

~~SECRET/SENSITIVE~~

Executive Registry

13-7617

12 December 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Senator Baker, 11 December 1973

1. As a follow-up to our 7 December session with Senator Baker, Messrs. Martin J. Lukoskie and [] of OLC met with Senator Howard Baker (R., Tenn.) in the Senator's office for approximately two hours. George Murphy of the Joint Committee on Atomic Energy staff, who is assisting in reviewing certain sensitive aspects of the Senator's investigation into Watergate-related matters, was also present.

(b)(3)

2. Concerning follow-up items from the 7 December meeting, Baker was advised:

a) There is no record of a written report of the 12 February 1973 meeting between Lukoskie, Mullen, and Bennett, and Lukoskie does not recall such a report.

b) Bennett is out of the country, but the Agency will contact and tell him that there should be no inhibitions whatsoever in answering Baker's questions bearing on the relationship between CIA and the Mullen Company.

c) The Agency has no negatives of the photographs taken of Dr. Fielding's office, but only Xeroxed copies of the prints.

d) In response to Mr. Murphy's request, Mr. Osborn had prepared a current memorandum on the August 1971 meeting at the White House between Messrs. Helms, Osborn, Ehrlichman, Krogh, and Young. A copy of Mr. Osborn's unclassified memorandum dated 11 December 1973 was given to Murphy.

EXECUTIVE REGISTRY FILE 11-5

~~SECRET/SENSITIVE~~

~~SECRET/SENSITIVE~~

e) Concerning the narrative chronology which Senator Baker had requested, we are thinking of organizing it by major topical headings, such as provisioning of Hunt, the profile, FBI/CIA and White House/CIA relationships concerning the investigation and the cover-up; Baker thought this would be very helpful.

3. Baker said there were substantial discrepancies between what he had just been told by Martinez and what he had been told by us concerning the meetings between our case officer and Martinez in Miami. In response to Senator Baker's suggestion, I told him we definitely would want to see the transcript and it was agreed I would contact Fred Thompson, Minority Counsel, Senate Select Committee on Presidential Activities, for this purpose. Per Baker, the discrepancies involved a) Who initiated Martinez's reporting on Hunt's activities in Miami, and b) Instructions to Martinez that his contact report on Hunt "not include anything that will come back to haunt you." I reviewed once again what had transpired, i. e., the casual mention by Martinez of Hunt in November of 1971; the re-mentioning of Hunt in March of 1972 leading to the Esterline/Martinez session in which Martinez used the commercial cover story but aroused Esterline's suspicions by inquiring whether he, Esterline, was aware of all activities within his area; Esterline's related query to Headquarters, and Headquarter's reply. In this connection Baker would like to review the communications between Miami and Headquarters and also the records on the termination of Martinez.

4. Baker then proceeded to question Lukoskie on his handwritten memorandum, but was interrupted early by a vote. When Baker returned we were answering questions by Murphy and with Baker's acquiescence Murphy continued a generally ineffective, leading type of interrogation, friendly in tone but designed more to play on Baker's apparent concerns than elucidate on the relevant information Lukoskie gave in explaining his memorandum. Lukoskie's explanation of his handwritten memorandum was entirely consistent with the explanation given Baker on 7 December by Messrs. Maury and [] Lukoskie was sincere and credible. Despite this Baker continued to read words out of context "in the interest of tidying up loose ends." Baker had difficulty in grasping the fact that the Agency in July of 1972 believed that the "WH flap" posed a greater risk to the integrity of the Mullen cover slots than Hunt's connection to Watergate.

(b)(3)

5. Baker was perplexed by the statement that Bennett had established "back-door entry" to the Edward Bennett Williams law firm to "kill off any revelation by Ed Williams of Agency association with the Mullen firm"

-2-

~~SECRET/SENSITIVE~~

~~SECRET/SENSITIVE~~

(paragraph 11 of Lukoskie's handwritten memorandum), and that Bennett "could handle the Ervin committee if the Agency can handle Howard Hunt" (last sentence of paragraph 13 from 1 March 1973 memorandum for DD/P). I said these statements were entirely consistent with Bennett's earlier action with Silbert of the Justice Department to assure that there would be no unnecessary damaging revelation concerning the cover slots.

6. In response to a question by Murphy, Lukoskie said he had a session during the summer of 1972 with Mullen at Mullen's home near a golf course. When Murphy pointed out that Mullen lived at the Watergate, Lukoskie explained that the meeting was at Mullen's former home which Mullen sold to [redacted] an Agency employee, [redacted] [redacted] Baker appeared to be genuinely amused by this additional "involvement."

(b)(3)(3)

(b)(3)

7. Baker will be interviewing Bennett on Monday. Baker would like a copy of the Lukoskie memorandum, 10 July contact report, and 1 March 1973 memorandum for use in interrogating Bennett, and I said I would check to see if we could make a sanitized copy of these documents available to him; Baker agreed as long as Murphy participated in the sanitizing process. I pointed out that there were certain statements in Mr. Lukoskie's memorandum, such as a reference to the "WH flap," which had not been discussed with Bennett and which we would not want Baker to discuss with him. Baker understood and suggested that I attend the session with Bennett, but I told him that I didn't think this was necessary to protect out interests.

8. Baker said that the one thing that troubled him the most concerning Watergate was why the President, immediately after the break in, did not line up his staff and get to the bottom of what was going on. He said he was similarly concerned with why a thorough investigation was not immediately undertaken within the Agency following the break in as the facts should have aroused more suspicions within the Agency than they did.

9. Baker agreed that he needed to devote more time to the subject of the concern within the Agency over the "WH flap" (an easily misunderstood phrase which raises his ire). He was on the verge of requesting access to the Agency's file on the Mullen Company but he deferred to my suggestion that we could see if there were any other memoranda on Agency contacts with Mullen Company bearing on the issues that we were discussing. Baker would like us to go back as far as April of 1972 (subsequent to our return to Headquarters I reviewed this matter with [redacted] and Mr. Lukoskie

(b)(3)

-3-

~~SECRET/SENSITIVE~~

~~SECRET/SENSITIVE~~

and reviewed and identified several reports for supporting the contentions that Lukoskie was making). Baker suggested that our next meeting be in the morning so that he would not be interrupted by votes.

CONCLUSION

It is my recommendation that we continue to cooperate with Senator Baker as we have heretofore and provide as much possible documentation, narratives, and explanation as is necessary to respond to his questions. So far he seems to be accepting our explanations as being more reasonable than the speculation he is pursuing. However, it is hoped that he will soon satisfy himself that there was no knowing Agency involvement in Watergate and related affairs.

FOLLOW-UP ITEMS

1. Review transcript of Baker's interview of Martinez (I contacted Fred Thompson's office on this as soon as we left Baker's office and made a follow-up call to Thompson on the 12th with no success; I was assured by Murphy that he would call me on the 13th and arrange for me to see the transcript).
2. Communication between COS/Miami and Headquarters concerning Hunt.
3. Records on termination of Martinez.
4. Sanitize copies of Lukoskie's handwritten memorandum, contact report, and 1 March 1973 memorandum.
5. Memorandum on contacts with Mullen Company from April 1972 up to 10 July meeting and any thereafter which may substantiate the points made by Lukoskie.
6. Narrative explaining the history of our dealings with Mullen Company in light of the contentions made by Lukoskie and in his memorandum.

[Redacted Signature]

Associate Legislative Counsel

[Redacted Block]

(b)(3)