

# Colby: CIA Developed Lists

The following is a section of CIA Director William E. Colby's statement before the Senate Appropriations Committee. The section is titled "Allegations and Some Details."

The (New York Times) article of Dec. 22, 1974, charged that CIA has engaged in a "massive illegal domestic intelligence operation." The article referred in particular to files concerning American dissident groups.

The facts are these:

In mid-1967, the U.S. government was concerned about domestic dissidence. You will recall that President Johnson on July 27, 1967, appointed a National Advisory Commission on Civil Disorders. The obvious question was raised as to whether foreign stimulation or support was being provided to this dissident activity.

On Aug. 15, 1967, the director (Richard Helms) established within the CIA Counterintelligence Office a unit to look into the possibility of foreign links to American dissident elements. The executive director of the National Advisory Commission, wrote to the director on Aug. 29, 1967, asking what the agency might do to assist in that inquiry with "information, personnel, or resources."

The director responded on Sept. 1, offering to be helpful, but pointing out that the agency had no involvement in domestic security. Some limited material from abroad, the director wrote, might be of interest.

Later the same year, the CIA activity became part of an interagency program, in support of the National Commission, among others.

Periodically thereafter, various reports were drawn up on the foreign aspects of the antiwar, youth and similar movements, and their possible links to American counterparts. Specific information was also disseminated to responsible U.S. agencies.

In September, 1969, the director reviewed this agency program and stated his belief that it was proper "while strictly observing the statutory and de facto prescriptions on agency domestic involvement."

In 1970, in the so-called Huston Plan, the directors of the FBI, DIA, NSA, and CIA recommended to the President an integrated approach to the coverage of domestic unrest. While not explicit in the plan, CIA's role therein was to contribute foreign intelligence and counterintelligence to the joint effort.

The Huston Plan was not implemented, but an Interagency Evaluation Committee, coordinated by Mr. John Dean, the counsel to the President, was established. The committee was chaired by a representative of the Department of Justice and included representatives from FBI, DOD, State, Treasury, CIA and NSA. Its purpose was to provide coordinated intelligence estimates and evaluations of civil disorders, with CIA supplying information on the foreign aspects thereof.

Pursuant to this, CIA continued its counterintelligence interest in possible foreign links with American dissidents. The program was conducted on a highly compartmented basis. As is necessary in counterintelligence work, the details were known to few in the agency.

We often queried our overseas stations for information on foreign connections with Americans in response to FBI requests or as a result of our own analyses. Most of these requests were for information from friendly foreign services, although there were instances where CIA collection was directed. In most cases the product of these queries was passed to the FBI.

In the course of this program, the agency worked closely with the FBI. For example, the FBI asked the agency about possible foreign links with domestic organizations or requested

coverage of foreign travel of FBI suspects. The agency passed to the FBI information about Americans it learned from its intelligence or counterintelligence work abroad. The FBI turned over to the agency certain of its sources or informants who could travel abroad, for handling while there. In order to obtain access to foreign circles, the agency also recruited or inserted about a dozen individuals into American dissident circles in order to establish their credentials for operations abroad. In the course of the preparatory work or on completion of a foreign mission, some of these individuals submitted reports on the activities of the American dissidents with whom they were in contact. Information thereby derived was reported to the FBI, and in the process the information was also placed in CIA files.

## That 'Do Appear Questionable'

In 1973 this program was reviewed and specific direction given limiting it to collection abroad, emphasizing that its targets were the foreign links to American dissidents rather than the dissidents themselves and that the results would be provided to the FBI.

In March, 1974, the director terminated the program and issued specific guidance that any collection of counter intelligence information on Americans would only take place abroad and would be initiated only in response to requests from the FBI or in coordination with the FBI, and that any such information obtained as a by-product of foreign intelligence activities would be reported to the FBI.

In the course of this program, files were established on about 10,000 citizens in the counterintelligence unit.

About two-thirds of these were originated because of specific requests from the FBI for information on the activities of Americans abroad, or by filing the reports received from the FBI for possible later use in connection with our work abroad.

The remaining third was opened on the basis of CIA foreign intelligence or counterintelligence information known to be of interest to the FBI.

For the past several months, we have been eliminating material from these files not justified by CIA's counterintelligence responsibilities, and about 1,000 such files have so far been removed from the active index



CIA Director William E. Colby, right, and a predecessor, Richard M. Helms, face Sen. John L. McClellan at domestic spying hearings.

Associated Press

but could be reconstituted should this be required.

In 1967, the Department of Justice established an Interagency Domestic Intelligence Unit (IDIU). In May, 1970, the Department of Justice provided us with a machine-tape listing of about 10,000 Americans developed by the IDIU. The listing could not be integrated in CIA's file program described above.

Mr. Chairman, concurrent with the counterintelligence program, beginning in 1967, CIA's Office of Security, acting on the basis of concern for the safety of agency installations in the Washington, D.C., area, inserted 10 agents into dissident organizations operating in the Washington, D.C., area. The purpose was to gather information relating to plans for demonstrations, pickets, protests, or break-ins that might endanger CIA personnel, facilities, and information. The reports acquired were made available to the FBI, Secret Service, and local police departments. The program ended in December, 1968.

Mr. Chairman, let me digress here for a moment to comment on the word "files" which can mean different things to different people. In addition to the counterintelligence files we have discussed, an agency of the size of CIA obviously must maintain large numbers of files.

The backbone of an intelligence operation, particularly a counterintelligence case, is detailed information—through which one can begin to discern patterns, associations, and connections.

In this sphere, therefore, any professional intelligence organization tries to systematically record all scraps of information. Thus whenever a name—anyone's name—a date, a place, a physical description, appears anywhere in any operational report, it is usually put into a cross-referenced master index.

Whenever there are one or more pieces of paper dealing primarily with a single individual—for whatever reason—there is probably, somewhere, a "file" on that individual; whether he be an applicant, an employee, a contactor, a consultant, a reporting source, a foreigner of intelligence interest, a foreign intelligence officer, or simply a person on whom someone else (such as the FBI) has asked us to obtain information.

The fact that there is a "file" somewhere in one of our various record systems with a person's name on it does not mean that that "file" is the type of dossier that police would use in the course of monitoring that person's activities.

In this context, it is clear that CIA does have material on large numbers of Americans, as applicants, current and ex-employees, sources and other contacts, contractors, government and contractor personnel cleared for access to sensitive categories of intelligence, references and other names arising during security investigations, individuals corresponding with us, etc. Our operational files also include people who were originally of foreign intelligence interest but who later became U.S. citizens, such as Cuban or other emigres. I am sure you will find that most of these are unexceptionable and necessary to run an institution of the size and complexity of CIA, and that these records are maintained in ways which do not suggest that these names are suspect.

There have been lists developed at various times in the past, however, which do appear questionable under CIA's authority; for example, caused by an excessive effort to identify possible "threats" to the agency's security from dissident elements, or from a belief that such lists could identify later applicants or contacts who might be dangerous to the agency's security. They did not usually result from CIA collection efforts (although as I noted above, they sometimes did), but were compilations of names passed to us from other government agencies such as the FBI, some police forces, and several congressional committees or developed from news clippings, casual informants, etc. A number of these listings have been eliminated in the past three years, and the agency's current directives clearly require that no such listings be maintained.

The New York Times article of Dec. 22, 1974, made certain other charges: that at least one member of Congress had been under CIA surveillance and that other Congressmen were in our "dossier" on dissident Americans, and that break-ins, wire taps, and surreptitious

inspection of mail were features of CIA activities.

Let me provide background on these allegations.

On May 9, 1973, the director issued a notice to all CIA employees requesting them to report any indication of any agency activity any of them might feel to be questionable or beyond the agency's authority.

The responses led to an internal review throughout the agency, including the counterintelligence program described above.

The initial responses and our review of them culminated in fresh policy determinations and guidance issued in August, 1973, to insure that our activities remain within proper limits.

Let me discuss our findings with respect to the press allegations.

(1) The New York Times article of Dec. 22, 1974, declared: "At least one avowedly antiwar member of Congress was among those placed under surveillance by the CIA, the sources said."

Mr. Chairman, our find-

government agencies or developed in the course of our foreign intelligence operations.

(2) The New York Times article also referred to "break-ins," and said no "specific information about domestic CIA break-ins" could be obtained.

Our internal investigations to date have turned up a total of three instances which could have been the basis for these allegations. Each of the three involved premises related to agency employees or ex-employees.

In 1966, a new agency employee, inspecting a Washington apartment he was thinking of renting, saw classified agency documents in the apartment, which was the residence of another employee. The new employee advised the CIA Security Office. Subsequently a security officer and the new employee went to the apartment, were admitted as prospective renters, and removed the documents.

The second instance occurred in 1969. A junior agency employee with sensitive clearances caused security concern by appearing to be living well beyond his means. Surreptitious entry was made into his apartment in the Washington area. No grounds for special concern were found.

The third instance occurred in 1971 in the Washington area. An ex-employee became involved with a person believed to be a foreign intelligence agent. Security suspicions were that the two were engaged in trying to elicit information from agency employees. A surreptitious entry was made into the place of business jointly occupied by the two suspects. Results were negative. An attempt to enter the suspect agent's apartment was unsuccessful.

(3) The New York Times article also referred to wiretaps and said no specific information could be obtained.

Our findings show that CIA employed telephone taps directed against 21 residents of the United States between 1951 and 1965, and none thereafter. In each case the purpose was to check on leaks of classified information. All but two of the individuals concerned were agency employees or former agency employees, including three defectors (not U.S. citizens) and one contractee who was the mother of an employee. The two private citizens whose phones were tapped in 1963 were thought to be receiving sensitive intelligence information, and the effort was aimed at determining their sources. Our records show that these last two taps were approved by the Attorney General.

In 1965, President John-

son issued an order that there be no wiretaps in national security cases without the approval of the Attorney General. Only one of the operations mentioned above took place thereafter, in 1965, against a CIA employee suspected of foreign connections. This operation was approved by the Attorney General.

(4) The New York Times article also alleges physical surveillance (following) of American citizens.

The agency has conducted physical surveillance on our employees when there was reason to believe that they might be passing information to hostile intelligence services. This was done on rare occasions, and in recent years only three times—in 1968, 1971, and 1972. In 1971 and 1972, physical surveillance was also employed against five Americans who were not CIA employees. We had clear indications that they were receiving classified information without authorization, and the surveillance was designed to identify the sources of the leaks.

Also, in 1971, and 1972, a long-standing CIA source—a foreigner visiting in the U.S.—told us of a plot to kill the Vice President and kidnap the CIA director. We alerted the Secret Service and the FBI and we carried out physical surveillance in two American cities. The surveillance came to involve Americans who were thought to be part of the plot—and the mail of one suspect was opened and read.

(5) The New York Times article also refers to "surreptitious inspection of mail."

From 1953 until February 1973, CIA conducted several programs to survey and open selected mail between the United States and two Communist countries. One occurred in a U.S. city from 1953 to February, 1973, when it was terminated. One took place during limited periods in one other area in November, 1969, February and May, 1970 and October, 1971. One other occurred in August, 1957. The purpose of the first and extended activity was to identify individuals in active correspondence with Communist countries for presumed counter-intelligence purposes, the results being shared with the FBI. The others were designed primarily to determine the FBI. The others were designed primarily to determine the nature and extent of censorship techniques. The August, 1957, case was to try to learn the foreign contacts of a number of Americans of counterintelligence interest. I repeat that there has been no mail survey in this country by CIA since February, 1973.

ings are that there is no—and to my knowledge never has been—surveillance, technical or otherwise, directed against any member of Congress.

The New York Times article also indicated that "other members of Congress were said to be included in the CIA's dossier on dissident Americans."

Mr. Chairman, our findings are that, with the exception of one former congressman, no member of the 90th Congress which commenced on Jan. 10, 1967, or of any succeeding Congress, up to and including the 94th Congress, are included in our counterintelligence program's files.

We do have other files on current or former members of Congress. These fall into categories such as ex-employees, some who were granted security clearances in pre-congressional jobs, some who were sources or cooperated with us, some who appear as references in applications or security clearance procedures on our personnel, and some whose names were included in reports received from other