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OLC 73-1433

7 December 1973

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## MEMORANDUM FOR THE RECORD

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SUBJECT: Meeting with Senator Howard Baker

1. On 7 December Messrs. Maury and [redacted] of OLC, met with Senator Howard Baker (R., Tenn.) in the Senator's office for approximately three hours. Also present was George Murphy, of the Joint Committee on Atomic Energy staff, whom Senator Baker had called upon to assist him in reviewing certain sensitive aspects of his Watergate investigations. The Senator had called the meeting to review the material contained in "Supplement to Volume III of 'Documentation Provided by CIA.'" The Senator read all of the material in the volume. During the ensuing discussion the following points were brought out:

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a. Regarding the handwritten memo of 10 July 1972 by Martin J. Lukoskie, Baker suggested that the fact that Bennett had asked for the 10 July meeting with Lukoskie indicated that Bennett might have been reporting to CIA on a CIA operation (Watergate). We explained that Lukoskie was merely performing his official duties as the responsible [redacted] in dealing with the Mullen Company, which provided cover slots for Agency officers overseas. We added that Lukoskie's principal concern apparently was over the possible compromise of some sensitive cover positions which the Agency had arranged with the Mullen Company. We pointed out three reasons for this concern:

- (1) The Mullen Company had already been tainted as a possible CIA front as a result of Hunt's employment by Mullen.
- (2) There was concern that Hunt in defending his actions might publicly reveal the existence of these cover positions with Mullen Company.

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- (3) The Agency had provided the FBI with information on its relationship with the Mullen Company and there was concern that this information might be leaked.

b. Baker viewed Lukoskie's conclusion, in the 10 July memo, that the Agency "is not going to be able to use the Watergate incident as our reason [for terminating the cover arrangements] unless Howard Hunt's testimony is damaging to us" and that "we will have to level with Mullen and Bennett concerning the WH flap" as indicating some type of sinister Agency involvement in Watergate. We explained what the "WH flap" involved, particularly emphasizing its extreme sensitivity. We further explained the importance of terminating the cover relationships in view of the eroding security situation. Finally we explained what Lukoskie meant by the above mentioned quote was simply that the Agency would only want to explain to Mullen the "WH flap" as a last resort. Baker accepted this as a reasonable explanation. We suggested that if he had any remaining questions on this or any other point in the Lukoskie memorandum, a face-to-face meeting with Lukoskie might be useful. Baker welcomed this suggestion.

During Baker's absence from the room for a vote we explained to Murphy that the Mullen Company might be reluctant to terminate these cover relationships especially since [redacted]

[redacted] and the company did not want to lose the business he was bringing in.

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c. Baker said he would like to have a copy of the contact report of the 12 February 1973 meeting between Lukoskie, Mullen and Bennett referred to in paragraph 13 of the 1 March 1973 memo to the DD/P from [redacted] which is in the volume.

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d. Baker indicated he would like to interview Bennett and asked if the Agency would, for this purpose, release Bennett from any security agreements he might have made with the Agency. We said we would be glad to arrange this provided any information supplied by Bennett would be appropriately protected. We

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remarked that we had done this in the case of all other Mullen personnel who had appeared before the Special Prosecutor and the Grand Jury.

e. Baker indicated that he was under the impression that the Agency had negatives of the photographs of Dr. Fielding's office. We said it was our understanding that we had only Xerox copies, but we would look into it.

2. Maury asked Baker if he could explain just what it was that troubled him about various allegations of Agency involvement in Watergate and went on to say that the matter had been thoroughly investigated by our oversight subcommittees and had been the subject of an intensive in-house investigation by the Agency. He added that he knew all of the senior Agency officials concerned personally--Helms, Cushman, Walters, Schlesinger, and Colby--and he called attention to the fact that of the various Government officials who had been pressured to assist in the Watergate coverup Helms, Cushman, and Walters in particular had flatly refused as soon as they had reason to suspect impropriety.

3. Baker said he completely accepted the sincerity of Maury's statement that institutionally the Agency was entirely clean on Watergate, but as he had told Helms when he had made similar representations, he had to disagree in view of what he felt were innumerable Agency involvements. He then recited the familiar record of the assistance to Hunt, the Ellsberg profiles, and the past Agency associations of several of the "Plumbers," etc.

4. We said that all of this was true but emphasized that in no case had any of the various investigations by oversight subcommittees or within the Agency produced any evidence of "knowing" involvement by the Agency in the sense that responsible officials could have known, or had reason to believe, that the assistance given to Hunt, etc., was for improper or illegal purposes. Baker then asked specifically whether the Agency had any advance knowledge of the breakin of Dr. Fielding's office or of the Democratic National Committee at the Watergate. He was told the answer to this question is a firm and unequivocal "no." He then conceded that the Agency was probably not knowingly involved, but it had undoubtedly been abused. Maury pointed out that we had made the most intensive internal investigation and assembled all available documentary material without encountering any evidence that

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any responsible Agency official had any advance knowledge of the improper purposes for which Agency assistance was being requested. Maury said that the importance of clarifying the matter from the Agency's standpoint could not be over emphasized, since if the credibility and integrity of any intelligence agency is seriously doubted, that agency becomes completely worthless and ineffective. In view of this, he said if Baker had any information indicating any improper Agency involvement we felt we should know it at once.

5. Baker said he had no intention of doing damage to the Agency but felt it was important to investigate "all the loose ends." He added, however, that despite our assurances he had come into the possession, without seeking it, of "reliable" information indicating that there was something seriously improper regarding some kind of Agency activities in connection with the Western Hemisphere operations. He said he had not deliberately sought this information, but it had been provided to him and he could not ignore it. He added that because of circumstances he was not free to be more specific regarding the matter of the information or the source.

6. Maury said he considered this an extremely serious matter and even though the Senator might not be able to tell us the nature of the information or its source, he would hope that the Senator could formulate some questions for the Agency to answer which would help him to evaluate the validity of his information. Baker said he would try to do this.

7. Maury said he was aware of many irresponsible and malicious allegations about Agency involvement in Watergate and it might be worthwhile to consider the motives of the authors of these allegations. As an example he said there were a number of potential defendants in criminal prosecutions stemming from the Watergate who might find it useful to use the Agency as a smokescreen or red herring, since many people are prepared to believe almost anything about the Agency and it's often impossible to defend against such allegations without revealing sensitive information. Baker said he recognized this. Maury noted that another defense tactic might be to assert that the "Plumber's" were in fact working on projects designed to protect the security interests of the Agency. Baker seemed to react to this and somewhat defensively volunteered that the so-called "22 page report" on CIA activities mentioned in the press actually never existed.

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8. Baker said that he had tried to protect the Agency's interest in the handling of information he obtained from Andrew St. George. He recalled that when this information came to his attention, instead of publicizing it he turned it over to Senator Symington for investigation.

9. In conclusion, Baker said he had great difficulty in absorbing all the relevant facts and getting a coherent picture of the problem. He said it would be helpful if we could present the relevant material in a more orderly fashion, perhaps in narrative form rather than merely as a collection of intelligence memoranda. He asked if we could work with George Murphy and Fred Thompson, Minority Counsel, Senate Select Committee on Presidential Activities, to compile such a report. We said we would be glad to.

10. Followup items:

- a. Arrange for Baker an interview with Lukoskie.
- b. Assure that Bennett understands that he can respond freely to questions put to him in an executive session interview with Baker concerning the Agency's relationship with the Mullen Company. [redacted] will handle this when Bennett returns from a trip abroad.) (b)(3)
- c. Provide Baker with a copy of Lukoskie's 12 February 1973 report of contact with Mullen and Bennett.
- d. Prepare and review with Fred Thompson and George Murphy a proposed chronology and explanation of CIA connection with Watergate and related matters.
- e. Report back to Baker that the Agency only has Xerox copies and not negatives of photographs of Dr. Fielding's office. (b)(3)

[redacted]  
Associate Legislative Counsel

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