

CIA Panel Begins; Full Probe Vowed

By William Greider
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The presidential commission investigating charges of domestic spying by the Central Intelligence Agency began its work yesterday with a promise from its chairman, Vice President Rockefeller, that "we are going to get to the bottom of this problem."

The eight commission members spent more than six hours in private briefings, listening to CIA Director William E. Colby and his two predecessors, Defense Secretary James R. Schlesinger and U.S. Ambassador to Iran Richard M. Helms, the three men in command of the secret agency for most of the past decade.

Nothing of substance was disclosed about their testimony, but Schlesinger told reporters in the Executive Office Building corridor that CIA domestic abuses over the last generation were no more than a small number of "misdemeanors."

"Overall," Schlesinger said, "one must recognize that these bear on the entire history of the Central Intelligence Agency over a period in excess of 20 years and one must recognize that the number of misdemeanors in that period is, I think, quite small."

The domestic activities question first surfaced, he said, during the CIA's internal investigation of its role in the Watergate affair, an inquiry he ordered in 1973 when he was director.

The three CIA chiefs who appeared before Rockefeller's commission yesterday were not required to testify under oath but they did sign an interrogation waiver, yielding their Fifth Amendment rights against self-incrimination, a step that would allow the government to use any of the transcribed testimony in any prosecutions which might develop from the controversy.

Colby, the incumbent director who also served under Schlesinger as executive director of the agency, appeared first and delivered back-up material expanding on his 50-page report to President Ford. He was joined after lunch by Schlesinger, then the commission heard separately from Helms late in the afternoon. All eight commission members attended, but former California Gov. Ronald Reagan excused himself in mid-afternoon to go to another appointment.

Rockefeller told a news briefing that the commission will meet again next Monday and, as staff investigators gather material, it will begin meeting for several days at a time. "We've been asked to do it in three months and we'll do it in three months," the Vice President said.

At present, Rockefeller expects to hire a staff of seven investigators plus the executive director, David Belin, an Iowa lawyer who served as a staff counsel for the Warren Commission, which investigated the assassination of President Kennedy 10 years ago.

Belin was present for yesterday's initial meeting but he had to leave the room during much of the discussion because he has not yet been certified for "top secret" clearance. The eight commission members were all cleared last week and Belin's clearance is expected to be final Wednesday, when his appointment will be announced.

In the meantime, the Vice President is being aided temporarily by his counsel, Peter Wallison, and by another lawyer, Ronald Greene from the firm of Wilmer, Cutler and Pickering, employed temporarily as an investigator because he has "top secret" clearance from his former job as a Pentagon official.

Hugh Morrow, the Vice President's press secretary, said the commission's budget figure is \$150,000 from the President's contingency fund.

At the news briefing, Rockefeller said the commission also intends to hear from two other former CIA directors, John McCone and Adm. William Raborn, but it has no plans at this point to call Secretary of State Henry A. Kissinger.

Kissinger is chairman of the 40 Committee, the White House committee which oversees covert activities of the intelligence agency.

"If there's any reason to bring in anyone from the 40 Committee, if there's any evidence that we need to question them on, we'll call them," Rockefeller said.

The Vice President said various members of the commission have already been approached by individuals offering information on past CIA abuses and the staff investigators will interrogate these sources and others. But Rockefeller said the limitations of time and staff would not permit a broad-ranging search for evidence among former intelligence officers.

"We certainly would not preclude any issues," he said, "but to go out with a dragnet at this time, I don't think we're capable of coping with it."

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Panel begins CIA investigation

WASHINGTON (AP) — Former CIA Director James R. Schlesinger said Monday that a review of agency activities shortly after he took over uncovered a small number of "misdemeanors."

Schlesinger, now secretary of defense, was interviewed by a blue-ribbon panel appointed by President Ford to investigate allegations the Central Intelligence Agency engaged in illegal domestic spying.

In its first session, the eightman panel heard in closed session from CIA Director William E. Colby and two of his predecessors, Schlesinger and Richard Helms.

Colby, who was expected to tell the panel what he learned from his own investigation of the allegations, entered the meeting shortly after the chairman, Vice President Nelson A. Rockefeller, said, "this commission has but one purpose, we're going to get to the

bottom of this problem."

Schlesinger, who headed the spy agency for six months in 1973, told reporters that the panel asked him about "the necessity for an effective intelligence organization and some of my experiences in it."

Schlesinger became head of the CIA while the agency was under fire for its role in the Watergate scandal, and he said, "there were a number of issues that came about as a result of the review of intelligence activities at the agency which was precipitated by the Watergate episode..."

He declined to describe them in more detail but said they covered the entire history of the agency, a period of some 20 years, and "the number of misdemeanors in that period was, I think, quite small."

The Rockefeller panel session was the opening round in the investigations touched off by allegations that, in

violation of its congressional mandate, the CIA spied on domestic antiwar groups during the Vietnam conflict and maintained files on thousands of Americans.

Two Senate committees plan to begin hearings later this week.

In the House, the majority Democrats met in caucus Monday to discuss a proposal to create a special committee to investigate the CIA.

Ford named the panel on Jan. 5 and directed its members to report their findings in 90 days.

In his opening statement, Rockefeller said the commission would "determine if the CIA has exceeded its statutory authority through activities conducted in the United States..."

"The President has directed the commission to determine whether or not present safeguards are adequate to preclude unauthorized CIA activity; and if not, to recommend needed changes."

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Intelligence Agencies and the Constitution

It is the Majority Leader's view and my view that there is a need to examine in depth to what extent, if any, covert activities are required by the United States. There is a need to understand not only the requirements of the United States for these activities, but what systems or procedures or oversight and accountability are required to assure that constitutional guarantees and processes are not abused in the future, as they have on occasion been in the past . . .

The history of the past twenty-five years has shown that the creations authorized by the National Security Act have severely strained our constitutional system. As a consequence, there is clearly a requirement to revise the basic authorities for our intelligence agencies. But to what extent and in what ways, neither Senator Mansfield nor I can assert at this time. Nor do we believe that anyone is in an informed position to do so. From a statement by Senator Mathias, urging creation of a Select Senate Committee to study government intelligence activities.

ACCORDING TO SENATOR MATHIAS, in the 28 years since the creation of the Central Intelligence Agency there have been more than 200 separate resolutions and legislative proposals urging the reform one way or another of the agency itself. And the amount of reform that has been achieved by this ad hoc approach has been almost nonexistent. Now the reformers are having another go; fresh resolutions are being prepared and several different congressional committee hearings are under way on various aspects of the latest crisis in CIA's affairs. We think Senators Mansfield and Mathias, and Rep. Michael J. Harrington, have a better idea. The two senators are supporting a resolution to set up a select Senate committee, equally divided between Democrats and Republicans, to study not just CIA but all domestic and foreign intelligence activities of the United States government. It would review the past, report on the present and make some proposals for the future. Mr. Harrington would establish a new House Select Committee on Intelligence, which would also take a broad view of the intelligence problem, while addressing itself to the particular allegations which have recently been made against the CIA.

The point of all this, as we understand it, is by no means to pre-empt or postpone an urgent examination of the ways in which the CIA appears to have gone beyond its legislative charter over the years. On the contrary, we think that this matter cannot be left solely to President Ford's "blue ribbon" commission and that standing committees of both houses have some responsibility to make immediate inquiries into charges which have raised serious questions in the public mind about whether assorted intelligence agencies of the federal government are even now under effective control. But

none of these committees has a sufficiently broad area of interest to undertake the sort of full-scale investigation that is sorely needed.

For what is sorely needed is not only to know whether on this or that occasion, or in this or that particular fashion, the CIA or the FBI or other intelligence operations have violated regulations or the laws in ways that impinge on the rights of private citizens. Rather, it also seems necessary at this point to go back to the drawing board and re-examine in the most searching and painstaking way what this country's current requirements are in terms of an intelligence capability and how that capability can best be accomplished without undermining constitutional rights of individuals or putting at risk our legitimate national security interests. There is no use pretending that these two objectives are not by their nature in conflict much of the time. Just as there are risks to rights of privacy in any domestic intelligence operations so there would be a risk to our national security in ending secret intelligence activities by the government. Unless you are prepared to accept extreme solutions, one way or the other, it comes down to a balancing of risks and some very hard choices.

And it also comes down to the question of who does the balancing and to what extent the decisions are subject to effective supervision and control by both the Congress and the Executive Branch. Clearly some of the intelligence machinery and some of the practices have outlived their usefulness. But this is not necessarily to say that a wholesale dismantling is indicated. The point is to decide, first, what the real requirements are. That is why the proposals for broad and searching congressional inquiries by select committees strike us as a good idea.