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CITE DIRECTOR [] SECTION 01 OF 03.

TO: PRIORITY TEHRAN.

TO AMBASSADOR HELMS

FROM W E COLBY - []

REF: HEADQUARTERS []

1. BALTIMORE NEWS AMERICAN, 30 OCTOBER, HEADLINES STORY BY PATRICK J. SLOYAN, "COX'S EVIDENCE INDICATES HELMS LIED IN COVERUP." STORY CITES ALLEGED INCONSISTENCY BETWEEN CLAIMS THAT YOU "BLOCKED WHITE HOUSE EFFORTS TO USE THE CIA AS A SCAPEGOAT" AND 28 JUNE MEMO TO WALTERS REQUESTING FBI "DESIST AND CONFINE THE INVESTIGATION TO THOSE ARRESTED" LEST THEY "RUN AFOUL" OF AGENCY OPERATIONS.

2. WASHINGTON POST OF 2 NOVEMBER CARRIES FRONT PAGE STORY HEADLINED, "HELMS TRIED TO CURB FBI ON BREAK-IN" BY LAURENCE STERN. FULL TEXT FOLLOWS: "FORMER CIA DIRECTOR RICHARD M. HELMS ORDERED HIS DEPUTY, 11 DAYS AFTER THE WATERGATE BREAK-IN; TO REQUEST THAT THE FBI CONFINE ITS INVESTIGATION "TO PERSONALITIES ALREADY ARRESTED OR UNDER SUSPICION." THE JUNE 28, 1972 MEMO TO GENERAL VERNON A. WALTERS ALSO URGED THAT THE FBI BE REQUESTED TO

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"DESIST FROM EXPANDING THIS INVESTIGATION INTO OTHER AREAS WHICH MAY, EVENTUALLY, RUN AFOUL OF OUR OPERATIONS." THE HELMS MEMORANDUM APPEARS TO BE IN SHARP CONFLICT WITH TESTIMONY BY THE FORMER CIA DIRECTOR TO FIVE CONGRESSIONAL COMMITTEES AND FEDERAL PROSECUTORS INVESTIGATING THE JUNE 17, 1972 BREAK-IN AND SUBSEQUENT COVER-UP CONSPIRACY. IT EMERGED, IN PART, IN THE RECENTLY RELEASED TRANSCRIPT OF A SENATE ARMED SERVICES COMMITTEE EXECUTIVE SESSION DEALING WITH THE CONFIRMATION OF WILLIAM E. COLBY AS CIA DIRECTOR. THE THRUST OF TESTIMONY BOTH BY HELMS AND WALTERS, AS WELL AS OTHER PRINCIPALS IN THE CASE, HAS BEEN THAT DESPITE HEAVY WHITE HOUSE PRESSURE-THE CIA STEADFASTLY DENIED THAT FBI INQUIRIES INTO WATERGATE MATTERS WOULD EXPOSE CIA ACTIVITIES. PRESIDENT NIXON, BY HIS OWN ADMISSION AND THE TESTIMONY OF TOP WHITE HOUSE AIDES, INITIALLY RAISED THIS CONCERN WHEN THE FBI WAS ON THE VERGE OF INVESTIGATING THE CHANNELING OF FUNDS THROUGH MEXICO WHICH ESTABLISHED A LINK BETWEEN THE BREAK-IN TEAM AND THE NIXON RE-ELECTION COMMITTEE. COLBY, IN A SERIES OF WRITTEN RESPONSES TO SEN. SAM NUNN (D., GA.), SAID THAT HELMS' MEMO TO WALTERS WAS "CONSISTENT WITH ^{OUR} ~~THE~~ CONCERN THAT INVESTIGATIONS MIGHT REVEAL CIA ACTIVITIES AND OUR BELIEF THAT THEY WERE UNNECESSARY SINCE CIA HAD NO INVOLVEMENT WITH THE

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WATERGATE INCIDENT." THIS WAS PRECISELY THE CONCERN VOICED BY TOP WHITE HOUSE OFFICIALS, DURING THE EARLY DAYS OF THE WATERGATE INVESTIGATION, IN URGING THAT FBI INVESTIGATION OF THE WATERGATE "MEXICAN CONNECTION" BE SUSPENDED. THE WHITE HOUSE PRESSURES DIRECTED AT HELMS, WALTERS AND ACTING FBI DIRECTOR L. PATRICK GRAY III HAD THE EFFECT OF DELAYING THE MEXICAN INVESTIGATION FROM JUNE 22 TO JULY 10. WHEN THE FIRST FBI INTERVIEWS WERE CONDUCTED IN MEXICO CITY. CIA OFFICIALS DECLINED TO DIVULGE THE FULL MEMO OR COMMENT ON THE APPARENT CONTRADICTION BETWEEN THE EARLIER PUBLIC TESTIMONY BY CIA OFFICIALS AND THE ASSERTIONS IN THE HELMS MEMO TO WALTERS. COLBY, IN HIS WRITTEN RESPONSES TO NUMN'S QUESTIONS, SAID THAT THE GIST OF THE MEMO ON CIA RELATIONSHIPS WITH THE FBI IN WATERGATE MATTERS WAS FIRST STATED BY HELMS AT A MORNING STAFF MEETING OF THE CIA ON JUNE 19--TWO DAYS AFTER THE BREAK-IN. THE MEMO WAS FIRST ALLUDED TO, ALTHOUGH WITHOUT SPECIFIC IDENTIFICATION, BY FORMER WATERGATE SPECIAL PROSECUTOR ARCHIBALD COX IN HIS APPEARANCE MONDAY BEFORE THE SENATE JUDICIARY COMMITTEE. COX SAID HE HAD RECEIVED A MEMORANDUM BY A "MAJOR WITNESS" IN THE WATERGATE SCANDAL THAT WAS AT ODDS WITH OTHER TESTIMONY BY THAT WITNESS. HEARST NEWS SERVICE REPORTER PATRICK J. SLOYAN REVEALED

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THE WITNESS TO BE HELMS IN A DISPATCH TUESDAY. REP. LUCIEN N. NEDZI (D., MICH.), CHAIRMAN OF A HOUSE ARMED SERVICES INTELLIGENCE SUBCOMMITTEE, ACKNOWLEDGED THAT HE OBTAINED A COPY OF THE FULL HELMS-WALTERS MEMO IN CONNECTION WITH HIS 12-WEEK INVESTIGATION OF CIA INVOLVEMENT IN WATERGATE. NEDZI INSISTED, HOWEVER, THAT THE REQUESTED CURTAILMENT OF FBI ACTIVITIES WAS LIMITED TO A FEW CIA OPERATIVES WHOSE COVERS HELMS FEARED MIGHT BE BLOWN BY FBI INQUIRIES IN MEXICO. NEDZI DECLINED, HOWEVER, TO DIVULGE THE FULL CONTENTS OF THE MEMO. SO DID STAFF OFFICIALS OF THE SENATE ARMED SERVICES COMMITTEE. NEDZI'S SUBCOMMITTEE ISSUED A REPORT TUESDAY CHARGING THAT THE CIA HAD BEEN DUPED BY TOP WHITE HOUSE AIDES INTO BECOMING IMPLICATED IN THE WATERGATE CASE. THE SENATE WATERGATE COMMITTEE HAD THE HELMS MEMO IN ITS FILES, BUT DID NOT PUBLICLY QUESTION THE FORMER CIA DIRECTOR OR ANY OTHER WITNESS ABOUT ITS CONTENTS. SEN. LOWELL P. WEICKER JR. (R., CONN.), ASKED HELMS ON AUGUST 2 AT A SESSION OF THE WATERGATE COMMITTEE WHETHER HE HAD EVER TOLD GRAY THAT THERE MIGHT BE SOME FORM OF CIA INVOLVEMENT IN WATERGATE. "I DON'T RECALL EVER DISCUSSING WITH GRAY," HELMS TESTIFIED, "THIS QUESTION OF ITS (THE FBI'S) UNCOVERING OTHER CIA OPERATIONS." NEVERTHELESS HELMS DID PHONE

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GRAY ON JUNE 28, ACCORDING TO NEDZI'S REPORT, AND ASKED THAT THE FBI, "NOT INTERVIEW" TWO CIA ACTIVE AGENTS, CARL WAGNER AND [] COLBY TOLD NUNN THAT A CHECK OF THE FBI'S WATERGATE LEADS IN MEXICO "DID NOT INVOLVE ANY CURRENT CIA ASSETS OR ACTIVITIES. HAVING SATISFIED OURSELVES THAT THERE WAS NO CIA INVOLVEMENT IN THE WATERGATE INCIDENT, WE WERE CONCERNED THAT A POSSIBLE BROADENING OF THE INVESTIGATION WHICH WOULD REVEAL CIA FOREIGN ACTIVITIES HAVING NO BEARING ON THE WATERGATE INCIDENT WOULD TAKE PLACE." THE FBI LEADS WERE FOCUSED SPECIFICALLY ON NIXON RE-ELECTION FUNDS WHICH WERE "LAUNDERED" THROUGH A MEXICO CITY BANK FROM TEXAS CONTRIBUTORS TO THE SAFE OF THE PRESIDENT'S 1972 RE-ELECTION FUND RAISER, MAURICE H. STANS. THE MONEY WAS ULTIMATELY TRACED TO THE ACCOUNT OF CONVICTED WATERGATE CONSPIRATOR BERNARD BARKER. IN THE COURSE OF THE EXECUTIVE HEARINGS COLBY ALSO ACKNOWLEDGED THAT HE SOUGHT UNSUCCESSFULLY TO CONCEAL FROM FORMER WATERGATE PROSECUTOR EARL SILBERT AT AN INTERVIEW ON NOVEMBER 27, 1972, THAT IT WAS WHITE HOUSE DOMESTIC AFFAIRS ADVISER JOHN D. EHRlichMAN WHO REQUESTED CIA ASSISTANCE FOR HOWARD HUNT JR. IN JULY, 1971, IN CONNECTION WITH THE BREAK-IN OF THE OFFICES OF DANIEL ELLSBERG'S PSYCHIATRIST. IN A "MEMORANDUM FOR THE RECORD" ON THE INTERVIEW WITH SILBERT, COLBY

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SAID HE "DANCED AROUND THE ROOM SEVERAL TIMES FOR 10 MINUTES TO TRY TO AVOID BECOMING SPECIFIC ON THIS, FINALLY NAMING THE WHITE HOUSE, AND WAS THEN PINNED BY SILBERT WITH A DEMAND FOR THE NAME, AT WHICH POINT THE NAME OF THE INDIVIDUAL WAS GIVEN." THE NAME WAS EHRlichMAN, COLBY RECITED HIS EFFORTS TO WITHHOLD EHRlichMAN'S NAME IN A WHITE HOUSE MEETING ON DECEMBER 15, 1972, WITH EHRlichMAN AND THEN WHITE HOUSE COUNSEL JOHN W. DEAN III IN THE PRESENCE OF HELMS. THIS WAS SOME SIX MONTHS AFTER HELMS AND WALTERS REALIZED, ACCORDING TO THEIR SUBSEQUENT TESTIMONY, THAT EHRlichMAN AND DEAN WERE TRYING TO IMPLICATE THE CIA IN THE WATERGATE CASE. COLBY SAID HE HAD HOPED TO WITHHOLD EHRlichMAN'S NAME FROM FEDERAL PROSECUTOR SILBERT BECAUSE "THERE WAS A RELUCTANCE TO DROP SOMEWHAT INFLAMMATORY NAMES INTO THE KIND OF ATMOSPHERE THAT WAS AROUND US AT THAT TIME."

3. AFTERNOON 2 NOVEMBER, SYMINGTON AND NEDZI SEPARATELY CALLED MAURY SAYING NEW YORK TIMES NOW PURSUING ABOVE STORY, PRESSING FOR EXPLANATION OF ALLEGED INCONSISTENCIES BETWEEN ASSURANCES THAT AGENCY WAS IN NO WAY INVOLVED IN WATERGATE, AND THE 28 JUNE 1972 MERO TO WALTERS INSTRUCTING HIM TO REQUEST FBI "CONFINE THEMSELVES TO THE PERSONALITIES ALREADY ARRESTED OR

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UNDER SUSPICION AND THAT THEY DESIST FROM EXPANDING THIS INVESTIGATION INTO OTHER AREAS WHICH MAY, EVENTUALLY, RUN AFOUL OF OUR OPERATIONS." MAURY HAS CALLED TO THE ATTENTION OF BOTH SYMINGTON AND NEDZI THE FOLLOWING ANSWER WHICH I PROVIDED IN RESPONSE TO A SIMILAR QUESTION DURING MY CONFIRMATION HEARINGS BEFORE SENATE ARMED SERVICES COMMITTEE LAST JULY: "THIS POSITION WAS CONSISTENT WITH OUR CONCERN THAT INVESTIGATIONS MIGHT REVEAL CIA ACTIVITIES AND OUR BELIEF THAT THEY WERE UNNECESSARY SINCE CIA HAD NO INVOLVEMENT IN THE WATERGATE INCIDENT...OUR CHECK INDICATED THAT THE LEADS IN MEXICO DID NOT INVOLVE ANY CURRENT CIA ASSETS OR ACTIVITIES. HAVING SATISFIED OURSELVES THAT THERE WAS NO CIA INVOLVEMENT IN THE WATERGATE INCIDENT, WE WERE CONCERNED THAT A POSSIBLE BROADENING OF THE INVESTIGATION WHICH WOULD REVEAL CIA FOREIGN ACTIVITIES HAVING NO BEARING ON THE WATERGATE INCIDENT WOULD TAKE PLACE."

4. DURING HIS SEVERAL CONVERSATIONS WITH MAURY ON THIS GENERAL SUBJECT ON 1 AND 2 NOVEMBER, SYMINGTON HAS EXPRESSED PERSONAL VIEW NEW YORK TIMES OUT TO "GET" AGENCY AND YOU, POSSIBLY PRODDED BY COX AND SOME OF HIS ASSOCIATES. SYMINGTON SAYS ANXIOUS GO ALL OUT IN AGENCY'S AND YOUR DEFENSE BUT IN DOING

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SO URGENTLY NEEDS YOUR PERSONAL EXPLANATION OF RATIONALE UNDERLYING 28 JUNE 1972 MEMO AND RELATED MATTERS. HE HAS JUST BEEN REVIEWING RECORD WITH WOOLSEY AND SAYS WOOLSEY RAISED POSSIBILITY THAT YOUR DESIRE TO LIMIT FBI INVESTIGATION MAY HAVE STEMMED FROM CONCERN TO PROTECT MULLEN CONNECTION. SYMINGTON AND NEDZI PAVE BOTH RAISED POSSIBILITY OF DECLASSIFYING 28 JUNE 1972 MEMO IN BELIEF THIS MIGHT CALM DOWN SPECULATION AND SUSPICION AS TO ITS FULL IMPORT. SYMINGTON WOULD WELCOME YOUR VIEWS THIS REGARD. THUS FAR WE HAVE RESISTED PRESSURE TO DECLASSIFY ON THE BASIS THAT THE SPECIAL PROSECUTOR HAS THE MEMO AND IS INTERESTED IN INTERROGATING YOU CONCERNING IT AND IT IS BEYOND OUR AUTHORITY TO RELEASE. SYMINGTON REACTION IS "TO HELL WITH SPECIAL PROSECUTOR, AS CHAIRMAN OF THE SUBCOMMITTEE I AM THE SPECIAL PROSECUTOR." IN ANY EVENT, HE MOST ANXIOUS HAVE YOUR DETAILED CABLED COMMENTS ON ALL OF ABOVE POINTS SOONEST.

5. BELIEVE YOU HAVE FULL TEXT OF 28 JUNE 1972 MEMO BUT IF NOT, OR IF YOU DESIRE ANY OTHER REFERENCE OR BACKUP MATERIAL IN RESPONDING TO SYMINGTON REQUEST PLEASE ADVISE. MEANWHILE YOU MAY FIND IT USEFUL TO BE REMINDED OF FOLLOWING:

A. IN RESPONSE TO THEIR INQUIRY MAURY HAS TOLD SYMINGTON

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AND NEDZI THAT HE DIDN'T KNOW EXACTLY WHAT YOU HAD IN MIND WHEN YOU WROTE THE 28 JUNE 1972 MEMO, BUT THAT THE INSTRUCTIONS TO SHACKLEY AND STERNFIELD WERE CONSISTENT WITH OUR STANDARD DELIMITATION AGREEMENT WITH THE FBI AND DID NOT MEAN THAT YOU WERE CONCERNED THAT THEIR CURRENT INVESTIGATION IN MEXICO WOULD UNCOVER ONGOING OPERATIONS BUT RATHER RECOGNITION THAT IF THE FBI UNDERTOOK A FISHING EXPEDITION THROUGHOUT MEXICO, EVENTUALLY THEY MIGHT UPSET ONE OF OUR OPERATIONS.

B. ON THE SAME POINT IN MY CONFIRMATION HEARING, I WAS ASKED WHETHER YOU DISCUSSED THE SUBSTANCE OF YOUR MEMORANDUM WITH ME EITHER BEFORE OR AFTER WRITING IT. MY ANSWER WAS THAT YOU GAVE THE SUBSTANCE OF THE DIRECTION AS TO HOW RELATIONS WERE TO BE HANDLED WITH THE FBI IN THE MORNING MEETING OF 19 JUNE 1972 AS INDICATED BY THESE MINUTES: "MORNING MEETING OF 19 JUNE 1972-- THE DIRECTOR NOTED THE 17 JUNE ARREST OF JAMES W. MCCORD AND FOUR OTHERS WHO WERE APPREHENDED AT THE DEMOCRATIC NATIONAL COMMITTEE HEADQUARTERS AT THE WATERGATE. WITH THE DIRECTOR OF SECURITY PRESENT TO PROVIDE BIOGRAPHIC DETAILS, THE DIRECTOR MADE IT PERFECTLY CLEAR THAT RESPONSES TO ANY INQUIRY WITH RESPECT TO MCCORD OR HOWARD HUNT, WHO MAY BE IMPLICATED, ARE TO BE LIMITED

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TO A STATEMENT THAT THEY ARE FORMER EMPLOYEES WHO RETIRED IN AUGUST AND APRIL 1970 RESPECTIVELY. THE DIRECTOR ASKED THAT THIS GUIDANCE BE DISSEMINATED VIA STAFF MEETINGS. THE DIRECTOR ASKED THAT ANY INQUIRY FROM OTHER ELEMENTS OF THE GOVERNMENT BE REFERRED TO THE DIRECTOR OF SECURITY WHO IS TO BE THE FOCAL POINT. INQUIRIES FROM THE PRESS ARE TO BE REFERRED TO MR. UNUMB WHO MAY SAY THAT MCCORD WORKED IN THE OFFICE OF SECURITY. THE DIRECTOR NOTED THAT WE HAVE NO RESPONSIBILITY WITH RESPECT TO AN INVESTIGATION EXCEPT TO BE RESPONSIVE TO THE FBI'S REQUEST FOR NAME TRACES. IT WAS NOTED THAT HOWARD HUNT MAY HAVE DONE SOME WORK SINCE RETIREMENT IN CONNECTION WITH THE PREPARATION OF SUPPORTING MATERIAL FOR SOME AWARDS. THE EXECUTIVE DIRECTOR WAS ASKED TO REVIEW THIS TOPIC AND REPORT TO THE DIRECTOR. THESE MINUTES WERE NOT REPEAT NOT, READ INTO THE OFFICIAL RECORDS.

G. WE BELIEVE THAT THERE IS CLEAR EVIDENCE ON THE RECORD BY GRAY AND WALTERS THAT YOUR ACTIONS AND THOSE OF WALTERS BOTH BEFORE AND AFTER 26 JUNE 1972 COMPLETELY REFUTE THE INTERPRETATION THAT THE SECOND PARAGRAPH OF YOUR MEMORANDUM CONSTITUTES AN ORDER TO WALTERS TO STONEWALL THE FBI'S INVESTIGATION. THIS EVIDENCE INCLUDES: (1) GRAY'S TESTIMONY BEFORE SENATE APPROPRIATIONS

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ON 24 MAY 1973, LINE 6, PAGE 126 THROUGH LINE 9, PAGE 127:

"NOW, "DIRECTOR HELMS SAID THAT HE HAD TALKED TO GRAY ON THE PREVIOUS DAY AND HAD MADE PLAIN TO HIM THAT THE AGENCY WAS NOT BEHIND THIS MATTER, THAT IT WAS NOT CONNECTED WITH IT, AND NONE OF THE SUSPECTS WERE WORKING FOR IT NOR HAD WORKED FOR THE AGENCY IN THE LAST TWO YEARS. HE HAD TOLD GRAY THAT NONE OF HIS INVESTIGATION WAS TOUCHING ANY COVERT PROJECTS OF THE AGENCY, CURRENT OR ONGOING." "NOW, TO GET US PROPERLY ORIENTED HERE, I FIRST HAVE TO ASK YOU, DID HELMS MAKE THAT STATEMENT TO YOU THE DAY BEFORE?"

MR. GRAY. "I THINK I PREVIOUSLY TESTIFIED, MR. CHAIRMAN, THAT I CALLED MR. HELMS THE DAY BEFORE, THURSDAY, JUNE 22, 1972 AT 5:23 P.M. THE PURPOSE OF THE CALL WAS TO TELL HIM, FOLLOWING MY BRIEFING FROM MR. BATES, THAT WE THOUGHT WE MAY BE POKING INTO A CIA OPERATION AND I WANTED TO VERIFY IT OR DENY IT WITH HIM. HE SAID TO ME, AND I HAVE A NOTE ON THAT, "WE HAVE BEEN MEETING WITH SOME OF OUR PEOPLE HERE AND ALTHOUGH WE KNOW THESE PEOPLE WHO ARE INVOLVED, THE CIA IS NOT INVOLVED." HERE IS THE WAY I WROTE IT DOWN EXACTLY ON MY TELEPHONE NOTE; "TO TELL HIM OF OUR THOUGHT THAT WE MAY BE POKING INTO A CIA OPERATION AND TO VERIFY OR DENY, AND HE SAID HE HAD BEEN MEETING ON THIS VERY DAY WITH HIS MEN, THEY KNEW THE PEOPLE, THEY

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CAN'T FIGURE OUT THIS ONE. THERE IS NO CIA INVOLVEMENT."

CHAIRMAN MC CLELLAN. THERE MAY BE A LITTLE VARIATION FROM WHAT HE SAID. "HE TOLD GRAY"-- THAT IS HELMS -- "TOLD GRAY THAT NONE OF HIS INVESTIGATIONS WAS TOUCHING COVERT PROJECTS OF THE AGENCY, CURRENT OR ONGOING." MR. GRAY. I THINK THAT COMPORTS IN GENERAL WITH THE NOTES THAT I HAVE ON IT. (2) YOU WILL ALSO RECALL THAT GRAY RESCHEDULED THE CANCELLED 28 JUNE MEETING FOR 6 JULY WITH WALTERS, AND WALTERS' MEMORANDUM OF THE SAME DATE STATES THAT HE TOLD GRAY, "IN ALL HONESTY, I COULD NOT TELL HIM (GRAY) TO CEASE FURTHER INVESTIGATIONS ON THE GROUNDS THAT IT WOULD COMPROMISE THE SECURITY INTERESTS OF THE UNITED STATES." AT THAT MEETING, WALTERS ALSO GAVE GRAY A MEMORANDUM SUMMARIZING ALL THE INFORMATION THAT WE HAD REPORTED TO THE FBI ON THE MATTER WHICH, OF COURSE, IS FURTHER PROOF THAT THERE WAS NO AGENCY INVOLVEMENT.

D. YOU WILL ALSO RECALL THAT AS EARLY AS 22 JUNE YOU WERE PROPERLY WARY OF FBI EFFORTS. ON THAT DATE, LEO DUNN, OF OUR SECURITY STAFF, CHECKED WITH THE FBI ON THE PROGRESS OF THEIR INVESTIGATION OF MCCORD AND HE WAS STONEWALLED WITH THE ADVICE FROM THE FBI THAT WORD HAD COME DOWN FROM GRAY THAT THE FBI WAS NOT TO DISSEMINATE ANY INFORMATION ABOUT THE CASE IN ORAL OR

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WRITTEN FORM.

6. FINALLY, AND SOMEWHAT DEPENDING ON WHETHER YOUR
RESPONSES TO THE FOREGOING WILL SERVE TO QUIET DOWN THE CURRENT
CONTROVERSY, SYMINGTON FEELS YOU MIGHT SERIOUSLY CONSIDER RETURNING
PERSONALLY AT AN EARLY DATE AND MAKING YOURSELF AVAILABLE TO THE
ARMED SERVICES COMMITTEE AND POSSIBLY OTHERS TO TRY TO CLARIFY THE
SITUATION ONCE AND FOR ALL. ~~E2 IMPDET.~~

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