

# CIA Above the Law



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**F**OR OVER 20 years, the Justice Department has been winking at crimes committed by employees of the Central Intelligence Agency. Even serious crimes and felonies unrelated to official duties have been ignored.

This is the conclusion of a still secret report compiled by the House Government Information and Individual Rights subcommittee. The congressional investigators were so shocked by the Justice Department's leniency that they recommended a "Special Prosecutor be appointed to prosecute illegal activities of intelligence agency personnel."

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**A**N INDEPENDENT prosecutor is needed, the report bluntly states, because the Justice Department has failed to move even in instances where there were "widespread admissions" of criminal activity and "the illegalities by the intelligence personnel (were) unrelated to their job activities."

"The Justice Department has assisted in setting the CIA above the law," the report continues, "by allowing the CIA to decide which cases would be too sensitive to prosecute, and by allowing the CIA to withhold whatever information it sees fit . . ."

The Justice Department's softness on the CIA dates from a 1954 agreement between the two agencies which, in effect, gave the CIA the right to block a prosecution or keep a crime secret in the name of "national security."

A year later, Congress passed a law requiring government agency heads to report the illegal activities of their employees to the Justice Department. The CIA, however, has rarely complied.

"Given the CIA's self interest," states the congressional report, "it is not surprising that the CIA chose to permit the prosecution of but very few cases and found much of its (illegalities) too sensitive to reveal."

Between 1954 and 1974, according to CIA files obtained by the subcommittee, there were at least 31 cases involving possible federal crimes committed by CIA personnel. None of these incidents involved acts authorized by the CIA and none were related to official duties. Crimes that may have been committed while executing officially sanctioned activities such as wiretaps and break-ins were excluded from the statistics.

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**T**HE CRIMES included narcotics smuggling, embezzlement, theft of government funds, impersonation of a military officer, espionage and black-marketing.

Of the 31 possible crimes, only 14 were referred to Justice by the CIA and only two agency employees were actually brought to trial. Some of the cases called to the attention of the Justice Department were later dropped at the CIA's urging, ostensibly because sensitive information would have to be revealed during discovery or trial.