

WXPost MAY 20 1975 SURV

CIA Pledge Sought on

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Less than four weeks after he took over as Postmaster General this year, Benjamin Franklin Bailar wrote a letter to the Central Intelligence Agency emphasizing that it was his job to guard the sanctity of the U.S. mail.

Accordingly, he demanded that CIA Director William E. Colby give his personal pledge that the CIA would never again surreptitiously open the letters of American citizens on the way to their destinations.

Colby replied, in a note dated March 13 that has yet to be made public, that the CIA had no intention of reinstating such projects, but congressional investigators remain skeptical.

According to testimony before the House Post Office Subcommittee on postal facilities, the CIA not only illegally intercepted and copied first-class mail over a 20-year period, but it managed to do so without confiding in the Postmasters General or the chief postal inspectors of the Eisenhower, Kennedy and Johnson administrations.

- Thousands of letters mailed first class between the United States and the Soviet Union were secretly opened by CIA agents stationed at New York's LaGuardia Airport and later at Kennedy International since the mid-1950s. However, Eisenhower's Postmaster General, the late Arthur E. Summerfield, was apparently told only that the CIA was going to conduct a "mail cover" operation to record the information on outside wrappings and envelopes. Almost all of Summerfield's successors were told nothing at all.

- Hundreds of other letters air-mailed from Communist China were intercepted in San Francisco by CIA agents in 1969-71 in violation of an understanding with the U.S. Postal Service, which once again expressly authorized only a "mail cover." The letters, The Washington Post has reported, were surreptitiously plucked out of the mail stream despite surveillance by postal inspectors who were assigned to work alongside the CIA agents to prevent any such tampering.

- The CIA reportedly obtained access to Cuban mail passing through New Orleans without any notice to postal authorities, who have been told only that the Postal Service was "not involved" in this operation in any way. According to one source, it may have involved so-called "transit mail," which simply passes through the United States on its way from one foreign country to another. Colby has said in congressional testimony

that "international mail passing through a U.S. port was opened in August, 1957," but he offered no other details.

Federal law prohibits the opening of first-class mail without a search warrant, and Colby himself has publicly acknowledged that the CIA's mail intercepts were "illegal." But the evidence involving the 20-year Russian mail project—which was not halted until February, 1973, in the midst of the Watergate scandal—suggests that, until recently at least, any CIA undertaking carried with it a heady bureaucratic momentum that brooked no questions.

According to chief U.S. postal inspector William J. Cotter, the CIA first expressed interest in incoming and outgoing Soviet mail in the closing days of the Truman administration and finally got approval from Summerfield, "presumably for mail cover," in 1953 after Eisenhower became President.

Sometime later, however, Cotter told the House postal facilities subcommittee headed by Rep. Charles H. Wilson (D-Calif.), the CIA went one step further and secretly began opening the mail with the approval of neither the postal authorities, not the courts.

A retired postal clerk who sorted the Russian mail for CIA agents at the New York airports for 16 years, Peter F. McAuley, testified that he never knew for certain they were opening letters and didn't suspect it "until very late" in his career. He said he got the hunch one day when he spotted an envelope he thought he had seen the day before and remarked about that to the CIA agents he was helping.

"They smiled, the two men smiled, and that was the end of that," McAuley told the House subcommittee. "Nobody told me anything . . . I assisted them, that's all."

As Cotter has explained it, the CIA operatives would apparently slip selected letters into their pockets when no one was looking, make copies later, and return the originals into the mail flow the next day.

If clerk McAuley was kept in the dark, so apparently were top officials of the Postal Inspection Service whose job it is to protect the mail and investigate all violations of

postal law. Interviewed recently by postal authorities, the chief postal inspector under Summerfield, David H. Stephens reportedly stated he had no idea that the CIA was opening letters.

With the advent of the Kennedy administration in 1961, then-CIA Director Allen Dulles offered to brief the new Postmaster General, J. Edward Day, "about something that was very secret." But Day said he didn't want to hear about it—whatever it was—so that no fingers would be pointed at him in case the secret ever leaked.

In a recent hearing Rep. Wilson asked him, "Do you wish now that you had taken the briefing and learned more about it so that if you felt that it were illegal, you could have stopped it?"

Day replied, "No, I don't, because of the very reason I state . . . The CIA had its own lines of authority, I had my lines of authority and I didn't feel that I needed to get into their affairs and I'm very glad I didn't."

Perhaps because of Day's attitude, the CIA apparently never approached the next three Postmasters General, John Gronouski, Lawrence F. O'Brien and Marvin Watson, about the project.

"I had never heard of the CIA operation," O'Brien told the subcommittee this month. If the CIA had asked him about opening mail, he added, "I would [have] come close to throwing them out the window."

O'Brien also said he had intensive discussions with his chief postal inspector, Henry Montague, about mail covers and, in the course of them, O'Brien asked "the obvious question: 'Is there any set of circumstances in this program where the mail is opened?' And his answer was unequivocally no, the mail is sacred . . ."

Sanctity of Mail

Montague, who became chief postal inspector in 1961, had been inspector in charge of the New York City area when the CIA project was started in the 1950s. But he, too, Cotter had said, apparently thought they were conducting only an "exterior type" mail cover that does not require court approval.

As it turned out, Cotter was the first chief postal inspector who knew what was going on and then only because he had been a top-ranking CIA agent in New York when the project was started. He was appointed chief postal inspector in April, 1969, the first outsider to get the job since the Post Office was set up under Benjamin Franklin.

The subcommittee has suggested that Cotter was really representing the CIA more than the Postal Service in the mail-opening controversy, but he has denied the charge and pointed out that it was he who eventually got the program halted.

After he was named by then-Postmaster General Winston M. Blount, Cotter told the subcommittee, he concluded that "the top people in the organization were not aware" of the mail openings. As a result, he said he began pressing CIA officials to get top-level approval for the project. Cotter said he didn't tell Blount about it directly because he still felt constrained by the oath of secrecy he had taken as a CIA man.

Finally, in June, 1971, as a result of Cotter's overtures, Blount was briefed on the project by then-CIA Director Richard Helms, although it remains unclear just what the Postmaster General was told.

In testimony before the subcommittee, Blount said Helms told him "that this was an extremely sensitive operation, one that was important to the United States . . ." But when asked if Helms told him that

the CIA was opening the mail, Blount insisted, "I don't recall any such conversation."

The subcommittee did not ask Blount just what he thought the CIA was doing. In any event, Cotter has testified, the Postmaster General called him a few days after the Helms briefing and told him to "carry on" with the project.

The CIA finally halted it in February, 1973, following renewed insistence by Cotter, who said he was still concerned about it and once again told the agency to get the approval of "the highest people in government" or drop it.

The existence of the project, however, remained a secret until Colby alluded to it in congressional testimony in January and February, along with veiled references to the San Francisco and New Orleans mail openings.

Bailar, who became Postmaster General in mid-February, asked Colby several weeks later for "your personal assurance that there are no more of these types of operations presently going on, planned, or ever to be undertaken."

According to informed sources, however, Colby's reply appears to fall short of the "ironclad assurance" that the Wilson subcommittee has demanded.

"You could read some loopholes into it," one source said of the CIA director's response. According to a CIA spokesman, the agency still wants to reserve the right to conduct "mail covers."