

MEMO

JAN. 6, 1980

TO: PT
FROM: CHRIS C.

RE: BACKGROUND ON HAIG AND CHILE

The following information comes from a well written and well researched committee memo and with some added comments of my own.

As deputy to the President's National Security Advisor (Henry Kissinger), Genreal Haig participated in the execution and implementation of Track II, the out-of-channels CIA operation to foment a military coup against Salvador Allende. In Track II, the CIA was instructed by President Nixon to report directly to Kissinger, or his deputy Haig, for informational and approval purposes. Haig attended meetings, along with Kissinger, during which Track II was discussed with top CIA officials. Because, at the time of Track II, Kissinger also was occupied with other international events such as the concern that the Soviets were involved in the establishment of a nuclear submarine base in Cienfuegos Bay, Cuba, and the threat of an Iraqi invasion of Jordan, there is the possibility that more authority over Track II than was usual was delegated to Haig. In the Post story on Haig and Track II, it was stated that "according to informed sources, the Intelligence Committee investigation concluded that Haig was the de facto 'executive officer' of Track II, keeping tabs on it for the president". The Post also said Haig was the regular liaison between the CIA and NSC on this and other such projects.

Issue: Implementation of Track II out of Established Channels

Track II was launched at a September 15, 1970 meeting between Nixon, Kissinger, Helms (Director of the CIA), and John Mitchell (Attorney General). Helms came away from the meeting with the strong impression that the President "wanted something done, and he didn't much care how...This was a pretty all-inclusive order." In a meeting Helms called at the CIA the following day, he related his understanding of the President's orders: "... the Agency is to carry out this mission without coordination with the Departments of State or Defense." On September 21, a cable to the CIA Chief of Station in Santiago, CIA HQ stated:

"B. (Track II) -- This is authority granted CIA only, to work toward a military solution to problem. As part of authority we were explicitly told that 40 Committee, State, Ambassador, and Embassy were not to be told of this Track II nor involved in any manner."

Al Haig's role as a principal participant in the implementation of Track II involves him in what is tantamount to a "constitutional conspiracy". Track II not only bypassed the normal channel established for the authorization of covert activity but overrode the authority of the Department of State in its conduct of foreign affairs. Haig's involvement once again raises the issue of Haig's ability to discern when his high sense of loyalty begins to subvert the public trust. Apparently Haig

could invoke the "commander in chief" dictum to guide his subordinates as well as his own decisions.

Questioning Haig on the Out-of-Channels Issue:

There are essentially three avenues of questioning; the procedural, the constitutional, the personal.

A series of specific who, when questions could establish Haig's involvement in Track II, for example, "When did you first learn of the Track II program and what were your responsibilities?"

Next, questions concerning the operation of the Administration regarding covert operations would establish what the proper channels were. You could ask if he understood those channels and the statutes and regulation which established them.

Then, insert the personal angle, "Did you at any time oppose the decision to embark on Track II and if so, with whom did you speak?" or "Did you at any time pause to ponder on your role in subverting the authority of the Secretary of State?"

Then, you could turn to the constitutional angle, taking Haig through a history lesson on the proper relations between the President and the Secretary of State in regard to foreign policy making, starting with Jefferson and working up through Marshall and Vance. (Bill Bader suggested this to me)

Then, back to the personal, with "Can you describe to me, General your understanding and appreciation of this fundamental principle of our government? Will you as Secretary of State adhere to this and other hallowed principles of our constitution and laws?"

Then you could turn to current policy concerns such as Angola and ask Haig if his frequent pronouncements on how we lost Angola would prompt him to bypass the Intelligence Act of 1980 and the modified Clark amendment as regards notifying Congress?

This could then evolve into a general discussion of Haig's views on American intervention to overthrow democratically elected or otherwise duly established governments.

Issue: The October 15 Meeting and Whether Haig "Turned Off" or Continued Track II

Haig and Kissinger contend that at an Oct. 15 meeting with Tom Karamessines, CIA's deputy director for plans, they "stood down" coup efforts. Karamessines died two years ago. Haig and Kissinger testified before the Intelligence Committee that they believed the Oct. 15 meeting resulted in Track II being "turned off". Haig said that "My general feeling was, I left that meeting with the impression that there was nothing authorized."

Karamessines, in direct contrast, testified that the meeting ended "on Dr. Kissinger's note that the Agency should continue keeping the pressure on every Allende weak spot in sight -- now, after the 24th of October (when Allende would take office), after 5 November, and into the future until such time as new marching orders are given."

The White House and CIA agree that one result of the meeting was the decision to "de-fuse" the plot led by retired General Viaux who was considered ineffective and try to get him to cooperate with General Valenzuela who was becoming interested in coup plans. According to

the Agency's memorandum of conversation, it was decided to get a message to Viaux warning against any precipitate action and encouraging him to cooperate with others. It was decided that the message in essence should state, "The time will come when you with all your friends can do something. You will continue to have our support."

The following day, CIA HQ cabled its interpretation of the White House meeting to the Station in Santiago (CHile): "It is firm and continuing policy that Allende be overthrown by a coup. It would be preferable to have this transpire prior to 24 Octpber but efforts in this regard will continue vigorously beyond this date." The message also encouraged Viaux to join others.

Either Kissinger and Haig intentionally left their instructions to the CIA vague in order to shift responsibility to the CIA, or they lied to the Church Committee about the meeting, or the CIA went off on its own authority against the wishes of Kissinger and continued Track II.

Haig and Kissinger contend that after October 15, they knew nothing more nor heard anything more of Track II. The CIA, however, testified that their activities in Chile after October 15 were known and thus authorized by the White House.

Karamessines contends that he kept in close consultation throughout Track II, stating that he met with Kissinger six to ten times in the five week period (from Sept. 15 to Oct. 24). Karamessines' calendar indicates that he had three meetings with Haig although he could not be certain if the meetings dealt with Track II. The Intelligence Committee has records of two conversations between Karamessines and Kissinger and of one telephone conversation between Karamessines and Haig. Karamessines specifically recalled that he had a meeting with General Haig on Oct. 19 and would have had in hand the cable outlining the coup plans of Gerneal Valenzuela received that morning. Haig, however, had no recollection of the meeting with Karamessines that day. Haig said that he had no information on this plan. Kissinger also testified that he had not been informed of the Valenzuelan plan, holding that he was informed of nothing after Oct. 15.

Karamessines also believed that he attended a meeting with Kissinger and Nixon at some point between Oct. 10 and 24, in which Nixon re-emphasized his determination that Track II go forward. The Post says this or some other meeting between Nixon and Karamessines took place on Oct. 13.

The conflict in testimony to the Church Committee from Haig on the one hand and the CIA on the other again raises the possibility that Haig lied in his deposition to the Church Committee concerning his knowledge of Track II activities after Oct. 15.

Questioning Haig on the Oct. 15 Inconsistencies

Without new documents which firmly establish that Haig lied either in regard to the Oct. 15 meeting or in regard to the continuation of Track II, the only purpose in questioning Haig would be to elicit the fuzzy answers, the "I can't recalls", which he supplied to the Church Committee.

It is in this area that I have asked the Committee analyst to look further, and I will as well in interviews with participants.

MEMO

HAIG AND WATERGATE

The term "Watergate" encompasses three related sets of activities; a series of crimes, a cover-up of those crimes; and a cover-up of the cover-up. The last of these activities involved White House responses to resist judicial and congressional investigations directed at the White House and the President himself. The cover-up of the cover-up can be said to have started 9 months after the break-in at the DNC when Ehrlichman, Haldeman, Kleindienst, and Dean resigned on April 30, 1973. On May 4, General Haig joined the Nixon White House as Chief-of-Staff. During the next 15 months, until Nixon resigned, Haig became increasingly involved in determining and implementing Nixon's responses to the various Watergate investigations.

As Chief-of-Staff, Haig was intimately involved with the supervision of the White House response to the Watergate investigations. This included the management of information and legal responses to the Senate Watergate Committee, House Judiciary Committee, and the Watergate Special Prosecutors. Haig was especially active in presenting the public case for Nixon's innocence, withholding subpoenaed documents, firing Archibald Cox, and advising the President.

Specific questions surround the following subissues:

1) June 4 Conversation with the President

In anticipation of Dean's testimony, Nixon reviewed several taped conversations, including the March 21, 1973 tape on which Nixon discussed the "hush money". On June 4, Nixon, Haig, and Haldeman worked to devise a strategy for handling the March 21 conversation if it came to light. On the June 4 tape, Haig is heard counselling the President to respond if asked, that he "just cannot recall". He appears to be advising the President to commit perjury.

2) Firing Special Presecutor Cox

Cox, who was appointed a few weeks after Haig, repeatedly tried to obtain White House documents and tapes in order to conduct the investigation of criminal activity he had been chartered to do. During the summer, Haig made several attempts through Richardson to limit the scope of Cox's investigation, repeatedly threatening to fire Cox if he did not comply, or if he continued to pursue judicial means to obtain tapes. After the Court of Appeals upheld Cox's subpoena for White House tapes, Haig engineered a plan to avoid releasing the tapes and to fire Cox if he rejected it. When negotiations on the White House plan to have Stennis verify edited transcripts broke down, Nixon announced the plan and ordered Cox to accept it. He refused and Haig ordered Bork to fire Cox after Richardson and Ruckelshaus resigned in protest.

3) Haig's Role in the 18½-Minute Gap and the Missing Tapes.

On July 18, 1973, after the White House taping system was disconnected, Haig ordered his deputy to transfer custody of the tapes from the Secret Service to the Office of the President. During the next several months, while the tapes were under Haig's responsibility, an 18½-minute gap was found in the important June 20, 1972 conversation between Haldeman and Nixon. The gap was not reported to Judge Sirica until Nov. 21, although Haig knew on Oct. 1 that Rosemary Woods had erased a portion of the conversation. The fact that two of the tapes subpoenaed on Aug. 29 were missing wasn't revealed to Judge Sirica until Oct. 30. Later hearings found that steps taken to account for and protect the tapes was haphazard and careless. A panel of experts found that the 18½-minute gap was not an accidental erasure. Haig testified that a "sinister force" must have been involved, but answered, "I cannot recall" to many other questions put to him.

4) Cooperation with Special Prosecutor Jaworski.

Haig gave Jaworski pledges of independence when he hired him to replace Cox. In December, Haig promised cooperation in supplying documents. After some initial cooperation, the President through Haig, told Jaworski that no more tapes would be released. Jaworski later said that "Haig, not Nixon" was in charge of the government and that Haig's job was to placate him while helping Nixon frustrate him in the search for the truth. During this period, Haig continued to claim publicly that Nixon was not guilty while evidence available to Haig seemed to indicate otherwise. There is some question as to when Haig realized that Nixon's resignation was inevitable.

5) Haig Testimony Before Ervin Committee on Illegal Campaign Contribution

This issue, analyzed by Committee staff, involves Haig's initial use of executive privilege in refusing to testify and his role in helping Nixon's friend Rebozo deal with an IRS investigation.

The nature and extent of Haig's Watergate role raise issues of moral character and the limits of appropriate responsiveness to Presidential leadership.

Specific questions surround the following points:

- On June 4, 1973 and other occasions, did Haig counsel the President to employ "selective memory" and deny recalling potentially damaging past statements on the Watergate affair?
- Did Haig participate or concur in a plan whereby trusted former White House aides, such as H.R. Haldeman, would disavow their own recollections of any Presidential involvement in Watergate matters?

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- Did Haig know or was he a party to the creation of an 18½-minute gap on one of the subpoenaed White House recordings?
- Did Haig know or was he a party to the editing, alteration, or distortion of any of the White House tapes?
- Did Haig work to sidetrack or stall the investigations of the Senate Watergate Committee, the House Judiciary Committee, or the Watergate Special Prosecutors?
- Did Haig attempt to obstruct an ongoing investigation of illegal campaign contributions by using inside information to tip-off possible defendants?