes, sir.

A That he would be giving the team its final briefing.

Q Did you maintain walkie-talkie contact with Liddy at all during this period of time?
A Well, we had four walkie-talkies. I maintained contact with -- I think with everyone who had one.

Q Where did you go after you left the area around Dr. Fielding's apartment house?

A Once I had satisfied myself that there was nothing of an unusual nature transpiring there -- for example, no concentration of police cars, no drunken fights going on in the area, no disturbances that would be likely to attract the police, no groups hanging around the nearby gas station and so forth, I communicated this to Mr. Liddy, who was in stationary surveillance behind the building.

Then I withdrew to the Beverly Hilton Hotel, opened the window of the room in which I was staying -- which gave out -- or, which had line of sight access, a line of sight view to the office area, and I stood by the walkie-talkie, and simply spent the rest of the evening there.

Q The stationery surveillance that you made reference to with respect to Mr. Libby, was that to be done on foot or in a car?

A In a car.

Q Why?

A Well, a single man lurking in the shadows at midnight, I would guess -- in Beverly Hills, at least -- is obviously an object of some suspicion.

Q How far away was Mr. Liddy supposed to be from Dr. Fielding medical building at the time of this stationary surveillance?

A Well, this was up to him.
People v. Ehrlichman, et al. (A 300 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

Felipe DeDiego

June 6, 1973
Q. Now, after the woman left, then what did you do?
A. Uh -- we went -- we checked both doors, in front
and the one in the rear, and both were locked.
So, we had to break a window.
Q. When you say "we," was that you, Mr. Barker, and
Mr. Martinez?
A. Right, that's correct.
Q. And can you tell us who broke the window?
A. I believe Mr. Martinez and myself did it.
Q. Do you remember how it was broken?
A. How?
Q. Yes.
A. We placed some masking tape to avoid the noise,
and we hit the glass with the -- with our hands, I believe.
Q. Was a glass cutter used?
A. It was, but it didn't work.
Q. I am showing you now Photograph Exhibit Number 10.
Do you recognize this as the parking lot behind the building
where the window was broken?
A. Right. Right.
Q. And I am showing you now Exhibit Number 16,
being pointed out by Mr. Burnett. Does that look like the
window that you broke?
A. Right, right.
Q. Now, when you broke that window, in order to go
in the building, did you know what you were going in to do?
A. To do at that time?
Q. Yes.
A. Well, we -- we knew that we had to get inside the doctor's office.

Q. Had you been told when you entered what you were going in to do in the doctor's office?

A. No. It was told by Barker at that time, when we get inside the doctor's office.

Q. Now, you saw some cameras in this suitcase that was put in there earlier; is that correct?

A. Right.

Q. Had anybody told you that you were going to photograph any papers in the doctor's office?

A. Some paper, but we didn't know what kind of paper.

Q. Were you told before you went in that you were going to take anything from the doctor's office?

A. No, not before.

Q. All right. Then when you broke the window, tell us what you did with your two partners.

A. We went up to the second floor where the office is and --

Q. I take it you climbed in through the window?

A. Right. We did.

Q. Did you do anything in the office that you got in, after climbing through the window, at all?

A. Uhh -- I believe, because of -- it was so dark, that we bumped -- we -- we dropped some books or something.

Q. Knocked over some things?

A. That's right.

Q. Then you went through that office into that hall,
and you went up to the second floor?

A  That's right.

Q  Who led the way?

A  Uhh -- could be either one, Martinez or myself.

Barker was behind.

Q  You had been there before, to deposit the suitcase, as had Mr. Barker; is that right?

A  Pardon, sir?

Q  You had been there earlier that night to deposit the suitcase?

A  Right.

Q  And what did you do when you got upstairs?

A  Well, the door that was supposed to be open was locked, so we have to force the door and get in.

Q  Now, was that the door right out into the hallway from the office?

A  Right.

Q  Showing you Exhibit Number 19, a photograph, with Suite Number "212" and "Lewis J. Fielding" showing, does this look like the hallway door that you went in through?

A  Right.

Q  Do you remember how you got in through that door? How it was forced?

A  With the -- I -- I can't say in English. I don't know the name.

Q  A pry bar (indicating)?

A  Right. Correct.

Q  Were you wearing any gloves to avoid leaving
fingerprints?

A. We did.

Q. Then I take it you got in Dr. Fielding's office?

A. Right.

Q. Did anybody tell you after you got inside what you were there to do?

A. Well, at that time, Barker told us, "We are here because we are doing a great job for the country. And we have to find some paper of a great traitor to the United States, which is an s.o.b., and he's -- and which will help enemies of this country."

So we asked who was the guy, and he said, "Daniel Ellsberg."

Q. You asked who the guy was, and he said Daniel Ellsberg?

A. Right.

Q. Did you know who Daniel Ellsberg was at that time?

A. Of course.

Q. By the way, did you think you were working for the United States Government at this time?

A. Yes. No question about it.

Q. Now, after he told you you were after papers on Daniel Ellsberg, what did you do inside the office?

A. We tried to find papers, and we -- I mean, I did not find any.

Q. Did you break anything open inside the office --

A. We did.
Q. -- to look for papers?
A. We did.
Q. What did you break open?
A. Those metal cabinets.
Q. And did you use the pry bar to get in the cabinets?
A. Right.
Q. I take it they were locked; is that right?
A. They were locked, right.
Q. And did you look through the files in the cabinets?
A. That's correct.

Q. What were you looking for, you, yourself?
A. I was looking for any paper with the name of Daniel Ellsberg on it.

Q. Did you see any name of Daniel Ellsberg on anything?
A. I did not.

Q. Did anybody take any photographs while you were inside the office?
A. We did.

Q. Who did that?
A. I believe Mr. Martinez did it.

Q. Do you remember how many cameras you had?
A. I am not quite sure, but I believe we had two, one Polaroid and one.-- another one. I am not familiar with the cameras.

Q. Were these taken out of the suitcase after you broke in?
A. That's right.

Q. And Mr. Martinez took photographs?
A. Yes. And I also take with the Polaroid. I did with the Polaroid.

Q. What did you take photographs of with the Polaroid camera?
A. Why, you mean?

Q. What did you take photographs of?
A. Well, what I did take was a picture of inside a
drawer in order to leave that drawer the same way that we
found it.

Q In other words, you opened the drawer. Was this
a file drawer?

A A desk drawer.

Q Desk drawer. And you took a Polaroid shot so
that after you went through it, you could put it back the
way it was?

A That's correct.

Q Was this after you had already broken in the
file cabinets?

A I don't remember.

Q What did you, yourself, go through looking for
Dr. Ellsberg's files?

A I beg your pardon?

Q What did you look through, looking for Dr.
Ellsberg's files?

A Any paper with the name of Dr. Ellsberg on it.

Q Did you look at the files in the cabinets?

A Anywhere. We looked anywhere.

Q Did you ever see anything with Dr. Ellsberg's
name on it?

A I did not.

Q Did you see any envelopes with Dr. Ellsberg's
name on it?

A I did not.

Q Did anybody tell you that they had found Dr. [8756]
Ellsberg's files while you were in that office?
A  No, sir.
Q  How many photographs did you see Mr. Martinez take?
A  Four or five.
Q  Did you see what he was photographing?
A  Well, we took all of the files and the desk and some papers.
Q  Were any of these papers Dr. Ellsberg’s papers?
A  No.
Q  Could you see them well enough to be able to tell us?
A  Yes, I think so.
Q  And they did not look like Dr. Ellsberg’s papers?
A  Did not.
Q  Did Mr. Barker ever say, “Here is Dr. Ellsberg’s papers”?
A  He never said that.
Q  Did anybody take anything from the office when you left?
A  No, we don’t.
Q  Did you, yourself, take anything from the office?
A  No, I don’t.
Q  Approximately how long were you and your partners in this doctor’s office?
A  I would say from thirty to forty-five minutes.
Q  Were you interrupted by anybody during that time?
A  No, we don’t.
Q  Now, you say you took some photographs so that you could straighten up after you looked through the office.
Did you straighten up after you looked through everything?

No, we don't.

Why not?

Well, I don't know. Barker didn't say anything.

He said, "Okay, now we have to leave," and we left.

Was the place pretty much of a mess when you left?

It was.

Mr. De Diego, we have had some indication that there may have been two large documents containing as many as twenty pages in these file cabinets with Dr. Ellsberg's name on them. Did you see anything like that while you were looking through these files, sir?

A. I didn't.

Do you have any explanation for the fact that you may not have seen these in the files, assuming they were there?

A. I don't know, because that is a small place and I should see anything.

In other words, if they were there, you think you would have seen them?

A. I think so, yes.

Hotel?

A. I did not.

Did you meet with anybody on the way back to the hotel?

We went back to the hotel.

And where did the three of you go from there?

Close to midnight.

About what time did you leave?

A. I don't know, because that is a small place and I should see anything.

In other words, if they were there, you think you would have seen them?

A. I think so, yes.

Do you have any explanation for the fact that you may not have seen these in the files, assuming they were there?

A. I didn't.

Was the place pretty much of a mess when you left?

A. It was.

Mr. De Diego, we have had some indication that there may have been two large documents containing as many as twenty pages in these file cabinets with Dr. Ellsberg's name on them. Did you see anything like that while you were looking through these files, sir?

A. I didn't.

Why not?

Well, I don't know. Barker didn't say anything.

He said, "Okay, now we have to leave," and we left.

Close to midnight.

About what time did you leave?

A. I don't know, because that is a small place and I should see anything.

In other words, if they were there, you think you would have seen them?

A. I think so, yes.

If you have any explanation for the fact that you may not have seen these in the files, assuming they were there?

A. I didn't.

Was the place pretty much of a mess when you left?

A. It was.

Mr. De Diego, we have had some indication that there may have been two large documents containing as many as twenty pages in these file cabinets with Dr. Ellsberg's name on them. Did you see anything like that while you were looking through these files, sir?

A. I didn't.
People v. Ehrlichman, et al. (A 300 388)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

Eugenio Martinez

June 5, 1973
Q. How long did you stay in Dr. Fielding's office?

A. There was no time schedule. And when you are running this kind of an operation, believe me, it always looks longer than what it is. So I couldn't tell you exactly. But it could be more than an hour and a half. Because we looked through all the cabinets.

Q. Didn't find anything?

A. Oh, the only thing they found, when we have everything back up, we saw the telephone book. We push in "Ellsberg," and there was the name. And I believe that I took a picture, just to have something.

(Laughter.)

THE WITNESS: No, let me explain. In my -- it might look funny. But when you are engaged in an operation, and there's a lot of risk involved -- and look where we are now -- and all our operation have been the same.

I can tell you, I have more than three hundred operation into Cuba, in which my life have been risked.

But your success is when you come and you say, "Operation successful."

When you come with nothing is really sad, after all the thing that you expose. And it's really --

Q. I'm sure we understand that. And we appreciate the risks involved, Mr. Martinez.

A. No, no. I am saying: I'm not talking about the risks. I'm talking about being -- how successful the operation.

Q. Did you -- where did you go after you left Dr.
People v. Ehrlichman, et al. (A-300-386)

LOS ANGELES COUNTY GRAND JURY TESTIMONY

Lewis Fielding
June 5, 1973
Did you, within the file, have documents or things that had been furnished to you besides what you may have put in there yourself?

A. Yes, communication between the patients and myself.

Q. But you also had certain things that you wrote on?

A. Yes.

Q. And all I'm trying to establish, Doctor, is that that paper has some -- it cost some money.

A. Right.

Q. Even if it had no writing on it?

A. Right.

Q. And I take it you never had any information from Dr. Ellsberg or anybody else that you should violate that privileged communication of patient and physician?

A. No, sir.

Q. Even to this day?

A. Even to this day.

Q. Did you save the documents that you had on Dr. Ellsberg after that period of time? You still have those, sir?

A. Yes, sir.

Q. Now, would it be possible to look at the Ellsberg envelope that you previously described in the drawer to determine whether it had been opened? I mean would it have a seal on it or anything like that, or is it just the security of the metal file itself?

A. No, the document was unsealed, so it was only the
security of the file.

Q. So there would be no way to look at the papers themselves to see if there had been an actual intrusion and removal and then perhaps being put back?

A. Oh, yes, there was, because these papers, as I found them, were outside the envelope. I know that I had left them inside the envelope. Beyond that, there was evidence that these papers -- you know, again -- if you have been with a file long enough and lived with it, you know what your papers look like. And this looked as if it had been fingered, had been fingered over, you know, people had done something with it, you know.

Q. It was not in the same condition that you had left it the last time that you had handled it, is that correct?

A. Yes.

Q. Is that a fair statement?

A. Yes, it is.

Q. Now, was the fourth drawer of the filing cabinet where you saw the Ellsberg papers, is that where you normally kept them?

A. Yes, sir.

Q. And did you call that at that time to anybody's attention, or was this just a personal observation that you made with reference to the Ellsberg file?

A. This is personal observation. And, you know, while I can talk -- you know, I have had a lot of time to sort of put it together since then, and so it seems, you know, a little simpler now. But at that time it was not so
I, LEWIS J. FIELDING, being duly sworn depose and say:

I am a psychiatrist licensed to practice medicine in the State of New York in 1937 and in the State of California in 1949. My office is located at 450 North Bedford, Beverly Hills, California.

I am and have been since 1938 a psychiatrist; since 1949 I have specialized in psychoanalysis. I am certified in both psychiatry and neurology. I am a member of the American Psychiatric Association, the American Psychoanalytical Association, the American Medical Association and other professional organizations.

For some time prior to July, 1970, Dr. Ellsberg was a patient of mine.
one of my patients. I have seen him on a few occasions since.

On July 20, 1971, at approximately 10:30 a.m. there was a knock on the door of my office leading from the waiting room to the consultation room. Upon responding I found two men who stated that they were agents from the Federal Bureau of Investigation and showed me their official identification cards. One of them was Richard C. Kilcourse; the other agent gave his name but I did not take particular notice of it. The agents stated that they wished to talk to me. They advised me that they wished to talk to me about Dr. Ellsberg. I told them that I could not have any discussions with them until I consulted my lawyer. They departed with the understanding that I would telephone Mr. Kilcourse to advise him of my decision.

On July 22, 1971, after consultation with my attorney, I decided that I should not discuss my patient or his affairs and asked my attorney to so advise Mr. Kilcourse.

On July 26, 1971, I received a telephone call from a Mr. Morehead, who described himself as an F.B.I. agent. I believe, although I am not positive, that he was the agent who accompanied Mr. Kilcourse on the July 20, 1971 visit with me. Mr. Morehead asked me what decision I had reached with respect to the agents' request of July 20, 1971 for a discussion with me about my patient. I told him that my attorney had contacted Mr. Kilcourse concerning my decision. Mr. Morehead then told me that Mr. Kilcourse was no longer on the case. Accordingly, I gave Mr. Morehead my attorney's name and telephone number and I am advised that Mr. Morehead or some other representative of the F.B.I. communicated with my attorney and was told of my decision.

On Saturday, September 4, 1971 at approximately 9:00 p.m., during the Labor Day weekend while I was at my home, I was
telephoned by Officer Bottleman of the Beverly Hills Police Department. Officer Bottleman informed me that my office had been broken into and that a police officer was present in my office checking into the matter.

I called Mr. Wakeman, the general manager of the building, and he suggested that I come to the building. I drove down to the office with my wife, Elizabeth, and found my papers and records strewn about. A police officer, a Mr. Brickley, Shield #603, of the Beverly Hills Police Department, was present and was checking the office for fingerprints.

I observed that the locks on my office doors had been pried open and that the wood part of the door near the lock had been hacked away. I also observed that the locks on my wood cabinet and on my steel filing cabinet behind it had also been pried open and bent completely out of shape. These cabinets contained information and records concerning my patients including Dr. Ellsberg. The files in my cabinet were in considerable disarray. My personal papers, including those pertaining to Dr. Ellsberg, appeared to have been thoroughly rummaged through.

I then learned some of the facts as to the actual break-in from Mr. Efrain Martinez, the cleaning man. He told me the following story in the presence of my wife, Elizabeth, the maintenance superintendent, Mr. J.C. Boone, and Officer Brickley:

On the previous night, September 3, while Mr. Martinez was at his night job at about 11:00 p.m. cleaning up the building, two men arrived at the building. Mr. Martinez said that they were wearing uniforms, somewhat like those of a postman or United Parcel Post delivery man and they were carrying a large suitcase. He said that they talked in an accent which he recognized to be Cuban and that he would know such an accent. They told him that they were supposed to deliver the suitcase to me. While Mr.
Martinez thought this somewhat unusual, he permitted them to enter my office and believed that they had left the suitcase in my office.

I, of course, had made no arrangements for that or any other delivery. I had expected no suitcase and found no suitcase on my arrival at my office in response to the call from Officer Bottleman.

As I looked over the office I attempted to do some rearranging. I could not tell what was missing, although the incoming Saturday mail which was usually neatly stacked on my desk by the cleaning people was not there and never turned up. My wife and I left the office at approximately 10:45 p.m. in considerable distress.

I contacted the Beverly Hills Police Department several weeks later to find out if they had any further information regarding the break-in. I was advised that they did not. With this exception, from the time of the break-in until the present, I have not been contacted by anyone nor have I contacted anyone (with the exception of my counsel whom I spoke with immediately after the weekend of the break-in) regarding this matter until Friday, April 27, 1973.

On that day, Dr. Ellsberg telephoned my office and informed me that the Court had informed him of a Government report of a break-in at the office of a psychiatrist of Dr. Ellsberg. I could not speak to Dr. Ellsberg in any detail at that time since I was with a patient. Later that day when Dr. Ellsberg telephoned me again, I confirmed the fact of the break-in.

The next day I received a telephone call from Dr. Ellsberg and his counsel, Leonard B. Boudin. Mr. Boudin requested a meeting with me and such a meeting occurred in my attorney's office on Saturday afternoon, April 28, 1973. The meeting was
attended by my attorneys, Harry B. Swerdlow and Irving A. Shimer, Mr. Boudin, Dr. Ellsberg and myself at which time I related the foregoing facts.

LEWIS J. FIELDING, M.D.

Subscribed and sworn to before me this 29th day of April, 1973.

Notary Public in and for Said County and State.

OFFICIAL SEAL

IRVING A. SHIMER
NOTARY PUBLIC - CALIFORNIA PRINCIPAL OFFICE IN LOS ANGELES COUNTY
My Commission Expires March 22, 1974