

~~SECRET~~Review Staff: 75/1109

24 June 1975

MEMORANDUM FOR: The Director

1. I urge that you not sign or send this letter to the Vice President.
2. I know that the record here is technically a better one than the Rockefeller Commission report would indicate, but the Commission's report is essentially accurate in developing the main message <sup>about</sup> ~~that~~ the decision of Dick Helms not to conduct an investigation in the immediate wake of Watergate.
3. Accordingly, I really believe that the Vice President and his staff would regard your letter as essentially a nit pick and interestingly defensive.
4. I think further that the Vice President would find its after-the-fact quality somewhat frustrating in that there is nothing he can do about the points you raise here.
5. You will have ample time and opportunity to raise these points for clarification at some point in your dealings with the Senate Select Committee when they begin exploring this matter.
6. Please save your ammunition.

*HM*

E. H. Knoche  
Assistant to the Director

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INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

The Vice President  
The White House  
Washington, D. C. 20500

Dear Mr. Vice President:

In the Report to the President by the Commission on CIA Activities Within the United States, there are two small errors concerning me which I would respectfully like to clarify. On pages 201 and 202, there is a description (Tab A) of several incidents involving xerox copies of Howard Hunt's photographs of Dr. Fielding's premises. The Commission criticizes the Agency's actions in this and other respects.

In hindsight, I concur that the xerox copies of Hunt's pictures of Fielding's office should have been forwarded to the investigating authorities sooner than they were. I do believe that it is important to point out, however, that following the Watergate break-in on 17 June 1972, this Agency's role was essentially supportive to the investigative efforts of the FBI. Among the great deal of information provided in this connection, was our report to the FBI that:

"We developed one roll of film for Mr. Hunt, of which we have copies showing some unidentifiable place, possibly Rand Corporation."

This report was written on 28 July 1972, shortly after I learned of the existence of these photographs. This identical information was also supplied to the Department of Justice on 24 October 1972 (Tabs B and C). On 22 December 1972 we were asked about copies of the photographs, and as soon as I learned of this request, I authorized their delivery to the Department of Justice (Tab D), which took place on 3 January 1973.

Although no interest in the photographs was indicated by investigating authorities until 22 December 1972, I sought what identification could be made of the subject of these photographs, and on 5 December 1972



the information in Tab E. That information in no way clarified matter, since at that time we were totally unaware of the break-in of Dr. Fielding's office or his connection with Dr. Ellsberg.

The other error occurs with respect to our consultation with Mr. Dean on a report prepared for Mr. Silbert, the U. S. Attorney (also covered in Tab A). The Commission notes that my memorandum of our meeting on 15 December 1972 states that "it was agreed that these would be held up," and the Commission indicates that the material was only delivered in January. As I have separately testified, five days after 15 December I called Mr. Dean and specifically indicated that it was necessary to proceed to deliver this material to Mr. Silbert. Mr. Dean agreed, and the material was delivered to Mr. Silbert on 22 December, with the text unchanged during the delay. This material did not contain the xerox copies, and I do not believe Mr. Dean was aware of those copies until after they were received by the Acting Attorney General on 3 January 1973.

This matter was gone into in some detail during my confirmation hearing, a copy of which is also attached (Tab F) for your information.

As stated above, I do not take major issue with the criticism made by the Commission on this point. I merely wish to clarify that we were more forthcoming in alerting the Assistant Attorney General and the Acting Director of the FBI of the existence of these photographs in July 1972 than would be concluded from reading the text of the Commission's report at Tab A.

Respectfully,

W. E. Colby  
Director

Attachments: a/s