

Rockefeller Panel and Its C.I.A. Mission

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WASHINGTON, Jan. 19—What is the Rockefeller commission supposed to find out about the Central Intelligence Agency, and what is it not supposed to find out?

According to its charter from the White House, the commission must confine its investigation to "C.I.A.

activities within the United States." Judging by its membership, the commission would not be disposed in any case to pry into other activities, especially the C.I.A.'s clandestine operations abroad.

In the past, those operations have included overthrowing—or helping to overthrow—governments in Guatemala and Iran, organizing an invasion of Cuba, and subsidizing newspapers, magazines, political parties, trade unions and other organizations in various countries.

The agency has even been suspected of assassinations. Last night NBC television showed a 1973 fiction movie, "Scorpio," in which six murders are committed by C.I.A. agents or hired gunmen.

Testifying before the Senate Foreign Relations Committee on Feb. 17, 1970, William E. Colby, now the Director of Central Intelligence, rejected a suggestion that operation Phoenix in South Vietnam was a "program for the assassination of political leaders." The suggestion came

from the committee chairman, then Senator J. W. Fulbright, Democrat of Arkansas.

At the time, Mr. Colby was directing Operation Phoenix, a joint American-South Vietnamese effort to identify, find and dispose of the leadership of the Vietcong rebellion.

As early as 1968, when Operation Phoenix began, the United States mission in Saigon routinely reported that killings were involved in the Phoenix pacification program.

In 1973, a House subcommittee report estimated that 20,000 Vietcong suspects had been killed, some of them mistakenly because of faulty intelligence.

The report was prepared by the House Foreign Operations and Government Information Subcommittee, and was publicized by United Press International. The report said that its charges "should be either substantiated or repudiated after an impartial and thorough investigation."

No such investigation was made, however, and none is contemplated in the mandate of the commission headed by Vice President Rockefeller.

The commission was created Jan. 4 to investigate allegations reported in The New York Times that the C.I.A., in violation of law, had spied on the anti-war movement and other dissidents inside the United States during the Johnson and Nixon Administrations.

President Ford's order establishing the Rockefeller commission said that the C.I.A. "fills intelligence functions vital

to the security of our nation, and many of its activities must necessarily be carried out in secrecy."

At a news conference last Sept. 16, soon after he became President, Mr. Ford sought to justify such activities. "Communist nations," he said, "spend vastly much more money than we do for the same kind of purposes."

The Rockefeller commission was manifestly not established to inquire into those affairs. It was created, as the President's order said, only "to insure scrupulous compliance" with the statutory limitations placed on the C.I.A.'s activities inside the United States.

Those limitations do not allow the agency any police subpoena, or law enforcement powers or internal security functions.

Aside from the President's admonition, the commission's members do not look like mavericks, muckrakers or crusaders against the agency.

Three of the eight—Vice President Rockefeller, former Treasury Secretary C. Douglas Dillon and Gen. Lyman L. Lemnitzer, retired—have had past associations with the agency. There are no proclaimed C.I.A. critics among the eight.

Respect for Authority

All but two of the commission members, Edgar F. Shannon Jr., former president of the University of Virginia, and Lane Kirkland, secretary-treasurer of the American Federation of Labor and Congress of Industrial Organization, have been public officials. They can be presumed to have respect for established authority, national security and secrecy in military and intelligence matters. They were plainly picked for discretion and reliability, as well as experience.

Therefore, critics of the C.I.A.

presumably will have to rely on Congress for any broader inquiry. One of the main questions of the critics is whether it is necessary or proper for a democracy to engage at all in clandestine operations against foreign countries, their governments and their citizens.

There seems to be no general demand, incidentally, for the agency to abandon its primary function — collecting intelligence.

How far the Rockefeller commission will go in investigating even the domestic activities of the agency has been questioned. When Mr. Colby, the C.I.A. director, appeared last Monday before a Senate appropriations subcommittee, he simply responded in his opening statement to the allegations published by The New York Times.

It can be reliably stated, however, that the Rockefeller commission is authorized to investigate any and all evidence of domestic spying by the C.I.A.

The Executive order establishing the commission did not say whether its findings would be published, but it seems to be taken for granted that some public accounting will be made.

The commission was instructed to find out whether the C.I.A. was complying with the legal restrictions on its domestic operations, determine whether the safeguards against violations were adequate, and to make recommendations to the President and Director of Central Intelligence.

In essence, the commission was told to find out whether the C.I.A. was using secret police methods against American citizens in their own country. It was definitely not given a mandate to expose C.I.A. operations against foreigners.