

Mr. HELMS. Well, sir, an oil company, they have, for example, in Venezuela have, a great deal of information about whether the Government is tending, what they are likely to do with the price of oil, questions of how much they are prepared to let us have, and so forth, which are matters of intense interest these days.

The CHAIRMAN. They are interesting, but they are not very secret. I mean this is sort of public knowledge.

Mr. HELMS. Well, they are to those companies.

The CHAIRMAN. Really.

Mr. HELMS. They really are. I mean getting information out of the oil companies about those rates and what is likely to happen and so forth is one of the hardest jobs we have.

The CHAIRMAN. I didn't suppose getting information of that kind was a matter of great difficulty.

Mr. HELMS. It turns out to be. For example, there is another problem which is one of the things that is dogging us these days. What are the oil reserves, in fact? I mean how much oil is there under the ground in Venezuela, how many years are they going to be able to pump it out at their current rates? The oil companies are very jealous of the estimates they make about this. They don't share them with each other and they don't share them much with anybody else. Yet this is what is basic to the whole energy question.

AMOUNT AND ACCURACY OF OIL INFORMATION

The CHAIRMAN. There is extensive literature on this. I have been overwhelmed with it recently. They pretend to know.

Mr. HELMS. But I don't think you will find all those figures are all that accurate.

The CHAIRMAN. You don't think those estimates are accurate?

Mr. HELMS. No, sir. I have reason to believe that based on my recent efforts to learn about oil these things are not that accurate. I agree with you there is an overwhelming amount of information, but I am not sure it is that accurate.

The CHAIRMAN. This is very interesting. For example, it is estimated, I think, that the reserves of the countries on the Persian Gulf, where you are going, are, I think, 351 billion barrels of oil. Do you have any idea whether that is accurate or not?

Mr. HELMS. Well, you see that is just exactly the point. This is what they are believed to be. Yet one can find first-class oil geologists who say that the amount of oil in Iran, for example, is not as much as it is believed to be. Then there is the question of improved technology. Can you get more out of the ground than you are able to get now?

The CHAIRMAN. Those are legitimate differences of opinion. It isn't a question of secrecy there. You have a difference of opinion even here. Geologists estimate—de Golyer is supposed to be the best in this country—and they rely on them. If you go to get a loan from a bank and they say, "Well, they have the best estimate," that is a matter of their judgment. It isn't a question of espionage or secrets.

Mr. HELMS. Sir, may I go off the record for a moment?

[Discussion off the record.]

FINDING OUT TRADE SECRETS

The CHAIRMAN. Have you devoted any effort to trying to find these trade secrets? Has that been one of your responsibilities?

Mr. HELMS. In my new capacity I am trying to find out what score is.

The CHAIRMAN. I meant before in your old capacity.

Mr. HELMS. We have been trying to make estimates about the petroleum reserves because that is part of our job.

The CHAIRMAN. I wondered if it had been given to you as one of your jobs.

Mr. HELMS. Well, I am just saying that I happen to know since we were able to acquire the information that it is not being shared they are different.

The CHAIRMAN. Yes. I can understand that.

Do you have any questions?

Senator AIKEN. No. I do have a question as to what we did yesterday. I understood we voted out all the nominees for embassies, if there was no objection, after Mr. Helms' appearance this morning.

The CHAIRMAN. That is right.

Senator AIKEN. If that isn't what we did, to be on the safe side I better move to report all of them out favorably.

The CHAIRMAN. All right. I certainly have no objection to that. Let me see if I have one more question before we close.

Senator SYMINGTON. I have a couple before we close.

MR. MARTINEZ' DIARY

The CHAIRMAN. I was thinking particularly of Senator Ervin's questions. I don't know whether I have covered them all, particularly about Mr. Martinez. You didn't get his diary. The CIA didn't see that. What has that?

Mr. HELMS. I think the police picked that up so far as I know.

The CHAIRMAN. You didn't know anything about the diary?

Mr. HELMS. I not only didn't know anything about the diary, but somehow recollect in the back of my—well, I had better not say a thing about it. This is on the record and maybe my recollection is faint and, therefore, I had better not say it.

The CHAIRMAN. Anything you would have would be appreciated particularly by Senator Ervin.

Mr. HELMS. My recollection simply was this diary was found by police. I thought it was in his automobile, but I am not entirely sure.

The CHAIRMAN. It says here it was found in the trunk of an automobile.

Mr. HELMS. That is correct.

The CHAIRMAN. My point was the CIA didn't have it.

Mr. HELMS. No.

WATERGATE DEFENDANTS' CONNECTIONS WITH CIA

The CHAIRMAN. This is what I want to tie down without any doubt. You mentioned two of these defendants had been former agents and had been out at least 2 years.

Mr. HELMS. Yes, sir.

The CHAIRMAN. With the exception of Martinez none of the others had ever had any connection with the CIA, to the best of your knowledge.

Mr. HELMS. Except for Barker who was cut off in the midsixties. I testified to that earlier.

The CHAIRMAN. I thought Barker and Hunt—

Mr. HELMS. No, Barker had had a relationship, you remember, I said at the time of the Bay of Pigs and had been continued on for a time, but it had been cut off in the midsixties.

The CHAIRMAN. Yes.

Mr. HELMS. The record will show that earlier.

The CHAIRMAN. Yes.

But recently he had had nothing to do with you.

Mr. HELMS. No, no.

The CHAIRMAN. I forgot. Did you testify that he was a regular agent or one of these consultants?

Mr. HELMS. He was a consultant type.

CIA CONSULTANTS

The CHAIRMAN. He was a consultant type. You had after the Bay of Pigs a considerable number of these consultants, didn't you?

Mr. HELMS. Yes, sir.

The CHAIRMAN. Do you still have?

Mr. HELMS. No, sir. This has been cut way back now.

The CHAIRMAN. Is that cut way back?

Mr. HELMS. It is a very minor effort.

The CHAIRMAN. I believe that is all.

Did you have another question?

Senator SYMINGTON. Yes, Mr. Chairman. I would like to go off the record.

[Discussion off the record.]

DID ANYONE INVOLVED IN WATERGATE WORK FOR ITT?

The CHAIRMAN. One question I forgot to ask. Did any of these people involved in the Watergate whom we have mentioned work for the ITT?

Mr. HELMS. I don't happen to know.

The CHAIRMAN. You wouldn't know that.

Mr. HELMS. I don't happen to know, Mr. Chairman, honestly I don't.

The CHAIRMAN. Any other questions?

Thank you very much.

Mr. HELMS. Thank you, Mr. Chairman. I appreciate this opportunity to come back and at least straighten out some of the things.

CIA AND WATERGATE

The CHAIRMAN. I think it is very healthy that you get something definitely on the record particularly in view of your leaving. I think I have covered it. You remember that famous instance in which we

didn't ask Sullivan about Laos and when we asked why he didn't tell us he said we didn't ask him about it.

Is there something that I should have asked you about that I did not to which you ought to reply?

Mr. HELMS. Sir, let me in an effort to sort of close this, about the Watergate business, you have asked all the relevant questions. I have no more information to convey and I know nothing about it. If honest I do not.

The CHAIRMAN. And your people other than that one man who was a consultant—

Mr. HELMS. We had nothing to do with it, honestly we didn't.

The CHAIRMAN. Other than the training that these operatives gain from their experience with you over the years.

Mr. HELMS. Could I go off the record a minute?

The CHAIRMAN. Yes.

[Discussion off the record.]

REPORTING OF NOMINEES

The CHAIRMAN. Let the record show that on the motion of the Senator from Vermont all six of the nominees will be reported favorably today, without objection.

[Whereupon, at 12:05 p.m., the committee recessed, subject to the call of the Chair.]

CIA INTERNATIONAL AND DOMESTIC ACTIVITIES

MONDAY, MAY 21, 1973

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.m., in room 42 Dirksen Senate Office Building, Senator J. W. Fulbright [chairman presiding.

Present: Senators Fulbright, Sparkman, Mansfield, Symington, Pell, Muskie, Humphrey, Aiken, Case, Pearson, Percy, and Griffith. The CHAIRMAN. The committee will come to order, please.

OPENING STATEMENT

The Foreign Relations Committee this morning is meeting to hear further testimony from Mr. Richard Helms, Ambassador to Iran, and former Director of the Central Intelligence Agency.

I wish to make it clear at the outset that the hearing is being held in public session at the specific request of Senator Symington and Mr. Helms. The hearing is a followup of two executive sessions the committee held with Mr. Helms in February and March, at which time domestic activities of the CIA were explored. Subsequent developments have made it desirable to clarify the record which was made at that time.

Mr. Helms, we are very pleased to have you. I want to make it clear that while I had announced last week that this would be an executive session, it was changed on very short notice this morning to an open session. I want everybody to understand the circumstances.

That is correct, is it not?

STATEMENT OF RICHARD M. HELMS, AMBASSADOR TO IRAQ

Mr. HELMS. Yes, sir.

The CHAIRMAN. Would you like to say anything in opening before we start questioning?

DECISION TO HOLD HEARING IN OPEN SESSION

Mr. HELMS. I do not think so, Mr. Chairman. I simply felt that, as I had read stories in the newspapers that convicted me of some wrongdoing before I had ever appeared before the committee, that perhaps it would be better to have it in open session so that I could explain myself.

Senator SYMINGTON. Mr. Chairman, will the Chair yield, as long as my name was mentioned?

The CHAIRMAN. Certainly.

The Senator from Missouri.

Senator SYMINGTON. I approve of Mr. Helms' decision to be in open session as a result of a story that appeared in the Washington Post. It says:

A committee source said that Helms' testimony yesterday was mostly an elaboration on the three White House requests described Monday by Walters and that no new approach has emerged. The source said that from the questioning it was obvious the committee members felt Helms and other CIA members had done a pretty good job of resisting the White House under the circumstances. Helms clearly made an accommodation to the White House staff, the source said, without connecting the request to a larger program of political espionage that had not yet been publicized at the time. However, Helms may face more unfriendly questioning Monday when he appears before the Senate Foreign Relations Committee to explain why he denied at least three times in January and February that the CIA had been involved in Watergate in any way. Helms made the three denials in hearings for his confirmation as Ambassador to Iran.

Several members of the committee are disturbed at some of the stories they have read of CIA involvement and not consistent with what they understood from the confirmation hearings, a committee staff aide said. The aide said Helms will be asked at the closed session to describe all White House requests for the CIA and the domestic intelligence in which it participated.

While the committee cannot revoke its confirmation of Helms, it can turn over transcripts of testimony to the Justice Department for possible perjury action or could even recommend impeachment proceedings.

Under the circumstances, I thought it better, and Mr. Helms thought it better, to have this hearing in open session; otherwise, he stands today convicted of perjury, as I read this article.

The CHAIRMAN. Anyone else wish to make a statement?

PURPOSE OF HEARING

For the record, Mr. Helms, on February of this year, 1973, you were called to testify before this committee because of the members' concern about possible CIA involvement in domestic operations.

More specifically, I advised you that Senator Ervin was particularly concerned about any relationship which the CIA may have had with the individuals implicated in the break-in at the Democratic Party headquarters.

I would like to see your statement which was attributed to you by Mr. Carl Rowan, the conservative columnist. Mr. Rowan states that shortly after the break-in at Democratic headquarters, he met you and your wife at a motion picture screening, and he quoted you as follows from his column of May 11, and he quotes—I suppose you are familiar with it, but for the record—he says: "Cynthia and I had been up late and had just fallen asleep when they telephoned me to tell me that these fellows had been ar-

rested in the Watergate. 'Why,' I asked myself and my friends months, 'would anyone call the CIA Director in the wee hour the morning after some arrests in a burglary unless the CIA involved?'"

I will put the whole column in the record.
[The information referred to follows:]

[From the Washington Star-News, May 11, 1973]

CIA'S INVOLVEMENT APPALLING

(By Carl T. Rowan)

Several days after the Watergate burglary of last June 17 my wife and I went to a screening party at the Motion Picture Association headquarters. We chanced to sit beside Richard Helms, then director of the Central Intelligence Agency, and his wife Cynthia.

The pre-film conversation turned to Watergate.

"This Watergate thing is so ridiculous that if you wrote it as fiction publisher would laugh you out of his office," Cynthia said.

Helms laughed and, in the course of a brief discussion, dropped one comment that, as my close friends know, has bothered me ever since.

"Cynthia and I had been up late and had just fallen asleep when they phoned me to tell me that these fellows had been arrested in the Watergate."

"Why," I asked myself and my friends for months, "would anyone call CIA director in the wee hours of the morning about some arrests in a burglary unless the CIA was involved?"

But I just couldn't write about that remark. I couldn't prove CIA involvement in Watergate, and I didn't want to believe the CIA was involved in kind of political crime. So the most I could bring myself to write was this August 6, 1972:

"The previous employment of several of those involved in 'the Watergate' and recent strange revelations of big money floating into bank accounts out of nowhere have aroused some serious misgivings that the Central Intelligence Agency was involved. But for what reason? Not partisan political poses surely."

I guess I wasn't cynical enough or mean enough to put my larger suspicion into print. I truly regret that bit of cautiousness.

Well, the chilling truth is now out. The CIA has become involved in political crime as ordered by the White House and that is a sinister development which overshadows everything else that has gushed forth from this cesspool of Watergate.

E. Howard Hunt, the convicted Watergate burglar and ex-CIA agent (who knows when if ever he became an "ex" agent?), has testified that CIA provided cameras, disguises, false papers, and other assistance to John and G. Gordon Liddy burglarized the home of the psychiatrist on Daniel Ellsberg now on trial in connection with the Pentagon papers.

The New York Times has reported that the CIA has approved the recruitment of Robert Woodward Jr., Helms' deputy and personal secretary, as a source.

How can I interpret Helms' comment at that time in the light of the recent disclosures?

I can only conclude that the CIA was up to its armpits in the crime masterminded by Hunt and Liddy, in the Ellsberg case but also in the Watergate crime. I can only conclude that this vast organization with all its secret know-all its capacity for eavesdropping and other dirty tricks was turned into apparatus for perpetuating the power of Richard Nixon and his cronies.

You can bet that this kind of corruption of the purpose of the CIA was taken lightly by Helms (and do not believe for a moment that Cushman proved this frightening gambit without Helms' knowledge). I can damn well guarantee you that the CIA became involved only on direct orders from the President, or orders from Haldeman or Ehrlichman, claiming to speak for the President.

In either case, no presidential assistants or appointees such as Helms would undertake so serious a violation of the intended role of the CIA without assurances of presidential knowledge and approval.

So that old campaign hutton finally speaks the truth: "Nixon's The One." There is a question that hounds us all, and the answer is almost unspeakable except in private surroundings. When a president is riding the top of the world, hogging the glory and the headlines with reelection virtually assured, why resort to such malevolent police state tactics—It defies national explanation.

The CHAIRMAN. Were you in fact called by the Agency the night of the break-in in Democratic Headquarters?

Mr. HELMS. I do not recall any more, Mr. Chairman, whether the call that I got from the Director of Security of the Agency was the night that the break-in occurred or the subsequent night. In any event, the call that I got was not in the wee hours of the morning. It was in the course of the evening, I forget what time, maybe 9:30, 10 o'clock, and the call was pursuant to a standing policy that we had in the Agency for a long time, and that is that when anyone on active duty or in some way connected with the Agency was involved in a major episode, an accident, an event of some kind, that I was to be informed of this and it was a perfectly routine thing in which he called up and said some men had been caught breaking in at the Watergate, and among them was James McCord, who had once been an Agency employee.

WITNESS' FIRST KNOWLEDGE OF BREAK-IN

The CHAIRMAN. How did the Agency first learn of the break-in in the Watergate? Do you know?

Mr. HELMS. I read it in the newspapers.

The CHAIRMAN. No one called you, as far as you know, or called the Agency?

Mr. HELMS. As I said a moment ago, Mr. Chairman, it could have happened the night that the break-in took place or it could have happened the next night, I do not honestly remember which night it was.

DID CIA HAVE CASE OFFICER MONITORING WATERGATE TEAM?

The CHAIRMAN. In a column dated January 7, 1973, Mr. Martin Schram of Newsday, stated, and I quote:

Federal investigators have obtained a daily diary that was being written by one of the Watergate defendants, Eugenio Martinez. Existence of the diary, written without the knowledge of his codefendants, indicates that the Central Intelligence Agency—or at least the CIA case officer—may have been monitoring the activities of the Watergate team.

Did the Agency have a case officer monitoring the Watergate team?

Mr. HELMS. Not to the best of my knowledge, Mr. Chairman.

[The article referred to follows:]

[From the Washington Post, Jan. 7, 1973]

WATERGATE CASE CALLED BROAD PLOT

(By Martin Schram)

The Watergate burglary and espionage mission at Democratic Party headquarters was part of a widespread project in which documents were photographed in the Embassy of Chile and several liberal Democratic senators were kept under electronic surveillance, according to a source close to the defendants.

The operation at the Embassy of Chile, 1736 Massachusetts Ave. N.W., involved three men, the source said. One pulled documents from the files, one

photographed the documents, and one placed them back in the files. Embassy officials have said that last May their chancery was burglarized and the files of their ambassador and political chief were searched.

The source, a person well acquainted with the activities of the Watergate defendants, made the information available on the condition that his name be used.

Among the senators whose activities were in some way allegedly monitored were Senate Majority Leader Mike Mansfield (D-Mont.), Senate Foreign Relations Committee Chairman J. William Fulbright (D-Ark.), and Sen. Frank Church (D-Idaho). This source also said that Sol Linowitz, former U.S. ambassador to the Organization of American States, was kept under similar surveillance.

While Newsday was able to confirm some of the source's statements through officials close to the investigation, allegations concerning the surveillance of senators neither could be confirmed nor denied.

The seven defendants in the Watergate case go on trial Monday in the District Court here.

It also has been learned that:

Federal authorities have tracked down and questioned two men who had been involved in Washington with the Watergate group but who had not been caught at the Democratic headquarters scene June 17. The two men, who have not been indicted, are Felipe de Diego, a Cuban exile and Bay of Pigs veteran now living in Miami, and Reinaldo Pico, who fled to Venezuela after the Watergate break-in and is believed still there. Pico was questioned by U.S. officials in Venezuela.

Federal investigators have obtained a daily diary that was being written by one of the Watergate defendants, Eugenio Martinez.

Existence of the diary, written without the knowledge of his codefendants, indicates that the Central Intelligence Agency—or at least a CIA case officer—may have been monitoring the activities of the Watergate team. Martinez continued to do work for the CIA in the years following his part in the Bay of Pigs affair, according to a well-informed defense source in the case. The source says that Martinez confessed to his fellow defendants that he had been keeping the diary, at the urging of his current CIA supervisor, after it was seized from federal officials.

Assistant U.S. Attorney Earl J. Silbert declined to say whether Martinez' diary would be introduced as evidence in the Watergate trial, which opens Monday. De Diego, 43, is a real estate salesman who was employed in Miami real estate office of Bernard L. Barker, one of the Watergate defendants.

De Diego, who was granted immunity by the grand jury investigating the case, said he told the grand jury and the FBI that he had come to Washington last May with Pico and the four Watergate defendants from the Miami area (Bak Martinez, Frank Sturgis and Virgilio R. Gonzales). He said that he believed and his friends were waiting to see someone from the government—he did not know who—and that when no one showed up, they flew back home to Miami.

While in Washington, de Diego maintained, he never met James W. McCord Jr., E. Howard Hunt Jr. or G. Gordon Liddy, the other three Watergate defendants. McCord, the former security consultant for the President's re-election committee, was arrested inside the Watergate on June 17 with the four defendants from Miami.

While de Diego said he had no knowledge of any sub rosa activities by the group while he was in Washington last May, other defense sources said the group was quite busy during that period.

During the weekend of May 13-14, the chancery of the Embassy of Chile was burglarized.

One source close to the Watergate defendants says now that these defendants were behind the burglary at the embassy.

The Watergate team's activities last spring, the source said, also included electronic surveillance of Sens. Mansfield, Church and Fulbright and former OAS ambassador Linowitz. All three senators said yesterday they had no indication they had been monitored. Linowitz, a liberal Democrat, could not be reached for comment.

HOW CIA WAS INFORMED OF BREAK-IN

The CHAIRMAN. Was it either the FBI or the White House that informed the CIA?

Mr. HELMS. Informed them about what, sir?

The CHAIRMAN. The Watergate break-in?

Mr. HELMS. As I said just a moment ago, it was my impression we learned about it from the newspapers.

The CHAIRMAN. And then you were not called late at night? In other words, Mr. Rowan's article was wrong?

Mr. HELMS. No, I was called one evening by the Director of Security, Mr. Howard Osborne, to tell me that some men had been caught in a break-in at the Watergate in the Democratic National Committee Headquarters, and that involved in this was one of the employees of the Agency; a Mr. James McCord.

I did get that call, sir. I say that I did and I told you a minute ago as to why it was a matter of policy that I be informed about these, such matters.

The CHAIRMAN. Why would you be informed about such domestic matters? I mean it was not really within the purview of the CIA's responsibility, was it?

Mr. HELMS. Well, Mr. Chairman, we have a lot of--the Central Intelligence Agency has a few thousand employees in the Washington area, and they are getting into difficulties of one sort or another, as all human beings get into difficulties, and the agreement I had with the Director of Security was if any of them got into difficulty, I was to be informed.

PSYCHOLOGICAL PROFILE OF DANIEL ELLSBERG

The CHAIRMAN. When was the CIA first contacted with a request for a psychological profile of Daniel Ellsberg?

Mr. HELMS. It is my recollection it was the latter part of July, 1971.

The CHAIRMAN. Who requested this profile and to whom did he speak at the Agency?

Mr. HELMS. Mr. David Young of the White House staff requested the profile and he spoke to the Director of Security, Mr. Howard Osborne.

The CHAIRMAN. Howard who?

Mr. HELMS. I believe the reason he did this was sometime before Mr. Young had told me that he had been given a new assignment, he had been assigned from Dr. Kissinger's office to Mr. Ehrlichman's staff to be in charge of classification procedures, security leaks, and associated matters; that he wanted to find out from various agencies of the government, including the CIA, how we guarded our materials, how we classified our papers, and how we did various other things in this general field and I, therefore, put him in touch with the Director of Security, Mr. Osborne, so that he would be able to get this information on a direct line.

The CHAIRMAN. Did you personally authorize the preparation of the Ellsberg profile?

Mr. HELMS. Yes, with great reluctance, I did. I was consulted about this and I remonstrated about it. In fact, I talked to Mr. David Young about it and said we were in no position to write any such profile, that we did not have any information on Dr. Ellsberg, we knew nothing about him, and that it would be a very difficult thing to have to undertake. And he said while he was on Dr. Kissinger's staff he had seen personnel profiles, particularly on Fidel Castro, that had been written

by some doctors in the Agency, that he felt this was the only agency government that was capable of undertaking such a job, and that under the circumstances, he would undertake to provide the information based on which the profile might be written.

I again pointed out to him this would be a most difficult thing to do, and I did not really see any reason why we should become involved in it, and he said this was a matter of a study of the Pentagon pay leaks and various other leaks, that it was a multifaceted approach; he felt it very important, and Mr. Ehrlichman did, that this be undertaken.

So I reluctantly said "All right, let's go ahead and try it."

AUTHORIZATION FOR SUCH A STUDY

The CHAIRMAN. What provisions of your CIA charter do you think authorized such a study?

Mr. HELMS. The only provision that I believe would cover this in the National Security Act of 1947. There is a charge put on the Director of Central Intelligence to--giving him, he is responsible for protecting intelligence sources and methods from unauthorized disclosure, and since it is very difficult to protect sources and methods from disclosure unless you know who is doing the disclosing, it is a thing in which we have been involved over the years with no investigative powers, with no real tools to do the job; it has been a very difficult charge but, nevertheless, it is still on the books, it is still on the statutes.

Senator CASE. Mr. Chairman, is that intended to cover domestic action here in the United States or actions abroad or actions unrelated to the investigative funds of the Agency?

Mr. HELMS. Well, Senator Case, I have given the actual language of the law as specifically as I can remember it, and it does not seem to have any limitations on it, either domestic or foreign, it just says unauthorized disclosure of intelligence sources and methods.

Senator SYMINGTON. Will the Chair yield?

The law states:

"* * * And, provided further, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure* * *"

The CHAIRMAN. Did you have advice of legal counsel with regard to this authorization?

Mr. HELMS. Not that I remember, Mr. Chairman.

PROFILE PREPARED ON COMMANDER LLOYD BUCHER

The CHAIRMAN. Has the Agency prepared such a profile for other United States nationals?

Mr. HELMS. I was told this past week that the only other time in which such a profile was prepared was on Commander Bucher at the time of the Pueblo incident.

The CHAIRMAN. That is the only one?

Mr. HELMS. That is the only one as far as I am aware.

BREAK-IN OF DR. FIELDING'S OFFICE

The CHAIRMAN. Apparently there were two profiles prepared, according to the Krogh affidavit. The first psychological profile was delivered before Hunt and Liddy went to California on August 25, Krogh's affidavit also stated that this first CIA profile "provided no useful information, but that a psychological profile could be put together with information derived from Dr. Fielding's files."

Did the CIA inform Krogh that to put together a profile it would be necessary to have the Fielding data?

Mr. HELMS. Mr. Chairman, I would like to say right now that the first time that I ever heard that Dr. Ellsberg had a psychiatrist was when I was in Shiraz, Iran, a week ago Sunday when I read an English language newspaper that a break-in had been made in the office of the psychiatrist of Dr. Ellsberg. I never knew he had one, let alone the fact that there had been a break-in in the office.

The CHAIRMAN. Then you are saying the CIA did not inform Mr. Krogh that they needed Fielding's statement; is that right?

Mr. HELMS. Definitely not, because the existence of Dr. Fielding, as far as I was aware, was a secret, I never heard of Dr. Fielding until last week.

Senator SYMINGTON. If the Chair will yield, you may not know it, but there might be other people in the Agency who went around your back on this one as they did on other things, because of their relative proximity to the White House staff. Is that possible?

Mr. HELMS. Anything is possible, Senator Symington, except I would like to say that I have not been informed of anyone in the Central Intelligence Agency who knew anything about the break-in of Dr. Fielding's office or of Dr. Fielding's existence until comparatively recently when these confessions were made.

The CHAIRMAN. Mr. Krogh's affidavit states that when they returned from this first trip to California, Hunt delivered film, on August 26, to the CIA agent, who met him at Dulles Airport at 6 a.m. on August 26, and asked for immediate processing of the film. That is Krogh's affidavit.

Do you know, was the film processed by the CIA?

Mr. HELMS. I have learned since that the film was processed, and I have also learned that the photograph was of an unidentified building.

The CHAIRMAN. It was processed in the CIA?

Mr. HELMS. Yes, sir.

TERMINATION OF ASSISTANCE TO E. HOWARD HUNT

The CHAIRMAN. According to General Cushman's affidavit on August 27—that is 1 day after this film was delivered to the CIA for processing—the cooperative arrangement between the Agency and Hunt was terminated. Was it the discovery of the contents of the film that led to the termination of the relationship with Hunt?

Mr. HELMS. Mr. Chairman, I do not know what the contents of the film were in the latter part of August. I know that the termination of assistance to Hunt came about in the following fashion:

I received a memorandum stating that Mr. Hunt had requested the services of a secretary who was stationed in Paris, France; he wanted her brought back from Paris to Washington and assigned to him. In

addition, he was requesting some other assistance from the Agency which seemed to me to be quite unnecessary, so I spoke to General Cushman and I told him that I thought this had gone too far, that we were being used in this situation, and that I did not see any reason for it to continue and that I wanted him to call Mr. Ehrlichman and have it stopped.

The CHAIRMAN. Is it fair to say that when General Cushman says in his affidavit that the relationship of Hunt was terminated because his requests became too extensive, he was not being completely candid?

Mr. HELMS. General Cushman was not being candid?

The CHAIRMAN. Yes.

Mr. HELMS. I do not quite understand the thrust of the question.

The CHAIRMAN. General Cushman says, according to his affidavit that the relationship of Hunt was terminated because his requests became too extensive—too extensive.

Mr. HELMS. Well, that was the reason.

The CHAIRMAN. It was the reason?

Mr. HELMS. Yes.

The CHAIRMAN. Were you aware on August 27 that Liddy was casing the premises of Dr. Fielding's office?

Mr. HELMS. I was not, Mr. Chairman.

The CHAIRMAN. You were not.

The Agency was aware that Liddy and Hunt were preparing to commit a crime, were they not?

Mr. HELMS. They were not, to the best of my knowledge. I never heard anybody in the Agency mention any such thing. As a matter of fact, in the context at that time, no crimes had been committed. To the best of our knowledge, no crimes were contemplated, nobody had given us the slightest indication that anything underhanded was afoot.

FILM TURNED OVER TO JUSTICE DEPARTMENT

The CHAIRMAN. Why was the film turned over to the Justice Department?

Mr. HELMS. Subsequently, because all of the information connected with this was turned over to the Justice Department.

The CHAIRMAN. It was turned over, I thought, quite soon after it was processed, was it not?

According to the Krogh affidavit, it was turned over to the Justice Department, the assumption being that is what you usually do—

Mr. HELMS. I thought this material was turned over in October.

The CHAIRMAN. In October 1971?

Mr. HELMS. No, October 1972.

Senator SYMINGTON. Mr. Chairman, we had the witness under oath before the Armed Services Committee and that information was not turned over until the summer of 1972.

The CHAIRMAN. Do you know to whom it was delivered at the Justice Department?

Mr. HELMS. Yes, sir; the Attorney General, and Mr. Henry Petersen, the Assistant Attorney General.

The CHAIRMAN. Did the Attorney General sign a receipt for the delivery of the film?

Mr. HELMS. I have no idea, sir. The material was turned over in his office and—
sen took custody of it and took it to the Justice Department.

office; in other words, he left the Attorney General's office and I do not know what happened to it.

The CHAIRMAN. It is customary on the delivery of such documents that someone makes a receipt, is it or is it not the practice?

Mr. HELMS. Well, I think when the material is delivered by our courier, it is true. I hand-delivered this and I was accompanied by the General Counsel of the Agency and I turned it over to Mr. Kleindienst and Mr. Petersen at that time. Under those circumstances, probably one would not have asked for a receipt. As least I did not.

The CHAIRMAN. You hand-delivered it yourself?

Mr. HELMS. Yes.

WHAT PHOTOGRAPHS SHOWED

The CHAIRMAN. Did you already state you did not know what was in the film?

Mr. HELMS. By that time I did know, yes. This was, I believe, on October 24, 1972, that this material was turned over.

The CHAIRMAN. By that time, is it then fair to conclude that you knew or suspected that Hunt and Liddy were involved in a domestic crime?

Mr. HELMS. Sir, you would have to look at the photographs. I have just said, to the best of my knowledge these photographs were of an unidentified building and I did not know what it was and nobody was ever able to identify it to me.

Senator SYMINGTON. Will the chair yield?

In sworn testimony by the various people before the Armed Service Committee, nobody thought they could find out what the photographs really actually showed.

COMMITTEE HEARING OF FEBRUARY 7, 1973

The CHAIRMAN. What has puzzled me a little about these developments is based upon the hearing we had on February 7.

We will start up where we were asking you about several people, first about McCord, then we passed to Hunt's retirement on regular civil service retirement, with no special pension. I will read the next part:

The CHAIRMAN. How long had he served?

Mr. HELMS. Many years. I think he must have been there 15 or 25 years.

The CHAIRMAN. Was E. Howard Hunt, an employee?

Mr. HELMS. He also had been an employee of the agency.

The CHAIRMAN. In a similar situation?

Mr. HELMS. He also, but my recollection is that he resigned rather than retired. I am not sure exactly. It was one or the other.

The CHAIRMAN. About when?

Mr. HELMS. About two, two and a half years ago.

The CHAIRMAN. He had no relationship to the CIA then?

Mr. HELMS. No, sir.

The CHAIRMAN. What is G. Gordon Liddy's relationship to the agency?

Mr. HELMS. None.

The CHAIRMAN. Never?

Mr. HELMS. Never, under any circumstances.

The CHAIRMAN. He never has been. I see.

Mr. HELMS. Never.

Leading to the feeling that there had been no connection, no relationship whatever, subsequently there were one or two other questions I will refer to a little later along that line.

PROCEDURAL DISCUSSION

Senator SYMINGTON. Mr. Chairman, are we going to have any about time? I have a hearing at 2 o'clock this afternoon.

The CHAIRMAN. I will yield to the Senator now if he wishes.

Senator SYMINGTON. Will we be under the 10- or 20-minute rule?

The CHAIRMAN. Whatever the committee likes.

Senator SYMINGTON. I have a few questions.

The CHAIRMAN. I will yield to Senator Sparkman at this time.

Senator SPARKMAN. I will yield to the Senator from Missouri.

Senator SYMINGTON. I do not want to go out of turn.

Senator PERCY. Mr. Chairman, could I suggest a 10-minute rule used this morning?

Senator SYMINGTON. Senator Case might like to ask some questions.

Senator CASE. On this point, it does seem to me we should divide time fairly, but still, this is a matter which relates in large part to previous testimony by Mr. Helms. In light of subsequent events, the chairman can do that. I would think the chairman ought to be allowed as long as he thinks is necessary and then the time be equitably divided among the rest of us.

The CHAIRMAN. In view of the fact several members have to—

Senator SYMINGTON. I just want to know what the ground rules are. Mr. Levinson is apparently in this in detail. He is the ITT investigation counsel; are we going to have any ITT questions?

The CHAIRMAN. No; I did not call this for ITT. I was under the impression, as the Senator from New Jersey stated, but we will proceed now to go in order in the usual manner for not over 10 minutes.

Senator SPARKMAN?

Senator SPARKMAN. Mr. Chairman, I shall be very brief.

KNOWLEDGE OF ACTIONS REGARDING DR. ELLSBERG AND DR. FIELDING

Mr. Helms, I was not here for the first part of your questioning, but I have followed with interest the questioning since I have been here.

The thought that entered my mind was the same one that Senator Case suggested a few minutes ago, and that is why the CIA was called on to do these things.

I think it has been explained by what you said and the excerpt from the law which Senator Symington read. Now I understand that you say—and I want to ask if I did understand it correctly—that you say you knew nothing about the action that was going on so far as Dr. Ellsberg and Dr. Fielding were concerned; is that right?

Mr. HELMS. Yes, sir.

Senator SPARKMAN. You had no knowledge of it?

Mr. HELMS. Absolutely none, Senator Sparkman.

Senator SPARKMAN. Did you say that you did not even know Dr. Fielding or know anything about him until some time after?

Mr. HELMS. Until last week, Senator Sparkman.

Senator SPARKMAN. Until last week. And you had no connection whatsoever?

Mr. HELMS. No, sir.

EQUIPMENT MR. HUNT RECEIVED FROM CIA

Senator SPARKMAN. Now, you did have a connection, as I understand it, with placing some equipment, whatever it may have been, or making it available in connection with security leaks around the National Security Council; is that right?

Mr. HELMS. This occurred in July or the end of July 1971 when Mr. Hunt came to the Agency to get some equipment. I believe that these were equipment consisting of a wig, and a tape recorder, and a camera, all of them things that he could have acquired in the public market, and also some that is called pocket litter, I believe, which is the kind of stuff that if one finds it in a suit of clothes, you assume it belongs to Senator Sparkman rather than Senator Symington.

None of the equipment had anything to do with burglaries so we could not judge from the request of the kinds of equipment that there was anything underhanded going on, and we were providing a facility to him at the request of Mr. Ehrlichman made on General Cushman.

Senator SPARKMAN. And that was in 1971?

Mr. HELMS. Yes, sir.

Senator SPARKMAN. I had seen something in the paper about it. So far as you know, it had no connection with these things that happened in 1972?

Mr. HELMS. I just do not know any more, sir. All I know is that if we put ourselves back in the time frame of July 1971, no underhanded things had occurred that we were aware of, nobody dreamed that the White House was going to be undertaking burglaries and so forth, and therefore there was no cause to assume that these things were going to be misused.

SECURITY LEAKS

Senator SPARKMAN. I have read somewhere, there has been so much about all of this that it is hard to keep up with all of it, but I read somewhere, I believe, that these taps that were made in connection with leaks in our security—there were leaks, were there not, and they were suspected as coming from the National Security Council?

Mr. HELMS. Sir, there were leaks and nobody seemed to know where they were coming from.

The first leak, of course, was the Pentagon papers and then there were some leaks about the ongoing Strategic Arms Limitation talks, which were supposed to be secret, and there were various other leaks from time to time about weapons systems, and so forth, and this whole connection of affairs had caused the White House to be quite exercised about how so much information was getting out into the public.

Senator SPARKMAN. Do you understand that Dr. Henry Kissinger was very much concerned about it and that he was interested in having these leaks checked into and stopped, insofar as possible?

Mr. HELMS. Yes; Senator Sparkman, that was my distinct impression at the time.

Senator SPARKMAN. And that is the only thing that you had a connection with insofar as these taps and so forth were concerned Mr. HELMS. To the best of my recollection, sir.

You know, there are a lot of days, weeks, and months that went in here, and I know there were many considerations about these leaks and I know that the U.S. Intelligence Board Security Committee which was established to carry out the statutory provision that spoke about a moment ago, was constantly keeping records on this and seeing if there was any way to find out which elements of the Government these leaks were coming from, so there was a lot of ongoing work of this kind, but I do not recall any other specific incidents of the kind that I think you have in mind.

Senator SPARKMAN. Thank you, Mr. Chairman.
The CHAIRMAN. Senator Aiken?

RESPONSIBILITIES OF CIA AND FBI

Senator AIKEN. Let me say, first, that if we had reason to believe that an organization in a foreign country hostile to the United States had designed to undermine the U.S. Government and also had connections with people living in the United States, who were collaborating with them, would that be of concern to the CIA?

Mr. HELMS. Well, it would be of concern to the CIA to the extent that we had picked up this information overseas and would turn it over then to the FBI if we found that overseas there were certain connections between foreign agents and Americans.

Senator AIKEN. The CIA concern would be with the foreigners who perhaps had designs on the U.S. Government?

Mr. HELMS. That is our responsibility—

Senator AIKEN. The American collaborators would come under the observation of the FBI, is that right?

Mr. HELMS. Yes, sir.

ALUMNI OF CIA

Senator AIKEN. As the head of the CIA, would you feel responsible for the operations of all the alumni of that organization?

Mr. HELMS. No, sir, we are not responsible for the operations of any alumni of the organization. When they retire or resign from the Central Intelligence Agency, they go back into society just as any other individual does.

Senator AIKEN. And some of them undertook to set up in business for themselves?

Mr. HELMS. Yes; they did.

AVAILABILITY OF CIA INFORMATION

Senator AIKEN. And specializing in protective devices for congressional committees or others: do you think that all the information available to the CIA should be made public?

Mr. HELMS. No, sir.

Senator AIKEN. Well, you are rare.

Mr. HELMS. I beg pardon?

Senator AIKEN. You are unusual.

I agree with you, however, that it should not be made available to the public, all of them.

RELATION BETWEEN UNITED STATES, IRAN

My final question is this:

If given an opportunity, could you tell us anything about the relations between the United States and Iran? If given an opportunity, I mean.

Mr. HELMS. I would be glad to speak about it if I were given an opportunity.

Senator AIKEN. You have been there?

Mr. HELMS. Yes, sir.

Senator AIKEN. If I had my way, you would be given a chance to tell us something about our relations with Iran.

That is all, Mr. Chairman.

The CHAIRMAN. Senator Symington?

Senator SYMINGTON. Thank you, Mr. Chairman.

REASON FOR OPEN HEARING

May I say again that the reason I asked for this open hearing was because I felt, after reading the papers, it would appear Mr. Helms was convicted before he even came before the committee.

TELEPHONE CALL TO WITNESS ABOUT BREAK-IN

For the record, as I understand it, the break-in occurred in the very early morning hours, in the early morning hours of a day in June and it was in the papers the next morning. Therefore, presumably you were called after the break-in, but before the papers came out. Unless you were, you got the information out of the papers; correct?

Mr. HELMS. Yes, sir.

I am sorry that I do not recall the specific evening on which I got this telephone call, but I simply do not and all I know was that it was at a time in the evening somewhere between 9 and 11 o'clock because, although the Rowan column which the chairman has read into the record says it was the wee hours of the morning, I know that it was not the wee hours because I was watching the television at the time, and have a custom of going to bed at least by 11 o'clock.

Senator SYMINGTON. A good habit. [Laughter.]

WHY MR. EHRLICHMAN MADE REQUEST OF GENERAL CUSHMAN

Do you know why Mr. Ehrlichman, when he wanted a wig and a voice changer, went around you and notified General Cushman he would like to get said wig and voice changer?

Mr. HELMS. I have no idea. Senator Symington.

Senator SYMINGTON. In General Cushman's affidavit, he said Mr. Ehrlichman he knew was an honorable man for 10 to 12 years; so perhaps it was because he knew General Cushman well, but the fact is that he did not come to you as the head of the agency; he went to your deputy, did he not?

Mr. HELMS. Yes, sir.

ACTIONS OF GENERAL WALTERS

Senator SYMINGTON. Now, do you know why, when Mr. Halde and Mr. Ehrlichman instructed you and General Walters—who I think was in General Cushman's place—to come over to Mr. Ehrlichman's office, Mr. Haldeman instructed only General Walters to go to see FBI Acting Director Gray?

Mr. HELMS. I do not know, sir. I thought it odd at the time.

Senator SYMINGTON. After General Cushman found out what was going on, found out the demands of Mr. Hunt, he notified Mr. Ehrlichman he could no longer agree to his demands; correct?

Mr. HELMS. Yes, sir.

Senator SYMINGTON. At that time he was reporting to you what was going on, correct?

Mr. HELMS. Yes, sir, Senator Symington.

Senator SYMINGTON. Also, when General Walters found out the nature of the request Mr. Haldeman was asking him to make to Director Gray, he said before he got through he would not continue with the operation; correct?

Mr. HELMS. That is what he told me at the time.

Senator SYMINGTON. Do you think that inasmuch as both General Cushman and General Walters worked for the President for so many years as a member of his staff, that they thought they might have more influence with him?

Mr. HELMS. I honestly do not know.

WHETHER PRESIDENT WAS ANGRY WITH WITNESS

Senator SYMINGTON. Various newspapermen were asking us around this town some weeks ago, "Why is it, do you think the President is so angry with Dick Helms?" Do you know anything about that?

Mr. HELMS. No, sir, I do not.

In fact, to be a bit more responsive, if the newspapermen were asking the question, I did not know at the time that he was said to be angry with me.

Senator SYMINGTON. Did you leave the Agency under your own volition?

Mr. HELMS. Well, the President and I had a conversation about it.

Senator SYMINGTON. That conversation I presume you would consider executive privilege?

Mr. HELMS. Yes, sir.

Senator SYMINGTON. Properly so.

WITNESS' ROLE IN UNVEILING BURGLARY

Mr. CHAIRMAN. For the record, there are many papers that have been produced in the classified hearings we have had in the Arne J. Hansen Committee on this matter. We have received a classified paper so I cannot put it in the record.

As a result of a covering letter written for the record by Mr. Helms, it would appear he had much to do with the unveiling of this unfortunate burglary, and the fact the American people now know about it I would hope eventually that the memorandum could be made part of the record and known to the public.

The author of the paper, which is highly restricted, is going to come shortly before the Armed Services Committee in executive session. We hope at that time to find out more about the efforts of the White House staff to, in effect, take over a great deal of operations which up to this time, we thought were the proper domestic functions of the Federal Bureau of Investigation.

I am glad we are having this hearing in open session. In due course, Ambassador Helms will go back to his post. Then it would be difficult for him to defend his good name from such attacks as this one in the press. That is why I now take the liberty of mentioning this particular document which only came to our committee, and did not come from Mr. Helms, Saturday morning.

Thank you.

QUESTIONS WAIVED

The CHAIRMAN. Senator Case?

Senator CASE. Thank you, Mr. Chairman.

I think, along the line of my earlier comment, that I will waive questions until after the chairman has finished his development of the main purpose of the hearing.

The CHAIRMAN. Senator Muskie?

Senator MUSKIE. Senator Pell.

Senator PELL. I feel the same way Senator Case does and I would like to have the chairman have full opportunity to develop the line he wishes to develop.

The CHAIRMAN. Senator Pearson?

Senator PEARSON. I will pass.

The CHAIRMAN. Senator Muskie?

Senator MUSKIE. I have the same view of it.

I would like to see the chairman develop what he is developing as the basis for questioning.

The CHAIRMAN. Senator Percy?

HIGHEST AUTHORITY INFERRED AS BEHIND CIA REQUEST

Senator PERCY. Yes, Mr. Chairman. With full respect for Senator Case's position, I would like to ask a few questions because I did participate in the questioning of Mr. Helms before.

I would appreciate clarification of a certain number of points. However, I would be happy to yield to the Chair if it would help the continuity for you to proceed.

The CHAIRMAN. No, you did the questioning and you had some very pertinent questioning.

Senator PERCY. Thank you, Mr. Helms, could you clarify for us exactly the highest authority either that you know of or that was inferred stood behind the request of the CIA to engage in this Watergate activity?

You have mentioned Mr. Ehrlichman's name. Was that a direct request from Mr. Ehrlichman or through someone else?

Mr. HELMS. Well, sir, Senator Percy, there were—there are two or three different episodes involved here and I have to direct myself to the specific—

Senator PERCY. Let's separate them into the two then, the break-up of the Ellsberg's psychiatrist's office, and the alleged attempted coup of the Watergate break-in.

Mr. HELMS. Well, sir, I can put them in this kind of order.

The request to General Cushman to give some equipments to Hunt for a purpose which was never identified was conveyed from Mr. Ehrlichman to General Cushman.

The personality profile requests to be done on Dr. Ellsberg—conveyed from Mr. David Young, who was working for Mr. Ehrlichman, to the director of security of the CIA, Mr. Osborne.

Mr. David Young said that he was backed up in this request not only by Mr. Ehrlichman but by Dr. Kissinger, who were interested in getting on with this job of investigating the security leaks.

As far as the meeting of the 23d of June was concerned, when General Walters was asked to go to see Acting FBI Director Gray, that took place among Mr. Haldeman, Mr. Ehrlichman, General Walters, myself, and Mr. Haldeman, who was the President's Chief of Staff was giving the directions, conducting the conversation.

Senator PERCY. Was there any inference at that time they were acting on behalf of any higher authority or were they acting on their own authority?

Mr. HELMS. Sir, when the President's Chief of Staff speaks to you one obviously assumes that he is speaking with authority.

NOTIFICATION OF CIA'S DECISION NOT TO GO FURTHER

Senator PERCY. At the time that it was your decision that the Agency should not go any farther or be brought further into this matter could you clarify as to whom you notified of that decision.

Mr. HELMS. On which matter, Senator Percy, because—

Senator PERCY. Either or both matters.

Mr. HELMS. Well, on the equipments and support for Mr. Hunt in August of 1971, I spoke to General Cushman who had been dealing with Mr. Ehrlichman on this, and instructed him to go back to Mr. Ehrlichman and say that we did not want to support Mr. Hunt with these equipments any further.

Senator PERCY. In that particular case, was there anyone else in the White House who either you or General Cushman advised directly or indirectly of this matter, the policy decision that you had arrived which, I think, was absolutely right: was there anyone else you advised of this other than Mr. Ehrlichman or was he the sole person who was advised by you or General Cushman?

Mr. HELMS. He was advised—

Senator PERCY. Of this affair?

Mr. HELMS. He was advised by General Cushman and, so far as I know, no one else was advised; as I say, so far as I know.

Senator PERCY. Then you were going to comment on the other matter?

Mr. HELMS. The other matters did not have that kind of a termination to them so that the only time that I dealt with Mr. Haldeman and Mr. Ehrlichman on this other matter was on the 23d of June, this one meeting, and I never discussed it with them again.

WITNESS' DEPARTURE FROM CIA

Senator PERCY. There have been some newspaper reports, and I would like to give you the opportunity to amplify on them or clarify them or put them to rest, that your own departure from the CIA was directly linked to your refusal, which I consider right and proper and the only decision you could have arrived at, to cooperate with what you then considered improper and illegal actions for CIA.

Could you comment on whether there was any connection between your leaving CIA and this basic policy decision?

Mr. HELMS. Senator Percy, I do not know. I talked to the President, and I think the conversation is undoubtedly privileged and should remain so.

I can only say that at no time in this conversation was Watergate or anything connected with it ever mentioned.

Senator PERCY. I respect your position on executive privilege concerning your conversations with the President, but because I have had experience with members of the White House staff in which they told me in no uncertain terms that actions were taken as a result of certain votes I cast, did anyone else on the President's staff advise you directly or indirectly or by inference as to why you were leaving the CIA?

Mr. HELMS. Not to the best of my recollection, Senator Percy. When I talked to the President that day, Mr. Haldeman was present in the room but he did not say anything.

Senator PERCY. Do you have anything you would like to say with respect to your own belief as to why you suddenly left the CIA after many years of distinguished service?

Was there a request by you to take an ambassadorial post or did you have a desire to leave the Agency?

Mr. HELMS. I do not know how I can answer that question without repeating the entire conversation that the President and I had.

Senator PERCY. I think that should be a privileged conversation.

WHITE HOUSE EFFORTS TO INVOLVE CIA IN OTHER DOMESTIC SITUATIONS

Have there been any White House efforts to involve the CIA in other domestic situations than those that have already been reported?

Mr. HELMS. Senator Percy, I find this a very difficult question to answer unequivocally.

Inside the Government, there are always meetings and conversations going on about who might do what and who might give assistance here and who might give assistance there, and I think I would therefore best answer the question by saying that I know of no other situation in which the Agency gave the kind of assistance that we have been talking about here.

Senator PERCY. If there had been other situations, would it be likely you would have known of them or by now have been advised of them, considering your long relationship with everyone at the top level in the Agency?

Mr. HELMS. I would have hoped so, but I cannot say for sure.

Senator PERCY. Had the CIA accepted the suggestion from the White House staff that it take the blame for Watergate, what would this have done to the future of the CIA and its role in national security,

if you had continued and your acquiescence had been later exposed, it might have and probably would have been?

Mr. HELMS. Well, sir, I faced that matter at the time, and in a conversation I had with General Walters, because he subsequently was called by Mr. Dean, I think, on three occasions, to discuss these matters, and I told him at the outset that he was to agree to absolute nothing, that there was no way we should get involved in this affair and that if we were to do so it would not only besmirch the Agency but might finish it as an American institution.

Senator PERCY. Mr. Chairman, I have a few questions regarding the colloquy that I had with Mr. Helms, in our executive session, but I forgot to notice what time I started. I have a feeling my 10 minutes are up, and I would like to yield back to you and go back to it later.

The CHAIRMAN. Go ahead and proceed with it.

Senator PERCY. I think in deference to my colleagues I would like to come back after they have finished.

The CHAIRMAN. All right.

Senator Humphrey?

STRUCTURAL ORGANIZATION OF CIA: 40 COMMITTEE

Senator HUMPHREY. I just have a couple of questions, Mr. Helms. These questions are directed primarily at getting a more complete discussion on the record as to the structural organization of the CIA and its participants. This committee has had testimony about it, I think it is called the 40 Committee.

Mr. HELMS. Yes, sir.

Senator HUMPHREY. The committee which directs the CIA operations.

Was Attorney General Mitchell a member of that committee?

Mr. HELMS. He was a member of that committee, Senator Humphrey, during the period that he was Attorney General.

Senator HUMPHREY. So the Attorney General, as an officer, sits regularly with that committee?

Mr. HELMS. Sir, that was the way in this administration the composition of the committee was established, but I know that after Mr. Mitchell left office, the succeeding Attorney General never attended any meetings.

Senator HUMPHREY. Was Mr. Ehrlichman or Mr. Haldeman a member of the committee or did they sit with the committee?

Mr. HELMS. No, sir, they were not members of the committee, but that is not to say that they never sat. I believe in one crisis meeting, one of them came down one day and having something to do with the press or something of this kind, but they were not regular members, and I do not think they were actually--well, they certainly were not participants.

This committee was chaired by Dr. Kissinger and he represented the President on this.

Senator HUMPHREY. How many times did Mr. Ehrlichman and Mr. Haldeman come, to the best of your knowledge?

Mr. HELMS. Now, I am rethinking this and this may have been a Washington Special Action Group Committee meeting rather than a

40 Committee meeting; I regret my misstatement, but it tended to be the same membership for both committees.

Senator HUMPHREY. What was the Washington Special Action Group?

Mr. HELMS. Well, there were various committees and subcommittees established during this period. One was called the Special Review Group, one was called the Washington Special Action Group, and the particular rubric simply was designed to cover the kind of deliberation they were going to have on the given day on a given subject.

Senator HUMPHREY. Did you chair this committee?

Mr. HELMS. No, sir, I chaired none of them.

Senator HUMPHREY. The committee was chaired by whom?

Mr. HELMS. Dr. Kissinger.

Senator HUMPHREY. Dr. Kissinger?

To the best of your knowledge, did this so-called 40 Committee ever discuss the supply of materials to Mr. Hunt, the supplies that have been alluded to this morning?

Mr. HELMS. No, sir; and I would have thought they would have been unaware of it.

Senator HUMPHREY. There was no mention of it, according to your recollection?

Mr. HELMS. No, sir. And, Senator Humphrey, you understand that the 40 Committee passes on certain types of operations but not all operations.

CONFLICT OF AUTHORITY IN NATIONAL SECURITY ACT OF 1947

Senator HUMPHREY. We had a quotation this morning, Mr. Helms, from the National Security Act of 1947, and that act, I think, has some ambiguities to it.

There seems to be on its face some conflict of authority. For example, you were required to—

Correlate and evaluate intelligence relating to national security, and provide for the appropriate dissemination of such intelligence within the Government using, where appropriate, existing agencies and facilities: Provided, That the agency shall have no police, subpoena, law enforcement powers, or internal security functions: Provided further, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence. * * *

And then the latter part to which Senator Symington referred—

And *Provided Further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure * * *

Now, does that conflict with your responsibility, I mean with the prohibition of no internal security functions?

Mr. HELMS. Well, Senator Humphrey, I am not a lawyer and, therefore, I do not know whether it actually conflicts.

I would simply say that that charge, the last one you read, about protecting intelligence sources and methods from unauthorized disclosure, has been a very difficult charge on the Agency because it has left a kind of a gray area here.

Senator HUMPHREY. As to whether or not it is your responsibility or that of the Federal Bureau of Investigation?

Mr. HELMS. Well, our responsibility, domestic or foreign, and the whole thing is rather gray.

Senator HUMPHREY. Do you not generally assume that the activities of the Central Intelligence Agency are directed toward foreign and foreign activities.

Mr. HELMS. I do indeed, Senator.

Senator HUMPHREY. And domestic or internal security matters: in the hands of the Federal Bureau of Investigation?

Mr. HELMS. Yes, sir.

Senator HUMPHREY. You have a close relationship?

Mr. HELMS. Yes, sir.

Senator HUMPHREY. You try to keep that differentiation or delineation clear?

Mr. HELMS. As clear as we can and when the lines have gotten wavy as they sometimes do in human life, we have worked together to try to keep them straight and have an understanding as to who was doing what.

PRESUMPTION OF BASIS OF AUTHORITY FOR WHITE HOUSE REQUEST

Senator HUMPHREY. When you get a request from a White House staff member, Mr. Helms, as you have over the years, what is the presumption of that request as to the basis of authority?

Mr. HELMS. The presumption is that it comes from the President.

Senator HUMPHREY. That would be particularly true of the Chief of Staff?

Mr. HELMS. Yes, sir.

In other words, Senator Humphrey, most of the telephone calls through the agencies of Government that get from the White House are through staff assistants, they are not from the President himself.

Senator HUMPHREY. That is normal operating procedure, is it not?

Mr. HELMS. Yes, sir, and it has been under several administrations.

KEEPING CIA OUT OF DOMESTIC POLITICS

Senator HUMPHREY. Is it your judgment that agencies like the Central Intelligence Agency, the Federal Bureau of Investigation, the Secret Service, ought to be above participation in involvement in domestic politics?

Mr. HELMS. Yes, sir.

Senator HUMPHREY. Did you take all steps possible, as far as your directorship was concerned, to keep the CIA out of the domestic political arena?

Mr. HELMS. I did, sir, to the very best of my ability.

MR. HUNT'S RELATIONSHIP WITH CIA, WHITE HOUSE

Senator HUMPHREY. Was Mr. Hunt a member of the CIA staff when he asked for these materials?

Mr. HELMS. He was not.

Senator HUMPHREY. Is it not rather unusual that a man who was not a member of the Central Intelligence Agency, even if sent by the White House, should be accommodated?

Mr. HELMS. It was simply because Mr. Ehrlichman had asked he be assisted for a White House function, and I must say that at that time I recall there was no indication that anybody was going to be guilty of any wrongdoing. Assistance to the Presidency has not been a crime up until comparatively recently. [Laughter.]

Senator HUMPHREY. Is it not rather unusual that a private citizen would be used for such a mission?

Mr. HELMS. I do not know why they hired him, sir. I was not consulted. I was never asked anything about him. We simply heard one day that he had been hired as a special consultant to the White House.

Senator HUMPHREY. So at that particular time, Mr. Helms, he then was—had a direct relationship to the White House as a special consultant?

Mr. HELMS. Yes, sir.

I was told this past week that the minutes of a staff meeting which took place on July 8, 1971, and this is a staff meeting which I used to conduct every morning at the Agency, reflected that General Cushman had mentioned at the staff meeting that he had had a telephone call from Mr. Ehrlichman saying:

Mr. Howard Hunt had been hired as a special consultant at the White House and would the Agency please help him if he had any requests to make.

Senator HUMPHREY. Under those circumstances, of course, the situation as to the request is considerably different than had it come from just a private citizen. I am fully aware, Mr. Helms, that you must respond to requests from the White House; I think you know I understand that.

But what I am getting at here is that this Agency, as other agencies, was not responding to a clerk or a stenographer, but was responding to what was considered to be high authority direct from the executive branch of Government, the White House itself; is that correct?

Mr. HELMS. That is correct, Senator Humphrey.

PRESUMPTION REGARDING REQUESTS FROM WHITE HOUSE STAFF

Senator HUMPHREY. And it is your understanding over the years when an assistant to the President or a chief of staff to the President, or a counsel to the President, or a security adviser to the President requests information or materials or equipment from the Central Intelligence Agency, that that is a request from the Presidency itself?

Mr. HELMS. Yes, sir.

Senator HUMPHREY. Mr. Helms, I just want to say I have always had the highest regard for you, as you know, and I continue to have it. I believe that you acted in what was the best interests of this country, but I think we have to assess where the responsibility lies. Any man who has been in the executive branch of the Government knows when a chief of staff or a top official of the White House staff asks an agency of Government for materials or information, that generally it means that it is official, that is the presumption, is it not?

Mr. HELMS. Yes, sir.

USING INSTITUTIONS OF INTELLIGENCE FOR POLITICAL MANIPULATION

Senator HUMPHREY. I would hope that as we go along that we might be able to get some clarification of law, what checks and balances

we should have to prevent this sort of thing that has cast a shadow over CIA.

I think that this country is in mortal danger when agencies like the Secret Service or the Federal Bureau of Investigation can be used for political manipulation, when the professional competence of the Central Intelligence Agency can in any way be compromised or prostituted. If such action comes from the inner circle of the White House then they have performed a greater disservice for this country than any other thing they have done. You can always clear up a bad situation with an individual, by firing or a new election, but it takes a long time to rebuild confidence in basic institutions. These are institutions of intelligence and police and law enforcement, and whenever they are used for political purposes, this country is in mortal danger; no citizen is safe. I appreciate the fact that General Walters, yourself and a few others were willing to stand up to pressure.

Mr. HELMS. Thank you, sir.

The CHAIRMAN. Senator Pell, did you pass?

Senator PELL. I am waiting for some material from the staff.

The CHAIRMAN. All right.

QUESTION OF CIA INVOLVEMENT IN DOMESTIC ACTIVITIES

In following up what the Senator from Minnesota stated, of course the real question which interested us in the previous hearing was how far, if at all, the CIA has become involved in domestic activities.

We have had the experience of the military assuming surveillance. Of a very broad program of surveillance, Senator Ervin had pursued it and that was the reason, I think, he wrote me the letter asking that we inquire about the CIA's activity.

This is the broad question that we were interested in, hopefully to protect private citizens from any further surveillance than they are subjected to by the FBI, which has the primary responsibility.

The questions in that hearing, both by Senator Percy and Senator Case and myself, were really directed at that primary question of just what does the CIA, if anything, do in domestic activities. We were not at that time, of course, aware either of what has subsequently come about, and the part, I think, that should be focused on at the moment is just how accurate your responses were.

I want to read as background a couple of questions that Senator Case and I asked you in the meeting that I referred to.

Senator Case asked this question:

On another matter, back to the CIA, if I may. I expect the President can ask the CIA to do anything he wants to do. Of course, whether the CIA does it or not I suppose depends upon many things.

It has been called to my attention that in 1969 or 1970 the White House asked that all intelligence agencies join in the effort to learn as much as they could about the anti-war movement and during this period U.S. Army Intelligence became involved and kept files on U.S. citizens.

Do you know anything about any activity on the part of the CIA in that connection? Was it asked to be involved?

Mr. HELMS. I do not recall whether we were asked, but we were not involved because, it seemed to me that was a clear violation of what our charter was.

Senator CASE. What do you do in a case like that?

Mr. HELMS. I would simply go to explain to the President this did not seem to me to be advisable.

That exchange gives the thrust of what Senator Case was interested in, and I

Is there something that I should have asked you about that I didn't to which you ought to reply?

Mr. HELMS. Sir, let me in an effort to sort of close this, about this, Watergate business, you have asked the relevant questions. I have no more information to convey and I know nothing about it. Honestly I do not.

The CHAIRMAN. And your people, other than that one man who was a consultant -

The CHAIRMAN. I may interject that reference, I presume, to Martinez, I believe—

Mr. HELMS. Yes, sir, as I recall it.

The CHAIRMAN. [Reading].

Mr. HELMS. We had nothing to do with it, honestly we didn't.

That was, I would say, a fair summary of what we were after, to see whether or not the CIA was involved in domestic activities. We did not know about any of the things really that have been revealed subsequent to that. It would appear clarification is needed as you so positively, unequivocally said you did not have anything whatever to do with the Watergate or with, really we were beyond Watergate, we were talking about all domestic activities. I certainly had in mind the questions by Senator Ervin.

RESOURCES AT COMMAND OF INTELLIGENCE GATHERING COMMUNITY

Were you also in any way engaged in surveillance of private citizens? That activity was very offensive to, I think, most people when we discovered that the military was keeping dossiers and making studies of all kinds on innumerable people, hundreds of them. With the enormous resources at the command of the intelligence community, it was getting to be a little beyond reason.

At one point, I think in that testimony it was estimated that the intelligence-gathering community spends over \$6 billion, all over, foreign and domestic. That is an enormous amount of resources at their command.

RELATIONSHIPS OF MR. HUNT, MR. LIDDY WITH CIA

To make that a little more complete, I had asked you earlier in that hearing, it is a little difficult to get this all exactly in the proper order, but I had asked you this:

Was Mr. E. Howard Hunt, Jr., an employee?

Mr. HELMS. He also had been an employee of the agency.

The CHAIRMAN. In a similar situation?

Mr. HELMS. He also, but my recollection is that he resigned rather than retired. I am not sure exactly. It was one or the other.

About when?

About 2, 2½ years ago.

The CHAIRMAN. He had no relationship to the CIA since then?

Mr. HELMS. No, sir.

The CHAIRMAN. What is G. Gordon Liddy's relationship with the Agency?

Mr. HELMS. None.

At least to me it left the impression that there had been no relationships. Now it appears there has been some.

This is really the kind of inconsistency, at least apparent inconsistency, that I thought should be explained. I do not understand why you would say to us that neither Mr. Hunt nor Mr. Liddy had had any relationship whatever since their retirement.

How do you explain this, Mr. Helms?

Mr. HELMS. Mr. Chairman, as I recall that meeting on February you were asking certain questions on behalf of Senator Ervin, and the all related to the Watergate break-in. The Watergate break-in was all I was directing my attention to because I believed that is what you were interested in and that is what the questions indicated you were interested in.

QUESTIONS PHRASED TO ELICIT CIA CONNECTION WITH DOMESTIC AFFAIR

The CHAIRMAN. Let me at the start just say, no. Prior to that I had engaged in quite a long discussion and expressed my doubt about your training of domestic police officers—there is quite a bit in here—I was not directing it just to Watergate. I did not know much about Watergate at that time. I knew very little.

We were asking about the general proposition of any activity of the CIA in domestic affairs. That was the thrust of it.

If you will recall, I went into considerable detail and raised doubts about the CIA undertaking to train or counsel or direct any of the domestic police departments. I thought that was the FBI's responsibility.

The FBI conducts every year rather extensive training for sheriff and law enforcement officers; I have been aware of that. That was, we thought, part of their responsibilities; I do not recall I ever objected to that.

But to get the CIA into the business—if you will recall I was talking about that. These questions were general. I tried to make it as all inclusive as I could, not just about Watergate because I did not know much, I was not nearly as much concerned about Watergate in February as everybody is now. In all candor, I think my questions were phrased to elicit from you any connection with, not just Watergate, but with any domestic activity.

In order just to anticipate what I am going to ask you about, it is this approach to you about the laundering of the money and the requests about Mexico. But I do not really believe that you can say we were only interested in Watergate.

But proceed.

Mr. HELMS. Sir, in the context of the time that I testified, I did not answer those questions dishonestly nor was I trying to be as narrow as the imputation seems to be.

The only things that have come to light here recently are that Mr. Hunt, as an employee of the White House, was given some equipments but I was never told these were for any illegal or domestic acts. As a matter of fact, it is quite clear from the testimony that has been raised before other committees up to now that nobody knew he was going to be involved in any domestic activity, and this never occurred to me when I was testifying before you as a domestic activity even in the broader context in which you were speaking.

WITNESS' RELATIONSHIP WITH MESSRS. HUNT, LIDDY

The CHAIRMAN. I do not think my questions related just to Watergate. I was asking you your relationship with Hunt and Liddy. Did

you have anything to do with Hunt and Liddy is what I really asked you, and if I read it correctly, you said "No."

Mr. HELMS. But, Mr. Chairman, in the context of the questions I was answering, this had to do with an agency's fiduciary or hiring or employee relations with Hunt and Liddy, and I answered those questions absolutely honestly.

This man was not employed by the Agency at the time he came out to get these equipments. He was employed by the White House.

Now in retrospect and in hindsight one can stretch the word "relationship" very much more widely than I construed it at the time because all the preceding questions had to do with who was on the payroll and who was not on the payroll, and under what circumstances.

USE OF HUNT, LIDDY DISCUSSED WITH DR. KISSINGER?

The CHAIRMAN. At one point, you said that you would report to the President. Could you tell us, did you ever discuss this matter, the use of Mr. Hunt or Liddy, with Dr. Kissinger?

Did you ever have a discussion with him about these matters?

Mr. HELMS. I do not recall any direct conversation with him about Mr. Hunt.

The CHAIRMAN. About any matters.

DR. KISSINGER'S TITLE

Was he not Chairman of the National Security Council? Does he not have—

Mr. HELMS. No, the Chairman of the National Security Council is the President of the United States.

The CHAIRMAN. What is his role in the National Security Council, Special Assistant for National Security?

Mr. HELMS. No, sir; I believe his title is Assistant for National Security Affairs.

EFFECT OF WHITE HOUSE'S REORGANIZATION DIRECTIVE

Senator SYMINGTON. Will the Chair yield for one question in context?

The CHAIRMAN. Yes.

Senator SYMINGTON. You were formerly the chairman of the National Security Council Intelligence Committee, were you not?

Mr. HELMS. That is the U.S. Intelligence—you mean the U.S. Intelligence Board, or do you mean the National Security Council Intelligence Committee, which was set up under the November 5 decree of—I forget; 1971, I guess, and Dr. Kissinger became Chairman of that.

Senator SYMINGTON. There was a time when the Director of the Central Intelligence Agency was head of the Intelligence Committee of the NSC, the NSC being an advisory board to the President. The Director of the Central Intelligence Agency was relieved of that position and it was given to the Committee of Forty, as I understand it; correct?

Mr. HELMS. The Director of Central Intelligence has always been the chairman of the U.S. Intelligence Board. Now under the small

reorganization directive which was put out by the White House, I believe on November 5, 1971, I think that is the date, but please don't hold me to it, there was established a National Security Council Intelligence Committee and Dr. Kissinger was given the chairmanship of that new committee.

Senator SYMINGTON. And you were a member of that committee

Mr. HELMS. I was, sir.

Senator SYMINGTON. Thank you, Mr. Chairman.

MATTER NOT DISCUSSED WITH DR. KISSINGER

The CHAIRMAN. Then you did not discuss this with Dr. Kissinger?

Mr. HELMS. Not that I recall, Mr. Chairman.

MATERIALS SUPPLIED TO MR. HUNT

The CHAIRMAN. What puzzles me, too, about this request is for what possible legal purpose could the kind of materials that you supplied Mr. Hunt with be used for? It seems to me, the very nature of the materials indicated it was for some illegal, in a domestic sense illegal, activity. I am just asking you to explain what did that mean to a person like yourself or General Cushman for someone to come to you for burglar tools?

Mr. HELMS. Mr. Chairman, may I say at the time General Cushman authorized these equipments they were equipments that could have been purchased in any store in the United States that had such equipment. There was no implication whatever that they were to be used either domestically or foreign, specifically.

As I recall from General Cushman's testimony, he was asked for some help, that this man wanted to conduct an interview, it was not indicated whether it was a domestic or foreign interview. In fact, it might even be an implication that since this fellow had been a foreign operative most of his life maybe he was making a trip overseas on behalf of the White House but I must say, and I want to emphasize this, to the best of my knowledge Mr. Hunt was not given by the agency any burglar equipment.

The CHAIRMAN. I am not very expert on these matters, of course; I don't know what the disguises and false things that I saw pictures of in the paper are normally considered. They would not seem to me ordinary equipment to be supplied by you. If they were so readily available, why wouldn't you go down to the hardware and buy them? Why did he get them from you?

Mr. HELMS. I think because he found it was going to be a lot simpler to do it that way.

CONCERN ABOUT CIA EDGING INTO DOMESTIC FIELD

The CHAIRMAN. I don't believe anybody on this committee wants the CIA to become in any way involved in domestic surveillance, domestic police activities in any fashion. They have too much power, too many resources, too much manpower. It imposes upon the privacy of our citizens too much. That is what is the business of this committee.

On many occasions reports you have given this committee on activity in the Vietnam war have proved more accurate than the De-

fense Intelligence Agency [DIA] or any other agencies; I told you that both public and private on many occasions. All this committee is concerned about is the CIA edging over into the domestic field, even on the President's orders. I agree it puts you in a very difficult situation if the White House requests you to do something, but if it is done contrary to the law, that is that—whether the President asked you to do it or not. That is what these hearings are all about. I suppose we should take curative action if as a result of this there has been an infringement upon domestic affairs by the CIA.

CONGRESSIONAL COMMITTEE TO SUPERVISE CIA

I would say, in all candor, that it is the failure of the Congress, especially the Senate, which twice has been requested to set up a committee to supervise, to have some guidance over the CIA. I think we voted twice in the Senate on that very specific problem: to create a committee comparable to the Joint Atomic Energy Committee; and each time the administration has opposed it vigorously and we have lost. We didn't have enough votes in the Senate, so in that sense it is the Senate's own fault that there has been no real supervisory or reporting committee for the CIA. This testimony, if it does indicate some infringement by the White House upon the CIA, would indicate that is a good reason, a further reason, why a joint committee ought to be set up. That is one of the things legislatively that could come out of these hearings, that the CIA does deserve closer surveillance.

ATTEMPT TO ENLIST CIA TO HEAD OFF FBI INVESTIGATION

It seems from the chronology that in June and July of 1972, just about a year ago, Mr. Dean, Mr. Ehrlichman, and Mr. Haldeman tried to enlist you and General Walters in an attempt to use the CIA to head off a FBI investigation of the funds which had been "laundered" through Mexico. Very properly, General Walters, in consultation with you, refused to go along. That is what I am informed; that is correct, is it not?

Mr. HELMS. Yes, sir. But may I correct something, Mr. Chairman, that you have just said?

The CHAIRMAN. Yes; if it is wrong I hope you will.

Mr. HELMS. At the time of June 23, which was 6 days after the break-in of the Watergate, that General Walters was asked to see Acting Director Gray, of the FBI, to discourage further FBI investigation in Mexico, at that meeting I knew nothing about any funds having been laundered in Mexico. That emerged later.

The CHAIRMAN. When you were called to the office, I believe you said on June 23, 1972, that was 6 days after the break-in, General Walters' affidavit of June 12, 1973, states, and I quote:

It has been decided at the White House that I (General Walters) would go to Acting FBI Director Gray and tell him that now that the five suspects were arrested, further inquiries into the Mexican aspects of this matter might jeopardize some of the CIA's covert activities in that area.

And General Walters did in fact go and convey the message to Mr. Gray. Is that an accurate statement?

Mr. HELMS. Yes, sir. So far as I know it is accurate. I assume he

conveyed it because he told me he did, but I don't know that for hand.

Senator CASE. And you knew that and he reported to you about at the time.

Mr. HELMS. Yes, sir, the CIA operations were totally unidentified and I said at the time that I didn't think there was any problem about this.

The CHAIRMAN. Do you know who decided at the White House that Walters would go to Gray with this message?

Mr. HELMS. No, sir. He was simply directed to do it.

The CHAIRMAN. You don't know whether it was Mr. Haldeman.

Mr. HELMS. It was Mr. Haldeman who told him to do it.

The CHAIRMAN. It was Mr. Haldeman who told him to do it and you don't know whether he used the name of the President or not.

Mr. HELMS. No, sir; I do not recall.

The CHAIRMAN. Were you present at the time Mr. Haldeman told Mr. Walters to do this?

Mr. HELMS. I was sitting in the room; yes, sir.

The CHAIRMAN. And, well, you just don't recall whether or not Haldeman said this was the President's orders.

Mr. HELMS. I don't recall it.

The CHAIRMAN. Did you or General Walters ask him whether the President approved this proposed use of the CIA to head off an investigation of a domestic matter?

Mr. HELMS. Investigation of a domestic matter?

The CHAIRMAN. The laundering of the money is a domestic matter.

Mr. HELMS. No, sir.

The CHAIRMAN. Did you ask Mr. Haldeman if he had the approval of the President to do that?

Mr. HELMS. I did not.

The CHAIRMAN. Did General Walters ask him?

Mr. HELMS. I do not recall that he did.

The CHAIRMAN. Did you advise Mr. Haldeman that this was an improper use of the Agency?

Mr. HELMS. No, I didn't—I implied that I did not think that CIA operations would be put in jeopardy. Mr. Haldeman made some incoherent remark about the investigation running into the Bay of Pigs and I said I was not concerned about the Bay of Pigs, that was years before, and I had no interest or concern about it any further.

When General Walters and I left this meeting and we were on our way downstairs and he was going off to see Acting Director Gray I told him that I thought that he should limit his remarks to Director Gray to saying if any investigations in Mexico run into CIA operations that in keeping with the delimitation agreement between the CIA and the FBI that he simply notify us that this had occurred. I thought that was a perfectly legitimate reminder to a new Director of the FBI on behalf of the agency.

MEETING OF GENERAL WALTERS, MR. HELMS, WITH MR. HALDEMAN

The CHAIRMAN. I don't want to have it unclear, you did or did not advise Mr. Haldeman that this was an improper use of the agency?

Mr. HELMS. I did not use those words.

The CHAIRMAN. What kind of words did you use?

Mr. HELMS. I simply told him I didn't think that any CIA operations were involved and we had had nothing to do with the Watergate break-in whatever.

The CHAIRMAN. No, I didn't believe this had anything to do with Watergate; I thought this had to do with the laundering of money. Didn't it?

Mr. HELMS. Mr. Chairman, as I said a moment ago, I knew nothing about any money being laundered on this occasion. It was later that I learned that money had been laundered in Mexico. There was no discussion of money in any way.

The CHAIRMAN. Did you advise Mr. Ehrlichman and Mr. Haldeman that there were no Mexican operations which could be jeopardized by the FBI investigation?

Mr. HELMS. I did not say that because there always could have been. They are rather ramified. As far as I knew none had been jeopardized up until then but an ongoing investigation might have run into CIA operations; I had no way of knowing this at the time. I had no records or files with me and it would have been a statement that I shouldn't have made under the circumstances.

The CHAIRMAN. Did you at that time or any time request an opportunity to report this or discuss it with the President?

Mr. HELMS. No, sir.

Senator CASE. Mr. Chairman, may I just ask a question?

The CHAIRMAN. Certainly, anybody may.

Senator CASE. Because this is a terribly important question, could you tell us in your own words how this matter came up in the discussion between Haldeman and you and your deputy. What was it that the FBI was doing that Mr. Haldeman asked you to consider as interfering with CIA operations? Please tell us all that you know. This is very crucial.

Mr. HELMS. Senator Case, General Walters and I received a telephone call on the morning, I don't know what time, of June 23. We didn't personally receive it, it came to our office; and, as best I recall these events, we were asked to come down to the White House for a meeting to take place at noon with Mr. Haldeman and Mr. Ehrlichman, subject unidentified.

Later in the morning we were informed that the meeting had been put off until 1 o'clock. So General Walters and I decided we would have lunch together and then go to the meeting. We arrived at 1 o'clock at the White House, or thereabouts, and went to Mr. Ehrlichman's office where we had been told to go. We waited for a few minutes, then Mr. Haldeman and Mr. Ehrlichman came in, and Mr. Haldeman introduced the conversation by saying that, and I don't recall the exact words so please don't hold me to them, but as best I recall this that the Watergate break-in was being capitalized on by the opposition, that it was causing problems, unidentified, and it had been decided that General Walters was to go to see FBI Acting Director Gray, and in connection with the investigations that the FBI was conducting in Mexico that these should be stopped because they might run into CIA operations down there.

I do not recall whether it was before that day or after that day that the FBI had asked the Agency about a Mexican lawyer, and I don't

remember the man's name exactly, it is something like Ogarro, please don't hold me to it specifically, it is in the record someplace, and we looked into the question of this lawyer on subsequent days and discovered that we knew nothing about him. He did exist in Mexico but he had no relations with the Agency of any kind.

I repeat that Mr. Haldeman also made some mention about the investigation running into the Bay of Pigs, it was a rather incoherent statement that I did not understand, and I said I was not interested in the Bay of Pigs and it didn't make any difference to me about that.

So this meeting did not last very long. It was made very clear that this was the way it had been decided that General Walters was to go and have this conversation with Gray and that it was not explained to me why I was not asked to do it. It was made very clear that he was to do it.

FBI INVESTIGATION NOT DESCRIBED

Senator CASE. Was the kind of activity that the FBI was conducting and concerned with described by them to you?

Mr. HELMS. No, sir; it was not and, Senator Case, I would like to ask the committee to focus on the fact that this was 6 days after the Watergate break-in at which time a lot of the subsequent information that came out was not known and, as a matter of fact, I couldn't even understand why they were concerned about Mexico at the time. That was one of the reasons I modified or tried to modify what I thought General Walters was going to say in an effort to keep him within the bounds of legitimacy.

Senator CASE. You had then no idea what the FBI investigator was yourself.

Mr. HELMS. I did not, sir.

Senator CASE. All right, thank you, Mr. Chairman. I am sorry to interrupt.

MEMORANDUM OF MEETING

Senator PERCY. Senator Case, may I ask at that point, did you at any time, Mr. Helms, as a matter of practice, make memorandums for your own files of such conversations or meetings?

Mr. HELMS. No, sir, I did not. It was agreed between General Walters and me that he would make the memorandum.

Senator PERCY. As I understand it, General Walters did make a memorandum of that meeting.

Mr. HELMS. I believe that is right.

Senator PERCY. Have you seen that memorandum or did you at any time review that memorandum with him to be certain of the accuracy of it?

Mr. HELMS. I read the memorandum at the time or sometime in that general timeframe, at least after it was written. I did not review it for accuracy with him. I just simply read it and I think that maybe this is something that I should have done to go over every word and every line but I didn't.

Senator PERCY. Was it your impression when you read it that it was generally accurate as you recall the meeting?

Mr. HELMS. Yes, sir.

Senator PERCY. And you have said that you do not recall that the name of the President was invoked.

Mr. HELMS. In the memorandum, Senator Percy, I believe he had a phrase that this was being done at the President's wish. I don't recall that this was precisely the case but I didn't cavil with him at the time because, quite frankly, back then there didn't seem to be anything particularly to cavil about. You know, the whole business of a so-called coverup has come up since. It was very hard to interpret that approach on that particular day as having been any coverup. It was a request having been made by the Chief of Staff of the President to take a certain action.

AUTHORITY FOR DECISION

Senator PERCY. But were there requests for further amplification by you or General Walters as to why, so that you would have a better understanding and knowledge of what you were being asked to do?

Mr. HELMS. As I recall it during the meeting, I made an effort to say, "Well, you know, what is the purpose of this," and the question was not answered and it was simply repeated, "It's been decided that General Walters is going to see the Acting Director Gray."

Senator PERCY. In other words, when it was stated, "It's been decided," was it your understanding the decision had been made by the President and therefore this was the authority by which you were being ordered to do this?

Mr. HELMS. Well, sir, I can only say, sir, since it was his Chief of Staff who was tell me to do it he had proper authority to do it.

WAS NAME, AUTHORITY OF PRESIDENT INVOKED AT MEETING?

Senator PERCY. Can you recall the meeting well enough—and I realize you have had thousands of meetings since then—because of the unusual nature of the request in being asked to come down without being told ahead of time what it was for, and obviously Watergate was on everyone's mind then—and you testified before us 3 days after Watergate and we talked a little bit about it then—do you remember the meeting specifically so that you can categorically state that the name of the President was not invoked, or that the authority of the President was not invoked, by them.

Mr. HELMS. Well, the difficulty is, Senator Percy, that I simply do not recall any more and any other answer would not be an honest answer.

Senator PERCY. Thank you very much, Senator Case.

The CHAIRMAN. Are you through, Senator Case?

Senator CASE. Yes, sir.

The CHAIRMAN. Senator Symington.

GENERAL WALTERS' MEMORANDUMS

Senator SYMINGTON. Thank you, Mr. Chairman. I want to get this straight. This hearing involves your good name. I have seen the memorandums General Walters made after he saw Mr. Gray. There are some 11 of them, of various meetings, of conversations with Mr. Dean, et cetera. They should be made public in due course. However, in the memorandum which Senator Percy has referred to, there cer-

tainly is no security involved. Walters was under oath. We got the memorandums, but we had to ask for them. A staff member suggested we ask him if he had any memorandums and he said he did; we asked where they were, and he said in the White House, and we said, "Well, you must have a copy of them, haven't you?" And he said, "No. Mr. Buzhardt, who has been transferred recently from the Pentagon to the White House, along with other efficient people in the Pentagon cooperated with us. He immediately sent these documents over memorandums General Walters had made shortly after these meetings."

A Walters memorandum said, "Haldeman turned to me and said it is the President's wish that you go to see Mr. Gray," is that correct?

Mr. HELMS. That is what the memorandum says, yes, sir.

Senator SYMINGTON. Thank you, Mr. Chairman.

Senator PEARSON. Mr. Chairman, what were the CIA memorandums doing at the White House?

Mr. HELMS. Senator Pearson, I have been in Iran and I don't know why they were sent to the White House. This is only within recent days that they were sent to the White House, within the last week, assume.

WITNESS' IMPRESSION OF REQUEST

Senator MUSKIE. Mr. Chairman, may I ask a question?

The CHAIRMAN. Yes, Senator Muskie.

Senator MUSKIE. It seems a most curious kind of request, its ambiguity, the refusal or failure to respond to questions to clarify it. Did it strike you as curious at the time?

Mr. HELMS. Yes, Senator Muskie. But I didn't know what was behind it. You know, I have been, as Senator Humphrey has pointed out dealing with the White House for a long time and sometimes the White House has information and interests that other people don't have and one comes to accept this fact and, at that time, I had nothing else to go on and I assumed they had some legitimate reason for making the request.

Senator MUSKIE. Was it not unusual for the White House to make such an ambiguous request of you?

Mr. HELMS. I would have thought so, yes.

Senator MUSKIE. What did pass through your mind, what was your impression of the request? Did you form any judgment, raise any question?

Mr. HELMS. It was rather one of mystification as to what was going on here.

Senator MUSKIE. Did you relate it to Watergate in your mind?

Mr. HELMS. No, sir, I did not because I had no basis for doing this. I couldn't figure out what a break-in to the Democratic National Committee headquarters had to do with Mexico, quite frankly.

Senator MUSKIE. So you had no idea at all what kind of FBI activity you were being asked to evaluate.

Mr. HELMS. No, sir. And that is why, Senator Muskie, when I spoke to General Walters after the meeting I said,

I think you should put this to Acting Director Gray since he is a new Director of the FBI within the legitimate limits that the CIA has the right to talk to the FBI, that is, a long standing arrangement if the FBI runs into CIA operations or the CIA runs into FBI operations one side notifies the other.

WITNESS' PRESENCE AT MEETING

Senator MUSKIE. Did you wonder why you were present at the meeting?

Mr. HELMS. I did.

Senator MUSKIE. Your presence seems to have served no purpose.

GENERAL WALTERS' MEETING WITH MR. GRAY

Senator CASE. Mr. Chairman, would it be out of order to ask Mr. Helms to follow this particular incident down as to his understanding, his recollection of what happened.

General Walters went to see Mr. Gray; he went once. What is Mr. Helms' understanding of what happened then and how many subsequent meetings along the same line were there and who asked them to be continued and so forth. Will you give us your story on that, please?

Mr. HELMS. As best I recall it, General Walters went to see Mr. Gray rather promptly after this meeting we have been talking about. He reported back to me later on that day that he had seen Mr. Gray, that they had a conversation about this, that he had spoken to Mr. Gray about the Mexican thing, as I recall it he had been told to see him by the White House. I think he avoided saying to Mr. Gray who at the White House had told him to come down specifically, senior officials, I think, was the way he phrased it, and that he had spoken about the Mexican operations and that they might run into CIA operations, and Mr. Gray said, "Yes," or something to the effect, "I am familiar with the arrangements that the CIA and the FBI have on their operations and that if we run into any we will certainly let you know."

I believe at that time Mr. Gray mentioned something about money when he said there has been a large sum of money floating around to General Walters.

Now, subsequent to that I never had any further conversations with either Mr. Haldeman or Mr. Ehrlichman on this subject.

GENERAL WALTERS' MEETINGS WITH MR. JOHN DEAN

On the Monday following this Friday, General Walters was asked to come to see Mr. Dean at the White House.

Senator CASE. General Walters reported this to you in accordance with your normal relationship.

Mr. HELMS. Yes, sir. And, as General Walters has testified, because I sat next to him in the Armed Services Committee the other day, so that when he was testifying I was listening, he said that he didn't know who Mr. Dean was, so Mr. Dean said:

Will you come and talk to me about the subject matter of the meeting that you had on Friday with Mr. Haldeman and Mr. Ehrlichman and you can call Mr. Ehrlichman to verify the fact that I am authorized to talk to you about this.

And, according to General Walters, he did call Mr. Ehrlichman and Mr. Ehrlichman said, "Les, go ahead and talk to Mr. Dean."

So he went to see Mr. Dean and he had a meeting with him. Incidentally, I want to come back to something I said earlier, that it was at this juncture or thereabouts that I spoke to General Walters:

If any efforts are made to involve the Agency in the Watergate break-in which the Agency was never involved, I want you to resist them because must not besmirch the name of the Agency, we must not get it involved in way in this thing and I want you to stand absolutely firm on this.

When General Walters returned he said that Mr. Dean had tall to him about the Watergate break-in, that some of the participants were becoming, I believe the word was "wobbly," was there any way that the agency could use its covert funds to pay bail for these men to pay their salaries if they went to jail, and General Walters said absolutely not. It would be improper, and the agency couldn't conceivably do anything like that.

I believe it was at a subsequent meeting with Mr. Dean this came up again and this time General Walters said:

You must understand we don't have covert funds for this purpose and the any use of covert funds that are not specifically stated in the budget must be reported to the chairman of the Senate Appropriations Committee and the chairman of the House Appropriations Committee.

Apparently from what General Walters says now this rather cooled Mr. Dean's ardor for this approach.

These were feelers that were put out. There was no request even made of General Walters. These were hypothetical things, could they be done, could that be done, you know, "Could you help out here," and all of these approaches were resisted totally, to the best of my knowledge and, as General Walters reported to me and I believe as stated under oath.

NO FURTHER DISCUSSION ABOUT INVESTIGATION IN MEXICO

Senator CASE. As far as you were told by General Walters or your own as far as your own knowledge takes you, there was no further discussion about the Mexican investigation or the investigation in Mexico.

Mr. HELMS. No. The only thing that happened subsequently that I should say is that when I got the information that we knew nothing about this Mexican lawyer I reported this to Acting Director Gray myself on the telephone.

Senator CASE. Thank you, Mr. Chairman.

WITNESS SWORN

The CHAIRMAN. I am just reminded by the Senator from Missouri, Mr. Helms, that not being accustomed to investigations, I forgot to swear you today. Do you mind being sworn now? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HELMS. I do, Mr. Chairman.

The CHAIRMAN. And do you agree that your answers would not have been any different, that you have already given, had you been sworn?

Mr. HELMS. No, sir, I thought I was sworn. I thought these carried over from other hearings. [Laughter]

The CHAIRMAN. As a matter of fact, I didn't think about it, I confess.

REACTION AT CIA BEING ASKED TO ENGAGE IN WATERGATE COVERUP

Senator PERCY. Just a few questions, and then I would like to go back and clarify for the record the testimony we took in executive session.

Could you describe, Mr. Helms, how you reacted when General Walters and CIA officials were asked to engage in an activity which obviously was a coverup for the Watergate affair? What sort of reaction did you and General Walters have? Did you discuss it and did he share your feelings?

Mr. HELMS. These were feelers put out. These were not propositions or proposals made and my reaction to this was—

Senator PERCY. But you had the reaction they were not feelers to see what could be done to get to the bottom of this affair and get the truth out. That was pretty obvious. What sort of a reaction did you have when you got these feelers from high-level people speaking, presumably, as you say, on behalf of the President; that is the presumption of their position—I am not presuming that the President did know—I am saying that is the presumption anyone would have that they were speaking for the President.

Mr. HELMS. Senator Percy, my total preoccupation was to keep the CIA uninvolved in this whole matter and I wanted to see to it that that happened, and I was successful in so doing, and it seemed to me that was my responsibility and, as far as the actual investigation was concerned, we were collaborating with the FBI in every way possible.

Senator PERCY. Excuse me, Senator Case, go right ahead.

WHY DIDN'T WITNESS GO TO PRESIDENT?

Senator CASE. Going back to the question I asked in our earlier testimony what you would do if you were asked to do something improper or harmful to the Agency. You said, I think, that you would go to the President.

I wondered, could you tell us, why you didn't go to the President on the basis of this background that you are describing to us.

Mr. HELMS. Yes, sir. My interest, Senator Case, was in keeping the Agency out of this thing under any and all circumstances, and, frankly, I wanted to stay as head of the Agency, to continue to keep it out of it and I thought I would be more successful than somebody else who might come along later.

Senator CASE. Even in the light of the fact that General Walters said that he had, as I recall it, stated that it was at the request of the President he was doing this. You presumably had seen that memorandum?

Mr. HELMS. Yes, sir; I had seen the memorandum. I think, I would like. I realize at this point that there are always questions of moral judgments about who should have done what under what circumstances. I was trying to do the best I knew how in the job that I was being paid to do.

I remember some years ago I was asked by the Secretary of State in President Johnson's administration to go down and see certain Senators on Capitol Hill in connection with a certain matter. My first call was on Senator Russell, who was then the chairman of the Armed

Services Committee, and the man who, to whom in the Senate Agency reported, and I told him what my mission was, and said, "Well, I guess if you have been told to do this you have to do it. But I would like to point out to you that more people get trouble in this town by getting involved in things which are not legitimate concerns than for any other reason." I took that less to heart, and simply went back to the Secretary of State and told him of my conversation with Senator Russell and said, "I think under the circumstance you had better use somebody else," and he agreed.

WERE THERE FURTHER ATTEMPTS TO INVOLVE CIA?

Senator PERCY. Mr. Helms, was there any further pressure put on you after the feeler was categorically turned down by General Walters? Was there any further attempt made to involve the CIA in any direct or indirect way?

Mr. HELMS. To the best of my recollection, it was not, and that after this period, toward the end of June, 1972, I heard nothing more about the matter.

APPOINTMENT OF GENERAL WALTERS

Senator PERCY. May I ask how the appointment of General Walters happened to be made? Was he your selection and did you seek him out and ask him to come into the Agency as your deputy?

Mr. HELMS. General Walters, his job and mine as Director were Presidential appointments and he was nominated by the President.

Senator PERCY. And you did not initiate his name?

Mr. HELMS. I did not.

Senator PERCY. The name was submitted to you before the nomination was sent down, however, and discussed with you?

Mr. HELMS. Yes.

Senator PERCY. And his qualifications discussed with you?

Mr. HELMS. Yes.

Senator PERCY. You assented without any disagreement over it at all?

Mr. HELMS. Well, it was the President's right to make the appointment and his—

Senator PERCY. Would it be your right, if you felt there were someone more qualified, to suggest someone else?

Senator SYMINGTON. Would the Senator yield?

Senator PERCY. I would be happy to yield.

Senator SYMINGTON. It would be his right, but that would have ended his connection with the executive branch, based on my experience in that branch.

Senator PERCY. Well, I am not sure we have evidence to support that judgment. Your experience, Senator Symington, is greater than mine in dealing with the Agency, and with executive relationships to the agencies, but I presume there have been cases of disagreement when names are suggested. But you had no reason to object, Mr. Helms?

Mr. HELMS. No, sir. I would have preferred to have had an Agency man put in the job.

Senator PERCY.

... would have preferred to have had an Agency man put in the job.

GENERAL WALTERS' ROLE

I am not in any way disparaging General Walters, who I think has helped immensely in this whole matter in a very straightforward way, but was there any reason why he would be directed to go down and see Mr. Gray, also a White House appointee, rather than the Director of the Agency, on a matter that looked like it might have grave consequences?

Mr. HELMS. I thought it very odd at the time, Senator Percy.

Senator PERCY. But your working relationship with General Walters—your agreement that he should write up these memorandums concerning these meetings—is that standard practice or did you just both decide, or one of you decide in this case, it would be well to have immediate impressions put down on paper to confirm these rather unusual requests being made of the Agency?

Mr. HELMS. As best I recollect it it was the latter. I now learned that the memorandum for the record which he wrote about the June 23 meeting was written some days later but since he was involved in seeing Mr. Gray and that he was involved in seeing Mr. Dean and I was not, it seemed only sensible, to have him write them all since they all sort of interrelate.

WITNESS' RELATIONSHIP WITH WHITE HOUSE STAFF

Senator PERCY. When the CIA through you and General Walters flatly refused to go along with these feelers, did you notice any change in relationship between yourself and the members of the White House staff who had made the request of you—Haldeman, Ehrlichman, Dean?

Mr. HELMS. I did not, because frankly I do not recall any further—I had never had any dealings with Mr. Dean until much later, in fact I don't think I had even met him at the time; and, so far as Mr. Haldeman and Mr. Ehrlichman were concerned, I don't know whether I saw them in meetings but I certainly didn't have any private meetings with them subsequent to this which would have indicated their attitude one way or the other.

WITNESS' DEPARTURE FROM CIA

Senator PERCY. Do you have any feeling that your refusal to cooperate had anything to do with your eventually leaving the Agency?

Mr. HELMS. Sir, as I said a moment ago, I honestly do not know.

Senator GRIFFIN. Could I ask a question?

Senator PERCY. Of course, Senator.

Senator GRIFFIN. How long after this experience, this meeting with Mr. Ehrlichman and Haldeman, did you learn that you were to become an Ambassador rather than continuing as the head of the CIA?

Mr. HELMS. Well, sir, these meetings took place in June 1972 and my conversation with the President about my leaving the Agency took place, I think, 10 days to 2 weeks after the election in November.

Senator GRIFFIN. And that is how you learned?

Mr. HELMS. Yes, sir, there had been no discussion of this prior to that time.

Senator GRIFFIN. Of that decision. Thank you.

HEARING RECORD OF JUNE 20, 1972

Senator PERCY. Just to refresh our memories, 3 days after the break in, June 17, 1972, we had an executive session on the ABM treaty and the interim agreement. At the very end of your testimony I asked and this was June 20, "Do you want to volunteer any information, Mr. Jim McCord?"

You replied, "Yes; I will volunteer anything you would like. I just want to distance myself from my alumnus."

You added further, "I don't have—I can't conceive of what the caper was all about, I really can't conceive it."

So 3 days afterward you clearly put on the record the fact that you had had no knowledge of it and couldn't imagine what it was all about.

The CHAIRMAN. What was that date, pardon me.

Senator PERCY. That was June 20, 1972.

GENERAL WALTERS' SWORN STATEMENT

The CHAIRMAN. Could I read one paragraph from Walters? This is General Walters' sworn deposition:

Senator PERCY. Three days after the hearing.

The CHAIRMAN.

On 23 June 1972 I was ordered by a phone message from my office to be at the White House at about 1300 with Director Helms. I had lunch with Mr. Helms and went to Mr. Ehrlichman's office in the White House. Present were Mr. Ehrlichman, Mr. Haldeman, Mr. Helms and myself.

As I recall it, Mr. Ehrlichman said the Watergate incident was causing trouble, was being exploited by the opposition. It had been decided at the White House that I would go to Acting Director Gray and tell him now that the five suspects were arrested, further inquiries in the Mexican aspects of this matter might jeopardize some of the CIA's covert activities in that area.

This would seem to indicate at that time they did have an idea that the Watergate was causing opposition, causing trouble in the opposition and they didn't know it was connected with it.

Senator PERCY. I think we ought to state clearly that was 6 days after. This was 3 days after. That request was apparently the initial request that was ever made for CIA to get involved.

REQUEST FROM CHICAGO POLICE

But, on February 7, 1973, in the hearings that we had at that time with respect to Mr. Helms' nomination we were very concerned about the CIA being involved in a domestic matter involving the training of police and law enforcement officials.

As I understand what transpired, there actually was a request from the Chicago police initially for technology, information, training that the CIA could provide, and—

Mr. HELMS. Senator Percy, excuse me just a second. What was volunteered by me at the time and what the Chicago Police Department said it would be interested in was to have some advice about how to set up files at the Chicago Police headquarters which would contain information of legitimate police matters. In other words, this police chief had told me at that time there were no central records, that

the Chicago police had or this is as best I recall all of this, but the general thrust was clear, and when a man was arrested in one precinct and subsequently arrested in another precinct these things never came together at police headquarters and, therefore, it seemed high time that police departments set up information files in the central repository so that they would have this information available. And since we have files of this kind and have been setting them up and been using them for years it just seemed like a friendly gesture to tell him how to do it best.

The CHAIRMAN. Why wouldn't the FBI do that? That is exactly what they were set up to do, they have training schools.

Mr. HELMS. Mr. Chairman, as I testified at the time, this was something I volunteered to help on out of what I thought was the goodness of my heart and in a very public spirited way. It had nothing malign about it. I was not trying to influence the Chicago police, I was just trying to be helpful.

The CHAIRMAN. I was just suggesting as a matter of procedure it is the FBI's responsibility to do it.

Senator PERCY. I think the principle is a longrun principle and what we are all fighting to protect is the integrity of the Agency itself, and to preserve its proper role as defined by Congress in the 1947 statute.

I think that this testimony which was at that time classified secret but which I now understand can be put in the public domain, and Mr. Helms' forthright answers would be of interest.

I said at the time:

I think we must judge this in today's context.

That is the training by the CIA of domestic law enforcement officials.

Five years ago this wouldn't have caused the concern that it does now. We can't overlook the fact that Watergate has created special interest in intelligence and bugging, and so forth. I can say that when it was discovered in Chicago that the Army was gathering intelligence on civilians, following people and covering public meetings at which prominent persons, such as Senator Stevenson were present, there were expressions of outrage from Members of Congress, the general public, and the press. This is the context in which all this falls; so I would like to ask first if you believe in the 1947 statute which states that the CIA shall have no police, law enforcement, or internal security functions. Do you believe in the underlying basis for that law?

Mr. HELMS. I believe in that 100 percent.

I am glad you didn't say 1,000 percent.

Senator PERCY. I can see that there is some conflict with the crime in the streets law—

That was 1968, I believe—

which says national assistance shall be provided. But I would think that whatever technology CIA has in this field would also be available to the FBI, and I would strongly recommend that you pass on to your successor at the Agency the feeling that I would much sooner see this done through the FBI so the CIA really has no direct relationship of that kind in briefing sessions or training sessions because once getting started in such a program, it could grow.

Mr. HELMS. Senator Percy, I will convey this to the new Director and I am sure he will abide by that. We have no desire to get into these things, and now I have heard the desires of this committee I would certainly convey it and I would rely on the—

Senator SYMINGTON. If the Senator would yield, I would like to support the position of the Senator from Illinois.

Senator PERCY. Just for the clarity of the record, as I understand your testi-

of you personally by anyone else in the Federal Government for this kind of service?

Mr. HELMS. No, sir.

Senator PERCY. So it was a gesture on your part?

Mr. HELMS. And I am the one who did it. You are talking to the right u

WHETHER DR. SCHLESINGER IS AWARE OF STRICTURES

Two questions, Mr. Helms: Have you had such a conversation with Dr. Schlesinger? I have not had the opportunity to talk with him about this. Your position was proven by the forthright position he took against the White House idea. But did you have such a conversation with Dr. Schlesinger, and is that his attitude as you understand it?

Mr. HELMS. I did not talk to Dr. Schlesinger directly about this. I conveyed the sense of the committee's statement and the Senator's statement to the General Counsel of the Agency, which was conveyed to Dr. Schlesinger. And a few days before I left to go to my post in Iran, I was informed that Senator Fulbright had written a letter to the Director embodying in his letter these strictures. So I assume that, therefore, the messages had not only gotten through but the Director would abide by it.

"KIND OF SERVICE" CLARIFIED

Senator PERCY. Because this record, I understand, may be released at some point, just for clarification when I said, "But specifically I would like to ask, was at any time any request made of the Agency or of you personally by anyone else in the Federal Government that this kind of service be provided?" you said, "No, sir." Would you clarify what kind of service you had in mind when you asked that question.

Mr. HELMS. When you asked that question, I assumed what you were asking me was whether anybody else in the Federal Government had asked the CIA to do anything about holding seminars or training local police or anything of that sort.

Senator PERCY. I think it is important that I didn't have the hindsight or foresight to ask the question then.

Senator Case.

MISUSE OF AGENCIES

Senator CASE. Thank you, Senator. I just want to say I don't think it is only bad to have the White House or anybody else interfere with the CIA. Certainly that Agency should not be pressured into carrying out domestic operations in violation of its charter. It would be as bad to misuse the FBI. It would be just as bad to misuse the Internal Revenue Service—to use it for purposes not directed to the performance of its functions and for the benefit of any private person. This, it seems to me, is a greater evil, and I wonder if the former Director would agree that this is what really upset many at that time. It wasn't just interference requiring you to get into a domestic matter—it was the use of the Agency for an improper purpose. Is that correct?

Mr. HELMS. Yes, sir.

STATUTE OF 1947 IS GUIDELINE

Senator PERCY. I just one last statement, Mr. Case, would be—

I want to see the name of the CIA protected, and I want to prevent this small program from growing into something much larger. It should be cut off cleanly and sharply. The statute of 1947 must be the guideline, and certainly there is no compulsion for Members of Congress to interpret the Crimes in the Street Act as saying that every agency, including the CIA, should be involved.

Mr. Helms said, "Yes, sir, I have the message."

COMMENDATION OF WITNESS, GENERAL WALTERS

I would just like to note that the CIA, through you and General Walters, stood up against a reprehensible request by the White House to use and pervert an agency of the Federal Government that has a sacred trust in connection with national security. I think the two of you standing up against that request deserve the gratitude of all of us and we are grateful because the pressures, we know—and we have felt some of them—are very great when men act and speak in the name of the President of the United States and make a specific request.

Mr. HELMS. Thank you, sir.

The CHAIRMAN. Senator Pell.

PURPOSE OF HEARING

Senator PELL. The purpose of this hearing, as I understand it, is both connected with your good name and the Agency's good name, and I have been listening and I must say I think both come out pretty well.

PURPOSE OF LENDING CIA EQUIPMENT TO MR. HUNT

I wanted to lay out from a layman's viewpoint the discrepancy that bothered me when I came in here, but I think it has been resolved. We had understood that you had said you had nothing to do with it. You were then talking about Watergate, as I understand it, and not the lending of the magician's equipment or whatever it is to the man who went and broke into Ellsberg's doctor's office.

Mr. HELMS. Senator, I was talking entirely about the Watergate.

Senator PELL. Entirely about the Watergate. When you lent the magician's equipment to Hunt, you did not know for what purpose it was going to be used.

Mr. HELMS. Absolutely not, Senator Pell.

Senator PELL. What was the purpose you thought it was going to be used for?

Mr. HELMS. The only thing that I knew was what he had told General Cushman, was that he wanted to conduct some interviews, unidentified, unspecified, location unspecified, and unidentified.

MR. HUNT'S REPUTATION WITHIN CIA

Senator PELL. What was Mr. Hunt's reputation within the Agency or can you comment on this? Was he an honest graduate, an honest alumnus?

Mr. HELMS. So far as we knew at the time.

REQUESTS FOR CIA TO ENGAGE IN DOMESTIC ACTIVITIES

Senator PELL. In connection with the question that Senator Pell asked you, I would like to broaden it a little bit. In the course of your directorship, which involves two administrations, have you ever been asked, and declined the invitation, to engage in any kind of domestic activities of any sort beside the police one you mentioned to Mr. Pell? Besides Mr. Hunt's activities, have there been any other requests that you have turned down from the executive branch of Government to engage in domestic activities?

Mr. HELMS. Well, Senator Pell, in answering that question, I do not recall of any specific requests by an individual to do such things. There have been at various times, and I say at various times because I can't specify it, conversations about whether it would be desirable to have the Agency do certain types of domestic operations which the FBI were not performing very satisfactorily. This has been something that has been totally and 100 percent resisted. These were not specific statements from somebody. These would take place in meetings, "What are we going to do about this, what are we going to do about that," and the intimation this might come in our direction was simply stopped right there as far as I was concerned.

I don't want to, in making this statement want to pinpoint anybody because I don't have anybody in mind. These were general conversations in an atmosphere in which there was great concern in this Government and in the administration about leaks and demonstrations and trouble in the streets and all the rest of these things.

Senator PELL. But these all occurred within the continental shores of the United States and, for that reason, you had the justifiable reason to decline and move in there because the events were outside your ambit.

Mr. HELMS. Absolutely, and I have never been lacking in clarity in my mind since I have been Director that this is simply not acceptable not only to the Congress but to the people of the United States.

Senator PELL. And, to the best of your knowledge, or your recollection in the course of your directorship, have you not only declined any such requests, but have you ever complied such requests where you had doubts about their legitimacy?

Mr. HELMS. That is an awfully hard question to answer, Senator Pell. I don't recall any.

Senator PELL. I see. I thank you.

LAUNDERING MONEY

Senator PELL. As a layman, I wish you would explain the technique involved in laundering money. I see the phrase in the paper, how is it done?

Mr. HELMS. I don't know, sir. I have never been involved in laundering.

RELATIONS WITH WHITE HOUSE

Senator PELL. After you turned down the request to participate in the laundering of the money, how did you find your relations with the White House, the normal communications? Did your channels of communication continue reasonably open or did they freeze up?

Mr. HELMS. No, sir, I saw no change.

Senator PELL. No change.

Mr. HELMS. That I can recall. I suppose in hindsight if I had actually been sort of checking it each day something might have come to my attention but most of my dealings were with Dr. Kissinger's office on foreign intelligence matters and life went on, as far as I know, the way it had before.

TELEPHONE WIRETAPS

Senator PELL. These taps that were put on some of Dr. Kissinger's people, to the best of your knowledge, were any of them put on people on loan from your agency or your own people?

Mr. HELMS. I knew nothing about these taps, and I have not read the papers all that carefully about them since. If there were any taps put on any people in the Agency I have no idea who they were or who did it.

Senator PELL. It would be within the area of permissible activity for the FBI, would it not?

Mr. HELMS. I believe so, sir. You will recall perhaps, Senator Pell, that in President Johnson's administration an Executive order was issued which said any telephone tapping done by the Federal Government by any agency whatever had to be specifically approved in writing by the Attorney General.

U.S. COMMITMENT IN IRAN

Senator PELL. I thank you very much for coming, and especially if it gives us an opportunity to touch on Iran, as Senator Aiken also noted. I must say the story yesterday indicating our commitment in Iran is now our second largest worldwide, after Germany, gives some of us cause for concern. Perhaps we will have another opportunity to discuss that.

My faith in you and in the integrity of the agency is complete. Thanks.

Mr. HELMS. Thank you, sir.

VULNERABILITY STUDY OF FOREIGN EMBASSY

The CHAIRMAN. Could I just follow one question Senator Pell raised. Would you consider a vulnerability study of a foreign embassy a domestic activity?

Mr. HELMS. A vulnerability study of an embassy in Washington?

The CHAIRMAN. Yes. Is that a domestic activity?

Mr. HELMS. Well, I think since these are extraterritorial installations there could be a certain grayness in this area. But the way we have conducted our relations with the FBI over the years or the way the Agency has conducted its relations with the FBI over the years it is an FBI function.

The CHAIRMAN. The answer is, from your point of view, it is domestic, the CIA does not do it.

Mr. HELMS. That is right.

MEANING OF PHRASE "SAFE HOUSE"

The CHAIRMAN. What is the meaning of the phrase "providing a safe house for somebody?" Is that domestic or foreign? It has been in the papers and I wasn't sure what it meant.

Mr. HELMS. Well, sir, it is part of the lexicon, I suppose, of intelligence business. A "safe house" is nothing more nor less than an apartment or a residence which belongs ostensibly to neither of the people who are going to meet there so the fact that they are there is not ostensibly known. In other words, your own house might be used as a safe house if it was decided that two individuals who were to meet there had nothing to do with Senator Fulbright.

The CHAIRMAN. This is something that the CIA does not do. If it is done it is done by somebody else.

Mr. HELMS. We have safe houses because, for example, if a defectee is brought to this country and has to be housed while he is being interrogated, the house in which he lives is known as a safe house. The CHAIRMAN. But to provide a safe house for Mr. Hunt would not fall in that category, would it?

Mr. HELMS. My recollection of what occurred here is he asked to be met in a safe house; in other words, he asked to be met at some place other than the White House or CIA headquarters.

The CHAIRMAN. Did the CIA provide the safe house?

Mr. HELMS. I think that is where one of these meetings took place at such a residence.

The CHAIRMAN. Provided by the CIA.

Mr. HELMS. It is one we had control of at the time.

The CHAIRMAN. OK. Any other questions?

CIA NOT INVOLVED IN WATERGATE

Senator HUMPHREY. I just want to clarify just a couple of points for the record so we don't have any ambiguity. I think it is pretty clear. But, No. 1, Hunt was in no way connected with CIA at the time that he met with General Cushman, is that correct?

Mr. HELMS. Sir, he was identified as having been hired as a consultant to the White House.

Senator HUMPHREY. But again no connection with CIA.

Mr. HELMS. No, sir.

Senator HUMPHREY. The reason I bring this up is in your testimony during your ambassadorial hearing you said the CIA was not involved in the Watergate matter. I just wanted to make it very clear that, as I understand the interpretation of your remarks, none of your personnel, nor you, nor your office were in any way involved in the Watergate matter.

Mr. HELMS. That is correct, Senator Humphrey.

Senator HUMPHREY. Just for the record to get it clear.

Mr. HELMS. Yes, sir.

WHAT HUNT TOLD CUSHMAN EQUIPMENT WAS FOR

Senator HUMPHREY. Did Hunt tell Cushman what he wanted the equipment for?

Mr. HELMS. General Cushman testified that he told him he wanted it to conduct an interview unspecified, unidentified either as to place or individual or time.

PROTECTING INVESTIGATIVE AGENCIES FROM POLITICAL MANIPULATION

Senator HUMPHREY. Mr. Helms, you have had a long experience in the Federal Government and I think that most of us who have had any association with you have a high regard for you and sincere admiration for your professional competence. That surely is my judgment and I have worked with you over the years. Do you have any suggestion that you can offer as to how we can protect the professional integrity of the Central Intelligence Agency from political manipulation by persons in high public position? It is perfectly obvious that a Member of Congress can't come to you and speak with authority to tell you to do this or do that.

I think you have indicated quite properly here today that the tradition in the agency is that when a top official of the White House staff comes to you—particularly if it is the staff director or counsel to the President—that he speaks from the source of highest authority.

I have been thinking a great deal about these investigative agencies and how to cut them off from the politics and the political manipulation. It borders upon police state activity when they are used for political purposes: to cover up, investigate people for political purposes, keep dossiers on people that can be used in the political arena. There is a great deal of difference between intelligence operations for national security and intelligence operations for the purposes of domestic politics. I have never been able to find a substitute for character—no mechanism, no machinery, no law. Have you any idea how we can prevent people who think they are the extension of the spirit, the soul, the body, and the heart of the President to quit acting like they are President?

Mr. HELMS. Well, Senator Humphrey, obviously I have thought about these things, too. I thought that when the Congress in the National Security Act of 1947 set up the Agency and had it report to the National Security Council, which is to report to the President, that that would give it the sanctuary it needed from all of the, or most of the pressures, around Washington, either from the State Department, the Defense Department, or anybody else who wanted to pressure its estimates, its analyses, and so forth.

I always thought it was the best sanctuary to have it as a part of the Presidency, and I have to say to you, sir, I don't know how you legislate character and honor and decency. It seems to me that the assumption that the White House is an embodiment of those things is something that is sort of rooted in our Constitution, and to try to legislate specifics to take care of unidentified contingencies, it seems to me, is an enormously difficult thing to do.

Senator HUMPHREY. That would be my judgment. Maybe this hearing and other hearings like this will serve as a warning that the investigative, law enforcement, internal security, police mechan-

isms of the Federal Government are not to be used as political. They are not to be used promiscuously upon the citizenry of this country or upon the political institutions.

COMMENDATION OF WITNESS

I again want to say that your blowing the whistle, and I think did, on this operation, is highly commendable and should be a source of comfort to you, sir, for what you have done for your country.

ASSOCIATION OF GENERALS WALTERS, CUSHMAN WITH PRESIDENT

General Walters was placed in the Agency by Presidential appointment as you have said. He has responded very well from what I read in the testimony, I have not been privy to many of these hearings. I am a freshman Senator so I don't get in on some of these things. General Walters was well known by the President, is that correct?

Mr. HELMS. Yes, sir; I believe that he had been interpreter at various times not only as Vice President but as President.

Senator HUMPHREY. But in the instance of General Walters, despite the fact that it was his impression that word was coming down from on high he stood by the charter or the law relating to the National Security Agency, relating to the Central Intelligence Agency in 1947 and your admonition, is that correct?

Mr. HELMS. Yes, sir, to the best of my knowledge.

Senator HUMPHREY. Has General Cushman had close association with the President over the years?

Mr. HELMS. It is my recollection that he was his military assistant for 4 or 5 years when Mr. Nixon was Vice President.

Senator HUMPHREY. It is not possible to deduce when the request was made for General Walters to speak to Mr. Gray that these were two well-known close associates of the President and the White House so it was understandable that this kind of contact would be made?

Mr. HELMS. Quite possible, sir.

WITNESS' CONSULTATIONS WITH DIRECTOR GRAY

Senator HUMPHREY. But you were in no way asked to go personally to Director Gray.

Mr. HELMS. I was not.

Senator HUMPHREY. Did you ever have any personal consultations with Director Gray following this?

Mr. HELMS. Yes, sir, I talked to him on the telephone on several occasions telling him about the results of the investigations that we made overseas in the FBI's behalf. I don't know how many times I talked with him on the phone but quite regularly. It was a good communication as far as I could see; I wanted to be helpful.

Senator HUMPHREY. Thank you very much.

EQUIPMENT PROVIDED TO MR. HUNT

The CHAIRMAN. Senator Symington,
Senator SYMINGTON. Thank you, Mr. Chairman.
What was provided to Mr. Hunt?

Mr. HELMS. As I understand it, Senator Symington, and I want to say as I understand it because I have been, in the past 4 or 5 days, a little bit confused myself, but it is my understanding that it was a camera, a tape recorder, a wig, and there seems to be some question of what wig was what because I saw or heard the other day that the wig the Agency gave him was black and that the wig he was said to have been seen someplace in or alleged to have been seen someplace was red. I believe that the Agency technicians were a little bit upset over the fact that the red wig was ill-fitting and they contend any wig they would have provided would have fit very well [laughter] and that there was some pocket litter.

Senator SYMINGTON. Professional pride.

Mr. HELMS. I beg pardon?

Senator SYMINGTON. Professional pride.

Mr. HELMS. Yes, sir. What the pocket litter consisted of I am not sure to this day, but as I explained to Senator Fulbright earlier in the hearing, that is the kind of material that people have in their clothing to indicate that they are X rather than Y, letters, maybe a social security card, I don't know what all. But that was all, so far as I know.

Senator HUMPHREY. Would the Senator yield at that point? On the matter of the pocket litter, as you call it, Mr. McCord testified Friday that the Watergate team had false identification documents. Do you know whether these came from any contact with the CIA?

Mr. HELMS. I am told that they did not.

Senator HUMPHREY. Excuse me.

Senator SYMINGTON. Thank you, Senator. Was this equipment consistent with the purpose Mr. Hunt said of conducting an interview in disguise?

Mr. HELMS. It could have been—Senator Humphrey, excuse me, but I think also that there was some kind of a device given to Mr. Hunt that had something to do with making his speech different than it would have been otherwise. I don't know—

Senator SYMINGTON. As long as the Senator brought it up, wasn't there testimony from General Cushman that he gave him some kind of funny passport?

Mr. HELMS. I don't recall that.

Senator SYMINGTON. It gets complicated—

Mr. HELMS. I would like to say here in response to that, I would like to say the Agency has never forged American passports.

Senator SYMINGTON. Would you supply for the record, after checking it, what was supplied?

Mr. HELMS. Sir, could I ask that that be taken out of some other testimony because I have no real facility for asking these questions.

Senator SYMINGTON. Fair enough. I will ask the staff to ask General Cushman about it. Was there any wiretapping or illegal entry equipment that was supplied?

Mr. HELMS. Not to the best of my knowledge.

Senator SYMINGTON. Was the tape recorder a small secret tape recorder?

Mr. HELMS. I am told that it was a tape recorder, a Uher, I believe is the name of it, which can be bought in a store. If that is incorrect this is what I understood it was.

Senator SYMINGTON. How big was it?
Mr. HELMS. I don't know.

RESISTANCE TO PRESSURE COMMENDED

Senator SYMINGTON. Mr. Chairman and members of the committee in summary, I believe when the full story of this affair is known will all agree that the career professionals in two of our most important agencies, specifically Richard Helms of the CIA, and J. Edgar Hoover of the FBI, did as much as anyone to prevent the shock attempt by these people in the White House to undermine some of the finest principles this country stands for. This will be brought in due course, based on various hearings, when the full testimony is released.

I have known General Walters and General Cushman for some time, and think their testimony shows, when they really understood what was going on, despite their being in the chain of command and therefore, subject to the orders of the people in the White House who in effect, represented the Commander in Chief, both of them said, "This is as far as we can go." That is what General Cushman testified to under oath, that he so told Mr. Ehrlichman. General Walters testified that before he would do what he was being asked by Mr. Dean, he would resign. Am I correct, as you remember the testimony?

Mr. HELMS. Yes, you are, Senator Symington.

Senator SYMINGTON. Thank you.

Mr. Director, because of my faith in you as a public servant, developed over a long period of years, and your resistance to many pressures, including pressures about the size of foreign military establishments. I was anxious to see this hearing in open session because I knew, after discussion with you and listening to all this testimony in executive session, that you would give a fair and honest appraisal of what we are now discussing. I want to associate myself with these other Senators in my confidence in you; and although I have been critical, plenty, of the CIA at times, and of the FBI at times, it makes one feel good to know that you did not participate in this obvious scandal—I think the latter is a fair word—that you refused these staff men who now have been eliminated from the picture.

I commend you. In my opinion, and I have been around the town a long time, you stand high among the public servants I have known.

Mr. HELMS. Thank you, Senator Symington.

Senator HUMPHREY. Let me just associate myself with the general tenor of those remarks which were stated beautifully and the general feeling and knowledge I feel exactly the same way about, Mr. Helms, your service to the country.

Senator PELL. I do too.

The CHAIRMAN. Senator Pearson.

"PSYCHOLOGICAL PROFILES"

Senator PEARSON. Mr. Helms, are there other terms than "psychological profiles?" Are there other terms which that particular activity is known by on the personality analysis? What are they generally called?

Mr. HELMS. I am not entirely sure, Senator Pearson. I have called them personality profiles, psychiatric profiles, psychiatric studies, psychological studies, I am not sure what the actual term of art is.

Senator PEARSON. How are they prepared by the CIA?

Mr. HELMS. Well, in the normal circumstances the individuals preparing them are in some cases psychiatrists, in other cases I believe psychologists. It is based on information.

For example, if one was going to do one on Fidel Castro all of the information that the Agency had acquired over the years about Mr. Castro would be made available to these individuals and they would attempt to describe the character of Fidel Castro. The purpose of this was to see if there were insights which could be acquired into the thinking and behavior of these individuals that would not show up normally.

Senator PEARSON. What were they used for?

Mr. HELMS. They would be submitted to the interested agencies, White House, State Department, Department of Defense.

Senator PEARSON. Were those prepared for individuals who might not be citizens of the United States as well as U.S. citizens?

Mr. HELMS. No, sir, they were uniformly prepared on noncitizens—individuals who were not citizens of the United States, and the only two exceptions of my knowledge were one on Commander Bucher which I believe was done because it was thought that perhaps the profile would predict how Commander Bucher would stand up to his imprisonment and interrogation by the North Koreans. That some insight would be acquired through this. And the other one was the one that I unfortunately and reluctantly finally agreed to have done on Dr. Ellsberg.

PROFILE ON DR. DANIEL ELLSBERG

We provided, the CIA provided, none of the information provided for this profile. All of the information was provided by the White House.

Senator PEARSON. Was the CIA ever advised as to how the information was obtained on Dr. Ellsberg?

Mr. HELMS. As far as I know whatever was turned over was identified as newspaper clippings. I think some of it, I am told now, came from the FBI via the White House and I don't know what all it was. I never have seen it.

Senator PEARSON. Do you know who at the White House turned over any information to the CIA on Dr. Ellsberg?

Mr. HELMS. I believe it was Mr. David Young who did it.

Senator PEARSON. And what was his title and position at the time?

Mr. HELMS. Well, my recollection, which has been refreshed within the last few days because of a note that I wrote him, was Special Assistant to the National Security Council.

Senator PEARSON. Were you ever advised as to what purpose the psychological profile on Dr. Ellsberg would be used for?

Mr. HELMS. I was not, sir. I was rather insistent with Mr. Young that since we had done this most reluctantly that the amount of information available was inadequate, that the professional standing of the people doing it, they themselves felt, was being somewhat jeopardized; that this was not to be identified as a CIA document and that we were never told why they wanted it, but it was agreed by Mr. Young, he understood the problems and he said they desperately

needed the thing because of a multifaceted approach to the Pen papers leak and would we please help them out.

Senator PEARSON. Why were you so reluctant about it?

Mr. HELMS. I was reluctant—

Senator PEARSON. Was it an invasion outside your jurisdiction beyond your statutory authority, or was it another step in a deviating pattern that would bring the CIA into the Watergate and cleanup?

Mr. HELMS. Well, sir, you see at the time that we were doing this Watergate had never taken place. This all goes back to July and August and September of 1971 and there never had been any break any burglaries, or any illegal actions of which we were aware. So our reluctances had to do with asking the psychiatrists to write this on basis of what they conceived to be inadequate material.

HOW TO MAINTAIN CIA IN FREE OPEN SOCIETY

Senator PEARSON. I almost apologize to the committee for taking this much time in the record regarding this matter, but I was curious about it. I would like to have you submit or to generally discuss the proposition of what do we do; how in an open and free society we maintain a Central Intelligence Agency, make it responsive to Congress, but at the same time, provide it with the kind of independence that will not subject people who follow you to the kind of pressures and requests—improper or proper—which would draw you into the American society.

What changes can we make in the statute? Should we pass a proposal that Senator Fulbright made reference to? I am so tired at looking back at this thing now; how do we look forward for just a moment and what do we do about these things?

Mr. HELMS. Senator Pearson, as I mentioned when Senator Humphrey asked me a somewhat similar question a few minutes ago—

Senator PEARSON. I am sorry, I didn't know that.

Mr. HELMS. I really don't know what to do. I must say congressional oversight is one desirable route to go.

Senator PELL. Mr. Chairman, may I interject a question in the line of Senator Pearson's?

Senator PEARSON. I yield.

SHOULD CIA PREPARE PROFILE ON 1968 DEMOCRATIC PRESIDENTIAL CANDIDATES

Senator PELL. I heard a report that the CIA had prepared a character profile on one or two of the Democratic Presidential candidates in 1968, not on orders, not on requests, but as a voluntary exercise. Do you have any knowledge if that was correct?

Mr. HELMS. I have no knowledge of it, sir, and I never saw any such thing and I can't believe it would have happened.

Senator PELL. Thank you.

MR. YOUNG IDENTIFIED

The CHAIRMAN. One last comment. Mr. Young, I don't quite get who he was. Is he on Dr. Kissinger's staff?

Mr. HELMS. Sir, he was on Dr. Kissinger's staff.

The CHAIRMAN. At the time he made the request?

Mr. HELMS. At the time he made the request he had been transferred from Dr. Kissinger's staff to Mr. Ehrlichman's staff and he was working for Mr. Ehrlichman at that time.

The CHAIRMAN. And they are the only two American citizens, the two you mentioned, that the CIA has ever participated in profiling?

Mr. HELMS. Mr. Chairman, this is what I have been informed. I cannot, to you, out of my own personal resources, say that this is all.

The CHAIRMAN. All that you know?

Mr. HELMS. Yes, sir.

ELECTRONIC SURVEILLANCE OF MEMBERS OF CONGRESS, STAFFS

The CHAIRMAN. During your long service in the CIA, were you ever aware of any electronic surveillance by the CIA or FBI of Members of Congress or of their staffs?

Mr. HELMS. No, sir, I was not.

The CHAIRMAN. By either agency, you never were?

Mr. HELMS. As far as the CIA was concerned, to the best of my knowledge, when I was in a position of responsibility, I have never heard of any proposal like this being made, let alone the Agency instituting any such thing and, as far as the FBI is concerned, I had no knowledge of what they did in this field, at least as far as these matters are concerned.

The CHAIRMAN. And the CIA has never put telephone taps on any domestic citizens, that you know of?

Mr. HELMS. I don't know that in history this is entirely true. I have heard it said that in times past maybe that a telephone tap had been put on some individual who was thought to be going sour or something of this kind but this has not been within recent times, and the records would have to be consulted on this because I am simply not familiar—

The CHAIRMAN. At least all I can ask you is in your experience you never, while you were there this never happened, you can't speak for anything before that.

Mr. HELMS. This is a matter that I wish that could be discussed in some other forum. I will be glad to discuss it with you privately. We are in a public hearing and there is one episode I will be glad to mention to you privately which took place some years ago, but this had nothing to do with a Congressman or Senator, a newspaperman, a citizen. It had something to do with somebody who was in the Agency.

The CHAIRMAN. Any other questions?

COMMENDATION OF WITNESS

Mr. Helms, I think you have been very helpful and very forthcoming. I join my colleagues and I stated previously that your judgment, your Agency's judgment which you were expressing, proved to be more accurate than most of the others. This was during the war in Vietnam and you reported to us.

I always recall one incident that caused considerable interest and excitement right at the beginning involving the question of the first strike capability intentions of the Russians versus ourselves. I think it did cause a good deal of talk, and if you will recall, hearings. I

thought at the time that the matter, having come up as it did, endangered your tenure at that time. You know what I am talking about, but in any case, I think your judgment in what you said is correct.

U.S. PAYING FOR MISTAKE

These developments are, of course, extremely embarrassing to the country and I am sure to you and to everybody involved.

You can have developments come about that reflect upon the integrity of our Government generally. However, I am not one of those who despairs about it. I think it is a process of purging, I suppose, in another sense paying for the neglect of our own institutions, our own Government in favor of foreign adventures which, I think, were misguided. And whenever a country or a person makes a mistake they usually have to pay for it one way or another, and we are paying for it now in many ways.

I thank you very much for coming this morning and wish you good night, sir.

Mr. HELMS. Thank you, Mr. Chairman.
[Whereupon, at 12:45 p.m., the Committee was adjourned, subject to the call of the Chair.]