

# People and the PURSUIT of Truth

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### Editorial

#### COLLISIONS AND DISORDER

*Edmund C. Berkeley, Editor*

As we go to press with the March, 1977, issue of "Pursuit", on March 1, 1977, there is hardly anything to be happy about in regard to the U.S. House Select Committee on Assassinations, charged with investigating the assassinations of President John F. Kennedy and Rev. Martin Luther King, Jr. There are collisions and disorder.

Collision (1): between the chairman of the committee, Rep. Henry Gonzalez, and Richard A. Sprague, attorney, chief of staff. Collision (2): between the chairman and the other eleven members of the committee. Collision (3): between the committee as a whole and the House as a whole, because the present life of the committee extends only until March 31. And Collision (4): between the majority of the House, who voted for the committee, on the one hand, and the Central Intelligence Agency and the Federal Bureau

of Investigation, on the other hand, who, holding in reserve the usual mule-kicks of disturbed establishments, would be delighted to see the investigation disappear. Secret police the world over remain secret police.

Yet more than 80 percent of the people of the United States do not believe the official versions of the CIA and the FBI that they had nothing to do with these two assassinations, that each was the work of a "lone assassin". Revelation after revelation has shown that the CIA and the FBI do not hesitate to lie to the American people, as well as to lie to many other organizations and many other people, including top officers of the United States. The grounds of the lies, of course, are "national security": a giant fictitious monster on top of a small real creature.

No amount of present collisions or present disorder in the hoped-for new investigation by Congress will cause these beliefs of the American people to go away. What is needed is an activity like Senator Sam Erwin's activity, in *(please turn to page 4)*

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This magazine is devoted to:

... facts, information, truth, and unanswered questions that are important to people, widely suppressed, and not adequately covered in the usual American press; and also to solutions to great problems that are functioning well in some countries or places, yet are almost never talked about

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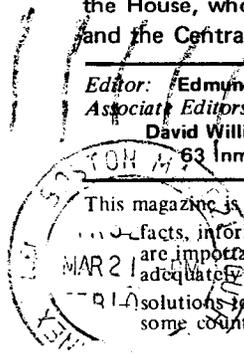
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THE PURSUIT OF TRUTH

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# The Police "Murder" of Fred Hampton and Mark Clark: The Killing of Two Black Panther Leaders, Chicago, 1969

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*"A paid-informant-provocateur for the FBI, William O'Neal, Jr., purchased rifles and ammunition on FBI orders and with FBI funds, while posing as a member of the Chicago Black Panthers."*

## A Trial in Chicago

There is a trial going on in Chicago that is important to all of us. For many months evidence has been emerging that points to the deliberate murder of two young men, Fred Hampton and Mark Clark, and the wounding of others in a police raid on December 4, 1969, in Chicago.

It is crucially important to all of us that the whole truth about this police "murder" should come out. If law-enforcement agencies can plan and carry out the execution of citizens asleep in their beds, then none of us is safe. For more than seven years the facts of this case have been suppressed on various federal and state levels. But, finally, because of this civil suit, the truth is beginning to surface.

## What Really Happened on Dec. 4, 1969

The families of the dead and the survivors of the raid have filed a civil suit charging the police with action taken under the cover of law to deprive the victims of their civil rights. So we are now hearing for the first time what really happened on December 4, 1969. This suit has produced an array of alarming new evidence:

### Offering to Purchase Guns on FBI Orders

A paid informant-provocateur for the FBI, William O'Neal, Jr., purchased rifles and ammunition on FBI orders and with FBI funds while posing as a member of the Chicago Black Panthers.

On instructions from the FBI, O'Neal suggested to the Panthers that they raid an armory for weapons. He offered to provide tools and explosives that the FBI gave him. The Panthers declined the offer.

### The Prior Drugging of Fred Hampton

Another informant testified that the FBI had asked her to drug Hampton on the night of the raid; an autopsy revealed a near-fatal dosage of seconal in Hampton's body — explaining why he never awoke during the raid, but was shot to death in his bed — offering no resistance.

### "Search for Weapons", Knowing that None Were There

The FBI asked the Chicago police to conduct the raid in search of illegal weapons — despite knowing from their own informant, O'Neal, that none existed. The police refused. Then the FBI went to the state's attorney, who agreed to carry

out the raid using the Chicago police assigned to his office.

The FBI furnished the raiding party with a floor plan of the apartment to be raided (supplied by O'Neal) — showing where Hampton and the other occupants would be sleeping.

### "Tommy Who?", said Mark Clark, and He Was Shot

At 4:00 A.M., the police knocked on Hampton's door. Mark Clark came to the door and asked, "Who is it?" A voice replied, "Tommy". "Tommy who?" asked Clark, and those were the last words he ever spoke, for a volley of shots burst through the closed door from police carbines, shotguns, handguns, and even a sub-machine gun.

As the police moved the surviving occupants out of the apartment, past the bullet-riddled body of Hampton, there was a pause. "I saw his big toe move," one policeman said. There was another burst of fire, and another voice said, "He's good and dead now."

### J. Edgar Hoover Ordered a Bonus of \$300 to the Informant

On J. Edgar Hoover's instruction, William O'Neal, Jr. was given a bonus of \$300 for his part in the "successful" raid!!!

I could tell much more of amazing and shocking evidence. These few examples show amply why we are writing to you for help. You may think that because we have come this far, justice cannot be too far away. But, sadly this is not the case. Even as far back as 1971, a Special Commission of Inquiry headed by Ramsey Clark, Roy Wilkins and Herbert Reed told us,

"There can be no possible legal or factual justification for this police use of firearms. There was no "shootout" (as the police claimed)... The systems of justice failed to do their duty."

### The FBI Plot Called COINTELPRO

Not until Watergate, not until the Senate cracked the ice on the top-secret FBI project called COINTELPRO, did the families of the dead and the survivors learn how far-reaching the plot against the Panthers was.

COINTELPRO had as a goal to "discredit, misdirect, and neutralize" the Black Panthers and other dissident groups, using clandestine means. The assassinations of Fred Hampton and Mark Clark are the most flagrant

examples of how far the FBI was willing to go to "neutralize" the Panthers.

Now, the Panthers have been accused of many nefarious acts. But, this is irrelevant. What is relevant is whether all individuals, regardless of what they think, have the right to life and due process of law...the right not to be shot down in cold blood, executed in their sleep.

#### Are the Police to Shoot Us Down . . .

The civil trial in Chicago is one of the last chances we have to try to bring this lawless conduct of law-enforcement agencies to the bar of justice — not only for whatever damages or costs may be obtained — if the suit is successful — but, most importantly, to show that the police, clothed with authority by all of us — cannot shoot down some of us in cold blood with impunity!

#### . . . And the Government Withhold the Evidence of Wrongdoing?

This has been a long and difficult trial, and the costs are staggering. The government has not given up the evidence easily. The FBI was ordered by the court to disclose to the victims' attorneys all of the files which were relevant to the raid. But, when an FBI agent in testimony referred to something that had not been divulged, another 55,000 pages of material was unearthed that the government had intentionally withheld! And, who knows what is yet to be revealed?

The families of the victims have long since exhausted their resources and are relying on the voluntary efforts of dedicated lawyers. They may never recover their costs.

Even with a favorable judgment, they are unlikely to recover all that they have put into this case!

#### Oppression Still: 30 Times a Reasonable Cost for Photocopying

Meanwhile attorneys for the officials being sued are having absolutely no financial difficulties. Taxpayers have already been compelled to pay more than \$1,500,000 towards the defense of these officials! Some \$200,000 alone has gone to provide their lawyers with daily transcripts of the trial, yet lawyers for the victims of the raid have no transcripts, because they cannot afford the \$3.00 per page charge for photocopying!

It is simply outrageous and unbelievable that your tax dollars and mine are being used to suppress the truth.

The Division of Church and Society of the National Council of Churches, of which I am the Administrator, has authorized me to bring this case to your attention. We ask you to contribute as generously as you can to help rectify this festering injustice in the only forum left: the civil suit and appeal (if necessary) in Chicago.

#### Our Appeal for Help

Having come so far, it would be a senseless tragedy if this suit had to be abandoned or any area of evidence neglected because the attorneys could no longer afford to continue. We all have a deep interest in the outcome of this case. We are asking you to help share its costs. Please send your contribu-

tion to the "National Council of Churches Due Process of Law Fund". Every penny, except for the minimal costs of this appeal which has been made possible in large part by volunteers, will go to the costs of this vital legal action.

#### Black Panthers Meeting Violent Death

(Information chiefly from "Black Panthers: the Hard Edge of Confrontation" in Life Magazine, pp. 22-27, Feb. 6, 1970, Vol. 68, No. 4)

1. Spurgeon Winters, 19, shot by police, Chicago, November 1969. Inquest ruled it "justifiable homicide".
2. John Huggins, 23, shot to death, UCLA lunchroom, Los Angeles, October 1969. Rival black militants convicted.
3. Walter Pope, 20, shot by police, Los Angeles, October 1969. Inquest: "justifiable homicide".
4. Alprentice Carter, 26, shot, UCLA lunchroom, Los Angeles, January 1969; rival black militants convicted.
5. Welton Armstead, 17, shot by police, Seattle, October 1969. Inquest ruled it "justifiable homicide".
6. Sidney Miller, 21, shot by storekeeper, Seattle, November 1969; storekeeper was not charged.
7. Fred Hampton, 21, Illinois chairman of the Panthers, shot December 4, 1969, Chicago, in a predawn raid on his apartment. Inquest termed it "justifiable homicide".
8. Mark Clark, 22, shot by police, Chicago, December 4, 1969, in the same apartment, same time. Inquest called it "justifiable homicide".
9. Tommy Lewis, 18, shot by police, Los Angeles, August 1968. Inquest ruled it "justifiable homicide".
10. Sylvester Bell, 34, beaten and shot, San Diego, August 1969; rival black militants have been accused.
11. Bobby Hutton, 17, shot by police, Oakland, CA, August 1968. Grand jury ruled it "justifiable homicide".
12. Steve Bartholemew, 21, shot by police, Los Angeles, August 1968. Inquest ruled it "justifiable".
13. John Savage, 21, shot on San Diego street in May 1969; rival black militant is awaiting trial.
14. Frank Diggs, 40, found shot to death in Long Beach, CA, December 1968. Assailant unknown.
15. Nathaniel Clark, 19, shot by wife, who Panthers say is a police agent, in Los Angeles, September 1969.
16. Larry Robertson, 20, shot by Chicago police, July 1969, died in September. Judged "justifiable".
17. Robert Lawrence, 22, shot by police, Los Angeles, August, 1968. Inquest ruled it "justifiable".
18. Arthur Morris, 28, shot in 1968, Los Angeles gunfight, not involving police. No one was charged.
19. Alex Rackley, 24, tortured, shot, New Haven, CT, May 1969. Panthers are charged with murder.

Note: This table is reprinted with permission from the article "Patterns of Political Assassination: How Many Coincidences Make a Plot?", p. 39 ff., by Edmund C. Berkeley, in "Computers and Automation", September, 1970, copyright 1970 by and published by Berkeley Enterprises, Inc., Newtonville, MA.

The outline of this article was:

1. The Case of the Fifteen Russian Generals
2. The Definition of Conspiracy
3. The Varieties of Conspiracy
4. The Conspiracy of Silence: The Concert of Ideas or Attitudes *(please turn to page 4)*

# Surveillance Technology - 1976: Preface

Senator John V. Tunney, Calif.  
Chairman, Subcommittee on Constitutional Rights  
Committee on the Judiciary  
U.S. Senate  
Washington, D.C. 20515

*"High technology, if sequestered beyond the reach of evaluation and criticism, tends to develop its own imperatives, some of them potentially damaging to the larger social good. ... If knowledge is power, then certainly the secret and unlimited acquisition of the most intimate aspects of a person's thoughts and actions conveys extraordinary power over that person's life and reputation to the snooper who possesses the highly personal information."*

In early 1975, soon after I became Chairman of the Senate's Judiciary Subcommittee on Constitutional Rights, I asked the Subcommittee staff to initiate a long-term, comprehensive investigation of the technological aspects of surveillance.

I was concerned about this issue for a number of reasons. First as a Representative and then as a Senator from California, a State known for the number and quality of its high technology centers, I had been exposed for over ten years to the substantial social benefits that derive from our national commitment to innovative technology.

However, as Chairman of the Commerce Subcommittee on Science and Technology and as a member of the Joint Atomic Energy Committee, I was also aware that high technology, if sequestered beyond the reach of evaluation and criticism, tends to develop its own imperatives, some of them potentially damaging to the larger social good, and that "science policy" had gradually disintegrated, becoming an empty slogan, a rhetorical device evoking positive responses but contributing little to the shape of difficult decisions that will profoundly affect the lives of future generations.

My growing sense of unease focused sharply when, as the successor to Chairman Sam Ervin, I assumed major responsibilities for protecting the privacy of individual American citizens. Like many conscientious readers of newspapers and magazines, I had become alarmed about the undeniable and frightening proliferation of technological means to invade a person's privacy, but now I had the duty to act affirmatively.

In commissioning a study of surveillance technology, I reasoned as follows: If knowledge is power, then certainly the secret and unlimited acquisition of the most detailed knowledge about the most intimate aspects of a person's thoughts and actions conveys extraordinary power over that person's life and reputation to the snooper who possesses the highly personal information. And by vastly expanding the range and power of the snooper's eyes, ears and brains, the new technology facilitates and magnifies the acquisition and use of such information. Moreover, as long as surveillance technology remains unregulated and continues to grow at an accelerating rate, the free and enriching exercise of the rights guaranteed by the Constitution and the Bill of Rights will inevitably be chilled to the point of immobility by the general awareness that Big Brother commands the tools of omniscience.

The Subcommittee on Constitutional Rights has held the first three days of a projected series of hearings on the topic of surveillance technology. In one sense the report that follows is a status report; it shows what we have learned about the subject to date, drawing upon our own hearings and investigations and

upon work conducted in other forums. But in another sense this report goes beyond other efforts in the same genre because it represents a first attempt to organize an immense amount of data in a comprehensive and usable format and to provide a framework for future analyses and, ultimately, for the creation of institutional mechanisms that will diminish the threats posed by surveillance technology.

It is appropriate that the Introduction to the report begins with references to the conditions now prevailing in the Soviet Union, for it is my hope that by mobilizing and channeling public debate on the costs and benefits of surveillance technology, we can avoid an inertial drift toward the drabness that characterizes life without privacy and liberty. □

From "Policy and Implications: An Analysis and Compendium of Materials - A Staff Report of the Subcommittee on Constitutional Rights", U.S. Government Printing Office, Washington, 1976, 1279 pages

## Berkeley - Continued from page 1

which, using hearings and television at the appropriate time, he got down to the bottom of the Watergate crimes. As a result the American people became informed, and on the basis of that information produced the move for impeachment and the act of resignation of President Richard M. Nixon.

I would like to believe that President Jimmy Carter would issue a statement on the necessity of investigating the assassinations, and that he would help to remove the collisions and the disorder. It would be good if he could fortify the investigation by calling for it as a needed action of Congress. But my current prediction is that he will ignore it, and thereby continue to adjust to the status quo, the intelligence establishments, and the various powers that influence and control the presidency of the U.S.A. — and that allowed him to be elected and to take office. Sometimes a president sees that he dare not see. □

## Walker - Continued from page 3

5. The Argument from Authority
6. The Argument from Tell-Tale Facts
7. The Argument from Statistical Reasoning: Beginning of the Statistical Interlude
8. Calculating the Expected Number of Events
9. Measuring Spread or Scattering
10. Deciding between Pure Coincidence and Definite Correlation
11. Conditions for the Statistical Distribution of Rare Events to Apply
12. The Instrument for Decision: End of the Statistical Interlude
13. Applying the Instrument for Decision to the Case of the Russian Generals
14. The Case of the Political Assassinations in Germany 1918 to 1922
15. The Case of the Black Panthers
16. The Case of the Assassination of the Two Kennedys and Martin Luther King, Jr. □

# Government and the Surveillance of Private Citizens

Introduction to "Surveillance Technology"  
Subcommittee on Constitutional Rights  
Committee on the Judiciary, U.S. Senate  
U.S. Government Printing Office  
Washington, D.C. 20402

*"The goals of [government] agencies are presented in attractive rhetoric; the means to achieve the ends are shrouded in secrecy; and the results are either selectively embellished for the benefit of the agency or, if unflattering, hidden from outside scrutiny. As a result, funds continue to pour into surveillance technology, and the public is stranded in a Kafkaesque muddle, unable to determine the real means and goals, the real costs and benefits."*

## Introduction

As every man goes through life he fills in a number of forms for the record, each containing a number of questions.... There are thus hundreds of little threads radiating from every man, millions of threads in all. If these threads were suddenly to become visible, the whole sky would look like a spider's web, and if they materialized as rubber bands, busses, trams, and even people would all lose the ability to move, and the wind would be unable to carry torn-up newspapers or autumn leaves along the streets of the city. They are not visible, they are not material, but every man is constantly aware of their existence.... Each man, permanently aware of his own invisible threads, naturally develops a respect for the people who manipulate the threads.

— Alexander Solzhenitsyn, "Cancer Ward".

And if you consider that they listen around the clock to telephone conversations and conversations in my home, they analyze recording tapes and all correspondence, and then collect and compare all these data in some vast premises (and these people are not underlings), you cannot but be amazed that so many idlers in the prime of life and strength, who could be better occupied with productive work for the benefit of the fatherland, are busy with my friends and me, and keep inventing enemies.

— Alexander Solzhenitsyn, "Washington Post", April 3, 1972.

This report, although primarily targeted on the relatively narrow subject of surveillance technology, casts a broader light on social and cultural trends in modern-day America. The picture that emerges is distressing. At its worst, it shows a country at war with its own traditions, a country that fears the logic of its own charter. At its best, it shows a country beginning to grope toward an understanding of the shadowy forces threatening its uniqueness, a country beginning to define the borders beyond which technological and bureaucratic imperatives may not intrude.

From either perspective, the role of the governmental bureaucracy remains distressing. It has developed a life and rationale of its own, an organic separateness that appears anonymous and unresponsive and that often conflicts with democratic goals and with principles of good management. The bureaucracy is skillful in identifying various "threats" and "problems" and in promoting their

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Reprinted from *Surveillance Technology, Policy and Implications: An Analysis and Compendium of Materials*; staff report of the Senate Subcommittee on Constitutional Rights (Washington: U.S. Government Printing Office, 1976).

visibility in a politically attractive way; it is far less resourceful in evaluating its own response to issues and in controlling the money and careers that quickly become vested in the perpetuation of the identified threats and problems.

These characteristics are accentuated in the agencies that contribute to the prevalence of surveillance technology. The goals of the agencies are presented in attractive rhetoric; the means to achieve the ends are shrouded in secrecy; and the results are either selectively embellished for the benefit of the agency or, if unflattering, hidden from outside scrutiny. As a result, funds continue to pour into surveillance technology, and the public is stranded in a Kafkaesque muddle, unable to determine the real means and goals, the real costs and benefits. This result is dangerous when the subject is surveillance technology, for here the marriage between technology and the growth of remote, arbitrary power is manifest. Continued ignorance of surveillance technology could prove to be an Orwellian catastrophe for privacy and freedom.

This report attempts to reduce that ignorance by bringing together in one volume the results of pertinent investigations. This report also asks a simple question: What are we doing to ourselves?

## Soviet Example

In seeking answers, it may be fruitful to glance first at the Soviet Union, traditionally a negative reference point for Americans wishing to assess trends in their own society.

It takes no more than a glance to realize that personal privacy is not a highly treasured value in the Soviet Union. In their treatment of Alexander Solzhenitsyn and other political and religious dissidents, Soviet officials have made it clear that even the mildest forms of protest may cause massive intrusions into a person's private life. But the antipathy of the Soviet leadership to privacy goes far beyond specific reactions to specific irritations. It is, in fact, part of their political culture, endemic to their way of life, essential to the preservation of their present political system. Invasions of privacy are viewed as necessary fixtures of everyday life, as positive components of the Soviet Union's governing ideology. Thus, all citizens, not only the Solzhenitsyns, who yearn for a measure of personal privacy will be disappointed. For example, in an editorial that appeared on March 31, 1974, "Pravda", the official Communist Party newspaper, declared that only those who are "morally untidy" worry about privacy. Not content with that, the editorial then decried "Philistine talk about one's private life allegedly being nobody's business", insisting to the contrary that "Party organizations and the public remain indifferent to instances of

private property psychology and individualism."

Undoubtedly acting on these values, the Soviet Chamber of Commerce, acting in close cooperation with the Soviet Interior Ministry and the Soviet secret police, the KGB, invited dozens of electronics firms in the United States and other Western countries to exhibit their snooping devices at a Moscow trade fair, called Krimtekhnika '74, in August, 1974.

As the name implies, Krimtekhnika '74 was ostensibly organized to provide a forum for the exchange of technical information and sophisticated hardware in the field of law enforcement and crime control. The Soviet definition of crime, however, is rather flexible. It covers political dissent and thus includes peaceful dissenters like Alexander Solzhenitsyn, Andrei Sakharov and many others, particularly Jewish intellectuals wishing to emigrate from the Soviet Union.

Not content with learning about the criminology of distinguishing between human and animal hairs, the Soviet police officials expressed the greatest interest in viewing the products of U.S. companies that manufacture what are considered to be the world's most sophisticated voiceprint analyzers, lie detectors, identification systems, surreptitious stress analyzers, cameras for night photography and other gear designed to provide authorities with the technological means of intruding into a target's private quarters and private thoughts.

A number of U.S. companies were excited by the prospects of vast new markets for their products. Accordingly, some accepted the Soviet invitations that began circulating early in the Summer of 1974. Others had qualms. The vice president of one firm said, "Some of this equipment could be used against innocent people. It bothers me."

But nothing concerning the fair seemed to bother U.S. government officials. According to one report, an official at the Commerce Department said he had been advised on the Soviet police exhibition by the American Embassy in Moscow. "The embassy recommended that we take a hands-off position if any American businessman contacted us concerning the show," he said. As a manifestation of the government's "hands-off position", the Commerce Department initially claimed that official permission was not required for U.S. Companies to show their wares at the Moscow show.

However, when Members of Congress discovered in mid-July that American businesses, most of them heavily subsidized by government contracts, were planning to display their surveillance hardware in Moscow, there was an immediate outcry in both Houses. Senator Henry M. Jackson of Washington, whose Permanent Investigations Subcommittee of the Government Operations Committee was exploring the problems of technology transfer, said the surveillance equipment "could be used to tighten totalitarian control over minorities and dissenting intellectuals." Representative Charles A. Vanik of Ohio said that the display and sale of American surveillance technology "would be like exporting gas chambers to Hitler." Vanik recited passages from Solzhenitsyn's works to illustrate how diligently the Soviet secret police labored in the "Gulag Archipelago" to develop the very technology that was soon to be shipped to Moscow.

As a result of the intense Congressional pressure, the Nixon Administration, then in its final days

(thanks in part to its efforts to use a variety of surveillance techniques against American dissenters, political opponents and reputable individuals placed on its "enemies list"), announced on July 19, 1974, the promulgation of new export restrictions to prevent Soviet police from buying sophisticated "personal surveillance" equipment. The Commerce Department said the reason for the U.S. Government's concern was "the welfare of persons who seek to exercise their fundamental rights".

The irony was probably innocent. The Krimtekhnika '74 episode in the Summer of 1974 was quickly forgotten, a brief political squall that soon passed over the horizon. But in fact the episode continues to serve as a paradigm of some of the social and political problems posed by the extraordinary growth and use of surveillance technology.

#### Lessons of Surveillance Fair

In the episode, for example, it is possible to see the existence of a surveillance technology industry whose principal interests lie exclusively in profit maximization and market expansion. Almost two years later, in April of 1976, a California electronics firm was, in fact, indicted for exporting \$3 million in sophisticated electronics manufacturing equipment to the Soviet Union.

The episode, particularly its secret aspects, also casts light on the curious reluctance of the U.S. Government to force the Russians to halt their microwave bombardment of the American Embassy in Moscow. The bombardment is designed to interfere with American electronic eavesdropping in Moscow, but it has the unfortunate side-effect of jeopardizing the health of American personnel stationed in the Embassy. According to informed sources, the failure to force the issue is caused by the Administration's desire to avoid a detailed public airing of the highly sensitive and esoteric means by which the United States and the Soviet Union intercept important conversations within one another's borders and elsewhere around the world.

Krimtekhnika is not the only example. Shadowy government-to-government dealings in surveillance technology continue:

- In September, 1976, it was revealed that the Swedish government had secretly channeled more than \$250,000 over a four-year period to the Chief of U.S. Air Force Intelligence in exchange for electronic surveillance equipment and with the apparent hope that the transaction would escape scrutiny in Sweden and that the U.S. manufacturer would believe that his goods had been sold only to the Pentagon.
- The Shah of Iran has recently signed a multi-million-dollar contract with an American company to create a communications intelligence facility in Iran capable of intercepting military and civilian communications throughout the Persian Gulf area. The contract calls for the American firm to recruit former employees of the National Security Agency and its Air Force component for the project.
- Israel is also bargaining for similar surveillance capabilities, including over-the-horizon radar, heat sensors, magnetic sensors, infrared photographic scopes, light radar scanners that can "hear" the approach of men and vehicles at distances of more than four miles and that can

estimate numbers, acoustic sensors to detect tanks or aircraft preparing for action and seismic sensors developed by the U.S. Army in Vietnam and now raised to higher levels of efficiency by the American electronics industry.

In a manner reminiscent of the arms race that began after World War II, the United States seems to be a full participant in, and even the leader of, a new competition between, and a proliferation among, the nations of the world in developing superiority in surveillance technology.

These are some international examples. As this report documents, the same made-in-America surveillance devices can be used against American citizens, with hundreds of millions in taxpayer funds poured into the research, development and dissemination of the technology of social control.

#### Scope and Findings of Report

This report is an effort to assess the spread of surveillance technology and to shape future investigations and discussions of the costs and benefits.

It is, emphatically, an "interim" report, for the information compiled here, as extensive as it is, can only begin to examine the vast range of issues and problems in public policymaking that fall under the rubric of surveillance technology.

As outlined on the opening day (June 23, 1975) of the series of hearings on surveillance technology held by the Subcommittee on Constitutional Rights, these issues and problems include:

The Government's role in researching, developing, using and disseminating the technological means of invading privacy and otherwise intruding upon the constitutional rights of American citizens; the adequacy of the Government's present structures and procedures in the area of science policy for assessing the social impacts of new technology that either is designed specifically for surveillance or has derivative surveillance applications; the investment of the taxpayer's dollar to determine whether massive spending on surveillance technology has the effect of wasting scarce public funds and distorting priorities in both the public and private sectors; and the effectiveness of the administration of our present laws, and the possible need for new legislation, to regulate the growth of surveillance technology in both the public and private sectors.

The investigation is unique in its scope. We will approach the problem in its entirety. We will explore the expensive, highly esoteric research and development efforts on advanced computer designs, lasers, satellites, speech processing, image enhancing and others; we will also trace the more prosaic worldwide traffic in cheap electronic eavesdropping devices and ask the responsible Government agencies about what they are doing to regulate this trade. In the process, we intend to look at the practices of Government agencies at all levels and their relationships with private industry, think tanks, and academic research centers.

It was, and remains, an ambitious undertaking. This interim report, which includes a lengthy overview of the subject, numerous texts and excerpts from relevant documents and an exhaustive bibliography, should be viewed from several perspectives:

as a definitive set of findings on the structure and scope of the surveillance technology industry; as a statement of the Subcommittee's progress; as an analytic framework for informing future Congressional, Executive and public inquiries into the internal processes and external ramifications of technological advances in surveillance; and as a comprehensive research document that will stimulate and facilitate collateral studies, greater public debate and, finally, coordinated efforts to control or diminish technological threats to Constitutional liberties.

The information that supports the findings of this report has been drawn from a number of sources. The hearings and investigations of the Subcommittee on Constitutional Rights itself is a primary source of relevant information. Under the chairmanships of both Senator Sam J. Ervin, Jr., of North Carolina and Senator John V. Tunney of California, the Subcommittee has probed deeply into the mysteries and perils of computer databanks, lie detectors, wiretapping and bugging practices, military surveillance of civilians and computerized recordkeeping of intelligence files, criminal justice information systems and many other bureaucratic and technological encroachments on the traditional American concept of privacy. The long evolution of these concerns culminated in 1975 when Chairman Tunney initiated a broad series of hearings entitled "Surveillance Technology." Over the past decade many other committees in both Houses of Congress have examined in great depth various pieces of the surveillance technology puzzle. The fruits of those labors are displayed throughout this report. The extraordinary information resources of the Library of Congress give additional weight to the report's findings and recommendations. The report also borrows liberally from various documents produced by the General Accounting Office and numerous Executive Branch departments, offices, commissions and bureaus. Court opinions and other judicial and legal documents have helped to define the parameters of this report and to point to still-uncharted areas. Finally, significant data have been culled from the avalanche of articles on surveillance technology appearing in the popular and scientific press in recent years.

Yet much of this complex phenomenon remains shrouded in secrecy and jargon. Efforts to obtain authoritative information from the intelligence community are inevitably thwarted on the grounds that even the most circumspect public discussion will undermine the foundations of the Republic by revealing and thereby jeopardizing the essential "sources and methods" of the intelligence craft. The great bulk of the evidence presented in this report casts doubt on this rationale for excluding greater public understanding of the costs and benefits of surveillance technology. In addition, there are already in existence commonly accepted procedures for limited disclosure of government secrets, particularly in legal settings. Moreover, as some of the articles in this report indicate, the intelligence community is highly skilled in the selective leaking of surveillance techniques to the news media when the results are likely to prove self-promoting. Much more plausible explanations for the intelligence community's reflexive hostility toward greater public understanding of its activities are the risks of exposing still more abuses of power and corruption.

At this writing, for example, high FBI officials are being investigated for possible financial corruption involving the use of a Washington, D.C. business, U.S. Recording Co., as a front through which it channeled purchases of electronic eavesdropping equipment in order to disguise the source and nature of the

*(please turn to page 8)*

## TO ATTACK CRITICS OF THE WARREN REPORT AROUND THE WORLD: A CIA OBJECTIVE

Associated Press

### Employing "Propaganda Assets"

The Central Intelligence Agency directed its offices around the world in 1967 "to employ propaganda assets" to counter doubts raised by critics of the Warren Commission's investigation into the assassination of President Kennedy.

The propaganda campaign was to be waged in part by passing unclassified information about the assassination to CIA "assets" who could use the material in writing "book reviews and feature articles" that would "answer and refute the attacks of the critics" according to a newly released CIA document.

### "To Discredit the Claims of Conspiracy Theorists"

The document said the aim was "to provide material for countering and discrediting the claims of the conspiracy theorists, so as to inhibit the circulation of such claims in other countries."

The document was among some 850 pages of material released yesterday by the CIA under the Freedom of Information Act.

The Documents show that the CIA examined copies of almost all books about the November, 1963, assassination, including one by then-Congressman Gerald R. Ford.

### Gerald Ford's Book Using Secret Session Material

A CIA officer called Ford's book "a re-hash of the Oswald case" and criticized its "loose" writing.

Ford was a member of the Warren Commission which concluded that Lee Harvey Oswald was solely responsible for the assassination. Ford quoted extensively from secret sessions of the commission in his book, "Portrait of an Assassin", which agreed with the commission's finding.

### "Casting Doubt on the Whole Leadership of American Society"

The 1967 dispatch to "chiefs, certain stations and bases" says that the rash of books and articles criticizing the Warren Commission's finding "is a matter of concern to the U.S. government, including our organization.

"Efforts to impugn [the] rectitude and wisdom [of commission members and staff] tend to cast doubt on the whole leadership of American society," the memo said.

"Moreover, there seems to be an increasing tendency to hint that President Johnson, himself, as the one person who might be said to have benefited, was in some way responsible for the assassination.

### "Our Ploy Should Point Out..."

"Innuendo of such seriousness affects not only the individual concerned, but also the whole reputation of the American Government."

In using propaganda assets to refute these charges, the dispatch said, "our ploy should point out, as applicable, that the critics are (1) wedded to theories adopted before the evidence was in, (2) po-

### Surveillance — Continued from page 7

equipment. The question under investigation is whether, because of close personal relationships between the head of the electronics firm and FBI leaders, the company had enjoyed an unfair edge in obtaining the FBI's business, or had been allowed to charge unreasonably high markups for its services or had kicked back money or favors to the FBI personnel. Justice Department officials believe the risks of corruption are high in the area of intelligence, where the law, for reasons of security, allows the intelligence community great latitude in negotiating fees and giving out contracts without competitive bids. Fear of embarrassment and a showing of incompetence may also lie behind the rigid hostility to public scrutiny. And finally, as noted before, the intelligence community is undoubtedly worried about the political consequences of disclosing more information about the extent to which it already enjoys the technological ability to destroy the privacy of innocent American citizens.

Despite the obstacles created by the attitude of the intelligence community, the documents in this report represent in their entirety an instrument by which researchers may tringulate the major themes and activities that result from the intelligence community's commitment to technological surveillance. Thus, although the reasoning that leads to the findings and recommendations of this report may in some instances be more deductive than inductive, the conclusions are all firmly rooted in the documents and references contained in the report.

The findings of this report are hardly reassuring. The report finds that:

- there is indeed a surveillance technology industry;
- the industry is largely unregulated and unscrutinized and, as a result, poses a serious threat to the privacy, liberty and security of every American;
- The key factor determining the continued worldwide growth of the industry is the formal and informal support of the surveillance bureaucracies within the Executive Branch of the Federal Government;
- the Federal Government fails to articulate a coherent national policy on surveillance technology, fails to assess the social, political and economic impact of surveillance technology, and thus fails to provide even rudimentary controls;
- the Congress is precluded from effective oversight of the expenditure of public tax monies in support of the surveillance technology industry by the systematic and pervasive secrecy that cloaks important aspects of its operations;
- new institutional mechanisms need to be developed within the Congress and the Executive Branch to redress the growing imbalance between governmental power based on the technology of surveillance and the Constitutional rights of individual American citizens.

(To be continued in next issue)

litically interested, (3) financially interested, (4) hasty and inaccurate in their research, or (5) infatuated with their own theories." □

(Based on a report "Critics of Warren Report Objects of CIA Campaign" in a Washington Newspaper, February 1977 — reference not available currently, but will be published.)