

CIA Files On Citizens Defended

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CIA Director William E. Colby said yesterday "it's impossible to make an estimate as to how many total American names we have" in CIA files.

Colby told a House subcommittee about a wide range of Central Intelligence Agency filing systems that he insisted properly maintain information on many Americans as well as "several million foreign personalities."

Rep. Bella S. Abzug (D-N.Y.), the subcommittee's chairwoman, made public part of a file the CIA kept on her dating from 1953 and turned over to her Tuesday.

Rep. Abzug said the file included lawyer-client letters the CIA secretly opened and reports on public meetings at which she had spoken. She called the file "rotten stuff" and an insult "not only to me but to my country."

Colby assured her "there won't be a continuing file" on her or other Americans involved only in domestic political activities, but that reports will continue to be collected on U.S. citizens making contact with suspect foreign organizations.

During four hours' testimony before the House Government Operations subcommittee examining what CIA records can be made public, Colby said, "Over the last five years there have been some 390 attempts abroad to recruit Americans" to spy in the United States.

The CIA director added, "About 100 individuals a year within the United States are approached . . . to spy within the United States."

After Rep. Abzug objected strenuously to the CIA keeping files on her and others, Colby responded, "We believe in freedom, too, and we believe that freedom has to be protected."

In outlining the CIA's filing system for the first time publicly, Colby said that Americans' names may be filed for various reasons—"They may be associated in some way with a foreign personality in whom we are interested," may be a source

COLBY, From A1

of information to the CIA, "or we may simply have made a mistake and have begun a record on a person we believed to be a foreigner but who is a U.S. citizen."

Colby continued in a 22-page statement, "A number of American names came into this collection because they were incidentally acquired in the course of coverage of a foreign intelligence matter."

Colby told Rep. Abzug that was why the CIA prepared and filed a report on a visit she made to the North Vietnamese delegation in Paris during Vietnam peace negotiations.

Rep. Abzug said she expects to release the CIA's report on her that Colby said excluded any information that would identify a secret source. Colby said the CIA had files on only four members of Congress: Rep. Abzug, one who is dead and two persons he did not identify. He also said two other members of Congress are former CIA employees.

Colby said that the CIA's main file on individuals is a biographical collection containing intelligence on "several million foreign political, military, scientific, economic, technical and cultural personalities."

He said a second biographical collection includes material collected only "in the course of foreign intelligence operations," including names of foreigners and Americans suspected "of being involved with foreign espionage or security services."

Colby said the CIA maintains a third filing system for documents that also includes some Americans' names. He said the CIA's offices of security, personnel and legislative counsel also have their own separate files for different purposes and the agency keeps a file of press references to individuals.

However, Colby stressed that since 1973 the CIA has not maintained files on American citizens "other

than those developed as an incidental aspect of foreign intelligence or counterintelligence matters or as an employee, applicant, contact, etc."

"We intend to carry out the laws of the United States and at the same time to help maintain its security, the welfare of our citizens and peace in the world to the degree we can through our intelligence operations," Colby said in his prepared statement.

Later, Colby said that in certain crises he didn't identify the CIA has "kept certain small nations from going to war against each other (because of misconceptions) because our information was so much better than theirs."

Colby said, "I do not say that CIA never made a mistake. I do say, however, that

any such actions were few and far between.

"In the CIA, we stand second to none in our recognition of the paramount rights of our citizens, but we also believe those rights must be protected by an effective intelligence service," Colby said.

Rep. Abzug said the CIA file on her that she received Tuesday after making an earlier request included information dating back to 1953 and letters she wrote as a lawyer to clients in 1958 and 1960 that the CIA surreptitiously opened.

Colby said that he stopped all such CIA interceptions of domestic mail in February, 1973. Rep. Abzug called the CIA's former mail-opening clearly illegal.

She said that another of the items in her file was a report on an anti-war speech she gave in 1971 in front of

the New York City public library. "That was not a CIA report," Colby said, adding that it came from another U.S. intelligence agency he declined to name.

In seeking to learn the other agency's name, Rep. Abzug said, "I'd like to put the pieces together. You know, as a kid they taught me to do jigsaw puzzles."

"That's what I do all day long," responded the U.S. government's top intelligence official.

Rep. Abzug said that her CIA file also included minutes from a meeting of an unidentified American peace group and a "Women's Strike for Peace" membership list.

Calling collection of such information outrageous, she said, "It's not a personal matter—it's a matter of a democratic society being on the right course."

CIA Must Record Some Names: Colby

Following is an excerpt from CIA Director William E. Colby's testimony yesterday to the Government Information and Individual Rights Subcommittee of the House Government Operations Committee:

CIA's records collections which are biographic in nature consist of selected information from both official reporting and open-source material. In some instances, information from CIA's predecessor organizations is included in the collections. Our records, therefore, are the products of some 34 years of intelligence collection.

The main positive intelligence biographic collection contains information on several million foreign political, military, scientific, economic, technical, and cultural personalities. Information is filed alphabetically by name of individual within country of citizenship.

The names of some U.S. citizens or permanent resident aliens appear in this collection—we do not know how many. Such names appear in the collection for a variety of reasons: they may be associated in some way with a foreign personality in whom we are interested; the information contained in a particular document may have come from a named source who is a U.S. citizen or permanent resident alien; or we may simply have made a mistake and have begun a record on a person whom we believed to be a foreigner but who is a U.S. citizen—nationality or citizenship cannot always be reliably determined. A number of American names came into this collection because they were incidentally acquired in the course of coverage of a foreign intelligence matter, and reported as one of its aspects or contacts.

A second biographic collection, also consisting of data collected in

ations, including data from other federal agencies and open-source material, serves as the primary foreign counterintelligence index of the United States and as a reference to personalities of intelligence interest.

An adjunct to this collection contains information on persons, including U.S. citizens, involved or suspected of being involved with foreign espionage or security services. CIA keeps this material in response to a National Security Council directive to maintain a central index of foreign counterintelligence information for the benefit of the intelligence community as a whole.

A third system of records is an intelligence document collection organized by data source or topic. This system contains either the full text or extracts of intelligence documents received in CIA. The system can be searched by any word or combination of letters—thereby permitting the retrieval of records by name (any U.S. citizens

mentioned therein would thus be included). There is no way of knowing how many names of U.S. citizens it contains.

In addition to these collections of records, the agency also maintains a number of other collections that include the names of U.S. citizens. Our Office of Personnel, of course, holds records referring to our employees, applicants, recruit-ment prospects, etc.

These include, for example, personnel records of present, former, and prospective employees; records maintained by agency components responsible for security, training, medical, and financial activities; records regarding the management of agency property; records of consultant and



WILLIAM E. COLBY
... describes files

contractual relationships with individuals and organizations; vendor contracts for goods and services acquired from commercial firms; records of individuals and firms who cooperate with the agency in the collection of foreign intelligence; and records of liaison with personnel of other U.S. government agencies. Some of these collections of records are organized so that the information they contain can be retrieved by individual name or identifying number; others by subject or topic; and still others by document number, title, or agency of origin.

The Office of the Assistant to the Director of Central Intelligence maintains a collection containing information from domestic newspapers and similar sources. These collections include articles by various journalists about or mentioning CIA, death notices of present or former employees, articles mentioning or written by present or former employees, and notations with respect to briefings and other contacts with journalists or others given by or related to CIA.

The Office of the Legislative Counsel maintains records of the agency's contacts with members, congressional committees and their staffs and other government agencies, departments, and commissions. In addition, the agency keeps records containing correspondence and other documents related to the receipt, processing, and final disposition of requests received from the

public by the agency for the declassification and release of documents.

In the same vein, the Office of the General Counsel also has records collections containing the names of U.S. citizens — lawyers, etc. — who have been concerned with legal matters involving the agency. Similarly, the Office of Medical Services maintains the names of various U.S. medical personnel with whom the agency has some contact as consultants or who otherwise provide assistance to the agency.

The agency's Office of Security has also maintained a number of files in which the names of citizens appear.

These obviously include security investigations and clearances of employees, applicants, contractors, sources, and consultants. Some involve cover clearance for access to sensitive intelligence information by employees of other government departments, such as the military.

There are situations in which an individual's name may appear in agency records without his or her knowledge, such as in the course of a security investigation of an applicant in which reference is made to a third party and the name is recorded in the investigation records. Similarly, a number of employees of contractor organizations may not be aware that their corporation has contracted with CIA to perform serv-

ices requiring investigation and clearance. This was, for example, the situation with respect to most of the employees who worked on the U-2 project for Lockheed, who did not know that CIA was involved.

Also, the Office of Security kept certain records as an aspect of its responsibility for the protection of the agency. These include the normal type of crank mail that is received by any organization, reports of individuals who have threatened or otherwise were believed to be likely to threaten the agency (one of our field offices in the United States was bombed on one occasion), and certain name lists developed at various times relating to the suitability of various individuals for possible collaboration or assistance in CIA's operations.

As a result of the review of questionable activities undertaken in the summer of 1973, specific directives were issued in the agency that it would not maintain files on American citizens other than those developed as an incidental aspect of foreign intelligence or counterintelligence matters or as an employee, applicant, contact, etc. Any accumulation of American names for possible use in connection with foreign intelligence matters was directed to be conducted in a fashion to clearly avoid the maintenance of blacklists of any sort.

By the very nature of its activity, CIA must record certain names of individuals who do not know they are being recorded. Thus, before it approaches an American on a sensitive intelligence matter, it would be less than prudent if CIA did not determine the likely attitude of the individual with respect to the proposal of assistance. If the determination was then made not to approach the individual, a record of that consideration would undoubtedly exist, but it would not constitute a blacklist or "dossier" on him.

Madam Chairwoman, as I have indicated, I believe

that some of the material which was collected by CIA over the past 27 years may not be appropriate today although undertaken then under the belief that it fell within the charge on the Director of Central Intelligence to protect intelligence sources and methods or under the belief that it was included within our charge to collect foreign intelligence and counterintelligence. Over the past several years, CIA's files have been examined with an eye to eliminating material therein which is not appropriate. In the course of this, a number of files have been destroyed. This process is not complete, however, and of course is suspended at this time in response to the investigation being made of CIA's activities by the President's Commission and the two Select Committees.

I have directed, however, that the segregation process continue in the belief that, after the investigations are completed, the best disposition of these materials is destruction.

In the interim, I propose to respect the privacy of the individuals whose names may be involved in such documentation by rejecting requests to make them public. On inquiries by individuals with respect to their own names, I propose to make available to the requester such material as does not reveal intelligence sources and methods or which does not fall within the responsibility of agencies other than CIA.