

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Gebhardt *WAF*

DATE: 2/21/73

FROM : R. E. Long *WAF*

SUBJECT: WATERGATE

- 1- Mr. Felt
- 1- Mr. Gebhardt
- 1- Mr. Gallagher
- 1- Mr. Long
- 1- Mr. Nuzum
- 1- Mr. Herington

- Mr. Felt ✓
- Mr. Baker \_\_\_\_\_
- Mr. Callahan \_\_\_\_\_
- Mr. Cleveland \_\_\_\_\_
- Mr. Conrad \_\_\_\_\_
- Mr. Gebhardt ✓
- Mr. Jenkins \_\_\_\_\_
- Mr. Marshall \_\_\_\_\_
- Mr. Miller, E.S. \_\_\_\_\_
- Mr. Purvis \_\_\_\_\_
- Mr. Soyars \_\_\_\_\_
- Mr. Walters \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Mr. Kinley \_\_\_\_\_
- Mr. Armstrong \_\_\_\_\_
- Mr. Bowers \_\_\_\_\_
- Mr. Herington \_\_\_\_\_
- Ms. Herwig \_\_\_\_\_
- Mr. Mintz \_\_\_\_\_
- Mrs. Neenan \_\_\_\_\_

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*7*

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In accordance with instructions in Mr. Felt's memorandum to Mr. Gebhardt dated 2/21/73, there follows an analysis of the 2/21/73 "Washington Post" article written by Bob Woodward and Carl Bernstein captioned "Hunt Linked to Dita Beard Challenge." Mr. Gray desired to know those portions in the article which could have come from FBI sources and the identities of persons having access to that particular information. Items set forth below are numbered to correspond with points in Mr. Felt's memorandum.

(1) "Sources close to the Watergate investigation said that Colson's testimony was given in a secret deposition to Federal investigators during the Watergate probe last year. This testimony allegedly relates to his instruction to E. Howard Hunt, Jr., to proceed to Denver, Colorado, to interview ITT lobbyist Dita Beard."

*Rec* On 8/28/72, Mr. Colson furnished a deposition, in lieu of grand jury appearance, to Assistant U. S. Attorneys (AUSAs) Earl Silbert and Donald Campbell. We do not have copies of that deposition and it is maintained in the U. S. Attorney's (USA) office. It was not introduced in court since Hunt pled guilty. On 8/29/72, Mr. Colson was interviewed by SAs Angelo Lano and Edward Leary, WFO, concerning Hunt's expense vouchers submitted while he was employed as a consultant to the White House, copies of which had been furnished to WFO on 8/7/72 by James Rodgers of the White House Personnel Office.

Mr. Colson advised he did not personally review Hunt's expense vouchers and on only two occasions did he personally authorize Hunt to travel at the Government's expense. One of these occasions was in July, 1971, when Hunt traveled to Massachusetts to seek information concerning the Chappaquiddick Island incident involving Senator Edward Kennedy and the other was in March, 1972, when Hunt was sent to Denver, Colorado, in connection with the "ITT" case. Mr. Colson said he received reports of the work accomplished by Hunt regarding these two

REC-103 139-4089-1934

MAR 8 1973

ALL INFORMATION CONTAINED  
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 DATE 5/5/90 BY SP2 RPL/WML/PLS

CAN/amm (7) *let AG*  
 2-23-73  
 CAN:amm

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Long to Gebhardt  
RE: WATERGATE

trips. Since there was no indication that the ITT case or the Chappaquiddick Island incident had any relation to the Watergate matter, Mr. Colson was not questioned in detail concerning these two trips by Hunt.

It is not known whether information relative to this item is contained in the deposition which Colson gave in the civil damage suit instituted by the Democratic Party. WFO expects this week to gain access to and review the depositions in that suit, which have been filed with the Clerk of the Court, U. S. District Court, Washington, D. C., and are a matter of public record.

(2) "'The Federal investigators did not ask Colson the purpose of the interview.' Allegedly, according to Republican sources, the purpose of the interview was to discredit the controversial memorandum attributed to Mrs. Beard."

As set forth in Item 1 above, since there was no indication of any relationship to the Watergate case of the ITT matter and the Chappaquiddick Island incident, Mr. Colson was not questioned in detail concerning Hunt's activities in connection with these two trips.

(3) "'Republican sources said that Hunt wore an inexpensive wig during the interview with Mrs. Beard early in the week of March 19th.' The article goes on to point out that a similar wig was found in one of the rooms rented by the Watergate conspirators."

We do not have any information concerning the Hunt-Beard interview. We do know that among the materials seized pursuant to search warrant issued for the rooms at the Watergate Hotel rented by the arrested subjects, the Metropolitan Police Department report lists "item #96. 1 hair wig, Jerome Alexander label". During the Watergate trial, Metropolitan Police Officer Cherry testified concerning the search and the police report setting forth the items seized is a matter of public record. The police report is set out verbatim in SA Lano's report of 6/28/72.

(4) "On page A-21, column 1, the article goes on to describe events in the ITT controversy as obtained 'from

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Federal and Republican sources.'" Mr. Gray wanted a check made to determine what information is available in the files to determine what portions of this story, if any, were known to the Bureau.

The article mentioned that the Washington office of ITT hired Intertel, a private investigative firm, to check into Mrs. Beard's background and the authenticity of the controversial memorandum. Our files show that on 3/10/72, Dr. Fred M. Miller, a retired SA document examiner, advised that he had been requested by ITT to conduct document examinations relative to Mrs. Beard's memorandum and he stated that he understood that Intertel had been retained by ITT to conduct investigation of the controversy on behalf of ITT. The files also show that on 3/27/72, former SA Fred Robinette, a vice-president of Intertel, said his organization had done work for ITT in connection with this case. The extent and purpose of investigation by that organization were not furnished to us and we do not know what the results of that investigation are.

(5) "The article goes on to point out that Robert F. Bennett, present President of the firm where Hunt was employed, told Hunt that the results of the INTERTEL findings should be passed on to Colson."

We have no information concerning this.

(6) "The article concludes with a quotation from a sworn deposition taken from Colson in the civil suit filed by the Democratic Party in connection with the Watergate break-in."

This relates to the deposition furnished by Mr. Colson in connection with the Democratic Party's damage suit against the Committee to Reelect the President, which deposition is a matter of public record having been filed with the Clerk of the Court, U. S. District Court, Washington, D. C. The quotation in the article attributed to Mr. Colson to the effect that Hunt reported to Colson for only a short time and thereafter while at the White House worked under someone else's supervision, is in accord with information Mr. Colson furnished us when he was initially interviewed on 6/22/72, by SAs Lano and Daniel C. Mahan, reported in SA Lano's report dated 6/28/72.

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The information relating to interviews conducted by WFO is set forth in investigative reports, copies of which are maintained both in the WFO and at FBIHQ. In addition, because of the massive investigation conducted by the Miami office, copies of the reports were also designated for that office. Dissemination has been made of each report to the USA, Washington, D. C., and to Assistant Attorney General Petersen, Criminal Division.

As a matter of interest concerning the possible source of this article, the following information was received by SA Lano 2/21/73, from AUSA Campbell. Mr. Campbell advised that late yesterday, 2/20/73, reporter Woodward contacted Mr. Campbell, said he had a source of information at the White House and "ran" the essence of the article past Mr. Campbell. Mr. Campbell told SA Lano he made no comment concerning Woodward's story.

ACTION: This is for information.

*cmw*

*RJG/km*

*MY*

REL

LAST PAGE OF ATTACHED  
MEMO - HERE IS ENTIRE  
ANSWER

*7*

1. Prepare memo for AG, please -

*GJA*  
2-21-73  
5:07P

The Attorney General

February 23, 1973

Acting Director, FBI

139-4089-1934

REC-103

- 1- Mr. Felt
- 1- Mr. Gebhardt
- 1- Mr. Gallagher
- 1- Mr. Long
- 1- Mr. Nuzum

*est*

JAMES WALTER MC CORD, JR., AND OTHERS  
 BURGLARY OF DEMOCRATIC NATIONAL  
 COMMITTEE HEADQUARTERS  
 JUNE 17, 1972  
 INTERCEPTION OF COMMUNICATIONS

The February 21, 1973, issue of "The Washington Post" contains an article, a copy of which is attached, written by staff reporters Bob Woodward and Carl Bernstein, captioned "Hunt Linked to Dita Beard Challenge." The article endeavors to tie in the Watergate case with the controversial hearings of the Senate Judiciary Committee in February and March, 1972, which involved International Telephone and Telegraph Corporation lobbyist, Mrs. Dita Beard. The article attributes the information set forth to "sources close to the Watergate investigation," "Republican sources," "Federal sources," as well as other sources who are not further described.

As a matter of interest concerning the possible source of this article, the following information was received by our Washington Field Office on February 21, 1973, from Assistant U. S. Attorney Donald Campbell, Washington, D. C. Mr. Campbell advised that late on February 20, 1973, reporter Woodward contacted him, said he had a source of information at the White House and related to Mr. Campbell the essence of the article which subsequently appeared in the newspaper. Mr. Campbell advised that he had made no comment to Woodward concerning the story.

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 5/9/80 BY SP2 TAP/LOAS

Enclosure

1- The Deputy Attorney General (Enclosure)

1- Assistant Attorney General  
 Criminal Division (Enclosure)

NOTE: See memorandum R. E. Long to Mr. Gebhardt 2/21/73, CAN/amm, captioned "Watergate." Mr. Gray requested that a memorandum be prepared for the Attorney General.

CAN/amm (10)

- Mr. Felt
- Mr. Baker
- Mr. Callahan
- Mr. Cleveland
- Mr. Conrad
- Mr. Gebhardt
- Mr. Jenkins
- Mr. Marshall
- Mr. Miller, E.S.
- Mr. Purvis
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- Mr. Kinley
- Mr. Armstrong
- Mr. Bowers
- Mr. Herington
- Ms. Herge
- Mr. Mohr
- Mrs. Neenan

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 FEB 23 1973  
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53 MAR 9 1973  
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TELETYPE UNIT

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*CAN*

*WAF*  
*R/S/amm*  
*RELY*  
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Mr. Felt

February 23, 1973

R. E. Gebhardt

- 1 - Mr. Felt
- 1 - Mr. Gebhardt
- 1 - Mr. Gallagher
- 1 - Mr. Long
- ① - Mr. Nuzum
- 1 - Mr. Kinley
- 1 - Mr. Armstrong
- 1 - Mr. Baker

JAMES W. MC CORD, JR.;  
 AND OTHERS  
 BURGLARY OF DEMOCRATIC COMMITTEE  
 NATIONAL HEADQUARTERS, 6/17/72  
 INTERCEPTION OF COMMUNICATIONS

The handling of the Watergate investigation from the Headquarters level through the field operation level was done in accordance with procedures, both administrative and investigative, that are customarily employed in any major investigative effort by the FBI.

Among cases handled in the recent past in which similar procedures were followed are: The assassination of Martin Luther King; Capitol bombing, March 1, 1971; and major kidnaping cases such as the Barbara Jane Mackle case.

The above is prepared with the concurrence of the following:

W. Mark Felt  
 Acting Associate Director

Robert E. Gebhardt  
 Assistant Director  
 General Investigative Division

SAC John J. McDermott  
 Washington Field Office

ALL INFORMATION CONTAINED  
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 DATE 5/9/80 BY SP2 TAP/ JRM/OMS

SAC Robert G. Kunkel  
 St. Louis Office

SAC Charles W. Bates  
 San Francisco Office

Section Chief Richard E. Long  
 Accounting and Fraud Section  
 General Investigative Division

SA Angelo J. Lano  
 Case Agent - Washington Field Office

SA Charles A. Nuzum  
 Accounting and Fraud Section

\* Original was destroyed by Mr. Felt  
 per p. 3 of O.T. Jacobson to Mr. Callahan  
 memo dtd 6/20/74 filed in 62-116260-26.

2 xerox

1 - SFA

1 - Ticker

4/8/74

Original cannot be located and is not on record. When original is received in Records Branch it will be filed either with this copy or may be given a new serial.  
 7/17/73 JPR

REC 107

139-4089-1934X

21 JUL 19 1973

53 JUL 25 1973  
 REG:jyl (9)

*Handwritten signature*

Mr. Gray

2/28/73

R. J. Gallagher

1 - Mr. Felt

1 - Mr. Gebhardt

① - Mr. Nuzum

*CST*  
JAMES WALTER McCORD, JR., ET AL.  
INTERCEPTION OF COMMUNICATIONS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 5/9/80 BY SP2TAP/len/DMS

With reference to your call to me this morning,  
the following is set forth:

1. Miranda Warning

A. The law requires the warning is necessary when  
the individual interviewed is in custody.

B. FBI policy is that the warning is given any time  
a person is being interviewed for a confession or an admission  
of his own guilt in the case rather than merely as a possible  
source of information.

In the Watergate, no Miranda warnings were given as  
the subjects refused to be interviewed and we interviewed all  
other persons as possible sources of information. Had we been  
in possession of information indicating one of those to be  
interviewed did in fact have guilty knowledge or was a participant  
in the Watergate affair, of course, we would have issued the  
required Miranda warning. *AB*

2. Does Division 6 Have Any Record of Date Serials Furnished  
to You. You Referred to Serials 1 through 75 in Watergate  
Case.

REC 107. 139-4089-1934X1

On 6/30/72, 12 reports were furnished to you; on  
7/17/72, 61 investigative reports were furnished to you; and  
on 9/13/72, 10 reports were furnished to you. These reports  
are not serialized as Serials 1 through 75 in the file, but  
it is believed these are the serials that you referred to.

2 copies  
1-SPP  
1-Tickler  
4/8/74

3. Booklets of Serials; date they were provided to you.

JUL 19 1973

On 6/26/72, a black booklet containing a summary of  
the investigation up to that date was furnished to you. On  
6/24/72, at your request, Mr. Bates furnished you with all of  
his ticklers on the case. On 6/25/72, at your request,  
Branch it will be filed with this copy of may be given  
a new serial. Field Office delivered to you.

Original of  
and is not on  
original is recorded  
Branch it will be filed  
with this copy of may be given  
a new serial  
RJG:ige  
2/27/73 (4)

58 JUL 25 1973

*6-7/2/73*

CONTINUED - OVER

Memorandum to Mr. Gray  
Re: JAMES WALTER McCORD, JR., ET AL.

4. Date of Grand Jury; Date of Indictment; Date of Trial

The Federal Grand Jury inquiry began on 6/23/72; the indictment was returned 9/15/72; and the trial began on 1/8/73.

5. Bank Records

Where the bank is cooperative, we will take a look at the records first. We do this because many times the bank records are of no value as far as the investigation is concerned and we are saved the time and the expense of going through the subpoena process.

Where there is an indication of positive information and the information is to be used, we will then proceed through the subpoena process.

For your information, the Department of Justice has not prohibited us from using this approach. In the last session of Congress, legislation was introduced making a subpoena mandatory before any information was furnished from bank records. The Department of Justice testified against this legislation and the legislation was not enacted. There is a movement among bankers to require a subpoena. This is not aimed at the FBI or investigators in general for that matter, but rather a fear on the part of some bankers that they will face a civil suit.