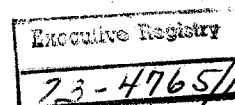


CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505



20 August 1973

Mr. Richard Ben-Veniste
Office of the Special Prosecutor
1425 K Street, N. W.
Washington, D. C. 20006

Dear Mr. Ben-Veniste:

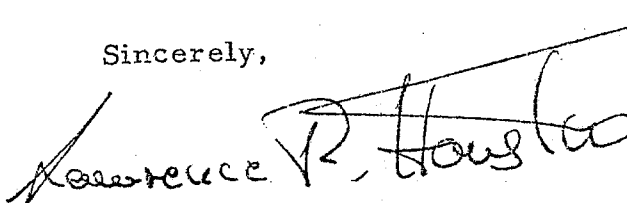
Re: Watergate Defendants

Enclosed is a copy of the letter we received from Schultz & Overby requesting information about the service of certain of their clients with this Agency. Their understanding that Mr. Frank A. Sturgis was employed by the Central Intelligence Agency is in error. It stems from testimony given by Mr. Helms; depending on his memory he said he thought Sturgis had been employed by CIA. Our records and the information we have furnished to the FBI and various committees in connection with the investigation of the Watergate affair are to the contrary.

When we have the information on Bernard L. Barker and Eugenio R. Martinez, we will be in touch with you. I talked to Mr. Overby in Mr. Schultz' absence and told him that we would be back to them well before sentencing time.

In my absence, Mr. John S. Warner, Acting General Counsel, will be handling this matter.

Sincerely,

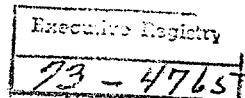


Lawrence R. Houston
Office of General Counsel

Enclosure :

cc: Executive Secretary

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SCHULTZ & OVERBY

1990 M STREET, N. W.
WASHINGTON, D. C. 20036

DANIEL E. SCHULTZ
ALBERT W. OVERBY

August 13, 1973

(202) 223-4007

Mr. William Colbey
Director, Central
Intelligence Agency
Washington, D.C. 20505

RE: S&O: 3869

Dear Mr. Colbey:

We are representing Messrs. Bernard L. Barker, Eugenio R. Martinez, Frank A. Sturgis and Virgilio R. Gonzalez in the captioned case which is the so-called "Watergate" case now pending before the Honorable John J. Sirica in the United States District Court for the District of Columbia. Our clients are now awaiting final sentencing from Judge Sirica which the Court has indicated to us may occur either in early September or even possibly toward the end of this month.

It is our understanding from the testimony of both former Director Helms and Assistant Director General Walters before the Senate Watergate Committee that at least three of our clients Messrs. Barker, Martinez and Sturgis were employed in the past either directly or indirectly by your agency. It is also our understanding that the records of your agency's pertaining to the association of our clients with your agency have been made available to both the Senate Watergate Committee as well as one or more other Committees of the Senate.

In our opinion, the fact that our clients have served this country by working for or under the supervision of your agency and the details in connection with the work they did perform is something which should be considered by Judge Sirica in determining the final sentences for our clients and could have a strong and favorable impact on the sentences he finally imposes. Our clients have refused to discuss the details of their activities for or in connection with your agency because of what they consider to be an obligation of secrecy

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Mr. William C. By
August 13, 1970
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notwithstanding the fact that your agency has made the records available to the Senate and, in fact, actually only acknowledged to us that they did work for your agency after it was so revealed by former Director Helms and General Walters in their testimony before the Senate Committee.

Accordingly, we are writing this letter for two specific purposes. First, we request a written authorization from your agency permitting our clients to discuss this matter in full with us as their attorney. Second, and at this juncture even more important, we are requesting that your agency provide Judge Sirica and ourselves as the men's attorneys with a copy of your agency's complete file with respect to these men including but not limited to any personnel files maintained on the men, all records and reports reflecting or pertaining to the activities they participated in or the work they did for the agency, including the results of same, and those records reflecting the monetary reimbursement they received for such activities and work.

We obviously hope that you will realize the importance of this matter to our clients and will comply with this request. In this connection, we think it appropriate to note our belief that under the law, you have a legal obligation to furnish this information and these records both to us and to the Court in connection with the pending case. We are confident that Judge Sirica would comply with a request by your agency that these records not be made a part of the public record if that is your wish and we will also honor any such conditions if you wish to impose them.

Finally, we also think it appropriate to advise you that we have strongly recommended to our clients that if this request is not honored by your agency, they permit us to place them on the stand at the time of final sentencing and testify in detail with respect to the activities they participated in and the work they performed directly or indirectly for your agency. They are extremely reluctant to follow our recommendations in this respect and are very hopeful that you will comply with your request so that they do not have to make that decision.

Mr. William .bey
August 13, 1973
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In light of the fact that final sentencing is apparently only a few weeks away, we would appreciate it if you could give this your earliest attention and advise us promptly of your position in this matter. Thank you in advance for your careful consideration of our request.

Sincerely,

Daniel E. Schultz
Daniel E. Schultz

DES/clj