

74-1646

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(b)(3)

OLC 74-1094
22 May 1974

(b)(3)

(b)(6)

MEMORANDUM FOR THE RECORD

SUBJECT: Compliance with the 16 May 1974 Subpoena from the Senate
Select Committee on Presidential Campaign Activities

1. In accordance with the terms of the subpoena from the Senate Select Committee on Presidential Campaign Activities, I delivered the OMS medical file on Ellsberg and the Mr. Edward file to Room 1438 NSOB. Messrs. Fred Thompson, Howard Liebengood and Michael Madigan on the Committee, received me, with the latter two reviewing the material for the next four hours during the course of which I explained the reconstruction of the "Edward file," and discussed what they felt were gaps in both files in fact and technically under the subpoena.

2. OMS File. "The Ellsberg psychiatric profile and any and all documents at any time contained therein, said file being originally maintained by [redacted] and others within the Office of Medical Services and containing the Ellsberg psychiatric profiles and internal memoranda pertaining to Central Intelligence Agency activities with regard to said profiles." The several gaps identified by Liebengood and Madigan were:

a) Absence of supporting documentation mentioning Dr. Fielding as Ellsberg's psychiatrist. (I said I believed this had been mentioned orally to [redacted] and he may not have committed this to a Memorandum for the Record;

b) No supporting documentation for the statement, "I am free."

c) Regarding the 2 May 1973 memorandum by [redacted]

1) The first paragraph indicates that material on which the first profile may have been prepared was turned over to the Office of Security. What happened to this material if this is so?

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2) The last paragraph concerning State and FBI reports with Liebengood and Madigan expressing concern that anything that may have been returned to Security no longer exists.

d) Empty envelopes in the OMS file. (I explained my understanding that the 34 items in the OMS file had always been treated as a separate entity and that the contents of the envelopes, such as the FBI and State reports, were consolidated in the copy of the "OMS file" which I was leaving with them, but would be impossible at this date to determine which item came from which envelope. I said I was quite sure that all material [redacted] had received from Hunt and Liddy, etc., for preparation of the second profile was included in the material I had given them.

3. Mr. Edward File. "The Mr. Edward File and any and all documents at any time contained therein, said file being the file originally maintained within the Technical Services Division during the time in 1971 in which the Central Intelligence Agency provided assistance to Mr. E. Howard Hunt." I explained that this was most certainly a very informal file from the beginning and our need to and efforts to reconstruct it, and gave them a copy of our blind memorandum of this subject. Even so, they felt the following gaps existed based upon Messrs. Richard Krueger's and Stephen Greenwood's, Office of Technical Services, testimonies and the contents of the file:

Handwritten notes by Krueger and Greenwood as testified to and as needed for the several chronologies in the file.

4. Both Madigan and Liebengood were completely sympathetic to [redacted] situation and they agreed not to incorporate the OMS file in the Committee holdings and to return as much of it as is possible following their more thorough review.

5. Follow up action as identified above.

Att: Subpoena

[redacted]
Acting Legislative Counsel

[redacted]
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UNITED STATES OF AMERICA
CONGRESS OF THE UNITED STATES

TO WILLIAM E. COLBY, DIRECTOR, CENTRAL INTELLIGENCE AGENCY, LANGLEY, VA.,
GREETING:

PURSUANT TO LAWFUL AUTHORITY, YOU ARE HEREBY COMMANDED TO APPEAR BEFORE THE SENATE SELECT COMMITTEE ON PRESIDENTIAL CAMPAIGN ACTIVITIES OF THE SENATE OF THE UNITED STATES, ON WEDNESDAY, MAY 22, 1974, AT 10:00 O'CLOCK A.M., AT THEIR COMMITTEE ROOM 1413 DIRKSEN SENATE OFFICE BUILDING WASHINGTON, D. C. THAN AND THERE TO TESTIFY WHAT YOU MAY KNOW RELATIVE TO THE SUBJECT MATTERS UNDER CONSIDERATION BY SAID COMMITTEE, AND BRING WITH YOU THE FOLLOWING: (PLEASE SEE ATTACHED SHEET)

HEREOF FAIL NOT, AS YOU WILL ANSWER YOUR DEFAULT UNDER THE PAINS AND PENALTIES IN SUCH CASES MADE AND PROVIDED.

GIVEN UNDER MY HAND, BY ORDER OF THE COMMITTEE, THIS 16TH DAY OF MAY, IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND SEVENTY-FOUR. SAM J. ERVIN, JR. CHAIRMAN, SENATE SELECT COMMITTEE ON PRESIDENTIAL CAMPAIGN ACTIVITIES.

U.S. SENATE OFFICE

MAY 20 7 48 AM '74

ALEXANDRIA, VIRGINIA

ATTACHED SHEET:

1. THE "MR. EDWARD" FILE AND ANY AND ALL DOCUMENTS AT ANY TIME CONTAINED THEREIN, SAID FILE BEING THE FILE ORIGINALLY MAINTAINED WITHIN THE TECHNICAL SERVICES DIVISION DURING THE TIME IN 1971 IN WHICH THE CENTRAL INTELLIGENCE AGENCY PROVIDED ASSISTANCE TO MR. E. HOWARD HUNT.

2. THE ELLSBERG PSYCHIATRIC PROFILE FILE AND ANY AND ALL DOCUMENTS AT ANY TIME CONTAINED THEREIN, SAID FILE BEING ORIGINALLY MAINTAINED BY [REDACTED] AND OTHERS WITHIN THE OFFICE OF MEDICAL SERVICES AND CONTAINING THE ELLSBERG PSYCHIATRIC PROFILES AND INTERNAL MEMORANDA PERTAINING TO CENTRAL INTELLIGENCE AGENCY ACTIVITIES WITH REGARD TO SAID PROFILES.

A True Copy, Testes:
W. Farley Powers, Jr., Clerk
By *[Signature]*
Deputy Clerk