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Getting to the Bottom Of the CIA Cover-up

Tad Szulc, in his article that follows, writes about Central Intelligence Agency subversion in Chile and the hiding of it from congressional scrutiny. The judgments that led to secret intervention in Chilean politics deserve to be criticized, but at least the CIA was within its legal authority under its charter. That is not the case with CIA's complicity in Watergate "extra-agency activities." The law barring the agency from undertaking domestic operations was clearly violated. Moreover, when former CIA Director Richard Helms gave misleading and inaccurate answers to questions posed by senators about past CIA assistance to Watergate conspirator E. Howard Hunt, who worked for the Nixon White House, he was covering up possible criminal activity.

On May 21, 1973 Helms was recalled from his post as ambassador to Iran and questioned under oath by members of the Senate Foreign Relations Committee. The break-in at the office of Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding, by then had been uncovered, along with information that CIA had given equipment and aid to Hunt who had directed the illegal entry. Helms said he had never heard of Dr. Fielding until the psychiatrist's name appeared in the newspapers. When asked about photographs that had been taken by Hunt with a CIA camera and developed by the agency, Helms swore, "I do not know what the contents of the film were in the latter part of August [1971]." One senator asked if anyone at the agency who reviewed the film thought Hunt might be contemplating a break-in. "I never heard anybody at the agency mention such a theory," Helms replied and later added, "nobody had given us the slightest indication that anything underhanded was afoot."

Helms was asked why CIA had cut off its assistance to Hunt on August 27, 1971. Twice the former director said it was solely because Hunt's requests had become "too extensive." To support that, he recollected that Hunt asked to have a secretary brought back from Paris and a covert New York telephone and address established for him. Helms never mentioned the photographs and what they appeared to show as the reason for the agency's stopping its aid to Hunt.

A review of the House Judiciary Committee material on the Ellsberg break-in and CIA's role indicate Helms' Senate testimony was not the true agency story. On July 7, 1971 White House aide John Ehrlichman called then CIA Deputy Director Robert Cushman, and according to Cushman's secretary's notes, said: "I want to alert you that an old acquaintance [of Cushman's], Howard Hunt, has been asked by the President to do some special consultant work on security problems. He may be contacting you sometime in the future for

some assistance. I wanted you to know that he was in fact doing some things for the President. He is a long-time acquaintance with the people here. He may want some help on computer runs and other things. You should consider he has pretty much carte blanche."

Cushman did not know that Ehrlichman's call had been prompted by Hunt's then-White House boss Charles Colson. And at the time Cushman could not know that the reason for the call was to pave the way for Hunt to get disguises, false identity cards, a clandestine camera and tape recording equipment from the CIA which were to be used for domestic political purposes.

In making this July 1971 request to the agency for "carte blanche" aid to Hunt and wrapping it in vagueness about "security problems," Ehrlichman and Colson seemed to be sure they would encounter no CIA demand for proof that Hunt was not violating the agency's charter—and the law—prohibiting domestic operations. Would Cushman have cared? Why were these White House aides either unaware of the law or not fearful such an illegal request, if identified, would be turned down, or worse, exposed to the public?

Again, another flashback—this time to 1969. According to the House Judiciary Committee's final report on the impeachment articles against Richard Nixon: "In 1969, Haldeman and Ehrlichman asked the Central Intelligence Agency to conduct physical surveillance of Donald Nixon, the President's brother, who was moving to Las Vegas. Haldeman was reported to have feared that Donald Nixon would come into contact with criminal elements." Thereafter is cited a report by the CIA inspector general and Deputy Director Cushman dated June 29, 1973. The House report goes on to say that the CIA refused to undertake that mission because it had "no jurisdiction to engage in domestic law enforcement or internal security activities . . ." So some line was drawn.

Sometime after the July 7 Ehrlichman call to Cushman, which was dutifully reported to the CIA staff meeting the next morning, and before July 27, 1971, CIA was asked to prepare a psychological profile of Daniel Ellsberg. The request came from White House aide David Young, who along with Hunt and others were investigating Ellsberg. Young reportedly said that both Henry Kissinger, then running the National Security Council, and Ehrlichman wanted CIA to help. Helms' director of security, Howard Osborne, to whom the request was first made, has stated he initially told Young it would have to be cleared by Helms, since Ellsberg was "a United States citizen who was presently involved in a legal sense with the United States government." Helms approved the project after talking to Young. He told Osborne that nothing was to be sent to the White House "without his personal prior approval." It is interesting that Helms, in later testimony on the matter, said he complained to Young:

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that for the agency to write a profile on an American citizen was "an imposition," since CIA knew nothing about Ellsberg. Nowhere did Helms complain that the task involved CIA in a domestic matter. Later Helms was to weasel out some language in the law that permitted the agency to study problems associated with the security of CIA classified documents.

With the profile project approved, FBI documents on Ellsberg and published materials were sent to the CIA employee who handled the job, Dr. Bernard Malloy. Meanwhile Hunt followed up on the July 7 Ehrlichman call and visited CIA Deputy Director Cushman on July 22. A tape of that meeting relates that Hunt said the equipment was needed because of "a highly sensitive mission by the White House to visit and elicit information from an individual whose ideology we aren't entirely sure of. . . ." That "individual" was Clifton DeMotte, a man who supposedly had information on the Kennedys. Hunt also said it would be a "one time op[eration] . . . in and out." Cushman did not ask if this was a domestic activity, instead he said: "I don't see why we can't" provide the equipment. The next day Hunt got what he wanted. One week later Hunt called the CIA technician who supplied the first material and asked for a tape recorder and additional help, including credit cards, a second speech alteration device and a New York address and telephone number.

On August 11 the CIA's first profile on Ellsberg was delivered to the White House, after having been reviewed by Helms. Attached to it was a note from CIA Security Director Osborne stipulating: "I know that you appreciate that however this is used, the agency should not become involved."

The report disappointed Young and his colleagues at the White House. That same day, Young and Emil Krogh proposed "a covert operation be undertaken to examine" the files of Ellsberg's former psychiatrist, Dr. Lewis Fielding. Thus plans were launched for the subsequent break-in, and on the following day Mr. Malloy of CIA met with Young, Hunt and G. Gordon Liddy to discuss the agency report on Ellsberg. Malloy has recalled that when he was told that Ellsberg had been under the care of a psychiatrist, Dr. Fielding's name was also given to him. Though Hunt asked Malloy to keep his name out of any report on the meeting, Malloy responded he could not. The White House aides asked Malloy what additional material he needed to expand what had already been done. Malloy suggested data from Ellsberg's early life, "from nurses or close relatives. . . ."

Conversations continued to take place over the next weeks between Malloy and Hunt with the latter pressuring for a new profile. On August 25, 1971, Hunt and Gordon Liddy requested and received additional disguise material from CIA, along with a camera concealed in a tobacco pouch. A day later the CIA technician who delivered the material was called long

distance by Hunt and asked to meet him at six am at Dulles Airport to receive the camera and film and develop them. The film was taken for development but the technicians began to question the use to which Hunt was putting the equipment. The camera had been used by Hunt and Liddy to clandestinely photograph Dr. Fielding's office, inside and outside, in order to prepare for the burglary. The photographs were reviewed by CIA technical supervisory personnel before they were delivered to Hunt. They revealed a shot of a parking space with the name "Dr. Fielding" clearly visible. They also disclosed shots of the office and one CIA official speculated at the time they were "casing" photographs. Deputy Director Cushman's office was informed. A decision was made to tell Hunt that no more requests for assistance would be honored. According to Gen. Cushman's aide, the CIA technical people thought the assistance given Hunt "appeared to involve the agency in domestic clandestine operations," a finding confirmed by the CIA general counsel's office. That same day, August 27, Cushman called Ehrlichman at the White House and told him aid to Hunt was being halted because of those concerns.

On September 3, 1971 the break-in at Dr. Fielding's office took place. On October 14 or 15, 1971 the CIA

technician who had developed the pictures for Hunt was told Gen. Cushman was lunching with Hunt the next day and wanted a complete briefing on what assistance Hunt had been given. The technician included in the briefing material xerox copies of the Hunt photographs. What happened at that meeting (if it took place) between Hunt and Cushman, and why did the CIA deputy director at that time want to be brought up to date on Hunt's requests? Did the agency figure out that there was a relationship between the Ellsberg profile and the Hunt casing job of Fielding's office? Was any additional material supplied by CIA on Ellsberg after the Fielding break-in? I've asked that question several places and have no answer. It is known that the final CIA profile went to the White House on November 9, 1971 and carried with it a note from Helms stating: "I do wish to underline the point that our involvement in this matter should not be revealed in any context, formal or informal." Though Helms was later to testify he meant the work might reflect adversely on the capabilities of the agency, the men who put the study together have said that their concern was that the "agency's involvement become known and particularly that it might come to light during any proceeding."

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