

# Panel Finds CIA Broke

By George Lardner Jr.  
Washington Post Staff Writer

The Central Intelligence Agency engaged in a range of illegal conduct over its 28-year history—from burglary to bugging to testing LSD on unsuspecting subjects, the Rockefeller commission report, issued yesterday, said.

The commission, however, defended the CIA's overall record and said that no fundamental changes were needed in the spy agency's basic legislative charter.

In addition to violation of federal criminal laws, the commission said other activities—such as a top-secret project called Operation Chaos that involved spying on American dissident

groups in response to White House pressures—were clearly improper.

"Some of these activities were initiated or ordered by Presidents, either directly or indirectly," the eight-member commission headed by Vice President Rockefeller said. The commission cited Lyndon B. Johnson and Richard M. Nixon.

In a 299-page report made public by the White House, the commission endorsed closer oversight of the CIA by both Congress and the executive branch, but coupled these recommendations with other proposals that would apparently strengthen the CIA's authority to conduct domestic operations.

At the same time, the report made

clear that the agency has a long way to go to prevent a recurrence of the abuses that were found.

The CIA inspector general's office, which investigated many of the agency's misdeeds in 1973, has recently been cut back sharply and is currently unable to make regular reviews of the CIA's various departments, the commission disclosed.

The penchant for secrecy within the agency itself has also "sometimes been carried to extremes," preventing proper supervision and control, the report said.

In many cases, the commission said of a variety of illegal operations undertaken in the name of CIA security, "the state of the CIA records on these

## Law, Defends Record

activities is such that it is often difficult to determine why the investigation occurred in the first place, who authorized the special coverage, and what the results were."

The report also disclosed that for more than 20 years, the Department of Justice simply washed its hands of alleged criminal conduct by CIA employees or agents and agreed to let the CIA itself decide whether a crime had been committed and whether security considerations precluded prosecution even where a crime had taken place.

Harshly critical of the arrangement, the commission called it "an abdication by the Department of Justice of its statutory responsibilities.

"This state of affairs," the commis-

sion said, "continued until January of 1975"—the month following disclosure in The New York Times of some of the illegal and improper activities that had been uncovered by the CIA inspector general two years earlier. The sequence suggested strongly that the CIA had decided no prosecutions were warranted and would have been able to maintain that position but for the publicity.

The commission made 30 recommendations for change, ranging from more stringent internal controls and guidelines within the CIA on the one hand to adoption on the other hand of the CIA's long-sought version of an official secrets act.

This would "make it a criminal of-

fense for employees or former employees of the CIA willfully to divulge to any unauthorized person classified information pertaining to foreign intelligence or the collection thereof obtained during the course of their employment." (Recommendation 21)

The commission also suggested that President Ford issue an executive order that would give the CIA more explicit authority for operations in this country by allowing it to collect information on "persons suspected of espionage or other illegal activities relating to foreign intelligence, provided that proper coordination with the FBI is accomplished."

Under the National Security Act of

See CIA, A11, Col. 1

### CIA, From A1

1947, which is the agency's basic charter, the CIA is prohibited from undertaking any "police, subpoena, law-enforcement powers or internal security functions."

The commission gave no reason for proposing a change by executive order rather than by law. The report did suggest other revisions in the National Security Act, including one that would authorize the CIA to provide "guidance and technical assistance to other agency and department heads in protecting against unauthorized disclosures within their own agencies and departments."

Omitted from the commission report as issued was a section on the controversial assassination issue. The evidence on assassinations will be turned over by the White House to the Justice Department and to Congress.

The report dealt with CIA domestic operations, although the names of CIA officials involved and the victims of their misdeeds were left out.

Among the findings, some never even hinted at publicly before:

- The CIA's Office of Security,

whose assignments include safeguarding defectors, held one defector in involuntary, often solitary confinement at a CIA installation for three years "under spartan living conditions" because of doubts about his good intentions. In another case, which led to the dismissal of the CIA employee involved, "a defector was physically abused."

- The CIA's Directorate of Science and Technology embarked on a drug research and testing program in the late 1940s that included "the administration of LSD to persons who were unaware that they were being tested. Some test subjects became ill and one man, a Department of the Army employee, died "apparently as a result" when he jumped from a tenth-floor window in New York while undergoing psychiatric treatment.

- In response to White House requests in the face of growing domestic disorder, first from President Johnson and later from President Nixon, the CIA set up a Special Operations Group to collect and evaluate information on American dissidents.

The project, which came to be known as Operation Chaos, was osten-

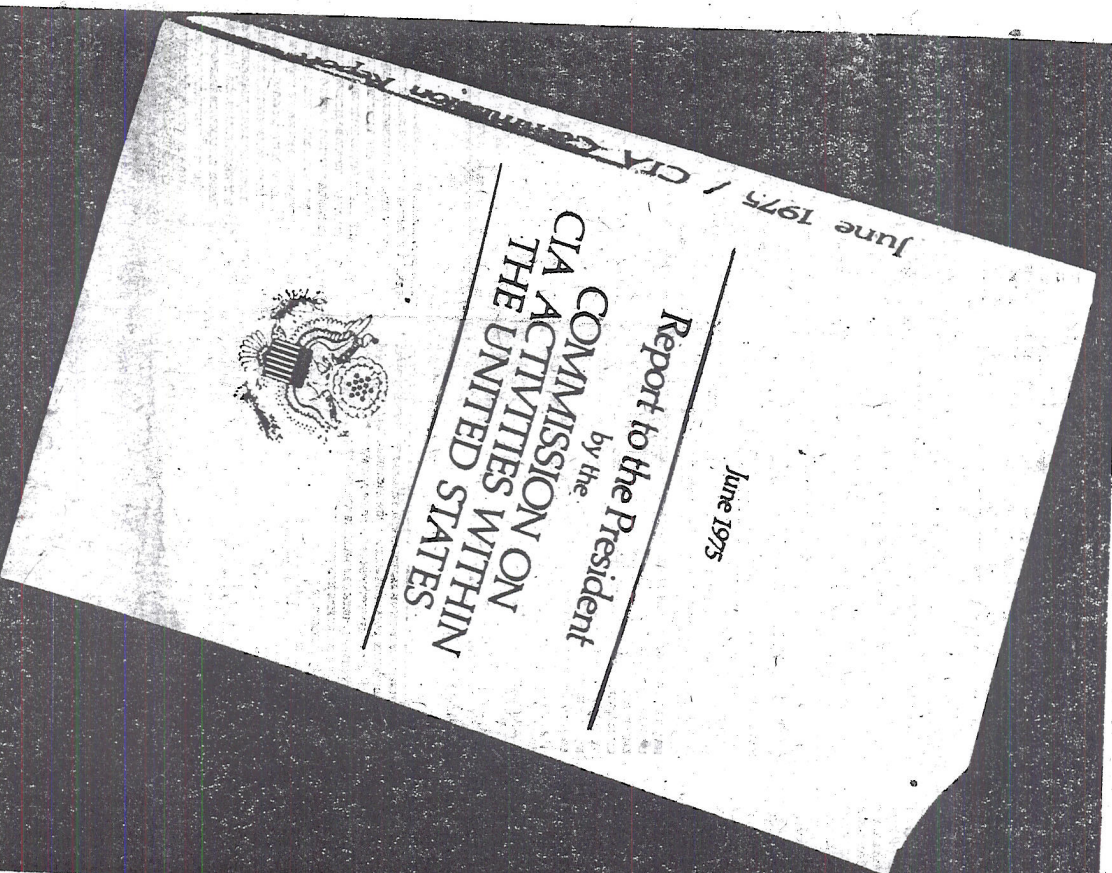
sibly designed at the outset to determine the extent of foreign influence in direct spying on Americans and the accumulation of a computerized index of more than 300,000 persons and organizations.

Chaos, which had a staff of 52 CIA officers and close to 30 undercover agents, built up files on such groups as the American Indian Movement, Students for a Democratic Society, and Grove Press Inc. It was an isolated component of the CIA's counterintelligence section under James Angelton, who recently retired, but the commission said he was apparently kept in the dark about it on instructions from then-CIA Director Richard M. Helms.

"The isolation of Operation Chaos within the CIA and its independence from supervision by the regular chain of command within the clandestine service made it possible for the activities of the operation to stray over the bounds of the agency's authority without the knowledge of senior officials, the commission said.

According to testimony from Angelton and from the Chaos chief, actual supervisory responsibility was vested in Helms, but "Director Helms testi-





COMMISSION ON CIA ACTIVITIES WITHIN THE UNITED STATES  
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Edgar F. Shannon, Jr.

June 6, 1975

The President  
The White House  
Washington, D.C.

Dear Mr. President:

Your Commission to Investigate CIA Activities within the United States, having completed its assignment in accordance with Executive Order No. 11828 of January 4, 1975, herewith submits its final report.

Respectfully,

*Nelson A. Rockefeller*  
Nelson A. Rockefeller, Chairman

*John T. Connor*  
John T. Connor

*C. Douglas Dillon*  
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*Erwin N. Griswold*  
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The Rockefeller commission report on the Central Intelligence Agency with letter to President Ford from the commission members. United Press International

fied that . . . he expected the chief (of Chaos) to report to the chief of counterintelligence . . ."

- The CIA's Office of Security, which is also in charge of protecting CIA sources and methods, engaged in 32 wiretaps, 32 instances of bugging and 12 burglaries none of them authorized by court order and "only one with the written approval of the Attorney General."

The Office of Security also intercepted mail in 12 cases, examined individual income tax records of 16 individuals, and under White House pressure to determine the sources of leaks, conducted five investigations of reporters that the FBI refused to undertake.

The "unauthorized entries," or break-ins, the commission said, "were illegal when conducted and would be illegal if conducted today. Likewise, the review of individuals' federal tax returns and the interception and opening of mail violated specific statutes and regulations prohibiting such conduct."

Under the evolving state of the law, some of the buggings and wiretaps may have been legal when conducted,

the commission said, but "many were not. To be lawful today, such activities would require at least the written approval of the Attorney General . . ."

The phones of three unnamed reporters were tapped in 1959 and in 1962, but only the '62 tap appears to have had the approval of the Attorney General, then Robert F. Kennedy, the report indicated.

Reporters were also investigated in 1967 during the Johnson administration and in 1971 and 1972 under the Nixon administration, the commission said.

"The CIA," the report added, "has no authority to investigate newsmen simply because they have published classified information. Investigations by the CIA should be limited to persons presently or formerly affiliated with the agency, directly or indirectly."

- The CIA illegally intercepted the mail of thousands of Americans despite memos showing that high-ranking officials knew it was in violation of the law. According to the commission report, the CIA took repeated steps to cover up the practice instead of halting it.

The commission said no evidence could be found of presidential knowledge of the mail intercepts. CIA files reflect suggestions in 1954 that President Eisenhower be informed and in 1965 that President Johnson be briefed, but the report said, no records were uncovered showing that any President was briefed.

Touching on earlier controversies, the commission also said it had no evidence that the CIA took part in, or had advance knowledge of, either the Watergate or Ellsberg psychiatrist break-ins, which involved former CIA contacts and officers.

The report chided the CIA for what it described as a sluggish response to requests for information from Watergate investigators and called the destruction of potentially related records by Helms as "poor judgment."

But the commission said it found no evidence "that leads it to believe that officers of the agency actively joined in the cover-up conspiracy formed by the White House staff" following the June, 1972, break-in and bugging of Democratic National Committee headquarters here.