

Walter Pincus

Post 1/27/75

'Spies' and Presidents

No select Senate committee—not even a joint congressional committee—will get to the bottom of the U.S. intelligence community's problems without the full and active support of President Ford and his staff. The reason is simple: such an inquiry must inevitably end up trying to find out what past Presidents and their staffs authorized these agencies to do; what formal groups, such as the 40 Committee, approved; and what steps, if any, the White House ever took to stop abuses of authority or projects that were illegal on their face.

The writer is executive editor of The New Republic.

Current newspaper allegations about the Central Intelligence Agency's domestic activities and the CIA partial confirmation plus admission that the Federal Bureau of Investigation has collected files on members of Congress illustrate the point.

Former CIA Director Richard Helms tied the start of that agency's domestic activities in the late 1960s to "the express concern of the President" (Lyndon Johnson), although he did not detail how this "concern" was transmitted to him. The present CIA Director, William Colby, told a Senate subcommittee that, under Helms, the agency on Aug. 15, 1967 established a unit within its counterintelligence department "to look into the possibility of foreign links to American dissident elements." Two weeks later, Colby went on, the executive director of the President's National Advisory Commission on Civil Disorder asked how the CIA might assist that inquiry.

In setting up the commission, President Johnson's executive order had called upon all government agencies to cooperate. Colby never stated, in his prepared text, why or under what authority Helms had established the unit prior to receipt of the commission's request for assistance. Colby did add, however, that later the same year "the CIA activity became part of an interagency program, in support of the national commission (on disorder), among others."

What that program was and who the "others" were who received its output were not spelled out. The only known group established at that time was one intended to work out a plan for handling disorders in Washington. Former participants on that interagency panel from the Pentagon and Justice Department don't remember

CIA having been a party. Colby's later disclosure—that at this time the agency's Office of Security "inserted 10 agents into dissident organizations operating in the Washington, D.C. area . . . to gather information relating to plans for demonstrations . . . that might endanger CIA personnel, facilities and information"—parallels what this interagency group did. Whatever the facts were, only information from the White House tracing establishment of such a group could shed light on how the CIA became a participant.

In 1969, the CIA was asked by the White House to undertake surveillance of the President's brother, Donald Nixon, who, according to documents from the House impeachment inquiry, was moving to Las Vegas where it was feared he "would come into contact with criminal elements." The agency refused, but the Secret Service Act, which requires government agencies to cooperate in the protection of the President and his family, may have been the source of other such requests. Only the White House can disclose what role the CIA has been asked to play under that law.

In 1970 and 1971, White House aides asked CIA to participate in what was known as the Huston domestic intelligence plan and to provide assistance to a former agency official, E. Howard Hunt, who at the time worked for the President. Again, the question must be raised as to what White House authorization the agency was given to undertake the requested activities. Hunt's

aid was cut off only when, in the words of the man who was then chief assistant to the deputy director, it appeared the agency was becoming involved in a "domestic clandestine operation."

In 1971 and 1972, according to Colby, the CIA undertook physical surveillances of five Americans including, apparently, newsman Jack Anderson, "to identify the sources of (news) leaks." This appears to complement the so-called "national security" wiretaps conducted by the FBI at the direction of the Nixon White House from 1969 to 1971. Again, the agency and the White House must make clear the authority under which the CIA conducted such operations.

In March 1974, Colby "terminated the domestic intelligence collection program (begun 7 years earlier) and

issued specific guidelines that any collection of counterintelligence information on Americans would only take place abroad and would be initiated only in response to requests from the FBI. . . ." Was this at White House direction? And if not, could a future President reverse such a policy?

The FBI situation is slightly different. There is no information as to how or why former FBI Director J. Edgar Hoover began collecting politically-tantalizing material about congressmen and other public figures. One point is clear, however — he frequently used the information to titillate Presidents, and apparently no Chief Executive or White House aide ever told him to stop. When the so-called "national security" FBI wiretaps were operating, Hoover regularly sent social and political gossip picked up from overheard conversations to Nixon chief of staff, H. R. Haldeman. No objection or order to stop ever came back from the Oval Office.

One other presidential role in these areas needs exploration. Were agency directors ordered by the White House to cover up certain activities when called before congressional committees? Former CIA Director Helms, for example, when questioned by the Senate Foreign Relations Committee in February 1973, was asked directly about CIA participation in a White House plan in 1969 or 1970 to coordinate domestic intelligence activities.

"The inquiry into intelligence activities must inevitably find out what past Presidents authorized the agencies to do."

Helms said he could not recall—though he knew full well of his activities in 1970 Huston plan discussions. Last week he told senators he misunderstood the question.

At a May 1973 hearing, Helms told senators he had no idea that Hunt, prior to public mention of the Ellsberg break in, "was going to be involved in any domestic activity." Of course, he did—that was why aid to Hunt stopped. Former President Nixon and his aides kept a close watch over any congressional testimony that could implicate them or their assistants in Watergate. Was Helms told to mislead?

If current congressional efforts to harness the intelligence community break up as a result of lack of White House cooperation, additional allegations of past wrongdoing are bound to be made because the climate both inside and outside the secret security services has changed. Strong internal agency leadership has gone. And on

Capitol Hill, the old staunch defenders of intelligence activities are either gone or powerless.

For those interested in protecting the legitimate functions of the intelligence community, the future looks grim—indeed black if the Ford White House fails to see that far more is needed than a narrow blue-ribbon commission studying a very narrow set of allegations.