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AGENCY INFORMATION

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Vol. 1 OF 3

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure Subject
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R1171

The United States Senate

Report of Proceedings

INVENTORIED

DN 2/15/77

BY BC

Hearing held before

REVISOR

DN 5/16/77

BY ps

Senate Select Committee to Study Governmental
Operations With Respect to Intelligence Activities

76000010036

Friday, September 12, 1975

Washington, D. C.

(Stenotype Tape and Waste turned over
to the Committee for destruction)

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C O N T E N T S

TESTIMONY OF

PAGE

James Angleton

3

EXHIBITS

Number

Angleton Exhibit No. A-1

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Angleton Exhibit No. A-4

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Angleton Exhibit No. A-5

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Senator Schweiker. Mr. Angleton, the first thing we will do is swear you in.

Will you stand and raise your right hand, please?

Do you solemnly swear the testimony you are about to give is the truth, the whole truth and nothing but the truth?

Mr. Angleton. I do.

Senator Schweiker. As you know, since you have been here before, a Senator is normally present at all times during the testimony. However, with the press of Senate duties we have not been able to effectuate that fully. So if I have to leave -- and I will have to leave for at least a substantial portion -- you have the right to hold up your testimony until a Senator is returned.

So would you be willing to proceed without a Senator present?

Mr. Angleton. Yes.

And I understand that I am entitled to the draft of the testimony?

Senator Schweiker. Yes. We let every witness see it and correct it. So there is no problem there whatever.

Mr. Angleton. To me it is immaterial one way or the other.

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TESTIMONY OF JAMES ANGLETON

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2 Mr. Johnson. Mr. Angleton, would you please state
3 your name, address and organization for the record?

4 Mr. Angleton. James Angleton, Arlington, Virginia,
5 and no organization.

6 Mr. Johnson. May the record show that Senator Richard
7 Schweiker of Pennsylvania is present, and staff members Loch
8 Johnson and Paul Wallach.

9 Mr. Angleton, I want to make sure that before we start
10 you understand that you have certain rights under the law and
11 under the Committee Rules of Procedure. Although this is not
12 a criminal investigation, do you know you have the Fifth Amend-
13 ment right to be silent in answer to questions if the answer
14 might tend to incriminate you?

15 Mr. Angleton. I do.

16 Mr. Johnson. Do you understand that you may be
17 accompanied by counsel?

18 Mr. Angleton. Yes.

19 Mr. Johnson. Are you appearing here today freely and
20 voluntarily without counsel?

21 Mr. Angleton. Yes.

22 Mr. Johnson. Are you aware that you may stop at any
23 point during the examination and request counsel?

24 Mr. Angleton. Yes.

25 Mr. Johnson. I would like you during the proceeding to

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1 When did you first hear about this meeting, if in
2 fact you did hear about it?

3 Mr. Angleton. Well, I think the first news came
4 when Helms called me, and I believe it was with Tom Kara-
5 messines, and simply stated that there would be a rather extra-
6 ordinary meeting in the White House. I think he did mention
7 the principals being the Executive of the USIB
8 and Mr. Hoover. And that the President made some very strong
9 statements regarding the lack of domestic intelligence on the
10 incidents of the time. And therefore, that he had set up --
11 wanted a working group set up by the principles. And in
12 the course of this discussion, which was very short, he
13 nominated me to be the agency representative, and Dick Ober
14 to be my legman.

15 Mr. Johnson. Did Mr. Helms give you any additional
16 feeling for what that meeting was about?

17 Mr. Angleton. He didn't really have to, because the
18 question of what was going on in the country was burning in
19 every investigative agency or agency in government. In
20 other words, it was not -- the Huston Plan was just simply the
21 momentum of what was happening in the country.

22 Mr. Johnson. Could you be more explicit when you say
23 what was happening in the country?

24 Mr. Angleton. Well, the question of bombings, the
25 questions of protest, the question of travel abroad -- all

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1 the things which a contemporary newspaper would set forth,
2 and the statistics which Director Kelley can give you ad nauseum,
3 on which there was not coverage. To put it bluntly, as it
4 came through to me -- and this is the reason I think the
5 thing was rather short -- it was a question everybody was
6 asking themselves, basically, that the President of the U.S.
7 did not feel he had any answers, and, therefore, was more an
8 anger in reaction to the inability of the country to give
9 him answers.

10 Mr. Johnson. So the summer of 1970 there was perceived
11 to be a definite internal security threat?

12 Mr. Angleton. It had been growing for a long time.

13 Mr. Johnson. As the leading counter intelligence
14 expert in the CIA, did you have any concrete evidence yourself
15 that there was a foreign connection to this domestic unrest?

16 Mr. Angleton. The way I would comment on that is
17 simply that the intelligence that we had gathered, fundamentally
18 from December '61 on through, that the counter intelligence
19 effort in the government was very important.

20 Mr. Johnson. Does that include the effort of the
21 Central Intelligence Agency?

22 Mr. Angleton. Absolutely.

23 (Discussion off the record.)

24 Mr. Johnson. Before the telephone rang we were talking
25 about the inadequacies of the counter intelligence effort

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1 in this country to include that of the CIA.

2 Why was the effort in this area inadequate in your
3 view?

4 Mr. Angleton. I think the reason it was inadequate
5 was simply that we did not have the quality of sources
6 to whom we could turn to resolve these problems.

7 Fundamentally, the degree to which the Soviet bloc
8 was taking advantage or stimulating the unrest in this country.

9 In other words, we were dealing where everyone had a
10 hypothesis based on holdings, which was quite a different
11 thing from having a live source who could in fact tell you
12 what was going on.

13 Mr. Johnson. So in response to the President's concern
14 about foreign connections over domestic unrest, the answer
15 of the CIA, at any rate, was that we are not sure, because
16 we don't have adequate sources to answer that question?

17 Mr. Angleton. I don't think that necessarily follows,
18 because I wasn't present when the President was present.

19 Mr. Johnson. Let me rephrase the question, then. My
20 earlier question was, what was the degree of foreign influence
21 over domestic unrest?

22 Mr. Angleton. Well, that's a long -- I am prepared to
23 give you a written paper on that, but to try to verbally
24 reconstruct all of the scene of that period is very difficult
25 for me at this moment. We had bombings going on, and there

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1 In other words, you had to be able to prove it, and I
2 can well understand that any reports going in prior to this
3 meeting would be hedged, because within the Agency itself there
4 were those who took a very staunch stand that there was no
5 foreign involvement.

6 Again, they had no more information than we had that
7 would justify their position. And these were fairly senior in-
8 dividuals, mainly on the overt side of the business. Their
9 attitude was very definitely that there was nothing to it.

10 Mr. Johnson. But you have indicated to me, if I am
11 reading you properly, that there were gaps in intelligence
12 concerning the degree of foreign influence over domestic un-
13 rest.

14 Is that inaccurate?

15 Mr. Angleton. No, that is an accurate statement, and
16 it goes back again to what I described to be a source who
17 would have access to information that comes into the
18 first chief director of the GKB that deals with American
19 problems.

20 Mr. Johnson. Why is it that we didn't have such
21 sources?

22 Mr. Angleton. I can't answer that.

23 Mr. Johnson. What I am driving at, is whether or
24 not the intelligence agencies are constrained or fettered by
25 barriers to collecting quality intelligence, and if so, what

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1 these barriers are.

2 Mr. Angleton. There were no barriers as such. I mean,
3 speaking from the foreign point of view, it is just simply
4 that the target is one of the most difficult ones that one
5 can conceive of, because you are dealing with a police state,
6 unless they are on internal security, and with a degree of
7 efficiency that simply doesn't fit in with Western terms.

8 Mr. Johnson. What are the topics that apparently
9 were discussed at this June 15 meeting at the White House?
10 What was the degree of cooperation between the CIA and the
11 FBI, in particular the liaison between the two agencies?
12 What was your feeling about the quality of liaison between the
13 FBI and the CIA in June of 1970?

14 Mr. Angleton. This still doesn't have the official
15 date on it?

16 Mr. Johnson. I understand that in May of 1970 Mr.
17 Hoover terminated the official liaison.

18 Mr. Angleton. Well, naturally this was a very big blow
19 to every one concerned.

20 Mr. Johnson. It was more than a symbolic gesture,
21 then?

22 Mr. Angleton. Absolutely. And it wasn't on a terminat-
23 ing liaison with CIA, it was a termination, as I recall, of
24 all liaison in government with the exception of the White
25 House.

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1 Mr. Johnson. So in May of 1970 we had a very serious
2 rupture in relationships between the CIA --

3 Mr. Angleton. If that is the accurate date of the
4 Colorado Case, there was a very serious rupture.

5 Mr. Johnson. In what sense was it serious? I wonder
6 if you could elaborate.

7 Mr. Angleton. Well, fundamentally liaison is misleading,
8 a misleading word, because the fruits of liaison are obtained
9 through daily contact.

10 In other words, it is a creative process, it is not
11 a static thing of a post office box. It means that cases
12 are discussed, argued, meetings are held, and it is a type
13 of creative process that you cannot reduce to paper in
14 correspondence.

15 Mr. Johnson. Of course, there was the telephone.
16 Couldn't the same kind of conversations take place over
17 secure telephones?

18 Mr. Angleton. Impossible.

19 Mr. Johnson. So in face to face liaison is quite im-
20 portant in your opinion?

21 Mr. Angleton. It is essential, because it is a
22 process of one side supplying the gaps to the other side,
23 which could not prior to that meeting have been identified.
24 It is only when all the case from one side is laid out, and
25 then you have a rebuttal, and so on, and you define future

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1 descriptions of the person without a name.

2 Subsequently, after some years, we acquired the man's
3 real name, and we passed it to the French. They picked him
4 up and he acknowledged that he was an agent. He acknowledged
5 the broad outlines of the allegation.

6 He was taken by two French counter intelligence people
7 to his apartment and while they were searching his quarters,
8 he jumped out of the window and committed suicide.

9 So there has never been a thorough interrogation of him,
10 but by tracking on our information, and trying to reconstruct
11 his activities, it showed very clearly that the Rumanian and
12 Soviet services were working hand in glove, and that the Rum
13 Rumanians were not reluctant -- that the quality of their EEI's
14 essential elements of intelligence, were for the Warsaw
15 Pact.

16 Now, we had several other cases in NATO of very
17 deep penetrations into the most highly classified information
18 by Rumanian intelligence, and this also resulted in the
19 French breaking up an entire network and expelling people
20 from Rumania.

21 Now, these were issues, that if you accept them as being
22 more accurate than the so-called overt manifestations of the
23 Rumanians, where they are telling us a story, then you
24 could not distinguish between Rumania and the Soviet Union
25 as a member of the opposition. And, therefore, it is ironic

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1 that the President visited Rumania and danced in the streets
2 in the Ciescue at the time that the Norwegians were picking
3 up the network in Norway.

4 And than the Congress granting favored nations status
5 and trade agreements to Rumania.

6 And, therefore, we had sources that stated this was a
7 part of the reorientation of 1959, of presenting a type of
8 wilderness of mirrors to the West, and to encourage the West
9 to deal with these countries independently of one another.

10 So, this again permeated the counter intelligence
11 picture, not only in Washington, but in all allied capitols,
12 and it was part and parcel of the kind of counter intelligence
13 spectrum, where you could never come to grips at resolving
14 these matters.

15 One of the reasons simply was that counter intelligence
16 did not have a voice at any policy level in the government
17 and the Bureau could go along with their views, and we could
18 go along with our views, but there wasn't any third party
19 statue who banged heads together and imposed time factors as
20 to when these issues should be resolved one way or the
21 other.

22 We lived with this from 1961, 1962 on, in all leverls
23 of intelligence.

24 Mr. Johnson. Do you think that Tom Charles Huston
25 viewed himself as a potential arbitor for domestic intelligence

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1 disagreements within the community?

2 Mr. Angleton. I think he did. Because his short
3 letter of instructions to the heads of the intelligence commun-
4 ity said that his role was to be what Dr. Kissinger's was
5 in foreign policy. It was a very clear-cut edict, so to
6 speak, that he was the ultimate authority in the Executive
7 for domestic security.

8 Mr. Johnson. I believe Mr. Angleton is referring to
9 a July 1970 memorandum.

10 Mr. Angleton. That is correct.

11 Mr. Johnson. What directions did Mr. Helms give to you,
12 if any, concerning how you ought to respond as the Chief
13 CIA representative to the work group sessions held to
14 draft a report for the President on intelligence problems?

15 Mr. Angleton. He didn't give me necessarily any
16 instruction. He just simply stated that the President had
17 outlined his needs, that Huston would in due course call a
18 meeting. He may have stated that the FBI would chair the
19 meeting, and he attended the first meeting.

20 Mr. Johnson. Who attended it, Mr. Helms?

21 Mr. Angleton. Mr. Helms. But he attended only for a
22 few moments. Huston made the opening remarks, as I recall,
23 and since it was being held in our building, Helms made a brief
24 appearance, so to speak, the host. And he took off, and
25 I don't think from that moment on he attended any other meetings.

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1 Mr. Johnson. . . Could you tell me your impressions of the
2 relationship between Mr. Sullivan, who was chairman of this
3 work group, and Mr. Huston, who was the White House representa-
4 tive to this work group?

5 Mr. Angleton. Well, it was my understanding that they
6 had known one another for some time prior to this, and
7 that Sullivan was seeing a great deal of Mr. Huston on domestic
8 intelligence problems. And that would be -- I don't know
9 how natural and normal it is. I know that since they main-
10 tained the open link of liaison to the White House, there were
11 probably a great number of reports going to the White House
12 from the Bureau directly.

13 I would assume that within the White House staff that
14 as the work was parceled out, that Huston was probably the
15 recipient, and as a recipient would bring him in touch with
16 the domestic intelligence, in those days the Internal Security
17 Division of the FBI, which was headed by Mr. Sullivan.

18 Mr. Johnson. Would it be fair to say that Mr. Sullivan,
19 who had a great deal of experience in counter intelligence,
20 was cultivating the relatively inexperienced Mr. Huston,
21 and perhaps tutoring him on the difficulties that the in-
22 telligence community faced in obtaining the kind of infor-
23 mation the President wanted regarding foreign connections
24 over domestic unrest?

25 Mr. Angleton. Well, I wouldn't characterize it that way.

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1 I would say that Bill Sullivan -- that he was a person that
2 would postulate a position, and then it would be in his nature
3 to propagate it. I don't think that Bill Sullivan ever
4 propagated anything that he didn't believe in very deeply.
5 I know that he was extremely frustrated and I think part
6 of his frustration was what the counter intelligence always
7 encountered, and that is that there are no higher forums
8 that take into account the finding of counter intelligence.

9 In other words, it tends to feed on itself, because
10 unlike espionage, which is conducted for the purpose of
11 disseminating information to customers, counter intelligence
12 produces intelligence for its own consumption. And, therefore,
13 it tends to be blocked off, and there is no question that
14 Bill, who spent many years, Bill Sullivan, who spent many years
15 in the battle, underwent the frustrations that everybody
16 did. I dare say that he found a kindred spirit with
17 Huston, which is reflected in the correspondence that has
18 been published between Huston, Ehrlichman, Haldeman, and so on.

19 Mr. Johnson. I wonder if you could be more explicit about
20 the frustrations that Mr. Sullivan might have been propa-
21 gating to Mr. Huston.

22 Are you referring to Mr. Hoover's raising of barriers
23 to certain intelligence collection techniques?

24 Mr. Angleton. This all gets into the world of hearsay.
25 But it deals with everything as to the Bureau's ability to

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1 operate, and to have a voice. That would cover all type of
2 domestic collection.

3 Mr. Johnson. Is it true that Mr. Hoover underwent
4 a kind of transportation in his attitudes toward what intelli-
5 gence collection methods were feasible and acceptable in this
6 country, and that he refused to conduct certain activities that
7 he had conducted in the forties and fifties?

8 Mr. Angleton. Well, during the Johnson Administration --
9 and my facts by way of time may not be accurate -- he was
10 being attacked in the Congress over many operational techni-
11 ques. It is my understanding that he looked to the White
12 House for some relief or approbation, and he received none.
13 I think his attitude was that if he was not going to have the
14 support of the Executive, he was not going to subject the
15 Bureau to a losing battle with politicians. Therefore he
16 began systematically to cut back on all activities.

17 Mr. Johnson. As an expert in counter intelligence and
18 intelligence collection methods, do you think Mr. Hoover
19 was being unfairly criticized in the Congress and in the
20 press for certain techniques that the Bureau had used?

21 Mr. Angleton. Well, I can't recall having read all of
22 this. I knew it more from people who were knowledgeable
23 and involved, and I think that there was a lack of both the
24 support of the President and the Attorney General. I know
25 that I have been told that when the President's foreign

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1 intelligence board isolated these areas of neglect, this
 2 eventually resulted in a meeting with the then Attorney
 3 General, the purpose of all this being to restore different
 4 kinds of coverage to the Bureau.

5 Mr. Johnson. What time period are we talking about, the
 6 Johnson Administration?

7 Mr. Angleton. The Johnson Administration. And it is my
 8 understanding that the President's attitude was that he was
 9 not going to give any instructions to Mr. Hoover, because he
 10 had never told Mr. Hoover to cut back on operations affecting
 11 the national security.

12 And so the whole exercise went for naught.

13 Mr. Johnson. But given Johnson's statement, if indeed
 14 that is accurate, wasn't that in essence a green light for Mr.
 15 Hoover to continue?

16 Mr. Angleton. No, I don't think so. I think he would
 17 regard that as a passive thing, it was not charging him for
 18 directing him, it was given to third parties and not
 19 given to him directly. It was simply to satisfy the third
 20 parties without taking any action with Mr. Hoover.

21 Mr. Johnson. So the upshot was for Mr. Hoover to elimin-
 22 ate certain collection methods he had used before?

23 Mr. Angleton. Gradually eliminate them.

24 Mr. Johnson. Now, what impact did this elimination of
 25 previous collection techniques have upon the CIA from your

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perspective?

2 Mr. Angleton. I think the basic thing was that it
3 gradually closed sources of information and quality of in-
4 formation. And more important, -- and I think this is
5 axiomatic -- that counter intelligence is about only as good
6 as the relations between the FBI and the CIA are.

7 In other words, any activities we took up with the
8 Bureau the Bureau always had constructive operational judg-
9 ment to make. And I think by the same token we had a lot
10 to say on the matter. As your data base disappeared,
11 then your whole perceptions became cloudy, you didn't have the
12 information. And you could not levy on the Bureau as we had
13 prior to this requirement, targets, and other matters where we
14 had coverage abroad. And this interplay between the external
15 and internal is the heart of the operational task.

16 In other words, to us, if the Bureau is operating one
17 part of the spectrum and we are operating the other, then
18 we would have total coverage. But when you don't have this
19 kind of relationship, and they can't follow up, and they are
20 thwarted from doing many things, I would say the operational
21 value diminishes, and eventually the final blow, banning,
22 doing away with liaison.

23 Mr. Johnson. Let's turn directly to the meeting
24 held out at Langley to write the special report for the
25 President. And I want to get into the substance of that

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1 report a little bit later. But initially I wonder if you
2 could give me your recollection about the personalities in-
3 volved and who seemed to be setting the agenda for this
4 meeting, and what the role of the NSA generally speaking was,
5 and the DIA, and the CIA, and the FBI?

6 Can we point to a motivating force here, a certain group
7 that was leading the operation?

8 Mr. Angleton. You haven't one of the tables of or-
9 ganization of that group so that I can see the names?

10 Mr. Johnson. Yes, I do.

11 Let's take a short recess.

12 (Recess.)

13 Mr. Johnson. Back on the record.

14 Based on your recollection of the individuals involved
15 in the work group sections at Langley, I wonder if you could
16 give us a feel for the role that the various spokesmen played
17 at that meeting?

18 For example, John Downie as a representative of the
19 Army.

20 Mr. Angleton. Well, going down the list, naturally the
21 key individual was Bill Sullivan of the FBI.

22 Mr. Johnson. Why was he the key individual?

23 Mr. Angleton. He was the key individual because Mr.
24 Hoover was the Chairman, and he was representing Mr. Hoover
25 under Presidential instruction, or instructions from Hoover,

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1 and in turn delegated to Sullivan. And the basic concerns
2 dealt with domestic activities in the FBI.

3 Mr. Johnson. Did Mr. Sullivan bring to the meeting a
4 distinct point of view on the problem of intelligence gaps?

5 Mr. Angleton. Yes, very deeply. He was probably one of
6 the most cognizant.

7 Mr. Johnson. What was his viewpoint, as you recall it?

8 Mr. Angleton. Well, his viewpoint, I think, was the one
9 echoed by Huston. And I think that to recast this,
10 Huston was the authority present, because he came cloaked
11 with White House authority.

12 Mr. Johnson. He was certainly not the authority when
13 it came to inter-intelligence, and the problems that CI
14 specialists faced?

15 Mr. Angleton. No, he was very knowledgeable. He had
16 obviously gone into this matter at some length prior to the
17 meeting. He knew precisely what none of us really knew, that
18 is, the depth of White House concern. In fact, the
19 most dramatic moment, I think, was at the beginning
20 of one meeting, or at some stage in the meetings, after a
21 preliminary draft had been put forward, he found it totally
22 unacceptable, and his comments were to the effect that the
23 subcommittee was not being responsive to the President's
24 needs.

25 Mr. Johnson. I wonder if you could explain this to me.

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1 And then he went on to some length about the troubles the
2 military had. I think it had to do with ROTC rioting, and a
3 tremendous number of other civil acts against the military.
4 And he believed that up through the non-commissioned officers
5 that the thing would be leaked, to the detriment of the Army,
6 or the Pentagon. He posed questions as to how he was going
7 to be able to take it up to higher authority within the
8 Pentagon, and really, this was the dilemma which he kept
9 pounding on, that he didn't know how he was going to
10 handle the paper, and he didn't know how he was going to
11 play any role in it, because of the discontent within the
12 Defense establishment, the draftees and what not, the clerical,
13 and non-commissioned officer.

14 Mr. Johnson. How did you feel on a more conceptual
15 level about the role of the military insisting domestic
16 intelligence collection.

17 Mr. Angleton. He thought that in recruiting centers
18 and campuses of ROTC, and places where intelligence existed,
19 that there was a real problem.

20 Mr. Johnson. And did he see a role for the military
21 in actively assisting in the gathering of domestic intelligence
22 to find out here about domestic unrest.

23 Mr. Angleton. Yes, a lot of it had to do with activities
24 against the Pentagon, against soldiers.

25 Mr. Johnson. But isn't it true that during this period

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1 the military was under severe criticism for earlier civilian
2 surveillance programs?

3 Mr. Angleton. From where?

4 Mr. Johnson. I believe the military was preparing for
5 hearings before Sam Ervin's Committee on the subject of milit-
6 ary surveillance over civilians. To some degree the mili-
7 tary was under public criticism for being in the domestic
8 intelligence gathering field.

9 Mr. Angleton. But I think the military took the posi-
10 tion that they were responsible for their own security in
11 conjunction with all other investigative agencies.

12 In other words, there has always been a cardinal rule
13 in government that the head of every agency is responsible
14 for his own security, that when the FBI develops information
15 on any subversion, within any branch of the government, they
16 send copies of those reports to the heads of the agency
17 concerned for their action.

18 And, therefore, as far as I know no one had turned over
19 the military prerogatives.

20 Mr. Johnson. Do these prerogatives extend beyond
21 the military base itself?

22 Mr. Angleton. I don't know. I don't think it has
23 anything to do with what directly affects the security of
24 the armed forces.

25 Mr. Johnson. Was there an NSA point of view that emerged

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1 in these meetings on the subject of intelligence collection
2 procedures?

3 Mr. Angleton. The NSA position, I think, was simply
4 that they needed an espionage assist to further their own
5 activities, the results of their own activities, and that Mr.
6 Hoover, in changing his operational posture, was depriving
7 NSA of very highly sensitive collateral, which resulted in
8 one, non-production, or if there was production, tremendous
9 costs to arrive at the same intelligence break-through, and
10 unfortunately getting away from real time collection.

11 Mr. Johnson. Are you talking about foreign intelligence?

12 Mr. Angleton. Foreign intelligence, foreign and
13 domestic, but where it is interrelated. But the real time
14 factor was that with the Bureau's help they were able to
15 have real time in terms of their collection.

16 (Discussion off the record.)

17 Mr. Johnson. We are talking about the point of view of
18 the NSA. I am wondering next if the CIA brought to these
19 meetings any perspective on intelligence collection problems
20 and how to resolve the difficulties with gaps in intelligence?

21 Mr. Angleton. I don't think it brought it anything
22 that wasn't well known in the community.

23 Mr. Johnson. And that relates back again to Mr. Hoover
24 throwing up barriers on certain procedures?

25 Mr. Angleton. That is right.

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1 I mean, there wasn't any secret in the community re-
 2 garding the gradual cutting back of liaison, and cutting
 3 back of operational support, and cutting back responsiveness
 4 to requests, in other words, ever sector of the domestic
 5 intelligence, which was a service of common concern which the
 6 Bureau bestowed on the community.

7 And everyone could see, they were too experienced not to
 8 see it all disintegrate, and more important, they knew about
 9 it as it happened, because there is a great deal of communi-
 10 cation within the intelligence community. And, therefore,
 11 if the head of NSA was asking Mr. Hoover, and he had been
 12 turned down on certain things, then that would be known to
 13 many others who were expecting NSA to produce as many as they
 14 had been producing a few months prior to that.

15 So as those things dried up, it just hit more and
 16 more individuals in the community. It wasn't any theoretical,
 17 it was all fairly hard core coverage.

18 Mr. Johnson. Earlier you said that Mr. Hoover decided
 19 not to allow certain operations because of lack of support
 20 from the White House and the Attorney General?

21 Mr. Angleton. I said that is my understanding.

22 Mr. Johnson. Is it also true that Mr. Hoover, going
 23 one step further, was concerned about the image of the Bureau,
 24 and he was afraid that that image might be blackened by public
 25 criticism of techniques that had been used once before.

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1 Mr. Angleton. I think so. I would go a step further
2 and state that the success and stature of the Bureau depends
3 in large measure on the public support. And once the public
4 support starts diminishing, it has a direct impact on the
5 effectiveness of the Bureau, because they rely on much of the
6 citizenry of this country to come forward as informants and
7 voluntary cooptees of the Bureau.

8 And once confidence is lost in the Bureau, they lose
9 this public support. And I think Mr. Hoover was very
10 conscious, and probably more so than many people in the
11 government, was very conscious and sensitive to the degree of
12 public support, or the lack thereof.

13 And I don't think he was going to stand idly by and have
14 the Bureau made a scapegoat when the Executive would not
15 stand forward.

16 Mr. Johnson. Before turning to the actual special
17 report itself, I wonder if you can tell me something about
18 the drafting of the special report, and also the degree of
19 consensus among participants as to the product that emerged
20 from those meetings.

21 Mr. Angleton. To my knowledge it was no real dispute
22 in the product. Oh, my own party used Ober as my research
23 associate. In other words, when I needed information re-
24 garding the strength of the operation and activities, and
25 so on, his job was to produce the study.

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1 Much of this was well known to the community, as I say,
2 prior to the meeting, I mean with the gaps.

3 So, I don't recall offhand -- this is nothing that stands
4 forward as in any disagreement -- there may have been some,
5 oh, verbiage, but I can't recall it.

6 Mr. Johnson. Was the actual drafting or the report done
7 by the Bureau?

8 Mr. Angleton. I think they took all the proposals and
9 came forward at each meeting with the drafting.

10 Now, whether we cooperated with them in that I don't
11 know. But I know that, as I recall, they would submit drafts
12 that tried to reflect the consensus of the prior meeting.

13 Mr. Johnson. Let me at this point introduce into the
14 record Exhibit A-1, Mr. Angleton, a special report inter-
15 agency Committee on Intelligence, ad hoc, June 1970.

(The document referred to was
marked Angleton Exhibit No. A-1
for identification.)

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Mr. Johnson. Now, this is the 43-page special report that eventually went to Mr. Nixon. And essentially it had three major sections.

The first section was a threat assessment. Do you recall what the CIA contribution was to the writing of the threat assessment, just in general terms?

(Discussion off the record.)

Mr. Johnson. Back on the record.

Mr. Angleton. From reading this, I would say that I don't think there was any dissident on the fact as laid forth here. We now know a great deal more about the Vinceremos Brigade because we have had defectors from the Cuban DGI, and their intelligence service. And we are quite accurate on the uses of that for espionage, and so on.

And the projections there, I don't think we dispute today.

Mr. Johnson. The second section of the special report had to do with options for the President. There are parts that are somewhat indistinct, but what I wanted to focus your attention on was the actual options presented to the President under six different collection titles, the first one being communications intelligence. And you can see on page 25 there is a series of options provided for the President with a little space whereby he could check off which one he approved.

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1 Now, what I would like to know is, from your
2 perspective as a CIA representative, of what relevance were
3 these options to your organization?

4 Mr. Angleton. What is the intelligence directive No. 6?
5 I don't recall that.

6 Mr. Johnson. That just outlines for the NSA its mandate
7 in monitoring the communications facilities, international
8 communications facilities, used by American citizens. You
9 might want to briefly glance over this section which explains
10 it.

11 Communications intelligence is an activ-
12 ity of the NSA, as I understand it. And from reading the text
13 it seems like NSA had primary interest here. But I wonder if
14 the CIA was also interested in relaxing restraints in this
15 area.

16 Mr. Angleton. Every participant is a consumer of NSA
17 product. And therefore they all have a an equal interest,
18 they all had a departmental interest in enhancing the coverage
19 by NSA.

20 Mr. Johnson. And this would have included the DIA
21 as well?

22 Mr. Angleton. Absolutely, because that is all they
23 are, they are under -- NSA is under the Secretary of Defense.

24 Mr. Johnson. Areyou aware of the NSA watch list?

25 Mr. Angleton. I am aware -- you mean as of today, or

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1 then?

2 Mr. Johnson. Then --

3 Mr. Angleton. I know they had a watch list.

4 Mr. Johnson. Let me be more specific, then.

5 Was not the CIA providing names of individuals of
6 interest to the CIA who had been placed on the NSA watch list?

7 Mr. Angleton. Are we talking now about domestic
8 intelligence, or normally?

9 Mr. Johnson. Let's begin with normally.

10 Mr. Angleton. Normally all customers, to my knowledge,
11 would levy requirements on NSA.

12 Mr. Johnson. In the case of the CIA, what would be an
13 example of a name that might be sent to the NSA to be
14 placed on a watch list? You say a terrorist.

15 Would that be an example?

16 Mr. Angleton. A terrorist, an organization, intelligence
17 individuals, political individuals, travel control.

18 Mr. Johnson. Would any of these names include the
19 names of American citizens?

20 Mr. Angleton. As of that time I don't know. I would
21 assume that if they were American citizens coming within
22 our jurisdiction, traveling abroad, there was reasonable
23 grounds for believing that they either belonged to an or-
24 ganization, or have been in contact with foreign intelligence
25 or foreign officials, that these names would appear on the

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1 watch list.

2 Mr. Johnson. So before the Huston plan the CIA
3 was levying requirements on the NSA to include on the watch
4 list names of relevance to the CIA?

5 Mr. Angleton. That is right.

6 Mr. Johnson. Now, would one objective of the Huston
7 Plan from the CIA point of view have been to perhaps expand
8 the number of individuals being monitored that were of in-
9 terest to the CIA?

10 Mr. Angleton. I can't answer that, because at this mo-
11 ment I do not recollect the procedures or the
12 channels of command through which these watch lists were
13 built up. I can't recall whether it went through Staff D or
14 whether components in the Agency have independent liaisons
15 with NSA.

16 In other words, the overt side of the House would ob-
17 viously have relations with NSA directly. And the CIA
18 people who were observers with the USIB covering other sectors
19 of the Agency would obviously have liaison in substantive
20 matters, and then the clandestine side would have relations.

21 Now, it is that channel command, the channel of liaison,
22 that would normally have been through Staff D.

23 Mr. Johnson. Mr. Angleton, I am puzzled by these options
24 presented on page 25. Let me read the second one to you:

25 "Present interpretation should be broadened to permit

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1 a program for coverage by NSA of the communications of U.S.
2 citizens using international facilities".

3 Mr. Angleton. Yes.

4 Mr. Johnson. Wasn't that already being done before the
5 Huston Plan or before the special plan?

6 Mr. Angleton. I would have to see what this directive
7 No. 6 says, since it related to that.

8 Mr. Johnson. Do you have any knowledge that before June
9 of 1975 the NSA was in fact covering the communications of
10 U.S. citizens using international facilities?

11 Mr. Angleton. I don't know.

12 Mr. Johnson. You don't recall getting any product
13 from NSA?

14 Mr. Angleton. I didn't handle -- I had a unit that
15 worked on counter intelligence data that came from
16 communications intelligence. And there were so many pro-
17 grams in the clandestine services on travel control --
18 in other words, all through the Cuban period there were
19 literally thousands and thousands of pages of information
20 derived from all other sources.

21 During the Cuban phase there was all the travel control
22 on all foreigners going to Cuba. And I assume that covered
23 U.S. citizens. What I am trying to say is that there are
24 so many components in the clandestine side of the business
25 that would be engaged in special operations which through

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1 Staff/D they would levy requirements.

2 Mr. Johnson. But do you also see my point in I am
3 wondering why these options would be written for
4 the President's approval when in fact there is some indication
5 that these activities were already going?

6 Mr. Angleton. Because I think it relates to the
7 question of interpretation of the President's Directive No. 6,
8 in other words, that NSA was obviously complying with some
9 portion of that intelligence directive which the group felt
10 should be changed.

11 In other words, they were relying on that verbiage
12 to justify some fields of inquiry into which they weren't
13 going, because they didn't have the personnel. But if we
14 had the directive it would be very clear.

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1 Mr. Johnson. Do you recall at the time any discussion about
2 the need to make this directive more explicit by having the
3 President --

4 Mr. Angleton. No. All I know is, there was a directive
5 that was inhibiting to NSA. What paragraph of it, what it
6 said I cannot recall. But it was something that they held up
7 as a restriction in their liberty of action.

8 Mr. Johnson. From reading the text here one gleans the
9 understanding that restriction had to do with coverage by NSA
10 of communications of US citizens using international facilities.
11 And obviously they wanted the directive to be relaxed and
12 broadened to allow that kind of coverage. And so the dilemma
13 I am having is why they wished to have the President expand
14 that coverage when in fact the coverage was already there?

15 Mr. Angleton. I don't know whether it was present in the
16 sectors we are discussing. I mentioned to you the Cuban thing.
17 There could be dozens of projects which would not be known to
18 the Counterintelligence, which would be known to Staff D, in-
19 which there was direct NSA involvement in supplying coverage.
20 I mean, the ones I can think of were such things as Cuban,
21 were matters where there was an enhanced interest on some
22 matter, operational or otherwise. But NSA does have liaison
23 officers covering the needs of NSA and so on.

24 Mr. Johnson. The second collection method discussed in the
25 Special Report has to do with electronic surveillances and

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1 penetrations. Of what relevance was this particular method
 2 to the CIA? The second opening talks about intensification of
 3 coverage of individuals and groups in the US who pose a major
 4 threat. Now, based on your recollection of the Langley meetings,
 5 to which organization did this operation refer? Who was going
 6 to intensify the coverage?

7 Mr. Angleton. The coverage would have been FBI, I think.
 8 In other words, they are the only ones that were conducting an
 9 electronic surveillance. If you leave NSA out of the picture.

10 Mr. Johnson. Within the US?

11 Mr. Angleton. Yes. And I think our problem, or the
 12 problem that communities always had, is the lack of broad
 13 coverage to begin with on foreign diplomatic establishments,
 14 and individuals within those establishments. And I will give
 15 examples, or at least I will give one example which I think
 16 characterizes the hard core counterintelligence interests.

17 Soviet intelligence is probably most deadly when it recruits
 18 a foreign diplomat from a friendly country, say, in Moscow, and
 19 follows his career. Eventually he ends up in the US. He has
 20 all the coloration of a friendly country, and thereafter all
 21 kinds of doors are open to him. And he is not under surveillance.
 22 Yet having diplomatic cover he can deal with legal KGB and the
 23 GRU at social functions. And the classic case is the case of

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Wennerstrom, The Swedish Air Attache, who had been recruited by the Soviets in the middle forties. While he was in Moscow the Soviets built him up as the source of the American military, and under Soviet guidance he produced a great amount of information for our attache's, which looked as though he was risking his own life on their behalf to acquire information, it being unknown that he was being manipulated all the time by the Soviets.

So many years passed. And eventually he was assigned to Washington. And the American military, because of his favors that he had done to American military in Moscow, opened up all the gates to him regarding US installations, and teated him almost like one of their own.

Now, his control was in the Soviet Embassy.. And he would take microfilm rolled up in the palm of his hand, and as he shook hands he would make his delivery. And he had dead drops, and so on.

Now, taking that one case, and basing it on all of the modus operandi which has come out of the knowledge of the KGB, we would believe that there should be a listing of all diplomats who have served in Moscow, because the realcenter for compromise and recruitment is there, by the Secretary Chief Directorate. And they eventually turn it over to the First Chief Directorate, which is the CIA side of it, when a man leaves Russia. So the danger point in terms of economy of personnel allocated to Bloc

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1 countries, and they have no activities really covering the so-
 2 called friendly countries. But you could build up a priority
 3 list for anyone who had served behind the iron curtain as
 4 distinct from any of the other embassies, then if you didn't
 5 have constant electronic coverage at least you would have
 6 periodic coverage to take the pulse of that individual, what
 7 is he doing.

8 Now, one of the cases the Bureau had involved an individual
 9 from a friendly foreign country, and they found him in touch
 10 with one of the Bloc countries, and a lot of other activities.
 11 This was given to the intelligence -- or the security service
 12 of his native country. Eventually they broke him as a Bloc
 13 intelligence agent. Now, that came from electronic coverage.

14 So my point is simply that the status of status for counter-
 15 intelligence purposes is totally inadequate, based on the
 16 information which we had relating to modus operandi.

17 Mr. Johnson. So this has been strictly an FBI activity?

18 Mr. Angleton. Yes, but working together with the other
 19 investigative agencies, because the Pentagon has all of the
 20 liaison sections, and they have hundreds of officers who wander
 21 in the diplomatic milieu, it is a question of tightening up
 22 the controls where there is memorandum of record, and of meet-
 23 ings, and social events, and so, where they are dealing with
 24 Bloc people these should be deposited with the FBI in order that
 25 they have a data base against their electronic coverage.

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1 in other words, it is absolutely unbelievable that with all the
 2 conterintelligence data and defectors that we do not have the
 3 manpower and the lists to perform this relatively easy type
 4 of coverage. In fact, in my view it is almost irresponsible.

5 Mr. Johnson. When it comes to this kind of coverage, does
 6 not the CIA also involve itself in planning and lending to the
 7 Bureau the use of sophisticated gadgetry?

8 Mr. Angleton. We have loaned stuff, I don't know how much,
 9 to the Bureau. But again I have had something to do with the
 10 policy there. My attitude over many years -- and I was on the
 11 Technical Production Board was that anything the Agency
 12 developed by way of a sophisticated piece of equipment, that
 13 prior to its use by us, where it could be compromised abroad,
 14 that it be offered -- an offer and refusal business would be
 15 given to the Bureau to see whether it could be used domestically
 16 before its classification of secrecy became exposed, on the
 17 grounds that the priority for the Agency is the espionage
 18 situation in the US. And therefore if we developed a piece of
 19 equipment, they should be brought in and they should be exposed
 20 to the equipment to see whether they can apply to a domestic
 21 case. And then if they refuse it we submit it at much lower
 22 security abroad, where essentially, when it is compromised it
 23 compromises the use of that equipment against all Bloc services.
 24 In other words, we had a piece of equipment compromised in
 25 Mexico. And the equipment was being used in other places

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abroad. So you have to immediately know that that service would have immediately take counter action in all installations around the world, but it would also tell the other Bloc services. And therefore your dilemma is, you had given it to the Bureau without telling them of its compromise. And therefore on the technical side you have to have the closest exchange. And by the same token, if they have a breakthrough, and equipment no longer has the same sensitivity to them, then we should get it for the purpose of either improving it or utilizing it.

Mr. Johnson. Would the CIA also have a rule inviting personnel to administer this equipment in this country vis-a-vis dipolomatic establishments?

Mr. Angleton. Not to my knowledge. I can see the Bureau, say, a very hard case going to any government agency, or even to the private sector, to bring in people who are superior to their own, who complement or supplement their own. In other words, I think when you have any operation, and you find a fault in it, or a lack of expertise, you go where you can find it, without regard to charters or all that stuff.

Mr. Johnson. If you will look at the two operations on electronic surveillances and penetrations, there is quite a difference between the second operation and the third operation. The third one has to do with diplomatic establishment, but the second one has to do with coverage of individual groups who pose a major threat. Did the CIA have an interest in using

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1 this particular collection method within the US against certain
2 groups that might pose a threat to internal security?

3 Mr. Angleton. I don't think that -- I don't remember
4 explicitly, but I don't think that it was our desire that
5 we would take on this activity if we could get the produce from
6 the Bureau. Our interest would be to see what breaks out of that
7 in order that we could take the foreign element, if the individual
8 traveled abroad, and there was a foreign angle to it, then we
9 would take over that aspect of it. And furthermore, in our
10 findings abroad we would have those meetings with the Bureau
11 that we didn't refine in the requirements and we could target
12 more accurately individuals. When once you get latched on
13 someone that is domestic, and you make the foreign connection,
14 you are in. And you have got the Bureau controlling some
15 double on their side, and we are controlling some abroad, then
16 you can expand that thing into the entire network all the way
17 back.

18 Mr. Johnson. Did you personally feel at the time that there
19 needed to be some expansion of FBI activities in that area?

20 Mr. Angleton. In the area of what?

21 Mr. Johnson. In the area of electronic surveillances and
22 penetration between individuals posing a threat to internal
23 security?

24 Mr. Angleton. Well, I think that wherever there is a threat
25 to the internal security, I think the Bureau should be on top

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1 of it.

2 Mr. Johnson. What I am getting at is, I am wondering that
3 if in June of 1970 you felt that Bureau coverage in this area,
4 using this technique, was inadequate when it came to radicals
5 within the US?

6 Mr. Angleton. I don't think the Bureau or anyone else had
7 professional coverage to the degree that it was needed. And
8 this means not to be opposed to these people, because I think
9 that what has to be spelled out here, our motive was never to
10 curtail the legitimate part of this student unrest or whatnot,
11 our real problem was that since we weren't covering the
12 foreigners and the diplomats, and we didn't know from morning
13 to night what they were doing, that we didn't have a credible
14 or professional data base on foreign activities. And the
15 easiest place to start on from is in our own country. The
16 efficiency of the CIA's counterintelligence depends in large
17 measure on the Bureau's, because anyone with a foreign
18 connection is going to broaden our jurisdiction. Every
19 diplomat or espionage operator in this country operates from the
20 headquarters within our jurisdiction. And therefore we have a
21 very highly vested interest that the coverage and the quality
22 of the coverage in the US be brought up. And we didn't think
23 much of the Bureau coverage, because we knew the limitations
24 that existed, as did most everyone in the community.

25 Mr. Johnson. Looking at these first two collection methods

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1 that we have discussed so far, one on communications intelli-
2 gence, and the second one on electronic surveillance and
3 penetrations, would it be fair to say that the CIA already had
4 some names on the NSA watch list of interest to the CIA, and the
5 CIA was already receiving some product from the Bureau gained
6 through electronic surveillance and penetration, but in both
7 areas there was a great deal of inadequacy, and so what the CIA
8 was really interested in here was a better product in both
9 areas, which really meant an expansion of the use of this
10 technique?

11 Mr. Angleton. There is no art in this technique. The
12 problem of the technique is -- let me rephrase that. Mr. Hoover
13 obviously conceived the Bureau as a group of men primarily
14 concerned with law enforcement. And in terms of his budget
15 career, esprit de corps, he didn't want to water his organization
16 with a tremendous number of clerical officers who from the
17 beginning to the end with only in electronic surveillance,
18 because my understanding of the electronic surveillance is
19 fundamentally that the message is in a strange language, and
20 collected by the thousands, and had to be processed by linguists
21 and I don't think he wanted to clutter his table of organization
22 with this. He was prepared to do it as it came up in the course
23 of their normal operational activity if they came across a
24 lead or an agent, then it might stimulate temporarily coverage
25 of that target.

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1 What we wanted was saturation on the foreign people, and
 2 on the Soviets. In other words, we had a case in which a young
 3 Soviet in the United Nations went outside of the restricted
 4 area and threatened or brought a threat to one of our agents
 5 who was hidden.

6 We asked the Bureau, where was he that weekend.

7 And they said they last saw him that Friday night in New
 8 York in his house.

9 Something was inadequate in terms of manpower, of not
 10 knowing that on Saturday and Sunday he had gone to the Midwest
 11 on operational assignment. And that is what I am trying to say.

12 I could take that case and multiply it a hundred times.
 13 And my view is that since the opposition works in a way that
 14 both the KGB and ^{GUR}GUR are principals, I mean they run the
 15 embassies, that there should be coverage on all of them. But
 16 the Bureau can only take a limited amount of personnel and then
 17 allocate it. And therefore if you are going to have any
 18 assurances of evaluating the situation, and so on, then you
 19 have got to have the coverage. And the coverage, the easiest,
 20 cheapest coverage there is electronic surveillance.
 21 Principally when it is secure. If everybody knows the phone
 22 is being tapped, then you learn nothing. And I dare say after
 23 all these hearings are over that there won't be much counter-
 24 intelligence derived if any.

25 Mr. Johnson. Doesn't the embassy officials from Bloc

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countries simply assume that their phones are being tapped?

1 Mr. Angleton. There are emergencies that arise in which the
 2 phone is the only way you can handle the emergency. Or there
 3 can be pay telephones, and they are unaware that you have the
 4 ability to tap a pay telephone. In other words, there is a lot
 5 of art within this thing where the whole thrust of everything you
 6 do is to get the enemy to underestimate you, so there modus
 7 operandi is geared to really a false estimate of your capability.
 8 And they don't use the phone, but they go to a pay telephone,
 9 and there are only five pay telephones within walking distance.
 10 And this particular day the 5th is the one they are going to
 11 use. And surveillance can state which code that they are going
 12 into number one. And thereafter the calls is picked up. If
 13 he doesn't know that you have that capability he is going to
 14 start running his agents out of those five telephone booths.

I am only giving that example.

16 Mr. Johnson. I would imagine if we were monitoring pay
 17 telephone booths we would pick up a lot of other calls besides
 18 calls made by embassy personnel?

19 Mr. Angleton. Those are all pinpointed types of things.
 20 It is known there has had to be communication between the
 21 agent and the principal. If you have a source that you can
 22 possible compromise, it tells you that there is going to be
 23 a meeting, and therefore a call and arrangement made, a code
 24 word said. And since they have gauged the fact that you don't
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1 don't have that kind of thing, that means that for one call
2 based on inside information, you pick up the business.

3 Mr. Johnson. I would imagine that vigorous effort by the
4 Bureau in this effort would have saved the CIA a tremendous
5 number of man hours.

6 Mr. Angleton. It would save everybody in the community.
7 Because you have to keep in mind also that the targets of the
8 Soviet espionage and black espionage relates also to the State
9 Department, Atomic Energy, the entire military, and it goes all
10 the way down the line. Those agencies have standard security
11 officers. And they have to rely on the Bureau for the domestic
12 coverage. And my point is this, that when you see cases of
13 espionage which have occurred, and you go back track on them,
14 you will find that had there been full time surveillance, and
15 a lot of manpower devoted, that those would have been nipped in
16 the bud, and you could have taken a straight agent and double
17 him back into the opposition. But in a case such as the Dunlop
18 case, the Sergeant who allegedly committed suicide in SA, his
19 activity with the Soviets was only after his suicide.

20 Mr. Johnson. How was that?

21 Mr. Angleton. It was known, it became known. In fact, if
22 I am not mistaken, I think some of my communications to NSA,
23 very sensitive, were found in a plastic bag in his attic, as
24 I recall.

25 Mr. Johnson. You say alleged suicide. Do you have reason
to believe that it wasn't actually a suicide?

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1 Mr. Angleton. Well, one accepts he is a suicide. But my
2 point is that I do not know that we have such depth of knowledge
3 regarding his case that we know all the facts. And I would say
4 the President's Foreign Intelligence Board made the most
5 exhaustive inquiry into the case, probably more than anyone
6 else in Government. And I have never seen their findings.

7 Mr. Johnson. The thirs set of operations discussed in the
8 Special Report had to do with the subject of mail coverage.

9 Mr. Angleton. Yes.

10 Mr. Johnson. Of what importance were those operations to
11 the Central Intelligence Agency?

12 Mr. Angleton. Now, would you tell me your question again?

13 Mr. Johnson. What significance were those operations for
14 our organization in June of 1970?

15 Mr. Angleton. I think everybody there, with the exception
16 of the Bureau, was unaware that we had mail coverage.

17 Mr. Johnson. If you had mail coverage why was the President
18 asked to remove restrictions on mail coverage?

19 Mr. Angleton. I think the basic thing would have been --
20 I mean, he would know that this was a cover thing against the
21 other members of the community. In other words, if this had not
22 been brought out from Downie and all those observers, and so on.

23 Mr. Johnson. I suppose I am still unclear about this. Did
24 the President at this time know that the CIA had a covert mail
25 coverage program?

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Mr. Angleton. My recollection is that we had certain information from mail coverage which must have come to his attention.

Mr. Johnson. If you will look at this page you will see that it states "covert coverage has been discontinued." Was that in fact true?

Mr. Angleton. I think this is probably, -- that paragraph, I think, was a Bureau comment.

Mr. Johnson. Do you find this rather misleading, to send a report to the President that tells him the covert coverage has been discontinued, and then asks him --

Mr. Angleton. I am not so sure -- I don't know the origins of that paragraph. In other words, it refers here to Congressional hearings. I don't recall -- I know they were happening, but I don't recall which ones they were referring to here. We had a former Deputy Director, Scientific and Technology, ^{Seville} Colville, who had belonged to the group of scientists who wrote some very pointed inquiries to the Post Office -- and I don't remember the date -- regarding the whole mail coverage business. To my recollection, Colville, while with the Agency, knew of the program. Now, what this is referring to I don't know.

Mr. Johnson. Did the Bureau have a program at this time?

Mr. Angleton. I don't know. They may have had one that was discontinued. The operative part of that as I see it is

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1 shether those are Congressional hearings involving accusations
2 of Government invasion of privacy.

3 Mr. Johnson. So you think the sentence applies to the FBI
4 program, not to the CIA program?

5 Mr. Angleton. I don't think it has anything to do with the
6 CIA. I don't remember any of us ever making any representations
7 to those representatives of USIB regarding the existence of the
8 program.

9 Mr. Johnson. Including the White House Representative,
10 Mr. Huston?

11 Mr. Angleton. Well, I don't think we bring him into it.
12 That was the kind of thing that if anything was going to be
13 said, it would be said to the Attorney General and the
14 President, because the Bureau naturally knew about the program
15 for a long time. And they knew that we had a common code name.
16 And therefore they would be just as conscious of the fact that
17 this was somehow known to the two of us, so there wouldn't be
18 any purpose in a roomful of people of exposing the mail
19 coverage to those people that had to go back and report to
20 principals, particularly when you have the kind of statements
21 that Downie and others made about the fact that they could not
22 vouch for any security in their own organizations.

23 Mr. Johnson. But isn't there a problem here that a report
24 was prepared for the President which had some misleading
25 statements in it?

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1 Mr. Angleton. No, because I think they would have all been
2 clarified fact to face with the President. And they may well
3 have been. In other words, what I am trying to say is, it is
4 quite conceivable -- and it really never occurred to me -- that
5 it is quite conceivable that given the closeness between Huston
6 and Bill Sullivan, that well before this meeting Bill could have
7 gone into the whole status of the Huston project.

8 Mr. Johnson. Huston claims now not to have known about the
9 undercover program, and he feels somewhat duped by the intelli-
10 gence community. And of course, the more important question is,
11 was the President duped into believing that this was such a
12 program, and being asked a few pages later to allow the Agency
13 to institute it?

14 Mr. Angleton. I don't think other than your thought that
15 the President wasn't going to be notified.

16 Mr. Johnson. Notified about a new program?

17 Mr. Angleton. No, notified about why we had to put this
18 thing in there. My God, you couldn't be there asking for
19 electronic surveillance and all those other forms of coverage
20 with a group of counterintelligence people who raised the
21 question of mail coverage.

22 Mr. Johnson. But isn't it possible that President Nixon
23 read this on its face value and did not know about the mail
24 program, and thought that he was being asked --

25 Mr. Angleton. I don't think that he ever read the thing.

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1 I don't know myself. Because I was shocked when I heard later
2 on that Mitchell allegedly did not know about the Huston
3 project. And I refused to believe it.

4 Mr. Johnson. But to return to the question, isn't that a
5 possibility that the President read this report to him at its
6 face value and thought that he was being asked to institute a
7 mail coverage program in which he was already doing --

8 Mr. Angleton. I can't answer that. I know that any byplay
9 of what happened to that report until the blowup, in which Mr.
10 Mitchell begged Mr. Hoover in terms of destroying this project
11 --

12 Mr. Johnson. This section of the report states that routine
13 coverage is legal, while covert coverage is not.

14 Mr. Angleton. Yes.

15 Mr. Johnson. And you said that the CIA had a covert mail
16 program underway?

17 Mr. Angleton. Yes.

18 Mr. Johnson. So the obvious conclusion was that the CIA
19 was conducting an illegal activity, is that the correct
20 conclusion to draw?

21 Mr. Angleton. I don't know. That was drawn up for the
22 audience which was there. The audience which was there was
23 fairly junior people within the USIB community.

24 Mr. Johnson. You mean the Special Report to the President
25 was drafted with the unior officer in mind and not the President

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Mr. Angleton. I mean, the people who were there were representatives who were pretty low on the totem pole. I mean, outside of Huston and Sullivan, all of those were relatively junior officials of the organization.

Mr. Johnson. Well, you were not a general officer?

Mr. Angleton. I mean junior in terms of the entire Agency, yes. Normally there have been Tom Karamessines, the Deputy Director, or somebody.

Mr. Johnson. But on June 5th in a most serious fasion, the President asked the intelligence community principals for a complete report on intelligence gaps and how these gaps could be closed?

Mr. Angleton. Yes.

Mr. Johnson. A very serious meeting, and, as you mentioned at the beginning of this proceeding, a rather extraordinary meeting.

Mr. Angleton. That is right.

Mr. Johnson. And yet it seems to me that the produce that was prepared for the President was not compared in the same kind of serious vein in which all of the fact were laid out in a very valid fashion for the President's position.

Mr. Angleton. I think that the paper responded that -- I said that the first papers or first drafts, I don't remember how many were involved, were such that they were unacceptable

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1 to Huston, and that he turned the thing around by making a very
2 articulate denunciation of the priorities, and of stating that
3 the papers produced did not respond to the President's request.
4 So he was very clear-cut on this.

5 Mr. Johnson. Even after that upgrading by the 29-year old
6 Huston, did the group drafting this report eventually respond to
7 the President's request, that is, for a thorough complete
8 report?

9 Mr. Angleton. As far as Huston was concerned, yes.

10 Mr. Johnson. But of course Huston --

11 Mr. Angleton. I was the judge of those things, because no
12 one who was present had talked to whoever he was reporting to.
13 He was the only one that would take the thing into the White
14 House and emerge from the White House. He was speaking with the
15 authority of the White House.

16 Mr. Johnson. Yes, but he was a young man with not much
17 experience in the intelligence community, and certainly no
18 basis to judge whether this was actually a complete and factual
19 report for the President. In fact it wasn't a very complete
20 and factual report in some part, because the President wasn't
21 even told about a mail coverage program.

22 Mr. Angleton. I didn't say he wasn't told.

23 Mr. Johnson. In the Special Report, I mean.

24 Mr. Angleton. I didn't say they were going to get close to
25 a lot of people over there. When Downie made the statement,

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1 I can't even take these papers back -- we weren't talking about
2 anything as high level by way of secret as mail coverage, and
3 that he could not take any responsibility of building the papers.

4 Mr. Johnson. Because of the concern about leaks?

5 Mr. Angleton. Yes, penetration.

6 Mr. Johnson. Within the Defense Department?

7 Mr. Angleton. That is right, within DIA.

8 Mr. Johnson. Was this viewpoint shared by you and the CIA?

9 Mr. Angleton. We have no point of make on his organization,
10 we have no way of judging it.

11 Mr. Johnson. I mean for your own organization?

12 Mr. Angleton. We took him at face value for what he had
13 to say.

14 Mr. Johnson. But were you interested in diluting the
15 report for fear that it might fall into the wrong hands within
16 your own Agency? You were manipulating and diluting it because
17 of Downie's concern about DOD?

18 Mr. Angleton. Because this was a roster that people were
19 present. Is that it there?

20 Mr. Johnson. No, it is back here.

21 Mr. Angleton. You don't have to go over that roster to see
22 that you couldn't do a lot of things. There were a lot of other
23 things you couldn't open up. Their report was not in otherwise
24 supervised lateral arrangements. What business we were conduct-
25 ing with the Bureau, we didn't table with those people. The

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1 things that we are doing with NSA we didn't table with these
2 people, because they were already on-going operations or on-going
3 liaisons. So there was no reason to table it to them.

4 Mr. Johnson. Was this a charge in essence, then?

5 Mr. Angleton. No, it wasn't a charade. It was the fact
6 that this was one area where, the same as you would enhance an
7 electronic, you would enhance all forms of communication, all
8 channels of communication.

9 Mr. Johnson. But you harken back to the June 5th meeting in
10 which the President was deeply concerned about the domestic
11 intelligence, because he says it to the intelligence community
12 leaders, please bring me a complete report on intelligence gaps,
13 and we want to close those gaps. Please do that report back
14 and have it back on my desk in three weeks on June 26th. And
15 yet when the report comes back one could argue that it is not
16 the kind of complete report that the President requested.

17 Mr. Angleton. All I am saying is that it met Huston's
18 need, and from what I read in the papers, his correspondence
19 with Haldeman and Erlichman, he expresses surprise at the
20 cooperation received. And he was totally satisfied. And on
21 the basis of that he submitted his famous letter of 8 July that
22 he was assuming that role as the agent for or the White House
23 representative on domestic intelligence. So he was obviously
24 totally satisfied. And he wasn't as naive as you indicate,
25 because for the years prior to that, or for a year or so prior

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1 to that, he was working with Sullivan on all the Bureau
2 problems, as again is reflected in his White House interoffice
3 memorandums with Halderman and company.

4 (Off the record discussion.)

5 Mr. Angleton. As I recollect, the letters when they were
6 printed in the newspapers referred to the fight with Hoover,
7 Billy Sullivan's own situation. And that was all in the papers.
8 So my point there was that he was much more sophisticated than
9 one would think.

10 And second, he was speaking to a group who respected the
11 fact that he was the White House representative. And you have
12 to keep in mind, this was a unique situation, because to my
13 knowledge it is the first time in history of American counter-
14 intelligence that a person at that high level ever attended a
15 substantive meeting. Never in history has there ever been
16 that type of thing, even though many times in the last 20 or
17 30 years the Bureau and the CI people, counterintelligence, in
18 the Agency, had always wished to have a meeting between the
19 Director of CIA and the Director of FBI with the President to
20 resolve the question of cooperation between the two agencies.

21 Mr. Johnson. So were you pleased to see this kind of high
22 level policy access with the counterintelligence people?

23 Mr. Angleton. Well, I don't know whether I was pleased or
24 not. That never crossed my mind.

25 Mr. Johnson. You had never had that kind of access to the
White House before as counterintelligence people. Weren't

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1 you hopeful?

2 Mr. Angleton. I am not pleased by those kinds of things.
 3 It was a development that didn't astonish me, because I was
 4 quite aware, in and beyond all the Sullivan and Huston business,
 5 of what the real state of affairs were. And I know the
 6 problems that Admiral Gayler was having, and knew the issues in
 7 counterintelligence organizations regarding the threat.

8 Mr. Johnson. With this new White House interest in the
 9 problem, weren't you hopeful that the thing would change, that
 10 the CIA individuals would have their day in court in the White
 11 House and be able to point out their position?

12 Mr. Angleton. I certainly hope that the liaison with the
 13 FBI would be reestablished, because all that was something in
 14 which myself and my deputies had been involved in since 1954,
 15 and even before, and to have that cut off was -- just simply,
 16 it was like losing your moorings, you just simply drifted.

17 Mr. Johnson. Let's return to this discussion we were
 18 having before about the meaning of the options here on mail
 19 coverage. Is what you are telling me that this document was not
 20 really meant to represent the entire truth about collection
 21 procedure, because that would have revealed too many sensitive
 22 matters to a rather large audience?

23 Mr. Angleton. We were not going to reveal outside the
 24 Bureau the mail coverage operation.

25 Mr. Johnson. When you say outside the Bureau --

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1 Mr. Angleton. To the people who were present.

2 Mr. Johnson. But what about the White House representative,
3 he was not to know either?

4 Mr. Angleton. I never had any private talks with the White
5 House representative.

6 Mr. Johnson. I know, but he was in attendance at these
7 meetings.

8 Mr. Angleton. As I said earlier, I don't know what in the
9 year prior to that Huston learned from Sullivan. But I was led
10 to believe that they saw Sullivan frequently, and Sullivan's
11 point of contact, and so forth, was Huston. So it would not
12 surprise me at all if he had not aired it frequently with
13 Huston, because I always knew the fact that Sullivan had a
14 contact in the White House. I didn't know anything about him,
15 and I didn't know his age or anything else. But I thought
16 highly of him, and so on.

17 Mr. Johnson. I suppose we have belabored this point enough.

18 Mr. Angleton. Personally it is a very simple one to me,
19 that in a thing of this sort, with the personnel who were
20 present there, that on a compartmented basis you could not
21 disclose to them in an interagency meeting this type of thing
22 when they had to go back and report to unknown principals.
23 And when I say junior, I mean junior in the sense that a
24 colonel in the Army is a very -- and he was then even a full
25 colonel, a lieutenant colonel -- and going back and getting a

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Pentagon position, which with the DIA and Secretary of State, means a tremendous channel of staffing, which he himself outlined to us.

Mr. Johnson. Of course one interpretation that is made by some people in examining this document, is that it was an effort by the CIA to conceal from the President one of their on-going collection procedures?

Mr. Angleton. That is not so. Because I can't recall whether it was before or after that we saw the Attorney General, who we regarded to be the President's Chief Executive Officer. And where he was shown the actual messages of intercept. He saw the mail coverage on things which were of deep concern. And so there wasn't any -- the last thing in the world was to withhold from the President anything.

Mr. Johnson. Now, if you are talking about the meeting that is discussed in the Rockefeller Report, that occurred a year after this?

Mr. Angleton. I can't recall those things, because we were working on many levels here, we were working on a level like this, which occurred -- how many meetings, I don't remember?

Mr. Johnson. Four meetings.

Mr. Angleton. Was it the entire month?

Mr. Johnson. Anyway, that was a very short period. And at the same time all the activity was going on. This was

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1 purely a side line affair. And I would have thought that the
 2 meeting with the Attorney General was at a different time. I
 3 always thought this was a meeting coincident with this, because
 4 I remember -- the reason. I feel that there was some communica-
 5 tion with the Attorney General was the shock I felt when I was
 6 told that the Attorney General stated he was aware of the
 7 Huston business, and it didn't make sense --

8 Mr. Johnson. You know, on this same page, in a footnote
 9 that was apparently added at the request of Mr. Hoover, the
 10 Director of the FBI felt compelled to point out to the
 11 President in no uncertain terms that he was not going to support
 12 a covert mail coverage program.

13 Mr. Angleton. Well, I can't speak for what was on Mr.
 14 Hoover's mind. But the Bureau, and I think the Secret Service
 15 even, were levying requests and getting all the take, all of
 16 the production out of it. Now, I refuse to believe that given
 17 the quality of the information, that it wasn't -- that Mr.
 18 Hoover did not know what was going on.

19 Mr. Johnson. My point was, though, that the Director of
 20 the FBI felt compelled to speak very frankly to this issue,
 21 apparently, in a footnote. But Mr. Helms did not speak with
 22 total frankness about his own program in this report.

23 Mr. Angleton. But I don't know -- the thing aborted. No
 24 one expected this thing to die as it died.

25 Mr. Johnson. But that is another issue --

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1 Mr. Angleton. No, it is not another issue. Because my
2 view is that Hoover -- I mean that the Bureau and ourselves
3 would have disclosed the mail program to the White House,
4 because we would have no customers.

5 Mr. Johnson. Would have disclosed the mail coverage?

6 Mr. Angleton. Of course, Because if you had a man in
7 Huston's position, domestically having the same authority, as
8 he put it, ad Dr. Kissinger had for Foreign Affairs, then he
9 would be entitled to all sources of information. That is what
10 I am trying to say. And therefore he would be a point of the
11 closest tie-in with the Administration, with the Executive,
12 to work out priorities.

13 Mr. Johnson. So the CIA and the FBI were going to hold off
14 on informing the President on this program?

15 Mr. Angleton. No, I didn't say that. I said that if the
16 program had gone ahead, if there hadn't been this unexpected
17 reaction, then -- because you see, no one -- I would never have
18 dreamed that the White House staff could have launched such a
19 thing without the Attorney General being fully apprised, because
20 everyone was rightly or wrongly conscious of the fact that the
21 most powerful individual, in terms of the White House, was the
22 Attorney General. And therefore it was inconceivable that in
23 his role you could have the FBI chairing from Justice a meeting
24 of this sort without his being sully apprised at the White
25 House level of what was going on. To me it still is something

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1 I refuse to believe. Because I only heard by hearsay of how
2 his reaction was to the Huston thing, and how he had killed it,
3 and how he went to the President. It was all hearsay.

4 But it is inconceivable --

5 Mr. Johnson. I want to return to that point in a moment.
6 To finish up this section on mail coverage, I wonder if we
7 could finally reach some conclusion on why it was that mail
8 coverage, covert mail coverage, was called illegal in this
9 report, and yet the CIA had a program going at the time, and
10 the Bureau had one going before. Why is it that the Agencies
11 were involved in illegal programs?

12 Mr. Angleton. That is the whole history of the mail
13 program.

14 Mr. Johnson. I don't ask you to do that, because I think
15 Mr. Wallach is going into that.

16 Mr. Angleton. I say, I would have to go into the whole
17 history of the mail program.

18 What I am really trying to raise is a philosophical question
19 here. When does an agency feel compelled to conduct an
20 intelligence collection procedure which is widely considered to
21 be illegal? What kind of decisions are made to go ahead on a
22 program like that, despite its illegality?

23 Mr. Angleton. Well, it went on since -- what was it, 1952?
24 And I think it was going on three years before we became
25 involved in it. So it was an on-going operation. And I don't

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1 think that the files properly reflect that there was a much
 2 stronger counter intelligence interest than the record shows.
 3 And Eric ^{Trimm} Trimm, who was prominent in the origination of it with
 4 the Office of Security, by background an FBI man in counter-
 5 intelligence. And in OSS he was X-2, counterintelligence.
 6 And I know him intimately. And his whole thrust of any kind of
 7 espionage or other operational usage would have a very strong
 8 counterintelligence base to it.

9 Mr. Johnson. But you see the thrust of my question. Here
 10 was set before the President some options which presumably
 11 he could improve by making a change in the little blank to
 12 the options. and if he had approved those options
 13 he would have been approving in essence the kind of lawlessness
 14 in the intelligence program, he would have been approving a
 15 program that right in the report itself was referred to as
 16 illegal

17 Mr. Angleton. I understand that.

18 Mr. Johnson. So could one make the argument that the
 19 intelligence community was asking the President to approve
 20 something of his own?

21 Mr. Angleton. Not the intelligence community. The
 22 intelligence community was not told of the program. The people
 23 who appeared were not told.

24 Mr. Johnson. Okay, let me refine that by saying the leading
 25 representative of the Bureau and the CIA?

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1 Mr. Angleton. I don't understand you at all.

2 Mr. Johnson. Let me start over on this point, because in
3 fact it was the intelligence community, wasn't it, because this
4 document is signed by Gayler and Helms.

5 Mr. Angleton. But they didn't know to my knowledge anything
6 about the mail program.

7 Mr. Johnson. But my point is that they were setting down
8 on paper some options for the President to check off which,
9 had he done so, in case of two and three, would have meant that
10 he would have approved an illegal program. So can't we say that
11 the four principals of the intelligence community signed a
12 document that laid before the President a set of options
13 that were illegal?

14 Mr. Angleton. Let me see that again.

15 This isn't it. This is electronic.

16 It says here: "High level postal authorities have in the
17 past provided complete cooperation and maintained full security
18 of this program." that is, covert coverage. It explains that
19 there is covert coverage in existence.

20 Mr. Johnson. Where does it explain that?

21 Mr. Angleton. "High level covert coverage. High level
22 postal authorities have, in the past, provided complete
23 cooperation and have maintained full security of this program."

24 Mr. Johnson. But isn't this the key phrase, "in the past"?

25 Mr. Angleton. We will come back.

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1 "This technique involved negligible risk of compromise.
 2 Only high echelon postal authorities know of its existence"
 3 which is the present tense -- "and personnel involved are highly
 4 trained, trustworthy and under complete control of the intelli-
 5 gence agency.

6 "This coverage has been extremely successful in producing
 7 hard core and authentic intelligence which is not obtainable
 8 from any other source. An example, is a case involving an
 9 interception of a letter to a Soviet establishment in 1964.
 10 The writer offered to sell information to the Soviets." et
 11 cetera.

12 "Other examples include" -- and here we are missing a very
 13 operative part in this xeroxing.

14 You had better read this, because I haven't read it.

15 Mr. Johnson. I think it is really the key phrase where it
 16 talks about covert coverage not being legal.

17 Mr. Angleton. In your research on this have you come across
 18 any draft papers on these different things?

19 Mr. Johnson. No.

20 Mr. Angleton. Because I mean, I can't reconstruct who wrote
 21 this, who supplied the verbage. In other words, I don't know
 22 whether we are the ones or it was the Bureau that devised this
 23 phrasing.

24 Mr. Johnson. Let's go off the record for just a moment.

25 (Off the record discussion.)

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1 Mr. Johnson. Back on the record.

2 The next operations that were discussed in the Special
3 Report have to do with surreptitious entry. And to repeat what
4 we have done earlier, I would be interested in knowing what the
5 objectives of the CIA were here if any.

6 Mr. Angleton. Let me read it.

7 Mr. Johnson. The report leads one to believe that this was
8 one of many NSA interests. Was that your perception, too, at
9 the time?

10 Mr. Angleton. It may have been only because of Admiral
11 Gayler's abortive attempts to change Mr. Hoover's mind on
12 relinquishing this type of operation. But in actual fact we
13 had as much interest as did the Bureau in the surreptitious
14 entry.

15 Mr. Johnson. Could you briefly explain why?

16 Mr. Angleton. Because of the product. In other words,
17 it is not solely an NSA product. The NSA would want the
18 cryptographic assist. But on the other hand it could be bag
19 and pouch reports that went through the air, and expense books,
20 and identities of agents, and all kinds of documentation. In
21 other words, it is probably the highest level of collection,
22 both for espionage and counterintelligence purposes, that exists.

23 Mr. Johnson. Is this kind of operation carried out by
24 the Bureau in this country?

25 Mr. Angleton. I don't know. I don't know what they had

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1 done.

2 Mr. Johnson. In the past, was this strictly a Bureau
3 activity?

4 Mr. Angleton. I think that they should be asked. What I
5 am trying to say is that to my knowledge -- I may be wrong --
6 I don't think that they ever officially told us of their
7 activities, although I think it was well known -- I mean, it
8 was known to selected people.

9 Mr. Johnson. Does the CIA use the technique of surreptitious
10 entry within the US?

11 Mr. Angleton. I have read the story, I think I have read
12 in the press something about some disagreement with Mr. Hoover
13 over some operation in Chevy Chase or something, I don't know.

14 Mr. Johnson. According to the set of options on
15 surreptitious entry -- we are talking about more than diplomatic
16 embassies, we are also talking about the use of this technique
17 against other urgent and high priority internal security
18 targets. To your knowledge has the CIA ever used surreptitious
19 entry against non-diplomatic establishments within the US?

20 Mr. Angleton. I don't know. I am not an expert on that.
21 I read that some of the security cases involved it, there are
22 some personnel. And Mr. Colby has given a very lengthy numeri-
23 cal thing as to how many times that is used or not used.

24 Mr. Johnson. Why is it that the CIA and the NSA have relied
25 upon the FBI to conduct surreptitious entry in most cases when

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1 it comes to foreign embassies within this country? Why don't
2 they conduct their own activities?

3 Mr. Angleton. Basically it is because to be successful
4 requires an enormous amount of manpower and expertise. In
5 other words, the process of surreptitious entry first requires
6 sources. It requires identifying the time of the entry. It
7 requires total hermetical sealing off of any people from that
8 embassy from returning unexpectedly, which means that all
9 parties that might return are kept under total surveillance,
10 so that in the event that they decided they have left something
11 back at the office, the team is warned. And it would be
12 almost impossible for anyone to try to do it successfully
13 except the FBI. They are the only ones with the assets and the
14 coverage.

15 Mr. Johnson. At the bottom of the page of the Special
16 Report, in this section on surreptitious entry, the FBI added a
17 note. The note is indistinct on the page or copy I gave you.
18 But it is reproduced here. Do you find that a credible reason
19 for eliminating this collection technique is the reason that the
20 number of police guarding the embassy adds to the operational
21 hazards? Or do you think that was a smoke screen put up by
22 Mr. Hoover because he simply didn't want to use that procedure?

23 Mr. Angleton. I don't know what he means by the increase
24 in the number of police.

25 Mr. Johnson. He is referring to that executive protection

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force that came into existence in late 1970.

Mr. Angleton. I really don't have any comment to make on that. I don't think that the Bureau would have told -- they would have told the Attorney General and the President of the state of the art, but I don't think that Mr. Hoover would feel obligated to expose to the other principals an activity of this sort in which the Bureau is the primary beneficiary. In other words, as the chief law enforcement officer charged with the domestic counterespionage, he would not to my way of thinking share the information until its use had been exhausted for internal security purposes. And this was an audience to which I don't think he was prepared to spell anything out. Normally he would handle that by seeing the Attorney General and the President.

Mr. Johnson. He wouldn't have even shared his views with Mr. Helms?

Mr. Angleton. He was under no obligation to charter-wise or any other way.

Mr. Johnson. The next set of options has to do with development of campus sources. And the list of options are here. And here is one specifically mentioning the CIA.

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1 Mr. Angleton. I think this is mainly FBI language,
2 that is, up until paragraph 5, up to that point it is involv-
3 ing the problems of the Army and the Bureau running into the
4 ROTC problems. And then I guess down to 5 -- of
5 course, we have had experience for many, many years with the
6 international concerns, and the troubles that the Ft. Myer
7 outfit had in the Katzenbach report, we knew from hard core
8 activity that the Youth Festival in Vienna, and that the
9 Soviets -- I mean, the Soviets ran the International Student
10 Business and front organizations.

11 Mr. Johnson. Mr. Angleton, would this first option
12 have been of interest to the CIA -- I am sorry, not the first
13 option, but rather the second option?

14 Mr. Angleton. I would put it this way, that I think
15 it would have permitted the FBI to have gained much more
16 intelligence. And as it opened up, to travel abroad for
17 international conferences, it would give us the opportunity
18 for recruitment, and opportunity to take those people over as
19 agents.

20 Mr. Johnson. But would you have wanted to develop
21 your own campus sources?

22 Mr. Angleton. No, we would rely on the Bureau -- we
23 may have selected once where, for example, it was a period
24 for this when in Mexico City Soviet intelligence was cultivat-
25 ing Americans at the University of Mexico for espionage

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purposes.

Now, when we get a case of this sort, then we would be zeroed in on the hard core Soviet case. So, we were working from a broad back into the country. This would give us the strength of working from here outward.

Mr. Johnson. In order to protect your own CIA recruiters who were visiting campuses, did you ever think it would be useful to have your own CIA sources who might tell you what the student body was doing?

Mr. Angleton. Personally, outside of the domestic contacts people, I would say at that time we did not have personnel or manpower.

Mr. Johnson. The next and last set of options has to do with the use of military undercover agents.

Would that have been of significance to the CIA directly?

Mr. Angleton. It is the same way as the previous options, that the Agency would benefit from any hard core intelligence developed by the Army. And you have to keep in mind that over the years we had broken the Army cases of espionage abroad, in which the agents concerned came back to the U.S., and so on. They would pass the military counter intelligence to the FBI. In other words, we worked with them abroad, and then when it reverted to the U.S. we worked with the FBI.

So any knowledge that they could acquire extending

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1 this into the Armed Forces on campus, and so on, it is
2 bound to have -- eventually these people would be assigned
3 abroad.

4 Mr. Johnson. Would you have supported at that time an
5 expanded counter intelligence role for the military within
6 the U.S.?

7 Mr. Angleton. No. We have always had first rate
8 liaison with the military counter intelligence services.
9 We have trained the original OSI people in the counter --
10 by "we", I mean my people trained them. And that was a
11 cadre of people who in turn went out and trained others, and
12 we have refresher courses.

13 Mr. Johnson. What I am really getting at is this
14 second option in which it says, the counter intelligence mix
15 of the military services should be expanded to include the
16 active collection of intelligence concerning student-
17 related dissident activities.

18 Would you have supported that?

19 Mr. Angleton. No. That is a matter between the
20 Bureau and the military. We would get a by-product in a rare
21 instance, I would assume. But that appears to me to be
22 primarily a matter between the military and the Bureau.
23 Because I think the military were charging the Bureau with
24 all kinds of investigative leads and things of this sort.
25 I don't think the Bureau had the manpower to comply.

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Mr. Johnson. According to the testimony of other witnesses, there were two other options that were discussed in some detail at these meetings, but not included in the special report.

One of these was surreptitious optical surveillance. Now, the questions that I would pose to you on this is, number one, what does it mean?

And number two, how did it relate to the interests of the CIA?

Now, I am just wondering if you thought it did.

Mr. Angleton. Well, again, my understanding of the term, it is simply the accumulation of newsreels, the dissident acts, and violence, and what not, when you acquire enough to identify the ringleaders, you can identify those people who appear in all the different front organizations who are the stimulant in this.

So, it narrows down your investigative target.

Mr. Johnson. Was that -- is that being done already?

Mr. Angleton. I think that -- my understanding at that time was that it may have been done -- I don't know this from direct knowledge. I think that Downie did talk to that subject.

Mr. Johnson. But you don't recall these specifics?

Mr. Angleton. Yes, I can remember. I think that is Downie who mentioned something about the photographing of

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1 people who attended rallies and so on, where you can identify
 2 that this one person, this group of people who you see
 3 visually, who are actually doing the egging on here turning the
 4 car over, who are doing that, and then pretty soon you will
 5 find that they are in Washington, and they are in college
 6 and then some other place. Therefore, as in all that type
 7 of Fifth Column work, once you get the hard core of your
 8 real targets, then you can anticipate where the next action
 9 is going to be.

10 There were publications then or later when they had the
 11 Washington thing, I mean the big hassle here in Washington,
 12 where the people that were putting on the show worked up
 13 militant plans of every conceivable type on how to handle the
 14 police and communications and all of that.

15 The query was whether they dreamed that up themselves
 16 or whether they had technical assistance from professionals.

17 Now, I was not directly involved in that, but I did
 18 hear comment to the effect that it was too professional to
 19 just come out of the woodwork, that it had to be that somebody
 20 with a professional background to devise the strike action.
 21 I wish I could remember some of the verbiage that was in the
 22 cover of this.

23 Mr. Johnson. I know what you mean. I have read that.

24 Do you have any recollection why this option was re-
 25 moved from the special report?

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1 Mr. Angleton. No. I would say maybe the only reason
 2 it was removed was simply that it was not regarded to be --
 3 that it was a matter of minor importance in terms of the other
 4 matters.

5 Mr. Johnson. The last option that presumably was of
 6 some importance in the discussions had to do with the investi-
 7 gation of diplomatic personnel.

8 Now, I understand that before the FBI will conduct
 9 an investigation of diplomatic personnel in this country
 10 it will get a clearance from the State Department.

11 I further understand that some of the members of the
 12 Bureau wanted to eliminate this clearance procedure, and so
 13 that was brought in discussion.

14 Do you remember anything about this?

15 Mr. Angleton. The problem has been a problem that
 16 goes far beyond this interagency business. The problem is
 17 that it was our understanding, rightly or wrongly,
 18 that this was a self-imposed restriction of the Bureau's.
 19 In other words, the Bureau was under no compulsion by law or
 20 procedures to clear these things with State Department, that
 21 they did it by way of protection, if anything went wrong,
 22 then they could fall back on the State Department's agree-
 23 ment.

24 Our objection was, number one, that we believed it to
 25 be a needless disclosure of counter intelligence data, and

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1 Foreign Intelligence Board, et cetera. And I think
 2 probably again it was considered to be minor in comparison
 3 parison with the other.

4 Mr. Johnson. I have put others down here.

5 Do you remember any other options that were discussed
 6 and not included in the special report?

7 Mr. Angleton. I know there were many others, but I
 8 don't remember any of them that stand out. You can't get
 9 a gathering of these people together. We knew very little
 10 about the original meeting, what transpired at the original
 11 meeting with the President -- and got a great number of
 12 proposals that were very far from target.

13 Mr. Johnson. Do you find it ironic at all that the
 14 President was mainly interested in domestic unrest and ob-
 15 taining better intelligence data about radicals in this
 16 country, yet the meeting itself seemed to dwell at great
 17 length on foreign intelligence data?

18 Mr. Angleton. No, I think his interest was equal on
 19 both, and I think he saw the problem very clearly in terms
 20 of both the intelligence abroad and at home. I think this
 21 is borne out by the fact that at some period of time my
 22 understanding is he met with Mr. Hoover at Camp David and
 23 expressed to him his dissatisfaction with the Foreign Intelli-
 24 gence coverage, and instructed him to increase his legal
 25 attache representation abroad, which in fact was done against

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1 the protest of the State Department or Ambassadors in the field.

2 Mr. Johnson. And also CIA protests?

3 Mr. Angleton. We were encouraged to join them, but

4 we did not, because we had different points of view. In our

5 view any American presence abroad, increased American

6 presence abroad, working counter intelligence, is an

7 advantage, as long as we get the product. And as long as

8 they coordinate, and Mr. Sullivan's attitude -- and he knew

9 that we disagreed -- was that it was hampering the Bureau

10 by taking away personnel. He felt his people could be

11 better employed at home than abroad, because he was hurting

12 for personnel.

13 I think personally -- I disagreed with him -- and he

14 knows this very well -- it was because we didn't have

15 strong enough personnel abroad. And then, the FBI, by

16 virtue of the prestige of Mr. Hoover, and the kind of men

17 they have, inspired a lot more confidence in many instances

18 with foreign police, who really did have a very high regard

19 for Mr. Hoover. And, therefore, his representatives were

20 accorded a kind of professional treatment that wasn't

21 necessarily accorded to us. And they would visit the U.S.

22 and they would meet Mr. Hoover, and he in a sense was the

23 leader in the non-Communist world of law enforcement

24 offices. And, therefore, it accrued to our advantage when

25 the Bureau operated abroad, as long as we got the product,

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1 and as long under the charters, as long as they coordinated
2 in advance in the business. But there was also a tremendous
3 amount of law enforcement business criminal in nature, which
4 sometimes goes into the field of subversion, which only the
5 Bureau can properly handle.

6 Again, because of their personnel -- they had lawyers,
7 law enforcement, they know the chain of evidence, and how it
8 has to be preserved, and basically because of Mr. Hoover.

9 Mr. Johnson. The third section of the special
10 report had to do with the recommendations, and the primary
11 recommendation was for a permanent interagency committee on
12 intelligence.

13 How did the CIA feel about this concept?

14 Mr. Angleton. Well, I think that we were in agreement
15 that if the President -- I mean, I don't know, I don't know
16 what our position was at the meeting, but I know -- I think
17 it might have been -- and that is that if the President had
18 set in motion Mr. Huston for a purpose, therefore, the
19 implementation had to be controlled by somebody with the
20 authority. And Mr. Huston was putting himself forward as
21 that authority. There wasn't anyone to dispute his position.

22 Mr. Johnson. What I really want you to address your-
23 self to is the concept of coordinating intelligence evalua-
24 tion and dissemination within the intelligence community by
25 some kind of interagency body.

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Is that a good concept?

Mr. Angleton. I don't know if this is an accurate statement of that, is it?

(Referring to document.)

Mr. Johnson. Let me show you the text itself in the special report. Here are the options.

Mr. Angleton. Let me see how this gets introduced.

I think it is self-explanatory. The attitude, as I remember, of the Agency was that the whole exercise wouldn't have been done unless the President had in mind evaluations of finished intelligence. And there wasn't any such body in the government.

Mr. Johnson. WAS there a hesitancy on behalf of the CIA to get involved in domestic intelligence which was primarily to preserve the FBI.

Mr. Angleton. After all, we are in a number of inter-agency meetings, that is, as observers or members, where the Bureau is the Chairman and so on.

Mr. Johnson. Probably as blatantly oriented as this one would have been --

Mr. Angleton. I mean, the whole exercise was blatantly domestically oriented, and everything stated there is true, that there wasn't any point whether this could be done, and if the Bureau didn't agree on a point, they each went their separate ways.

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1 There was no one in authority to try to evaluate it and
2 put it before the President as a decision.

3 Mr. Johnson. Apparently Mr. Hoover viewed it as an
4 encroachment upon FBI turf. I wonder if the CIA viewed
5 it that way, too, and were a little bit hesitant?

6 Mr. Angleton. No, the CIA's attitude very definitely
7 was that Mr. Huston wasn't ^{there} their except as the President's
8 representative, and if this was what the whole exercise was
9 about you couldn't do all these things unless it was policed.

10 And since it was the President's desire from calling the
11 principals together to get this thing embarked on, and at
12 the end you have to see how it was going to be policed, who
13 did you turn to?

14 So, as I say, there were different attitudes
15 in the community on domestic problems, and to articulate what
16 in fact existed, you had to have somebody, or you had to have
17 some chairman in close contact with the White House who could
18 submerge agency and departmental differences into common
19 priorities, common objectives, and so on. And no one knew
20 how it was going to be. At least it was one of the options.

21 Mr. Johnson. Do you recall any other recommendations
22 that were made that were later withdrawn from the special
23 report?

24 Mr. Angleton. No.

25 Mr. Johnson. Do you recall anything about how these

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footnotes were included into the special report?

Mr. Angleton. You mean Mr. Hoover's?

Mr. Johnson. Yes.

Do you know the story behind the footnotes?

Mr. Angleton. No. All I know is that I heard that the report had gone up to him, and he had taken an adverse position on every recommendation, that he had seen the Attorney General, and the Attorney General, who had been unaware of all of this, took a very strong stand against Huston, and either saw the President or something and got it killed.

Mr. Johnson. Did you know who were involved in the discussions that led to this special report, did they ever really think that it was going to get by Mr. Hoover?

Mr. Angleton. I don't think anyone ever came to a consideration of it.

Mr. Johnson. Wasn't it widely known --

Mr. Angleton. Personally, as I said earlier, I had believed that there wouldn't have been any such meeting had it not been worked out in advance between the Attorney General and the President. That is the reason I still refuse to believe that the Attorney General was unaware of the exercise.

Mr. Johnson. Were you surprised that the Attorney General was not invited to participate in any of these

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1 proceedings.

2 Mr. Angleton. I thought he was behind the whole thing.
3 And it stood to reason, he was regarded as the most powerful
4 person under the President, and with a lot of special assign-
5 ments.

6 You would hear that such and such a thing, he was the
7 one who was the President's advisor, or making the recommenda-
8 tions. So when this thing came up, I thought that this was
9 the Attorney General, and the President had had many
10 meetings -- they had a meeting of the minds, and Huston was
11 chosen with the Attorney General's blessing.

12 When I found out later that he didn't even know, then I
13 knew that there wasn't going to be any --

14 Mr. Johnson. Didn't anyone ever ask at the Langley
15 meeting what the Attorney General's views had been on some
16 of these items?

17 Mr. Angleton. There wasn't any reason to raise it.
18 I wasn't going to disclose to people I didn't even know what
19 I happened to know about domestic problems, the Bureau and
20 the Attorney General. That wasn't the kind of forum for
21 that.

22 Mr. Johnson. So no one at these meetings say, look,
23 some of the things we are talking about here are illegal, and
24 before we put them in an option paper to the President shouldn't
25 we have consultation with the Attorney General's office?

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1 Mr. Angleton. There may have been somebody that
 2 said that, but it doesn't stick in my mind. In fact, the
 3 discussion of those meetings was so fluid and so many times
 4 off the target, that it was only when the Bureau brought back
 5 the finished draft of the previous meeting that it gave any
 6 cohesiveness to what really took place the day before, in
 7 other words, the fact that Bill Sullivan had a recorder present,
 8 one of his men who took the notes and papers and all that.

9 Now, whether he had an ad hoc drafting committee I am
 10 not certain, but I think he might have had, in which Ober was
 11 a party to it.

12 So, the coherency of the meeting became apparent the next
 13 meeting when the paper was circulated. And I think if you
 14 wanted some insight into many questions you would ask, it
 15 would be to find the different drafts so you can compare
 16 what happened in the opening meeting with what emerged out of
 17 the last meeting. And I am certain those were in being
 18 someplace.

19 Mr. Johnson. Have you seen these drafts yourself?

20 Mr. Angleton. I saw -- I was present when the Bureau
 21 would disseminate the next draft. And I will certainly --
 22 I can't believe that they don't have a file dealing with
 23 this subject.

24 Mr. Johnson. Do you have these drafts in your own
 25 file?

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1 Mr. Angleton. I don't know. I don't think so. They
 2 may be, but I haven't been able to find them. No, I don't
 3 think I have them on file. I think that Ober kept the paper,
 4 and you have to understand that one thing I would try to
 5 resist, since I have probably more paper than anybody in the
 6 business. Ober was the one who kept whatever materials
 7 we had.

8 Mr. Johnson. Do you recall other second-hand or
 9 strictly hearsay anything about the signing ceremony in which
 10 this document was signed by the four principals?

11 Mr. Angleton. I don't think there was a meeting. I
 12 think that they ran it around by courier. I think this
 13 was a lot of pressure by Huston or somebody to get it
 14 signed, and I think there was also a question that all the
 15 principals were in town or something of that sort.

16 But I don't think there was a meeting at which it was
 17 signed, there may have been.

18 Mr. Johnson. Let me introduce into the record Exhibit
 19 A-2, Mr. Angleton, Memorandum for Richard Helms from
 20 Tom Huston entitled "Domestic Intelligence, dated 23 July
 21 1970.

(The document referred to was
 marked Angleton Exhibit No. A-2
 for identification.)

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1 Mr. Johnson. This is the so-called Huston Plan which
2 Mr. Huston sent out to the intelligence community principals.
3 And as you can see, he suggests in the memo that the
4 President approved these various options.

5 Mr. Angleton. He said that he approved them?

6 Mr. Johnson. Yes.

7 Do you remember the CIA reaction to this document?

8 Mr. Angleton. I don't think I ever saw it, or
9 I don't remember ever seeing it.

10 Mr. Johnson. Do you remember when Mr. Helms
11 told you that the President had approved it?

12 Mr. Angleton. Let me just go through it, because it
13 might come back.

14 Let me ask you, before I reply to your question, some-
15 thing on dates. This was dated the 23rd of July. When
16 was Mr. Hoover's turndown? When did Mr. Hoover take all the
17 exceptions?

18 Mr. Johnson. He put his footnotes on the document
19 around the 24th, 25th of June. And then the Special Report
20 went to the White House on the 26th of June. As far as I
21 can ascertain, the next response to the intelligence
22 community was this document saying --

23 Mr. Angleton. A month later?

24 Mr. Johnson. Yes.

25 Mr. Angleton. I find that very hard to believe.

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Are you sure you got the right date, June?

Mr. Johnson. The President received the Special Report at the end of June. And this was the response to the intelligence community.

Mr. Angleton. The President received the report on 20 June, you say?

Mr. Johnson 26.

Mr. Angleton. The 26th of June?

Mr. Johnson. Off the record for a moment.

(Discussion off the record.)

Mr. Johnson. Back on the record.

Mr. Angleton. I believe that it became known that the Attorney General had not been party to the Huston business, then the turndown -- it didn't seem surprising.

Mr. Johnson. Tell me, is it surprising that a document of this importance which would have changed the intelligence community in many substantial ways would have expanded their collection procedures, is it surprising that such a document was signed over by a 29-year old staffer as opposed to the President himself, or Mr. Haldeman?

Mr. Angleton. I don't know how to respond to that. because I don't think I saw this. The only one I saw was the one in which was three lines or so in which he directed that no domestic intelligence be sent to the White House to his attention.

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1 Mr. Johnson. What was your reaction to that parti-
2 cular memo, the one you have just mentioned?

3 Mr. Angleton. My reaction was that he was working
4 closely with the President and the Attorney General. It is
5 inconceivable to me from anything that we knew and heard that
6 the Attorney General was not the moving hand in the entire
7 business.

8 Mr. Johnson. Did you think it was a good idea that there
9 was a domestic equivalent of Henry Kissinger to deal with
10 domestic intelligence problems?

11 Mr. Angleton. Well, I think that there should always
12 be somebody who enjoys the trust of the President who is
13 accessible for high level counter intelligence, interagency
14 disputes -- I mean, whether there is an independent co-equality,
15 there should be an arbitor, someone to whom the agencies
16 in question have access. I am strongly in favor of an
17 ombudsman of some sort on the National Security Council, which
18 is not controlled by people involved in the foreign affairs,
19 distinct from it.

20 And I think the internal security is a legitimate concern
21 of the President, and requires full time or part time,
22 a full time or part time expert who has access.

23 Mr. Johnson. Do you recall being happy or pleased
24 that the President had approved relaxation of collection res-
25 traints?

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Mr. Angleton. I imagine I approved. I don't know.
At first I didn't see that.

Mr. Johnson. Did you get the news by telephone?

Mr. Angleton. I don't know if I got the news that way. I mean I am trying to remember, I don't recall any document that Huston signed of this nature other than the one where he said he was a recipient, to be the recipient.

Mr. Johnson. He must have heard in some way the President did not approve the series of options that were to relax restraints?

Mr. Angleton. I am not certain. I don't know.

Mr. Johnson. Let me introduce into the record Exhibit A-3, Mr. Angleton, memorandum for Mr. McManus from Mr. Helms dated 28 July 1970.

(The document referred to was marked Angleton Exhibit No. A-3 for identification.)

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Mr. Johnson. This simply indicates that Mr. Helms was returning to the situation room the previous document which I just showed you. And the reason I show this to you is, I am trying to recall to your mind any recollection about the recall of the Huston decision memorandum.

We have a lapse of five days here.

Do you remember any reaction of the CIA, the 23rd to the 28th?

Mr. Angleton. But what day of the week was it?

Mr. Johnson. It was over a weekend.

Mr. Angleton. You would have to know where the Director was --

Mr. Johnson. My point was simply, were you advised that the President's order was recalled almost as quickly as it was issued?

Mr. Angleton. Not when I heard that Hoover went to Mitchell, and that Mitchell was unaware of the exercise. Then the whole house of cards became apparent. That was the first indication we had of what the details, power politics were.

Mr. Johnson. Let me introduce into the record Exhibit A-4, Mr. Angleton, a memorandum for the record written by Richard Helms dated 28 July 1970.

(The document referred to was marked Angleton Exhibit No. A-4 for identification.)

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1 Mr. Johnson. This, of course, refers to the meeting
2 that you have alluded to earlier in which Mr. Helms found out
3 that Mr. Mitchel did not know about the special report or the
4 Huston Plan. I wonder if you could interpret this phrase
5 for me in paragraph 2.

6 Mr. Helms says:

7 "I told the Attorney General that we had put our
8 backs into this exercise".

9 Now, presumably he is talking about the preparation
10 of the Special Report.

11 Mr. Angleton. That is right.

12 Mr. Johnson. And does that indicate to you that the
13 Central Intelligence Agency was enthusiastic and strongly
14 supportive of the options developed in the Special Report?

15 Mr. Angleton. It is not a question of whether they
16 were in support of all of the actions there, but were
17 supportive of the fact that the President, in accordance
18 with what Huston had to say, did not feel he was getting
19 a picture on the domestic activities, because we didn't
20 feel we were getting it.

21 I mean, there was no question about that, but that goes
22 in and beyond the Huston things or anything else, the atmos-
23 phere in the community was the lowest possible thing in terms
24 of domestic counter intelligence, or foreign, evolving
25 around this split and the lack of liaison.

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1 Mr. Johnson. The final area that I wanted to talk
2 to you about is the aftermath of the Huston Plan. And when one
3 speaks of the aftermath I think one thinks of the Inter-
4 agency Evaluation Committee, and also subsequent efforts
5 to relax intelligence collection restraints.

6 Let's turn first to the Interagency Evaluation
7 Committee. You were a member of that committee, were you
8 not?

9 Mr. Angleton. Yes.

10 Mr. Johnson. Could you describe briefly the origins
11 and purpose of this committee?

12 Mr. Angleton. I don't remember the -- when was the
13 first meeting, can you tell me?

14 Mr. Johnson. December 3.

15 Mr. Angleton. The same year?

16 Mr. Johnson. Yes.

17 Mr. Angleton. I don't remember how this thing
18 originated. I think the question of gaps which preceded the
19 Huston Plan was still active on another level, in other words,
20 there were many levels of express concern. It was the
21 normal level of the lack of FBI liaison, and another level
22 with the Huston Plan, and then there was something that
23 generated or brought back to life this whole question of
24 domestic intelligence. And I am not certain unless you have
25 documents on how I was notified to be nominated for that

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1 business.

2 That is my first statement. It is possible that Ober knows
3 or has the papers, because I know that when it eventually
4 came to having working bodies, Ober was the natural choice
5 for taking that on.

6 The first meeting, as I recollect, was in Dean's office.
7 And I think that is when they had -- that is my recollection.
8 And that is when Mardian appeared. And whether it was in
9 that meeting or in a series of meetings, he proposed setting
10 up a -- and again this is all as though we were working for
11 the President in this thing, meetings were held there, and
12 one meeting was held in the Vice President's conference room,
13 and here was the counsel to the President doing the laying
14 off of hands. And they had some judge from Seattle in mind,
15 whom they eventually brought to a meeting who was to be
16 the head of this evaluation business. And there was a
17 lot of discussion on the cover he would have, and where he
18 would be located.

19 And it boiled down to the fact that he was totally
20 out of his depth, he could not foresee his being able to do
21 it the way it was proposed on the grounds that he had too
22 many friends from the State of Washington who had come to
23 Washington, and he had -- and there were questions of
24 prestige involved, and a question of what was he doing in
25 Washington, and so on.

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So, I think that was the last appearance he made.

But nothing seemed to be generative regarding these meetings until Mardian began holding them in the Triangle Building. And his whole thrust there was that he wanted permanent representatives from each of the agencies to be there full time under him in some kind of a staff setup to work on domestic -- on the evaluation of domestic affairs.

And this is when the thing began to become concrete, until he ran into problems with Mr. Hoover, and the Bureau took a very strong position that they would not supply a secretary. And as I recall, I was opposed to supplying personnel, and then there were a lot of things that we were not privy to behind-the-scene things.

And finally, George Moore, I believe, was the -- I can't recall whether he was the one nominated.

In our case I reported to Dick, and I believe Tom Karamessines, and the result was that we decided on Ober. But with an understanding that it could not be full time, and a private understanding with him that he could handle it any way he liked.

In other words, we didn't want him to go into a make-work situation.

Mr. Johnson. What was the Committee doing, conducting any operations?

Mr. Angleton. I think it was pulling together all

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1 information on given situations. I can't even tell you the
2 subject matter right now. But I think dissident newspaper
3 things, I really don't know. I would have to see the
4 papers, because they were about as incohesive -- I think they
5 were the most inconclusive meetings I have ever seen in my
6 life. And so the buck was passed to Ober, really. He had to
7 arrange some way to go down there-- and I don't know how many
8 times he went. And any papers, I don't think were very
9 informative. I don't think they ever came to any kind of
10 conclusion. The people that had the best information to my
11 recollection was the Bureau.

12 Now, whether this got into the Berrigan case -- the
13 reason I mention that is that while all of this was going
14 on, Mardian was running the phone all the time, and giving
15 us -- telling us aside something about the Berrigan business.
16 And that is about the extent of my immediate knowledge of that.

17 Mr. Johnson. Did Mardian have a good grasp for
18 intelligence problems?

19 Mr. Angleton. No, not at all. I think he was
20 really out of his depth. But he had connections. He obviously
21 had a very powerful position, I mean in terms of being able
22 to get what he wanted.

23 Mr. Johnson. Did John Dean play an important role
24 in the history of the IDC?

25 Mr. Angleton. Well, he loaned his office and himself

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to the launching of it.

Mr. Johnson. Did he stay with it?

Mr. Angleton. No. He gradually withdrew, but the whole -- those meetings which gave it a certain prestige and all the rest of it were those at which he was present. And then he gradually got out of it.

Mr. Johnson. Why did you stop attending these meetings?

Mr. Angleton. I had too much to do -- it was partially that, but also -- with my responsibilities I can't go to meetings. And usually I would send people to meetings.

Mr. Johnson. Let me introduce the final exhibit to the testimony today, which is Exhibit A-5, memorandum for the files, John Edgar Hoover, dated April 12, 1971.

(The document referred to was marked Angleton Exhibit No. A-5 for identification.)

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Mr. Angleton. What about this?

Mr. Johnson. Did Mr. Helms ever discuss with you this meeting that Mr. Hoover and Mr. Mitchell and Admiral Gaylor attended?

Mr. Angleton. I am trying to cast back and latch onto somebody in '71 to get a feeling.

I am certain he did.

Mr. Johnson. More importantly, do you have any recollection of a report being prepared for Mr. Mitchell as a result of this meeting, a combined CIA-NSA report, as was requested?

Mr. Angleton. I think -- what I am trying to remember here is whether this had to do with an operation that the Bureau was conducting in this country and which they were going to close down, and which we were trying to save, and we were trying to save it in part because of the Director's responsibilities to the intelligence community.

In other words, Dick was not necessarily speaking here as the head of CIA, he was speaking for the USIB.

Now, I may be off on a different phase of life, but I think this is related, and this entailed our moving our man into replace Bureau men, and putting up money, and I think we used the Office of Security, if I recall correctly, if this is what was the outcome of all of this.

But I know that there were many telephone calls about

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1 trying to make sure, that there was a problem of rent, and a
2 problem of access, and so on, the time factor that was in-
3 volved.

4 Mr. Johnson. Do you remember the Helms-Gaylor report
5 written for Mr. Mitchell?

6 Mr. Angleton. But that is something that would normally
7 be taken up with Staff/D, the people who are in liaison with
8 NSA, or that could have been directly from Dick or his Deputy.

9 Mr. Johnson. Do you remember Mr. Helms coming to you
10 and saying something to the effect, Admiral Gaylor is after
11 me once again to try and get Mr. Hoover --

12 Mr. Angleton. This was going on all the time. there
13 were probably hundreds of calls in reference to the problem
14 about the NSA thing. I know that I strongly backed the
15 idea of keeping the operation from dying.

16 Mr. Johnson. Which operation?

17 Mr. Angleton. The operation dealt with clandestine
18 procurement.

19 Mr. Johnson. Did that operation relate to any of the
20 collection methods we have discussed today?

21 Mr. Angleton. I think so.

22 Mr. Johnson. Surreptitious entry?

23 Mr. Angleton. It was a bugging operation, I mean
24 taps.

25 Mr. Johnson. Could you shed some light on this sentence --

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1 Mr. Angleton. That is, if what I am discussing have
 2 any reference to this. But this was a thing that Gaylor
 3 wanted to save, and I was called by people in NSA to give
 4 support to, and so on. That type of intervention.

5 Mr. Johnson. Could you shed light on this sentence:
 6 "There was his discussion upon the part of Mr. Helms
 7 of further coverage of mail".

8 Mr. Angleton. No, unless it is dealing with black
 9 bag job operations. I think that means diplomatic mail in
 10 bags, pouches.

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1 Mr. Johnson. I thought black bag referred to surreptitious
2 entry.

3 Mr. Angleton. No, black bag could be also steling a
4 courier's bag. And you have a diplomatic courier, and he has
5 got the code and the mail for an embassy. The plane doesn't
6 leave New York, it is 30 below zero. And hewants to get warm.
7 He leaves his pouch there for a minute, or half an hour. And
8 the Bureau picks it up and photographs the contents. So the
9 black bag -- what I amtrying to say is, Mr. Hoover could not
10 use the same art forms that we would use. And I just am trying
11 to think -- he didn't say how long this thing went on.

12 Mr. Johnson. Would this sentence imply that Mr. Helms is
13 encouraging Mr. Hoover to reinstate a mail cover program?

14 Mr. Angleton. No. I read it -- my own view is that it
15 would be more than mail. It would be black bag job operations.
16 Now, those black bags would refer to the surreptitious entrance
17 into an embassy, the penetration of a diplomatic pouch in
18 transit, and part of that of course, is mail. And the most
19 secret of all mail is unciphered mail, in other words, it is
20 mail that does not go out over the air waves, but where all
21 the cryptonyms or identities only go by armed couriers with
22 the identities. And then the correspondence goes through the
23 air with those identities. And it makes no sense to an
24 interceptor unless he has got the key. So I can't imagine Mr.
25 Helms referring to coverage of mail except in terms of the

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proceedings in those black bags.

Mr. Johnson. Why couldn't he be talking about a mail intercept program?

Mr. Angleton. I don't think he was referring to it.

Mr. Johnson. It notes there that Mr. Helms was going to respond rapidly, take care of the report rapidly. But you don't recall any response? In other words, it looks as though we were trying to work toward a resolution of the same issues as developed in the Huston Plan, and Mr. Mitchell is going to make a decision --

Mr. Angleton. But those things were all going on -- what I am trying to explain is that people are reading a lot into the Huston Plan, and at the same time are unaware that on several levels in a community identical bilateral discussions were going on. In other words, the Huston Plan didn't affect one way or the other the normal flow of business. And when Gaylor was faced with Hoover's shutting off and cutting out certain things -- there were time factors involved, the lease of a piece of property, the personnel who would take over, the point being that if you didn't meet those deadlines that was the end of it. And therefore those were sort of frantic things. And I imagine that the reason that Helms said it would be taken care of very promptly was that he probably already had staff studies, and all it meant was simply boiling them down into a

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1 Mr. Angleton. That was his own way of operating. In
 2 other words, Mr. Hoover believed that his statutory responsi-
 3 bilities were not negotiable. And he would not permit any
 4 inter-agency committee to challenge or water down what he had
 5 by right. And therefore he never attended usual meetings, and
 6 he sent observers or someone, they may have been members in
 7 the end, but they were originally observers, and so on. And
 8 personally I feel that that was the proper way of operating,
 9 because of the compartmentation necessary for the activities of
 10 the FBI, and the internal security.

11 And he didn't want people who are here today and gone
 12 tomorrow wandering around in the FBI. And it was very tidy
 13 housekeeping on his part.

14 Mr. Johnson. Let me end by just touching on one other
 15 topic. Couldn't one argue that if we could do away with a
 16 number of laws that restrain intelligence collection, that the
 17 quality of intelligence would increase dramatically? Aren't
 18 there certain barriers that keep the intelligence specialists
 19 from getting high quality product that they need?

20 Mr. Angleton. My own feeling is this. This country can
 21 never work against the police state, or contain the activities
 22 of a police state, until there is a lot of relaxation in the
 23 law as far as counterintelligence and internal security people
 24 are concerned. To begin with, in an open society you don't
 25 have the laws for protection of secrets. You don't have an

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1 official secrets act. You would not have penalties for
 2 disclosure, except the passage of unauthorized personnel to a
 3 foreign power. Now, President Truman made the comment tha it
 4 doesn't make any difference whether it is spies or newspapers
 5 who publish the secrets as far as the US Government is concerned.
 6 Washington himself was the greatest believer in intelligence.
 7 And he wrote about it. And he spelled out very clearly that
 8 intelligence was worth nothing unless it was secret. And he
 9 tried to kidnap twice Aaron Burr, once or twice. Benjamin
 10 Franklin opened the mail of the British. He was fired as
 11 Postmaster for doing it. In other words, there is a whole US
 12 tradition that believed in standing up to build up the national
 13 security. It has been wrecked these last years.

14 Mr. Johnson. Don't we have a real tension here? Isn't
 15 there a danger of transgressing against the civil liberties
 16 of the American citizens when we relax those laws?

17 Mr. Angleton. I am not proposing solutions. I am saying
 18 that first the law makers and the press -- let's leave the
 19 press out -- the law makers and the Administration, the
 20 Executive, have to know the danger of a threat. And I think
 21 they have to examine the laws in terms of those which are
 22 unrealistic in view of the threat. Now, that has never been
 23 done. And again, I come back to my original suggestion that
 24 there should be an ombudsman, a person who does have that
 25 access to the Executive, who is not shackled by inter-agency,

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1 internecine fights and all of that, and who is in a position
 2 powerful enough to take what he does know, that is communicated
 3 to him, and be able with the President work out legislation
 4 to meet the threat. And also counterintelligence should have
 5 a very direct bearing on the objectives of the Executive, I mean
 6 the realities. And if you do have, as I mentioned, the
 7 Rumanian intelligence working with the Soviets, then obviously
 8 you can't treat the Rumanians as something apart from and special
 9 in terms of the threat, because if they are arrested on Oslo
 10 working against NATO and against the West, and their activities
 11 are -- I mean their questionnaires benefit the Soviet Union
 12 strategically, then you can't make that differentiation. So
 13 you are not arguing philosophy here, you are arguing factual
 14 matters that derived from counterintelligence operations.
 15 Today there is total gap between the realities of counter-
 16 intelligence and the knowledge of the public and the knowledge
 17 of the Congress. Otherwise you wouldn't find them all going to
 18 Russia on jaunts and all that type of thing, there would be an
 19 entirely different point of view. In other words, today we
 20 are equating ourselves with the Soviets on so many levels.
 21 They are not equating themselves with us. What we regard today
 22 as having some permanence to them is the tactical. Those are
 23 not my words. Those are the words of the Soviet, and the
 24 powers who are in the Soviet bloc in official capacities, and
 25 you have access to documents and to party directives. So the

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1 point I am coming back to is that I believe -- I have not read
 2 his entire speech, but the speech that Kelley gave from
 3 Canada to the Lawyers Association, the Bar Association, was
 4 something to the effect that there had to be in the interests
 5 of internal or national security certain sacrifices of personal
 6 liberty. And I subscribe to it all the way. I am not talking
 7 now about criminal activity, I am not talking about marijuana
 8 or otherwise. But where there is conspiracy, -- and their
 9 country is incapable of getting below the iceberg. We know a
 10 tremendous amount of illegals. And yet there has not been a
 11 true high grade legal case since Abel. And Abel didn't talk.
 12 And yet from what we have heard from people in the KGB the
 13 identity of high grade illegals are only maintained by the
 14 chief of the service and not known to the resident tourists.
 15 And those are people who assume the identities of the Americans
 16 and who work for the opposition. You have to have a great deal
 17 of latitude in order to uncover these types of people, and to
 18 penetrate through the communications problem, how do they
 19 communicate. They need money. There are many ways that they
 20 can be discovered. But they can't be discovered the way we are
 21 hampered today, and also where we are breaking down compart-
 22 mentation. And I think the tragedy of all of these hearings
 23 and everything that has transpired from the beginning has been
 24 destruction of the secrets as to the collection and modus
 25 operandi and techniques and the identity of individuals,

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9
1 to it, did they?

2 Mr. Johnson. We both will have to have another look at it.

3 Mr. Angleton. I know in its original context, I think it
4 had an element of being a unilateral affair.

5 Mr. Johnson. But what if there is a bilateral or multi-
6 lateral treaty? Do their provisions also apply to the covert
7 arm of the CIA?

8 Mr. Angleton. I only am taking this one instance up. I
9 would say -- I don't know how to respond to that. It depends
10 on what the substance of it would be. If, for example, we find
11 the other party of the treaty violating through their intelli-
12 gence service the treaty, then I think it is a question that
13 would have to be considered here, that we could not permit them
14 to outdistance us. But let me put it to you another way.
15 One Soviet -- we had a very high level source who attended a
16 general staff briefing of the Soviets, addressed by a three-
17 star general of the general staff. And the subject
18 was electronics. And this was in 1961. And the Soviet general
19 stated that the US was ahead 14 years in the field of
20 electronics. But he said that they would overcome us through
21 three tactics. One would be through the increase of 2,000
22 staff officers added to their espionage side on the scientific
23 and technical to exploit the openings of the West of scientists
24 and others going to the Soviet Union, for espionage and
25 recruitment.

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1 unpopular issue, and where there will be a new perspective
 2 directed at this period of time, and there will be a very strong
 3 reaction, because the damage can't be seen now, it will be seen
 4 then.

5 And I have no doubts as to that being the case, because the
 6 long term Soviet objectives were directed and redirected in
 7 '59 to one thing, and one thing alone, the change of the balance
 8 of military power. And I stand on that.

9 Mr. Johnson. Mr. Angleton, I would like to thank you very
 10 much for spending the afternoon with us today.

11 Mr. Angleton. It has been enjoyable.

12 Mr. Johnson. Do you wish to make a brief closing statement.

13 Mr. Angleton. I may some other time, but not today. I
 14 may really read the statement and see what I said.

15 Mr. Johnson. You are welcome to at any time.

16 Mr. Angleton. And I will direct it to the judge. Because
 17 I am embarrassed about one thing, and that is the lack of paper
 18 regarding the Intelligence Evaluation Committee, I mean the
 19 fact that there weren't files on it.

20 Mr. Johnson. You will be given an opportunity to inspect
 21 the transcript of your testimony and to make minor corrections.

22 Thank you.

23 (Whereupon, at 5:28 p.m., the Committee adjourned, subject
 24 to the call of the Chair.)
 25

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SPECIAL REPORT (ICI AD HOC)

I. Threat Assessment

II. Options for the President

1. Communications Intelligence
2. Electronic Surveillances and Penetrations
3. Covert Mail Coverage
4. Surreptitious Entry
5. Development of Campus Sources
6. Use of Military Undercover Agents
7. Surreptitious Optical Surveillance
8. Investigation of Diplomatic Personnel
9. Others

III. Recommendations

1. Permanent Interagency Committee on Intelligence
2. Intelligence Review Board

Prior to Huston Plan

Huston Plan Objectives

After Huston Plan

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Special Report Interagency
Committee on Intelligence

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SPECIAL REPORT
INTERAGENCY COMMITTEE ON
INTELLIGENCE (AD HOC)

CHAIRMAN J. EDGAR HOOVER

JUNE, 1970

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June 25, 1970

This report, prepared for the President,
is approved by all members of this committee
and their signatures are affixed hereto.

/s/ J. Edgar Hoover
Director, Federal Bureau of Investigation
Chairman

/s/ Richard Helms
Director, Central Intelligence Agency

/s/ Lt. General D. V. Bennett, USA
Director, Defense Intelligence Agency

/s/ Vice Admiral Noel Gayler, USN
Director, National Security Agency

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PART TWO

RESTRAINTS ON INTELLIGENCE COLLECTION

The Committee noted that the President had made it clear that he desired full consideration be given to any regulations, policies, or procedures which tend to limit the effectiveness of domestic intelligence collection. The Committee further noted that the President wanted the pros and cons of such restraints clearly set forth so that the President will be able to decide whether or not a change in current policies, practices, or procedures should be made.

During meetings of the Committee, a variety of limitations and restraints were discussed. All of the agencies involved, Defense Intelligence Agency (DIA), the three military counterintelligence services, the Central Intelligence Agency (CIA), the National Security Agency (NSA), and the Federal Bureau of Investigation (FBI), participated in these considerations.

In the light of the directives furnished to the Committee by the White House, the subject matters hereinafter set forth were reviewed for the consideration and decision of the President.

1. SPECIFIC OPERATIONAL RESTRAINTS

A. Interpretive Restraint on Communications Intelligence

Preliminary Discussion

NSA develops significant domestic intelligence information in the course of intercepting interstate communications traffic. This information is not developed on a systematic basis but as a by-product of intercepts for other purposes. NSA's approach and procedures are jurisdictional and do not include the production of intercepts of interstate communications between U. S. citizens and the production of intercepts of communications between U. S. citizens and the foreign territory of a foreign country. The current practice of acquiring such information as a by-product of

Comm. II Intelligence Parameters Number 10 (1954)

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2. A relaxation of the restriction now in effect would sharply increase the amount of intelligence information bearing on foreign involvement in U. S. affairs, and would permit more processing and thus a more timely flow of such information as it is obtained.

DECISION: Interpretive Restraint on
Communications Intelligence

_____ Interpretation of Intelligence Directive Number 6 should not be relaxed.

_____ Present interpretation should be broadened to permit and program for coverage by NSA of the communications of U. S. citizens using international facilities.

_____ Present interpretation should be broadened to permit and program for coverage by NSA at the request of the FBI of the communications of U. S. citizens using international facilities.

_____ More information is needed.

C. J. ...

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B. Electronic Surveillances and Penetrations

Preliminary Discussion

The limited number of electronic surveillances and penetrations substantially restricts the collection of valuable intelligence information of material importance to the entire intelligence community. NSA has been particularly hard-hit by this limitation, for the absence of electronic penetration of foreign diplomatic establishments has severely curtailed its capability for the exploitation of potentially available communications intelligence. Additionally, other agencies are deprived of access to high-level political, diplomatic, and military information, as well as valuable data regarding hostile intelligence operations.

Nature of Restrictions

Electronic surveillances have been used on a selective basis. Restrictions, initiated at the highest levels of the Executive Branch, arose as a result of the condemnation of these techniques by civil rights groups, Congressional concern for invasion of privacy, and the possibility of their adverse effect on criminal prosecutions.

Advantages of Maintaining Restrictions

1. Disclosure and embarrassment to the using agency and/or the United States is always possible since such techniques often require that the services or advice of outside personnel be used in the process of installation.
2. The disclosure of electronic coverage of diplomatic establishments could result in strained relations between the United States and the target country.
3. Certain elements of the press in the United States could abroad would eventually seize upon such information and use it in an effort to discredit the United States.
4. The abolishing of electronic surveillances would result in

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Advantages of Relaxing Restrictions

1. The U. S. Government has an overriding obligation to use every available scientific means to detect and neutralize forces which pose a direct threat to the Nation.

2. Every major intelligence service in the world, including those of the communist bloc, use such techniques as an essential part of their operations and it is believed the general public would support their use by the United States for the same purpose.

3. The President historically has had the authority to act in matters of national security. In addition, Title III of the Omnibus Crime Control and Safe Streets Act of 1958 provides a statutory basis.

4. Intelligence data from electronic coverage is not readily obtainable from other techniques or sources. Such data includes information which might assist in formulating foreign policy decisions, information leading to the identification of intelligence and/or espionage principals and could well include the first indication of intention to commit hostile action against the United States.

5. Acquisition of such material from COMINT without benefit of the assistance which electronic surveillance techniques can provide, if possible at all, would be extremely expensive. Therefore, this approach could result in considerable dollar savings compared to collection methods.

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C. Mail Coverage

Preliminary Discussion

The use of mail covers can result in the collection of valuable information relating to contacts between U.S. nationals and foreign governments and intelligence services. CIA and the military investigative agencies have found this information particularly helpful in the past. Essentially, there are two types of mail coverage: routine coverage is legal, while the second--covert coverage--is not. Routine coverage involves recording information from the face of envelopes. It is available, legally, to any duly authorized Federal or state investigative agency submitting a written request to the Post Office Department and has been used frequently by the military intelligence services. Covert mail coverage, also known as "sophisticated mail coverage," or "flaps and seals," entails surreptitious screening and may include opening and examination of domestic or foreign mail. This technique is based on high-level cooperation of top echelon postal officials. Insofar as civilian use is concerned, only mail designated to diplomatic establishments in the United States and airmail addressed to specific foreign locations has been covered.

Nature of Restrictions

Covert coverage has been discontinued while routine coverage has been reduced primarily as an outgrowth of publicity arising from disclosure of routine mail coverage during legal proceedings and publicity afforded this matter in Congressional hearings involving accusations of governmental invasion of privacy.

Advantages of Maintaining Restrictions

Routine Coverage:

1. Although this coverage is legal, charges of invasion of privacy, no matter how ill-founded, are possible.
2. This coverage depends on the cooperation of routine postal employees and is, therefore, more susceptible to compromise.

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D. Surreptitious Entry

Preliminary Discussion

NSA has a particular interest in the use of surreptitious entry as a tool for obtaining cryptographic materials necessary for deciphering important diplomatic and foreign intelligence service traffic. In many instances enciphered messages of this kind can be read only if keying materials can be surreptitiously obtained. NSA could exploit the communications of many additional foreign governments if a surreptitious entry program were reinstated.

Nature of Restrictions

Use of surreptitious entry, also referred to as "anonymous sources" and "black bag jobs," has been virtually eliminated. It involves clandestine entry into areas occupied by an individual, organization or diplomatic establishment to collect intelligence material. In the foreign intelligence field, it includes the collection of vital cryptographic material which enables the deciphering of intercepted diplomatic traffic.

Advantages of Maintaining Restrictions

1. The activity involves illegal entry and trespass.
2. Information which is obtained through this technique could not be used for prosecutive purposes.
3. The public disclosure of this technique would result in widespread publicity and embarrassment. The news media would portray the incident as a flagrant violation of civil rights and/or diplomatic immunity.

Advantages of Relaxing Restrictions

1. Operations of this type are performed by a small number of carefully trained and selected personnel under strict supervision. The technique is employed only if other full security is assured. It has been used in the past with highly successful results and with no adverse effect.

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E. Development of Campus Sources

Preliminary Discussion

Public disclosure of CIA links with the National Student Association and the subsequent issuance of the Katzenbach Report have contributed to a climate adverse to intelligence-type activity on college campuses and with student-related groups. It should be noted that the Katzenbach Report itself does not specifically restrain CIA from developing positive or counterintelligence sources to work on targets abroad.

Restrictions currently in force limit certain other elements of the intelligence community access to some of the most troublesome areas: campuses, college faculties, foreign and domestic youth groups, leftist journalists, and black militants. It is recognized that these are prime targets of communist intelligence services and that the opportunity for foreign communist exploitation increases in proportion to the weakness of a U.S. counterintelligence effort.

Nature of Restrictions

The need for great circumspection in making contacts with students, faculty members, and employees of institutions of learning is widely recognized. However, the requirements of the intelligence community for increased information in this area is obvious from the concern of the White House at the absence of hard information about the plans and programs of campus and student-related militant organizations. At the present time no sources are developed among secondary school students and, with respect to colleges and universities, sources are developed only among individuals who have reached legal age, with few exceptions. This policy is designed to minimize the possibility of embarrassment and adverse publicity, including charges of infringement of academic freedom.

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5. Contacts with students will make it possible to obtain information about travel abroad by U.S. students and about attendance at international conferences.

DECISION: Development of Campus Sources

_____ Present restrictions on development of campus and student-related sources should be continued.

_____ Present restrictions should be relaxed to permit expanded coverage of violence-prone campus and student-related groups.

_____ CIA coverage of American students (and others) traveling abroad or living abroad should be increased.

_____ More information is needed.

NOTE: The FBI is opposed to removing any present controls and restrictions relating to the development of campus sources. To do so would severely jeopardize its investigations and could result in leaks to the press which would be damaging and which could result in charges that level 1 active agents are interfering with academic freedom.

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F. Use of Military Undercover Agents

Preliminary Discussion

The use of undercover agents by the military services to develop domestic intelligence is currently limited to penetration of organizations whose membership includes military personnel and whose activities pose a direct threat to the military establishment. For example, although the Navy has approximately 54 Naval ROTC units and numerous classified Government contract projects on various campuses across the country, the Naval Investigative Service conducts no covert collection on college campuses. The same is true of the other military services.

Nature of Restrictions

The use of undercover agents by the military investigative services to develop domestic intelligence among civilian targets is believed beyond the statutory intent of the Congress as expressed in Title 49, U. S. Code, and in current resource authorizations. The Delimitations Agreement (1949 agreement signed by the FBI, Army, Navy and Air Force which delimits responsibility for each agency with regard to investigations of espionage, counter-espionage, subversion and sabotage) reflects the current missions of the FBI and the military services. Further, there is a lack of assets to undertake this mission unless essential service-related counterintelligence missions are reduced. There is also concern for morale and disciplinary reactions within the services should the existence of such covert operations become known.

Advantages of Maintaining Restrictions

1. If the utilization of military counterintelligence in this mission is contrary to the intent of the Congress, discovery of employment may result in unfavorable legislation and further reductions in appropriations.
2. Lack of direct statutory authority. The use of the military services in this mission could result in legislation that would be the Executive Branch.
3. The use of military personnel to develop domestic intelligence...

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4. If the mission of the military services with regard to college campuses is to provide coverage of any significance, it will require corollary increases in resources.

5. Prosecutions for violations of law discovered in the course of military penetration of civilian organizations must be tried in civil courts. The providing of military witnesses will require complicated interdepartmental coordination to a much greater extent than the present and will serve, in the long run, to reduce security.

6. Disclosure that military counterintelligence agencies have been furnishing information obtained through this technique to nonmilitary investigative agencies with respect to civilian activities would certainly result in considerable adverse publicity. The Army's recent experience with former military intelligence personnel confirms this estimate. Since obligated service officers, first enlistees and draftees are drawn from a peer group in which reaction is most unfavorable, morale and disciplinary problems can be anticipated.

Advantages of Relaxing Restrictions

1. Lifting these restrictions would expand the scope of domestic intelligence collection efforts by diverting additional manpower and resources for the collection of information on college campuses and in the vicinity of military installations.

2. The use of undercover agents by the military counterintelligence agencies could be limited to localized targets where the threat is great and the likelihood of exposure minimal. Moreover, controlled use of trusted personnel leaving the service to return to college could expand the collection capabilities at an acceptable risk.

3. The military services have a certain number of personnel pursuing special academic courses on campuses and universities. Such personnel, who in many instances have already been investigated for security clearance, would represent a valuable pool of potential sources for reporting on subversive activities of campus and student-related groups.

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DECISION: Use of Military
Undercover Agents

Present restrictions should be retained.

The counterintelligence mission of the military services should be expanded to include the active collection of intelligence concerning student-related dissident activities, with provisions for a close coordination with the FBI.

No change should be made in the current mission of the military counterintelligence services; however, present restrictions should be relaxed to permit the use of trusted military personnel as FBI assets in the collection of intelligence regarding student-related dissident activities.

More information is needed.

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NOTE: The FBI is opposed to the use of any military undercover agents to develop domestic intelligence information because this would be in violation of the Delimitations Agreement. The military services, joined by the FBI, oppose any modification of the Delimitations Agreement which would extend their jurisdiction beyond matters of interest to the Department of Defense.

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II. BUDGET AND MANPOWER RESTRICTIONS

The capability of member agencies, NSA, CIA, DIA, FBI, and the military counterintelligence services, to collect intelligence data is limited by available resources, particularly in terms of budget and/or qualified manpower. For some agencies fiscal limitations or recent cutbacks have been acute. Budgetary requirements for some agencies, other than the FBI, are reviewed and passed upon by officials who, in some instances, may not be fully informed concerning intelligence requirements.

CIA reported that recent and current manpower reductions (the Balance of Payments and Operation Reduction exercises) have lowered CIA's capabilities abroad with a corresponding decrease in its level of operational effectiveness. Lowered capabilities have occurred at a time when the communist services are expanding in Western Europe, Africa, the Near East, and Latin America. There has also been a serious loss in flexibility of deployment and some loss of cover positions.

The military services noted that cuts in budget requirements for counterintelligence activities have the effect of severely hampering the ability of these services to accomplish missions relating to coverage of threats to the national security. Budgetary deficiencies have occurred at a time when investigative work loads are increasing significantly.

Manpower limitations constitute a major restriction on the FBI's capabilities in the investigation of subversive activities. The problem is further complicated by the fact that, even if substantial numbers of Agents could be recruited on a crash basis, the time required to conduct background investigations and to provide essential training would mean several months delay in personnel being available for use against the rapidly escalating subversive situation.

NSA, which has a potential to report on the activities of U.S. subversive elements, has neither the current means nor the budgetary mechanism for expanding its resources in this direction. This is due to the nature of NSA's primary mission, and also limited coverage of "foreign communications," which is interpreted as messages of U.S. citizens who in order or in interest of such communications. If NSA

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In the event, as a result of this report, additional collection requirements should be levied on the agencies involved, it would be necessary to provide for essential funding. For example, if the scope of NSA coverage is broadened to permit coverage of activities of U. S. subversive elements and/or the military services are called upon to provide counterintelligence functions or assistance not being furnished at present, adjustments will be necessary in their budgets to cover the increased costs.

DECISION: Budget and Manpower Restrictions

- _____ Each agency should submit a detailed estimate as to projected manpower needs and other costs in the event the various investigative restraints herein are lifted.
- _____ Each agency must operate within its current budgetary or manpower limitations, irrespective of action required as result of this report.
- _____ More information is needed.

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PART THREE

EVALUATION OF INTERAGENCY COORDINATION:

I. CURRENT PROCEDURES TO EFFECT COORDINATION

There is currently no operational body or mechanism specifically charged with the overall analysis, coordination, and continuing evaluation of practices and policies governing the acquisition and dissemination of intelligence, the pooling of resources, and the correlation of operational activities in the domestic field.

Although a substantial exchange of intelligence and research material between certain of the interested agencies already exists, much remains to be done in the following areas: (1) the preparation of coordinated intelligence estimates in a format useful for policy formulation; (2) the coordination of intelligence collection resources of the member agencies and the establishment of clear-cut priorities for the various agencies; and (3) the coordination of the operational activities of member agencies in developing the required intelligence.

II. SUGGESTED MEASURES TO IMPROVE THE COORDINATION OF DOMESTIC INTELLIGENCE COLLECTION

It is believed that an interagency group on domestic intelligence should be established to effect coordination between the various member agencies. This group would define the specific requirements of the various agencies, provide regular evaluations of domestic intelligence, develop recommendations relative to policies governing operations in the field of domestic intelligence, and prepare periodic domestic intelligence estimates which would incorporate the results of the combined efforts of the entire intelligence community.

Membership in this group should consist of the principal officers responsible for domestic intelligence collection activities of the Federal Bureau of Investigation, the Central Intelligence Agency,

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the National Security Agency, the Defense Intelligence Agency, and the counterintelligence agencies of the Departments of the Army, Navy, and Air Force. In addition, an appropriate representative of the White House would have membership. The committee would report periodically to the White House, and a White House staff representative would coordinate intelligence originating with this committee in the same manner as Dr. Henry Kissinger, Assistant to the President, coordinates foreign intelligence on behalf of the President. The chairman would be appointed by the President.

This interagency group would have authority to determine appropriate staff requirements and to implement these requirements, subject to the approval of the President, in order to meet the responsibilities and objectives described above.

DECISION: Permanent Interagency Group

An ad hoc group consisting of the FBI, CIA, NSA, DIA, and the military counterintelligence agencies should be appointed and should serve as long as the President deems necessary, to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, and carry out the other objectives indicated above.

A permanent committee consisting of the FBI, CIA, NS, DIA, and the military counterintelligence agencies should be appointed to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, and carry out the other objectives indicated above.

No further action required.

More information is needed.

NOTE: The FBI is opposed to the creation of a permanent committee for the purpose of providing evaluations of domestic intelligence.

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5. Development of Campus Sources. Coverage of violence-prone campus and student-related groups is to be increased. All restraints which limit this coverage are to be removed. Also, CIA coverage of American students (and others) traveling or living abroad is to be increased.

6. Use of Military Undercover Agents. Present restrictions are to be retained.

7. Budget and Manpower. Each agency is to submit a detailed estimate as to projected manpower needs and other costs required to implement the above decisions.

8. Domestic Intelligence Operations. A committee consisting of the Directors or other appropriate representatives appointed by the Directors, of the FBI, CIA, NSA, DIA, and the military counter-intelligence agencies is to be constituted effective August 1, 1970, to provide evaluations of domestic intelligence, prepare periodic domestic intelligence estimates, carry out the other objectives specified in the report, and perform such other duties as the President shall, from time to time, assign. The Director of the FBI shall serve as chairman of the committee. Further details on the organization and operations of this committee are set forth in an attached memorandum.

The President has directed that each addressee submit a detailed report, due on September 1, 1970, or the steps taken to implement these decisions. Further such periodic reports will be requested as circumstances merit.

The President is aware that procedural problems may arise in the course of implementing these decisions. However, he is anxious that such problems be resolved with maximum speed and minimum misunderstanding. Any difficulties which may arise should be brought to my immediate attention in order that an appropriate solution may be found and the President's directives implemented in a manner consistent with his objectives.

TOM CHARLES HUSTON

Attachment
cc: The President
H.R. Haldeman

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6. Duties. The group will have the following duties:

(a) Define the specific requirements of member agencies of the Intelligence community.

(b) Effect close, direct coordination between member agencies.

(c) Provide regular evaluations of domestic intelligence.

(d) Review policies governing operations in the field of domestic intelligence and develop recommendations.

(e) Prepare periodic domestic intelligence estimates which incorporate the results of the combined efforts of the intelligence community.

(f) Perform such other duties as the President may from time to time assign.

7. Meetings. The group shall meet at the call of the Chairman a member agency, or the White House representative.

8. Security. Knowledge of the existence and purpose of the group shall be limited on a strict "need to know" basis. Operations of, and papers originating with, the group shall be classified "Top Secret-Handle Via Comint Channels Only."

9. Other Procedures. The group shall establish such other procedures as it believes appropriate to the implementation of the duties set forth above.

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MEMORANDUM FOR: Mr. McNamara

Per your telephone request, I am returning herewith Mr. Huston's memorandum to me, Subject: Domestic Intelligence, dated July 23, 1970.

Richard Helms
Richard Helms

23 July 1970
(DATE)

FORM NO. 101 REPLACES FORM 10-101,
1 AUG 54 WHICH MAY BE USED.

(47)

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23 July 1970

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MEMORANDUM FOR THE RECORD

SUBJECT: Discussion with Attorney General Mitchell on Domestic Intelligence

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1. During a private meeting with the Attorney General on 27 July 1970, it became clear, to my great surprise, that he had heard nothing whatever about the President's instructions on "Domestic Intelligence" until that very morning. In other words, the Attorney General had not been told of the meeting at the White House on 5 June 1970 or of the ad hoc committee meetings chaired by the FBI which had followed or about the report which was sent to the President around 1 July, setting forth constraints on domestic intelligence collection. As I understand it, the Attorney General first heard about these matters when the Director of the FBI complained to him about a memorandum from Mr. Tom Charles Huston which must be essentially the same text as the one I received under date of 23 July 1970 (#SC 05875-70).

2. I told the Attorney General that we had put our backs into this exercise, because we had thought that he knew all about it and was behind it. The Attorney General was frank with me. In addition, he said that he had told Mr. Hoover to "sit tight" until he (the Attorney General) had an opportunity to discuss this whole matter with the President upon his return to Washington from San Clemente next week.

3. In connection with the problems involved in domestic intelligence collection, I again suggested to the Attorney General that he have a talk with Mr. Sam J. Papich who, I pointed out, has now fully retired from the FBI. The Attorney General again wrote down Mr. Papich's name.

RH
Richard Helms
Director

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OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

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9-12-71
April 12, 1971

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. Felt	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Tavel	✓
Mr. Walters	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

MEMORANDUM FOR THE FILES

On March 29, 1971, I attended a meeting with the Attorney General, Mr. Richard Helms, Director of the Central Intelligence Agency (CIA), and Admiral Noel A. Gaylor, Director of the National Security Agency.

This meeting had been requested by Mr. Helms and was for the purpose of discussing a broadening of operations, particularly of the very confidential type in covering intelligence both domestic and foreign. Admiral Gaylor stated that he was most desirous of the FBI resuming the so-called "black bag" job operations. There was some discussion upon the part of Mr. Helms of further coverage of mail.

I stated to the Attorney General, Mr. Helms, and Admiral Gaylor that I was not at all enthusiastic about such an extension of operations insofar as the FBI was concerned in view of the hazards involved. The Attorney General stated that he thought before he could make any final decision in this matter, Mr. Helms should make an in-depth examination of exactly what he and Admiral Gaylor desired and then submit to the Attorney General and myself the results of this examination, and he, the Attorney General, would call another meeting of this particular group and make the decision as to what could or could not be done.

Mr. Helms said he would take care of this very promptly.

John Edgar Hoover
John Edgar Hoover
Director

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