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Chapter 16

Domestic Activities of the Directorate of Science and Technology

In the past two decades, the CIA has placed increasing emphasis upon gathering foreign intelligence through technical and scientific means.

In 1963, Director John McCone sought to coordinate the scientific development of intelligence devices and systems by creating the Science and Technology Directorate within the CIA. Most of the scientific and technological endeavors had been previously undertaken by the Plans (now Operations) Directorate.

The Science and Technology Directorate is presently responsible for all of the research and development engaged in by the CIA in all fields of science and technology. Projects range from complex satellite systems to the development of miniature cameras and concealed listening devices.

The Directorate also is engaged in developing countermeasures to neutralize new scientific and technological devices developed by foreign intelligence services.

Private industry provides much of the research and development of new intelligence gathering devices on a contractual basis.

In addition to engaging in research and development, some branches of the Science and Technology Directorate provide operational support in the field for use of intelligence gathering devices developed by the Directorate.

Other branches of the Directorate themselves engage in the task of foreign intelligence-gathering abroad, utilizing technical intelligence gathering devices not developed for use by operations agents.

The Commission investigated a number of projects of the Science and Technology Directorate which have affected persons living within the United States.

Most such activities were lawful and proper, although there have been scattered improprieties described below.



A. The Testing of Scientific and Technological Developments Within the United States

While the research and development of new CIA scientific and technical devices is naturally undertaken within the United States, the evidence before this Commission shows that with a few exceptions, the actual devices and systems developed have not been used operationally within this country.¹

However, the Agency has tested some of its new scientific and technological developments in the United States. One such program included the testing of certain behavior-influencing drugs. Several others involved the testing of equipment for monitoring conversations. In all of the programs described, some tests were directed against unsuspecting subjects, most of whom were U.S. citizens.

1. The Testing of Behavior-Influencing Drugs on Unsuspecting Subjects Within the United States

In the late 1940's, the CIA began to study the properties of certain behavior-influencing drugs (such as LSD) and how such drugs might be put to intelligence use. This interest was prompted by reports that the Soviet Union was experimenting with such drugs and by speculation that the confessions introduced during trials in the Soviet Union and other Soviet Bloc countries during the late 1940's might have been elicited by the use of drugs or hypnosis. Great concern over Soviet and North Korean techniques in "brainwashing" continued to be manifested into the early 1950's.

The drug program was part of a much larger CIA program to study possible means for controlling human behavior. Other studies explored the effects of radiation, electric-shock, psychology, psychiatry, sociology and harassment substances.

The primary purpose of the drug program was to counter the use of behavior-influencing drugs clandestinely administered by an enemy, although several operational uses outside the United States were also considered.

Unfortunately, only limited records of the testing conducted in these drug programs are now available. All the records concerning the program were ordered destroyed in 1973, including a total of 152 separate files.

In addition, all persons directly involved in the early phases of the program were either out of the country and not available for

¹ A few audio-surveillance devices developed by the Science and Technology Directorate have been used by the Office of Security in the course of investigations of persons within the United States. In addition, several devices developed by the Agency have been used by other federal agencies in operations conducted within the United States.

interview, or were decreased. Nevertheless, the Commission learned some of the details surrounding several tests of LSD conducted on unsuspecting subjects between 1953 and 1963.

The possibility, and the importance, of testing potential behavior-influencing drugs (including LSD) on human subjects was first suggested in 1953. It was also suggested at that time that Agency trainees might be utilized as test subjects. Any such testing was to be carefully supervised and conducted only in the presence of a qualified physician.

Following laboratory testing of LSD and other potential behavior-influencing substances, a few tests were run on voluntary participants. Commencing in 1955, under an informal arrangement with the Federal Bureau of Drug Abuse Control, tests were begun on unsuspecting subjects in normal social situations. Testing was originally conducted on the West Coast. In 1961, a similar testing program was initiated on the East Coast.

In 1963, the Agency's Inspector General learned of this program and questioned the propriety of testing on unsuspecting subjects. The Inspector General reported that in a number of instances, test subjects became ill for hours or days following the application of a drug. There was one reported incident of hospitalization, the details of which could not be learned by the Commission because of the destruction of the records and the unavailability of witnesses.

The Commission did learn, however, that on one occasion during the early phases of this program (in 1953), LSD was administered to an employee of the Department of the Army without his knowledge while he was attending a meeting with CIA personnel working on the drug project.

Prior to receiving the LSD, the subject had participated in discussions where the testing of such substances on unsuspecting subjects was agreed to in principle. However, this individual was not made aware that he had been given LSD until about 20 minutes after it had been administered. He developed serious side effects and was sent to New York with a CIA escort for psychiatric treatment. Several days later, he jumped from a tenth floor window of his room and died as a result.²

The General Counsel ruled that the death resulted from "circumstances arising out of an experiment undertaken in the course of his official duties for the United States Government," thus ensuring his survivors of receiving certain death benefits. Reprimands were issued by the Director of Central Intelligence to two CIA employees responsible for the incident.

² There are indications in the few remaining Agency records that this individual may have had a history of emotional instability.

As a result of the Inspector General's study of this drug program in 1963, the Agency devised new criteria for testing substances on human subjects. All further testing of potentially dangerous substances on unsuspecting subjects was prohibited. Between 1963 and 1967, some testing of drugs continued, but only on voluntary subjects, primarily inmate volunteers at various correctional institutions. In 1967, all projects involving behavior-influencing drugs were terminated.

It is presently the policy at CIA not to test any substance on unsuspecting persons. Current practice in all experimentation is to adhere strictly to Department of Health, Education and Welfare guidelines concerning the use of human subjects, and all current CIA contracts carry language to that effect.

2. The Testing of Communications Intercept Systems Within the United States

Monitoring of foreign conversations is an important aspect of modern intelligence collection. Several new systems developed by the Agency for use overseas have been tested in the United States. In the process of this testing, private communications, presumably between United States citizens, have sometimes been overheard.

In many cases conversations were overheard but not recorded. In other cases, conversations were recorded for evaluation purposes but the recordings were kept only until the testing was concluded, at which time they were destroyed.

No evidence was found that any such tests were ever directed against persons for the purpose of learning the content of any communication. In most instances, the speakers were never identified. Nor was any evidence found that the Agency disseminated or ever attempted to exploit the contents of any intercepted or recorded conversations.

3. Other Testing Within the United States

Various branches of the Science and Technology Directorate are involved in the testing of other new devices and procedures such as chemical warfare detection equipment, new means of measuring physiological responses in humans and photographic interpretation systems.

Conclusions

It was clearly illegal to test potentially dangerous drugs on unsuspecting United States citizens.

The testing of equipment for monitoring conversations should not be directed against unsuspecting persons in the United States. Most of the testing undertaken by the Agency could easily have

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been performed using only Agency personnel and with their full knowledge.

Recommendation (27)

In accordance with its present guidelines, the CIA should not again engage in the testing of drugs on unsuspecting persons.

Recommendation (28)

Testing of equipment for monitoring conservations should not involve unsuspecting persons living within the United States.

B. Other Selected Activities of the Science and Technology Directorate

1. The Manufacture and Use of Documents

The Agency maintains a capability for producing and providing to its agents and operatives a wide range of "alias" credentials. Most such documents purport to be of foreign origin. Some, however, are documents ordinarily issued by other branches of the U.S. government or by private United States businesses and organizations.

Among the United States "alias" documents furnished from time to time to Agency personnel and operatives are Social Security cards, bank cards, professional cards, club cards, alumni association cards and library cards. The Agency has recently stopped producing alias driver's licenses, credit cards and birth certificates, unless needed in a particularly sensitive operation and approved in advance by the Deputy Director of Operations.

While the Agency does not produce false United States passports, it has in the past altered a few by the addition of entries to evidence travel which had not actually occurred.

The purpose of alias documents is to facilitate cover during CIA operations. These documents are not "backstopped," i.e., manufactured with the consent and knowledge of the company or organization whose card is being manufactured. They are useful only as flash identification. Only the Social Security Administration has been told that the Agency is manufacturing its cards.

The Commission found no evidence that any Agency employee has ever used false documentation of this kind to his personal advantage.

Conclusions

Alias credentials are necessary to facilitate CIA covert operations overseas, but the strictest controls and accountability must be main-

tained over the use of such documents; recent guidelines established by the Deputy Director for Operations appear adequate to prevent abuse in the future.

2. Overhead Photography of the United States

In 1966, the Special Assistant to the President for Science and Technology commenced a formal study on the use of aerial intelligence photography for civilian purposes. This study was commenced with the approval of the Director of Central Intelligence and in cooperation with the Departments of Agriculture, Commerce, Interior, the Agency for International Development and the National Aeronautics and Space Administration.

In 1967 the study resulted in the establishment of a steering committee in the office of the President's Science Adviser, with membership from the United States Geological Survey, the Department of Commerce, the Department of Agriculture, the National Aeronautics and Space Administration and other interested civilian agencies. This committee was designed to act as an interface, by which the intelligence community could assure the public that it was not involved in selecting or determining the end use of its aerial photographs of domestic areas.

The Director of Central Intelligence agreed to provide photography to civilian agencies pursuant to the steering committee's request, provided there would be no interference with intelligence needs nor any significant cost increase.³

The photographs of the United States actually turned over to civilian agencies were taken primarily for military mapping purposes. Since that time, aerial photography systems have been used for such diverse civilian projects as mapping, assessing natural disasters such as hurricane and tornado damage and the Santa Barbara, California, oil spill, conducting route surveys for the Alaska pipeline, conducting national forest inventories, determining the extent of snow cover in the Sierras to facilitate the forecast of runoff and detecting crop blight in the Plains States. Limited equipment testing and performance evaluation is also conducted, using photographs taken of areas within the United States.

In 1973, the Office of the President's Science Adviser was abolished, and the special steering committee controlling the civilian use of aerial photography ceased to exist. Efforts are underway to establish a new committee to undertake this activity.⁴ In the meantime, the Director of Central Intelligence has entered into agreements with several

³ While the Agency engineered and developed most of the operational aerial photography systems, it is no longer responsible for the operational aspects of those systems.

⁴ The President has recently announced his intention to reestablish the Office of the President's Science Adviser.

federal agencies, including the Environmental Protection Agency, which permits them access to classified overhead photography.

Conclusions

The Commission can find no impropriety in permitting civilian use of aerial photography systems.⁵ The economy of operating a single aerial photography program dictates the use of these photographs for appropriate civilian purposes.

Recommendation (29)

A civilian agency committee should be reestablished to oversee the civilian uses of aerial intelligence photography in order to avoid any concerns over the improper domestic use of a CIA-developed system.

⁵ It is arguable that at least one present use of aerial photography is law enforcement in nature and outside the scope of proper CIA activity. This use involves photography with infrared sensors to detect areas of high concentrations of industrial pollutants in the air and in various bodies of water. Data obtained from this activity could conceivably be used as the basis for a criminal action brought under environmental legislation. The Commission believes, however, that the legislators, when they prohibited the CIA from engaging in law enforcement activities in their 1947 enactment of the National Security Act, could not have contemplated the systems presently in use. It should be noted that the CIA did turn down a request from the Alcohol and Tobacco Tax Unit of the Treasury Department to help locate moonshine stills in the North Carolina mountains using infrared photography, on the ground that such activity was law enforcement in nature.

Chapter 17

CIA Relationships with Other Federal, State and Local Agencies

Because of its practice of occasionally lending assistance to various federal, state and local law enforcement agencies, questions have been raised as to whether the CIA has engaged in internal security functions or exercised police or law enforcement powers contrary to the restrictions of the National Security Act.

Like other arms of the government, the CIA frequently has occasion either to give assistance to or receive assistance from other federal, state and local agencies.

For example, in gathering foreign intelligence, the Agency might gain access to information concerning international drug traffic which would be of interest to the Drug Enforcement Administration. Or it might receive information of interest to the FBI and the local police concerning the security of government installations. CIA operations touch the interests of many other agencies as well.

This Chapter will explore some of the relationships between the CIA and other agencies over the years—in order to determine whether the CIA has exceeded its authority in connection with those relationships.

A. Relationships With Other Federal Agencies

1. Federal Bureau of Investigation

Many counterintelligence operations undertaken by the FBI also have positive foreign intelligence ramifications. Likewise, legitimate domestic CIA activities occasionally cross the path of ongoing FBI investigations. Consequently, regular daily liaison has customarily been maintained between the CIA and the FBI to coordinate the activities of these two federal agencies.

As a part of such liaison, the CIA furnishes to the FBI much routine information obtained by the CIA in the course of its legitimate foreign

intelligence gathering activities. Included is information concerning suspected criminal activities within the United States and information relevant to the country's internal security. Likewise, the FBI furnishes information to the CIA relating to foreign intelligence matters. From time to time, the CIA and the FBI have cooperated in joint operations touching on both agencies' areas of interest.

The relationship between the CIA and the FBI over the years has not been uniformly satisfactory. At the policy-making level, it has ranged from workable, at its best, to almost nonexistent at its worst. In February 1970, following a seemingly insignificant incident in Denver, all formal liaison between the two agencies was completely severed by the FBI. Formal liaison at the policy level was not restored until November 1972—though a working relationship at lower levels was always maintained.

The Commission is informed that the relationship between the CIA and the FBI has improved considerably in the last few years. Nevertheless, the relationship needs to be clarified and outlined in detail in order to ensure that the needs of national security are met without creating conflicts or gaps of jurisdiction. A better exchange of ideas and more effort by each agency to understand the problems facing the other are essential if the responsibilities of both agencies are to be met.

Recommendation (30)

The Director of Central Intelligence and the Director of the FBI should prepare and submit for approval by the National Security Council a detailed agreement setting forth the jurisdiction of each agency and providing for effective liaison with respect to all matters of mutual concern. This agreement should be consistent with the provisions of law and with other applicable recommendations of this Report.

2. Narcotics Law Enforcement Agencies

The CIA, through a field office in Virginia, carried on at least one domestic operation as a cooperative effort with the Bureau of Narcotics and Dangerous Drugs (BNDD) (now the Drug Enforcement Administration). The operation was an attempt to help BNDD prevent corruption within its ranks by developing sources of information within the Bureau.

The operation began in late 1970 when the Director of BNDD asked the Director of Central Intelligence for assistance in building a "counterintelligence" capacity within BNDD. The request was apparently supported by Attorney General Mitchell.

BNDD stated that it was vitally concerned that some of its employees might have been corrupted by drug traffickers. According to



the CIA officer in charge of the Agency's field office involved, BNDD reported that it did not have the "know-how" to set up a covert operation or to establish a counterintelligence unit. It therefore turned to the CIA for assistance.

The CIA recruited officers for BNDD through a proprietary corporation. The CIA officer in charge performed the contact and interview work. He screened applicants by telling them that a corporate client engaged in the field of law enforcement wanted people to work as research consultants. If the applicants were interested and met the physical requirements for age and size, they were then subjected to further screening. If they passed the security checks and evaluations and were still interested, then the recruits were introduced to the Chief of the Office of Inspections of BNDD. They then learned, for the first time, what job was to be offered to them.

If the applicant was acceptable to BNDD, the CIA provided a short course in clandestine trade crafts and the employee was turned over to BNDD. The CIA relinquished all control over and contact with the employee once he entered upon his duties with BNDD.

The CIA recruited a total of 19 agents for BNDD in the period between December 1970 and July 1973, when Director Colby terminated the CIA's participation.

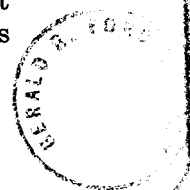
In addition to recruiting an internal security unit for BNDD, the CIA also assigned two of its agents, working under cover of a commercial corporation, to operate for BNDD between January 1972 and the termination of the project in July 1973. They were directed by BNDD and were not under the operational control of the CIA. The CIA did, however, provide for the salary and administrative requirements of the agents, for which the CIA was reimbursed by BNDD.

These activities violated the 1947 Act which prohibits the CIA's participation in law enforcement activities. The Commission therefore concludes that Director Colby was correct in his written directive terminating the project. The Director and the Inspector General should be alert to prevent involvement of the Agency in similar enterprises in the future.

3. The Department of State

For over 20 years, the CIA conducted a training school for foreign police and security officers. The school, operated within the United States under cover of a private commercial corporation, trained foreign police in highly specialized areas of law enforcement. The CIA school offered training in fingerprinting, security, criminal investigation, instruction methods and patrol operations, among others.

The Agency training operation began in 1952 with courses taught in the United States for foreign security personnel. The school was



not very extensive in nature and operated out of a farmhouse in Virginia.

In addition, in 1960 the State Department, operating in cooperation with the CIA, opened a school in the Panama Canal Zone for Latin American police officers. The CIA supplied the faculty while the other costs of the school were borne by the State Department and the Agency for International Development's Office of Public Safety. The school concentrated on teaching security methods and modern techniques of crime solving.

In 1963, the State Department closed its Canal Zone police training school, and the activities carried on there were transferred to the United States. A commercial contractual arrangement for the training service was established with a domestic private corporation which was a CIA front. The relationship between the CIA and the private corporation was unknown to the Administrator of the AID, although the person in charge of the Office of Public Safety apparently knew he was dealing with a CIA proprietary. The school was shut down and the cover corporation disbanded in 1973.

In addition to operating the foreign police school, the CIA provided the faculty for special courses on countermeasures against terrorists—also in cooperation with the AID Office of Public Safety. During the 20-year period of its operation of the police training school and participation in the special courses, the CIA graduated a total of about 5,000 foreign student police officers.

The CIA proprietary corporation was also a licensed firearms and police equipment dealer. The records of the corporation show that its gross sales of police equipment to foreign police officers and police departments varied from between a low of about \$6,000 in one year to a high of \$48,000 in another year. Most of the sales, according to the CIA officer in charge of the program, were to the students enrolled in the course who purchased police equipment upon completing their training.

The Commission has concluded that providing educational programs for foreign police was not improper under the Agency's statute. Although the schools were conducted within the United States through a CIA proprietary, they had no other significant domestic impact.

Engaging in the firearms business was a questionable activity for a government intelligence agency. It should not be repeated.

4. Funding Requests from Other Federal Agencies

On at least one occasion, the CIA was requested to fund a project having no intelligence relationship, apparently because its inclusion in the CIA's secret budget provided an opportunity to hide the expenditures.



In the spring of 1970, the CIA was requested by members of the White House staff to contribute funds for payment of stationery and postage for replies to persons who wrote President Nixon after he initiated the invasion of Cambodia. Although CIA officials at first expressed reluctance to use CIA funds for this purpose, the Agency eventually forwarded two checks totaling \$33,655.68 to the White House to reimburse its costs. Because of the unique CIA budgetary scheme, no one other than the CIA's internal Audit Staff ever reviewed this unusual expenditure.

This use of CIA funds for a purpose unrelated to intelligence is improper. Steps should be taken to ensure against repetition of this incident.

B. State and Local Police

The primary point of contact between the CIA and state and local law enforcement agencies is, and historically has been, through the Office of Security. Personnel security matters, such as the arrest of Agency employees for criminal offenses, the involvement of employees in automobile accidents, and police assistance requested by employees to resolve such personal problems as burglaries of their belongings, provide the most frequent reasons for CIA dealings with police agencies.

The Agency's closest contacts have been with police departments in the Washington, D.C., metropolitan area—particularly with the Washington Metropolitan Police Department, because of the wide range of CIA activities carried on in Washington—and the Fairfax County, Virginia, Police Department, because of the physical presence of CIA Headquarters within that county. Liaison with other surrounding suburban police departments has been maintained to a lesser extent. Moreover, CIA historically has maintained limited contacts with a large number of state and local police departments throughout the country, some on an *ad hoc* basis and others on a continuing basis.

In addition to its ordinary liaison activities, the CIA has on occasion provided other assistance to state and local law enforcement agencies. It has also received significant assistance from such agencies. The following are examples.

1. Assistance Given to State and Local Police

Since 1966, the Office of Security has conducted or arranged for a number of briefings, demonstrations, seminars and training courses for representatives of various police departments throughout the United States. These sessions were generally conducted at facilities operated by the Agency in the Washington, D.C., area. Most of the



courses lasted a day or two and covered such subjects as declassification of materials, foreign weapons, counter-audio measures, explosive devices and detection techniques, basic theories of intelligence and clandestine collection methodology. However, one course in lock-picking, photography (including covert photography, telephotography and photoanalysis) and positive surveillance (both physical and audio) lasted approximately three weeks. This course was given on at least four separate occasions in 1968 and 1969.

Director Helms supported and approved all of these training programs. All, however, were terminated in 1973 upon the passage of an amendment to the Omnibus Crime Control and Safe Streets Act, which prohibits CIA assistance to the Law Enforcement Assistance Administration and evidences congressional disapproval of direct CIA assistance to state and local police departments in general.

Since its inception, the CIA has had a policy against providing assistance in the form of Agency personnel to state and local law enforcement agencies for police-related activities. However, there have been some deviations from that general rule.

On at least three occasions between 1969 and 1971,¹ the Office of Security provided several men and radio-equipped vehicles to the Washington Metropolitan Police Department to assist the police in monitoring crowds during anti-war demonstrations. Such assistance was rendered at the request of an officer of the police department.

In December of 1970, CIA was asked to provide (and did provide) an Arabic interpreter to the Fairfax County Police Department in connection with a homicide investigation. In addition to interpreting, this CIA officer agreed to assist in the actual investigation by pretending to be another police officer in the hope that he might overhear conversations in Arabic carried on by prospective witnesses being confronted by the police. He was provided police identification, including a badge and service revolver, to aid in this investigation.

In 1972, the CIA assisted the Washington Metropolitan Police Department on an actual police surveillance. In the course of a surveillance training exercise for Metropolitan Police personnel, a police informer suspected by the Washington police of having engaged in improper activities was surveilled without her knowledge. Nine CIA agents and six Agency automobiles were utilized in the operation.

The Commission has discovered no other instances where the CIA has provided manpower to any state or local police departments to assist in operations which were of a law-enforcement nature.

The Office of Security has sometimes loaned electronics gear and other equipment (including photographic and riot control equipment)

¹ The 1969 Presidential Inauguration, the anti-war moratorium demonstrations in November 1969, and the 1971 May Day Demonstrations.



to police departments for training or for use in police operations. In addition, the CIA has, on at least one occasion, assisted local police in installing an electronic listening device for use in an actual police operation. Once in the late 1960's, small quantities of explosives were given to the Fairfax County Police Department for use in training dogs to locate explosives.

Other miscellaneous assistance rendered by the CIA to state and local law enforcement agencies includes providing police with technical advice, alias documentation, laboratory assistance, and access to certain CIA facilities for highly sensitive police operations. Further details appear in Appendix VII.

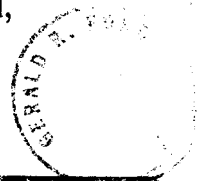
2. Assistance Received from State and Local Police

The CIA receives a great deal of routine assistance from state and local law enforcement agencies, primarily from police departments in the Washington metropolitan area. Examples of such assistance include name checks to determine whether CIA applicants for employment have criminal records, checks to determine the registered owners of vehicles with known license tags, forwarding information concerning planned activities or demonstrations directed against CIA facilities, and providing police protection for CIA facilities located within a local police department's jurisdiction. The CIA has received this type of assistance for many years. It is generally the same assistance that state and local police give to all government agencies.

Because of the extraordinary security precautions exercised by the CIA, it has also made arrangements with state and local police, in all areas of the country where it maintains facilities, to be notified of the arrest of any CIA employee. The CIA uses this information only for preventing breaches of security; there is no evidence suggesting that CIA has ever attempted to intervene in a police investigation concerning one of its own employees.

Only one instance has been discovered where local police actively participated in a CIA operation. In 1971, three police officers from the Fairfax City Police Department accompanied Office of Security personnel while they surreptitiously entered a business establishment in Fairfax, at night, without a warrant, to photograph some papers. (This investigation is among those discussed in Chapter 13.)

The CIA has sometimes received permission from local police authorities to use their facilities or personnel in activities not related to actual CIA operations. For example, between 1951 and 1955, the CIA received some assistance—in the form of manpower—from a number of state police departments. Since the CIA was rapidly expanding at that time, and since it was therefore unable to conduct all of the necessary security background investigations of prospective CIA personnel,



the police from several states agreed to conduct these investigations for the Agency. The state police forces of Colorado, Connecticut, Florida, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio and Washington conducted approximately 341 investigations during this period.

In 1969, arrangements were made with the Washington Metropolitan Police Department to allow the CIA to conduct certain training exercises using police facilities and personnel. These exercises involved the contrived "arrest" of CIA trainees by a Washington police officer and the lengthy interrogation of those trainees at Washington Police Headquarters by Office of Security personnel. The object of the training was to determine whether CIA trainees, scheduled for covert assignments overseas, would "break" when placed under such pressures—and to give them experiences similar to those which they might be expected to encounter on their assignments.

Approximately four such training exercises—each involving four or five trainees—were conducted through 1974. On at least one occasion several years ago, a similar training exercise was conducted in cooperation with the Fairfax County Police Department.

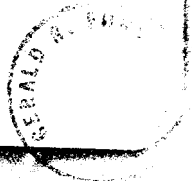
The CIA has occasionally obtained badges and other identification from local police for the purpose of maintaining cover during CIA operations. Such "cover" has been obtained from police departments in Washington, D.C., Fairfax County (Virginia), and New York City, among others. The evidence before this Commission has shown that the CIA's use of "police cover" has been extremely limited, and we have found no evidence of abuse. (For more detail, see Appendix VII.)

Except for the one occasion when some local police assisted the CIA in an unauthorized entry, the assistance received by the CIA from state and local law enforcement authorities was proper. The use of police identification as a means of providing cover, while not strictly speaking a violation of the Agency's statutory authority as long as no police function is performed, is a practice subject to misunderstanding and should be avoided.

3. Gifts and Gratuities Given to Local Police Officials

For several years, it has been the practice of the Office of Security to offer gratuities to police officials who have been of particular assistance to the CIA. Gratuities have ranged from candy, liquor and twenty-five dollar gift certificates at Christmas, to providing free transportation for vacationing police officials at costs up to eight hundred dollars.

In 1971 the Office of Security made a gift to the police department of Lewes, Delaware, of some radios, flashlights, mace, ammunition and other items in recognition of police assistance to Director Helms,



a summer resident of Lewes, whose life was believed to be in danger at the time. In addition, the Office has on several occasions given retirement gifts to local police officials who have been particularly helpful to the Agency. On several occasions, police officials have been flown to a CIA training facility in southern Virginia for an all expenses paid weekend of relaxation and entertainment.

Most of the gifts and gratuities given to local police officials by the Office of Security were paid for out of a confidential fund made available to the Director of Security for his own miscellaneous use. Expenditures from this fund did not require the approval of any higher authority.

The primary purpose of such "courtesies" to officials of state and local police departments was to recognize the cooperation which those officials or their departments had given the CIA. There is no evidence that any gratuities given to local police officials and paid for out of CIA funds were conditioned upon the recipient's providing the Office of Security with any particular assistance.

Conclusions

In general, the coordination and cooperation between state and local law enforcement agencies and the CIA (primarily the Office of Security) has been excellent. Both the Agency and local police officials have given assistance to each other in a spirit of cooperation based upon a desire to facilitate their respective legitimate aims and goals.

Most of the assistance rendered to state and local law enforcement agencies by the CIA has been no more than an effort to share with law enforcement authorities the benefits of new methods, techniques and equipment developed or used by the Agency. In compliance with the spirit of a recent act of Congress, the CIA, in 1973, terminated all but routine assistance to state and local law enforcement agencies. In view of these recent statutory changes, assistance is now being provided to state and local agencies by the FBI. There is no impropriety in the CIA's furnishing information concerning new techniques and developments to the FBI.

On a few occasions, the Agency has allowed its employees to become involved in actual police investigations. In spite of these lapses, however, the Agency has generally been careful to avoid operations which might be considered police or law enforcement activities.

The assistance received by the CIA from state and local law enforcement authorities did not involve the Agency in any improprieties. However, any practice of giving gratuities to cooperative police officials should be terminated.



Chapter 18

Indices and Files on American Citizens

The collection of information about people is a major function of the CIA. Biographical information is collected not only in response to specific requirements but also to accumulate background of likely relevance to be drawn on when needed. The collection of this information is incidental to the CIA's normal activities, and the inclusion of information about persons who may be American citizens is largely incidental to collecting information about people generally.

For these reasons, biographical information is stored by a number of components throughout the Agency. The nature of the indices and files varies with the missions and capabilities of those maintaining them.

The Operations Directorate maintains a central index of names and certain biographical and subject files in connection with the intelligence collection activities of its various divisions and staffs. In addition, separate project and case files are maintained by these divisions and staffs.

The other major source of biographical files is in the Administration Directorate, where files are maintained by the Office of Security and by other administrative branches such as the personnel and medical offices.

Biographical files also are maintained in the Intelligence Directorate, but few, if any, names of Americans are believed to be in them.

Finally, miscellaneous files on Americans may be found in the offices of the General Counsel and the Legislative Counsel and in other offices which handle dealings with Americans.

The following sections describe the types of files maintained by the CIA which are most likely to contain information on American citizens.

A. Indices and Files of the Operations Directorate

Biographical files are generated by the Directorate of Operations as a result of the indexing of names of persons appearing in documents and communications received by the Directorate. Generally, those documents and communications relate to persons who are of intelligence or counterintelligence interest to the Agency, either because of their actual or possible association with foreign intelligence activities, or because they are actual or potential sources or operatives.

The names of United States citizens have been indexed along with the names of others, based on these criteria. The fact that such names are included does not appear to reflect an effort to conduct surveillance or other investigations of Americans; rather it appears to be the normal result of the Agency's foreign intelligence activities. Names from Operation CHAOS files have not been included in the central index.

The first step in the process of keeping the biographical index and files involves the indexing of incoming documents.

The Operations Directorate maintains a central index and file of documents received, most of which are in the normal course routed through the central index and file. Certain sensitive documents, however, may not be indexed centrally. Each document received is reviewed and names of intelligence interest are entered into the biographical index.

The criteria for indexing a name have changed over the years. In the early years of the Agency, virtually every name in a document was indexed. Eventually the Agency accumulated some 15 million biographical references in its index.

Since the early 1960's, however, the criteria have limited indexing to persons of counterintelligence interest (i.e. those suspected of working on behalf of a hostile intelligence service) and persons of interest as actual or potential sources of information or assistance.

The number of references has since that time been progressively reduced to its present level of about 7,500,000 names (including an indeterminate number of duplicates). Of these, an estimated 115,000 names are of persons who are either known or believed to be United States citizens.

The fact that a name has been entered into the index does not mean that a file exists on that person. Files are opened only at the direction of a division or staff and only when it appears that the person will be of continuing intelligence interest. In that case, a so-called personality (or 201) file is opened; i.e., a manila folder is prepared to hold relevant documents accumulating on that person.

The Operations Directorate has a total of some 750,000 personality files. Of these, the Agency estimates that 57,000 files are of American citizens and an additional 15,000 are of persons who may be American citizens.

No file-by-file review has been made to determine how many of these files contain what might be regarded as derogatory information. However, an analysis by the Agency of a group of files opened on American citizens in 1974, as reported to the Commission's staff, showed that seventy percent of these files were opened on persons who were sources of information or assistance to the Agency, nineteen percent related to Americans of possible use to the Agency, and eleven percent related to Americans who were of foreign counterintelligence interest.

Until 1974, the indexing process made no distinction between United States citizens and others. At that time, regulations were issued restricting the indexing of United States citizens to those involved in "foreign activity detrimental to the national security interests of the United States" such as "espionage, counterintelligence, sabotage, subversion, covert propaganda, psychological or unconventional warfare or paramilitary operations," "terrorist activity and narcotics trafficking," participation in the "illegal apparatus of foreign communist parties," or "other international clandestine activity."

The indexing is done by clerks who determine whether to index a name on the basis of directions contained in the document, supplied by either its originator or its recipient. These persons are expected to comply with the indexing criteria.

In the past, a major source of index references to United States citizens was FBI reports. Whenever an FBI field office felt a report on an individual might be of counterintelligence interest, a copy was routinely furnished the Agency. Many of the names appearing in these raw reports were indexed with relatively little attempt to determine their potential relevance to the CIA. Thus a large number of generally unevaluated index references to Americans were placed in the system.

FBI reports are no longer indexed without a prior determination by an appropriate division or staff that indexing criteria are in fact met. In addition, efforts are being made to work out a procedure under which only reports meeting specified criteria will be sent by the FBI to the CIA.

Names of Americans are also contained in the communications traffic from overseas CIA stations to Headquarters which passes through the indexing process. The information developed by the Commission indicates that in large part these references are to Americans who are actual or potential sources of information or assistance to the Agency.

Of course, names of Americans might turn up in other documents as well. Frequently, the citizenship of a person is not known or disclosed

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in the document, so that it is impossible to determine whether the name indexed is that of an American.

An index reference on a person contains a limited amount of biographical data along with references to the filed documents from which it was derived. It may also contain a very brief summary of some of these documents.

Four years ago, the entire index was computerized, and today the information contained in it is accessible by computer. Access is restricted, however, to those officers in the Operations Directorate who are specially authorized for that purpose.

Many of the Agency's files on Americans were opened because a security clearance was required or because the person was involved directly or indirectly in some Agency operation. For example, it is estimated that there are more than ten thousand files on American employees or contractors involved in the Agency's airline operations, which are now being phased out. The Agency believes that many more of these files on Americans are of persons who have had some tangential relationships with the Agency or whose utilization may at one time have been considered by the Operations Directorate but never became a fact.

Most of the files on Americans appear to be inactive. In 1974, only some 250 of these files were on loan to one or another of the divisions or staffs of the Directorate which hold files of active intelligence interest.

Under present regulations, no file may be opened on an American citizen without the written approval of one of the three top ranking officers of a division or staff. In addition, each division and staff is required to make a monthly report to the Deputy Director of Operations on all files opened on Americans.

All of the existing files on Americans are now undergoing review by the divisions and staff responsible for the particular file. Material which does not meet current criteria is placed in sealed envelopes with the announced intention that the envelopes are to be destroyed at the end of the current investigations.

The Directorate also maintains certain specialized indices and files which may contain the names of persons who happen to be American citizens. It has in its index references to documents of the CIA's predecessor agencies. It also has separate files on persons suspected of affiliation with Soviet and other foreign intelligence services, persons engaged in certain kinds of international travel, and persons who by reason of particular affiliations may be potential foreign intelligence sources.

Finally, other components of the Directorate maintain files on American citizens working with those components.



B. Indices and Files of the Administration Directorate

The Administration Directorate maintains biographical files on a large number of U.S. citizens and foreigners living within the United States who have knowingly entered into some type of relationship with the Agency.

The vast majority of these files concern employees, former employees and applicants for employment. Records on these persons must necessarily be maintained, as in any other government agency or private business.

In addition, because of the special nature of its activities, the CIA maintains contact with (and therefore records concerning) many other persons and business firms throughout the country who provide the Agency with needed assistance.

Due to the security restrictions under which the Agency operates, a wide variety of security files must also be maintained on all persons working with or for the Agency who may come into contact with classified information. Some of these persons are aware of the Agency's interest in them; others are not. All files relating to security matters are compiled and maintained by the Office of Security; the others are maintained elsewhere within the Administration Directorate.

The following is a description of the types and kinds of files maintained by the Administration Directorate on persons living within the United States:

1. Indices and Files Outside the Office of Security

Administration Directorate files on CIA employees, former employees and applicants for employment include applicant records (many of which contain considerable biographical data in the form of voluntary personal history statements); personnel files such as records of job assignments, performance assessments, insurance records, commendations and retirement records; financial files such as payroll and travel records; training files; medical files; and other miscellaneous files.

These files are generally maintained in the office primarily responsible for the function involved. In addition, master folders containing pertinent papers from all of the other offices needed to manage each employee properly are maintained by the particular component to which each employee is assigned.

In addition to its relationship with its own employees, the CIA maintains relationships with numerous other individuals who render assistance to the Agency. These include agents, informers, consultants, and persons temporarily assigned to duty with the Agency from other government agencies.



The Agency also maintains relationships with businesses and other governmental and educational institutions (and their representatives) who have contracts or other dealings with the Agency. Files and indices documenting these relationships are maintained by various components of the Administration Directorate for accounting and record-keeping purposes.

2. Indices and Files of the Office of Security

Office of Security files are maintained primarily to record actions taken by the Office in granting or denying security clearances to those persons whose relationship with the Agency gives them access to classified information. The files of the Office of Security are organized on the basis of "subjects." All individuals, organizations, businesses and projects are deemed "subjects" if security files exist on them.

The bulk of the files maintained by the Office of Security consist of approximately 900,000 security files, each relating to the security investigation of a specific "subject" of interest to the Agency.¹ About one-third of these files are retired. About 90 percent of the security files relate to individuals, a majority of whom are United States citizens. The remaining 10 percent relate to impersonal "subjects" such as business firms, organizations and projects.

Security files are maintained on applicants for employment, Agency employees, former Agency employees, independent contractors doing business with the Agency, persons supplying the Agency with positive intelligence information, consultants, non-Agency employees who work on Agency premises, and other individuals and business entities whose relationship with the Agency gives them access to classified information. Among the persons on whom such files are established are numerous past and present Senators, Congressmen, judges and other prominent public officials. For example, the Agency presently maintains security files on 75 sitting Members of Congress.

A few security files are maintained on persons unaware that they have any relationship to the Agency. For example, the employees of an independent contractor doing business with the Agency may know that they are working on a secret government contract (and, in fact, that they have been investigated for a security clearance), but not that they are of interest to the CIA. Records of security clearances on those employees would nonetheless be maintained by the Office of Security. Likewise, clearance information may be maintained by the Office of Security on persons whom the Agency is thinking of contacting, or foreign nationals of potential operational use, even if the Agency sub-

¹ A few security files are "multiple subject" files, containing information on two or more subjects in a single file folder. It was estimated by a responsible Agency official that less than five percent of all security file folders are "multiple subject" security files.

sequently decides not to contact the individual, or contacts him and he refuses to assist the Agency.

Security files are established upon the request of any of numerous officers within the Office of Security. As a practical matter, 95 percent of all requests to establish new files are routine and are undertaken at the request of the Clearance Division of the Office of Security, which ensures that a security clearance is approved before access is granted to classified Agency information. No centralized control exists for screening non-routine requests to determine their propriety.

A security file is most frequently created on an individual when, for any of a variety of reasons, it becomes desirable to give that individual access to classified Agency material. Security files on individuals ordinarily contain the following types of materials: (1) requests that an investigation be conducted; (2) biographical data on the subject, ranging from a few lines on one page to lengthy personal history statements filled out by certain applicants for employment; (3) authorizations for the release of high school and college transcripts and copies of those transcripts; (4) investigative coverage and reports of those investigations; (5) appraisal summaries reflecting the rationale for granting or refusing to grant a security clearance; (6) documentation of the final action taken by the Office of Security concerning any given investigation; (7) secrecy agreements and notices of termination of such agreements; (8) documentation of subsequent actions such as the granting or refusing of special clearances, approvals for assignment overseas, notations that polygraph or other special interviews were performed, notices of transfers and changes in cover assignments; memoranda concerning security violations, and notices of termination of affiliation with the Agency; and (9) miscellaneous documents which might bear on the question whether the individual should have a security clearance.

The reasons for creating security files on "impersonal" subjects such as business firms and organizations differ widely. Most of these files are created at a time when the CIA first contemplates developing with the business entity or organization a relationship which might give it access to classified or sensitive information. The files contain such items as (1) security surveys of a business's premises if it is contemplated that classified activities will be carried on there, or (2) lists of persons from a business or organization assisting the Agency who are cleared to receive classified information or have access to CIA installations.

Some security files have been compiled on organizations and individuals thought to pose a threat to Agency personnel, installations or operations. For example, during the peak of the racial and anti-war disturbances in Washington between 1965 and 1972, security files

were accumulated on many dissident groups and their leaders. Other "impersonal" files were maintained on communist publications and suspected communist front organizations.

A relatively small number of "impersonal" security files deal with specific Office of Security projects. These projects range from a project to provide security during the construction of CIA Headquarters at Langley, Virginia, to investigations conducted of Agency employees or operatives thought to have been security risks. Security files of this type include descriptions of the project or investigation involved, assignments to the field, information collected during the course of the project or investigation, and (some times) the end result of the project or investigation.

The security files maintained by the Office of Security serve a variety of purposes.

In order to protect classified information, the Agency must maintain a substantial body of knowledge about persons who might be assigned to sensitive positions.

The files are also used for periodic reviews of persons who occupy sensitive positions or hold special clearances.

Reports of investigations are occasionally furnished to other government agencies with a legitimate need for the information contained therein.

All pertinent subjects and references identified in security files have been card indexed. Approximately 900,000 of these indices are "subject" indices referencing the subject of a particular security folder bearing the name of the individual, business, organization or group on which the file is maintained.

An additional 950,000 indices are "reference" indices recording names which appear in documents stored in one of the folders indexed to a subject. An index reference is created when note-worthy information concerning the referenced individual is developed in connection with another case, or when it is learned that the referenced individual is connected with some company, organization or project which is of interest to the Agency.

Over the years, there have been changing criteria concerning the type of information which is placed in security files and indices. At one time, files were established simply to hold a collection of reference index cards when the total on a given individual had reached a certain number.

In about 1972, efforts were begun to purge the reference index and "impersonal" files of information which was of no current value. Many security files of dubious value or propriety were destroyed. These purging efforts have been suspended pending completion of the investigations by this Commission and the Congress.

The head of the division within the Office of Security responsible for maintaining all security files recently prepared a list of those materials which should properly be retained in active security files. All materials to be filed are now reviewed by a senior clerk for propriety. As of March, 1974, the head of that division has, for the first time, been given the authority to challenge any input into the index system of the Office of Security if he deems the material to be improper. The criteria for indexing names have also been drastically restricted.

Security files on employees and others are very tightly held within the Agency. Only a few Office of Security personnel have access to these files, and then only on a need-to-know basis. No employee—not even the Director of Central Intelligence or the Director of Security—is ever permitted access to his own security file. This precaution is taken to protect confidential sources of information, who are assured at the time they are interviewed about a prospective employee that whatever they say will never be divulged to the subject of the investigation. Agency officials evidence a very high level of commitment to honoring those assurances.

Even more tightly held are the records of polygraph examinations of employees and prospective employees. While polygraph examinations are a routine part of every security investigation conducted by the Office of Security, the reports are separately and securely maintained because of their potential for embarrassment.

Other relatively voluminous Office of Security files which contain biographical data on American citizens include records of individuals holding special and compartmentalized access approvals to various CIA material, records of persons holding building badges and other credentials issued under Agency cognizance to employees and other individuals, and visitor records on approximately 500,000 persons who have visited Agency installations.

Miscellaneous files maintained by the Office of Security include lists of individuals with known or suspected foreign intelligence connections, files associated with the handling of defectors (some of whom may now be U.S. citizens), lists of individuals from whom crank calls have been received by the Agency, and lists of persons previously charged with security violations. The Office of Security formerly maintained extensive computer lists of approximately 300,000 persons who had been arrested for offenses related to homosexuality, but these lists were destroyed in 1973.

No effort was made by the Commission or its staff to personally review all of the thousands of security files and indices maintained on United States citizens; spot checking was undertaken, however, on a random basis.

C. Office of Legislative Counsel

The Office of Legislative Counsel maintains congressional files for use in its legislative liaison duties.

These files are reestablished at the beginning of each new session of Congress; files on retired or defeated members are transferred to the CIA record center. After five years, they are selectively purged.

Generally, the files contain the following types of documents: correspondence between the member and the CIA, excerpts from the *Congressional Record* dealing with the member, constituent employment or personnel requests forwarded to the Agency by the member, short biographies and political descriptions of the member, and copies of all foreign cables containing the name of the member.

Conclusions

Although maintenance of most of the indices, files, and records of the Agency has been necessary and proper, the standards applied by the Agency at some points during its history have permitted the accumulation and indexing of materials not needed for legitimate intelligence or security purposes. Included in this category are many of the files related to Operation CHAOS and the activities of the Office of Security concerning dissident groups.

Constant vigilance by the Agency is essential to prevent the collection of information on United States citizens which is not needed for proper intelligence activities. The Executive Order recommended by the Commission (Recommendation 2) will ensure purging of non-essential or improper materials from Agency files.

Further, the Office of Security should establish (i) centralized responsibility to control the opening of new security files not routine in nature and (ii) specific criteria controlling the nature of materials to be collected.

Chapter 19

Allegations Concerning the Assassination of President Kennedy

Allegations have been made that the CIA participated in the assassination of President John F. Kennedy in Dallas, Texas, on November 22, 1963. Two different theories have been advanced in support of those allegations. One theory is that E. Howard Hunt and Frank Sturgis, on behalf of the CIA, personally participated in the assassination. The other is that the CIA had connections with Lee Harvey Oswald or Jack Ruby, or both of them, and that those connections somehow led to the assassination. The Commission staff has investigated these allegations.

Neither the staff nor the Commission undertook a full review of the Report of the Warren Commission. Such a task would have been outside the scope of the Executive Order establishing this Commission, and would have diverted the time of the Commission from its proper function. The investigation was limited to determining whether there was any credible evidence pointing to CIA involvement in the assassination of President Kennedy.

A. The Theory That Hunt and Sturgis Participated in the Assassination

The first of the theories involves charges that E. Howard Hunt and Frank Sturgis, both convicted of burglarizing the Democratic National Committee headquarters at the Watergate in 1972, were CIA employees or agents at the time of the assassination of the President in 1963. It is further alleged that they were together in Dallas on the day of the assassination and that shortly after the assassination they were found in a railroad boxcar situated behind the "grassy knoll," an area located to the right front of the Presidential car at the time of the assassination.

Under this theory, Hunt and Sturgis were allegedly in Dallas on November 22, 1963, and were taken into custody by the police, but were mysteriously released without being booked, photographed or fingerprinted by the police—although they were allegedly photographed by press photographers while they were being accompanied to the Dallas County Sheriff's office.

It is further contended that the persons shown in these press photographs bear "striking resemblances" to photographs taken of Hunt and Sturgis in 1972. Portions of two amateur motion picture films of the assassination (Zapruder and Nix) are alleged to reveal the presence of several riflemen in the area of the grassy knoll.

The Hunt-Sturgis theory also rests on the assumption that at least one of the shots that struck President Kennedy was fired from the area of the grassy knoll, where Hunt and Sturgis were alleged to be present. The direction from which the shots came is claimed to be shown by the backward and leftward movement of President Kennedy's body almost immediately after being struck by that bullet. Taken together, these purported facts are cited as the basis for a possible conclusion that CIA personnel participated in the assassination of President Kennedy, and, at least inferentially, that the CIA itself was involved.

The Commission staff investigated the several elements of this theory to the extent deemed necessary to assess fairly the allegation of CIA participation in the assassination. The findings of that investigation follow.

Findings

1. The Allegation that Hunt and Sturgis Were CIA Employees or Agents in 1963

E. Howard Hunt was an employee of the CIA in November 1963. He had been an employee of the CIA for many years before that, and he continued to be associated with the CIA until his retirement in 1970. Throughout 1963 he was assigned to duty in Washington, D.C., performing work relating to propaganda operations in foreign countries. His duties included travel to several other cities in the United States, but not to any place in the South or Southwest. He lived with his family in the Washington, D.C., metropolitan area throughout that year, and his children attended school there.

Frank Sturgis was not an employee or agent of the CIA either in 1963 or at any other time. He so testified under oath himself, and a search of CIA records failed to discover any evidence that he had ever been employed by the CIA or had ever served it as an agent, informant or other operative. Sturgis testified that he had been engaged in various "adventures" relating to Cuba which he believed to have been organized and financed by the CIA. He testified that he had given

information, directly and indirectly, to federal government officials, who, he believed, were acting for the CIA. He further testified, however, that at no time did he engage in any activity having to do with the assassination of President Kennedy, on behalf of the CIA or otherwise.

2. *The Allegation That Hunt and Sturgis Were Together in Dallas on the Day of the Assassination*

Hunt and Sturgis testified under oath to members of the Commission staff. They both denied that they were in Dallas on the day of the assassination. Hunt testified that he was in the Washington, D.C., metropolitan area throughout that day, and his testimony was supported by two of his children¹ and a former domestic employee of the Hunt family. Sturgis testified that he was in Miami, Florida, throughout the day of the assassination, and his testimony was supported by that of his wife and a nephew of his wife. The nephew, who was then living with the Sturgis family, is now a practicing attorney in the Midwest.

With the exception of the domestic employee of the Hunt family, all witnesses directly supporting the presence of Hunt and Sturgis in Washington, D.C., and Miami, Florida, on the day of the assassination are family members or relatives. Less weight can be assigned to the testimony of such interested witnesses if there is substantial evidence to the contrary. In the absence of substantial conflicting evidence, however, the testimony of family members cannot be disregarded.

Hunt testifies that he had never met Frank Sturgis before they were introduced by Bernard Barker in Miami in 1972. Sturgis testified to the same effect, except that he did not recall whether the introduction had taken place in late 1971 or early 1972. Sturgis further testified that while he had often heard of "Eduardo," a CIA political officer who had been active in the work of the Cuban Revolutionary Council in Miami prior to the Bay of Pigs operation in April 1961, he had never met him and did not know until 1971 or 1972 that "Eduardo" was E. Howard Hunt. Sturgis had also been active in anti-Castro groups in the Miami area before, during and after Hunt's assignment on the political aspects of the Bay of Pigs project in 1960 and early 1961.

Other testimony linked Hunt to Sturgis at a date earlier than 1971. One witness asserted that Sturgis is a pseudonym; that his name is Frank Fiorini; and that he took the name Sturgis from a fictional character (Hank Sturgis) in a novel written by Hunt in

¹ A son who was nine years old at the time could not recall whether his parents were present or absent that day; the fourth (and youngest) Hunt child was not born then. Mrs. Hunt is now deceased.

1949. (*Bimini Run*). Sturgis testified that his name at birth was Frank Angelo Fiorini; that his mother's maiden name was Mary Vona; that his father's name was Angelo Anthony Fiorini; that his parents were divorced when he was a child; that his mother subsequently remarried a man named Ralph Sturgis; and that at his mother's urging he legally changed his name in Norfolk, Virginia, sometime in the 1950's, to take the last name of his stepfather.

A search of the relevant court records disclosed that a petition was filed on September 23, 1952, in the Circuit Court of the City of Norfolk (Virginia) pursuant to which a Frank Angelo Fiorino petitioned to change his name to Frank Anthony Sturgis. The petition recited that his mother had divorced his father about 15 years previously and had married one Ralph Sturgis, that he had been living with his mother all of his life, that his mother was known as Mary Sturgis, and that his stepfather also desired him to change his name to Sturgis. An order of the Court was entered on September 23, 1952 (the same date as the petition) changing his name to Frank Anthony Sturgis. The order appears in the records of the Circuit Court of the City of Norfolk, Virginia. In the petition and the order relating to the change of name, *Fiorini* was misspelled as *Fiorino*.

In the light of this documentary evidence, no weight can be given to the claim that Sturgis took his present name from a character in a Hunt novel—or that the name change was associated in any way with Sturgis' knowing Hunt before 1971 or 1972.

The personnel, payroll and travel records of the CIA were checked with respect to E. Howard Hunt. Daily attendance records for the period are no longer available because they are destroyed in the ordinary course of the Agency's records disposal system three years after completion of the audit for each year. What records remain, including annual leave, sick leave, and travel records, disclose that Hunt had no out-of-town travel associated with his employment in the month of November 1963. He used no annual leave and eleven hours of sick leave in the two-week pay period ending November 23, 1963. The exact date or dates on which the sick leave was taken could not be ascertained. There is some indication, however, that some of these eleven hours of sick leave may have been taken by Hunt on November 22, 1963. He testified that, on the afternoon of that day, he was in the company of his wife and family in the Washington, D.C., area, rather than at his employment duties. That was a Friday, and therefore a working day for employees at the CIA. Hunt could not recall whether he was on duty with the CIA on the morning of that day.

Because Sturgis was never an agent or employee of the CIA, the Agency has no personnel, payroll, leave or travel records relating to him.

In examining the charge that Hunt and Sturgis were together in Dallas on the day of the assassination, the investigators were handicapped by the fact that the allegation was first made in 1974, more than ten years after the assassination. Evidence which might have been available at an earlier time was no longer available. Contacts with relatives, friends, neighbors or fellow employees (who might have known of the whereabouts of Hunt and Sturgis on that particular day) could not be recalled. Some of these persons are now dead. Finally, records which might have been the source of relevant information no longer exist.

It cannot be determined with certainty where Hunt and Sturgis actually were on the day of the assassination. However, no credible evidence was found which would contradict their testimony that they were in Washington, D.C., and Miami, Florida, respectively.

3. The Allegation That Hunt and Sturgis Were Found Near the Scene of the Assassination and Taken to the Dallas County Sheriff's Office

This allegation is based upon a purported resemblance between Hunt and Sturgis, on the one hand, and two persons who were briefly taken into custody in Dallas following the assassination.

The shooting of President Kennedy occurred at about 12:30 p.m., Dallas time, on November 22, 1963, while the Presidential motorcade was passing Dealey Plaza as it headed generally westward on Elm Street. Witnesses to the shooting gave the police varying accounts of where they thought the shots had come from. On the basis of the sound of the shots, some believed that they had come from the Texas School Book Depository building (TSBD), which was behind and slightly to the right of President Kennedy when he was hit. Others thought the shots had come from other directions. Law enforcement officials understandably conducted a widespread search for evidence relating to the assassination.

Several hours after the shooting, officers of the Dallas Police Department checked all railroad freight cars situated on tracks anywhere in the vicinity of Dealey Plaza. About six or eight persons, referred to as "derelicts," were found in or near the freight cars. These persons were taken either to the nearby Dallas County Sheriff's office, or to the Dallas Police Department, for questioning. All were released without any arrest record being made, or any fingerprinting or photographing being done by the authorities.

Among the six or eight "derelicts" found in the vicinity of the freight cars were three men who, according to the arresting officers, were found in a boxcar about one-half mile *south* of the scene of the assassination. They were taken to the Sheriff's office by the Dallas

police officers, who walked northward along the railroad tracks to a point west of the Texas School Book Depository, then north to Houston Street and back south to the Sheriff's office. This somewhat circuitous route was actually the most convenient one available, according to the Dallas policemen. As the police and the "derelicts" passed the TSBD building and headed for the Sheriff's office, they were photographed by several press photographers on the scene. Copies of five of the photographs showing the "derelicts" were submitted to the Commission's staff as evidence.

A witness who volunteered his testimony stated on the basis of hearsay that the three "derelicts" in question were found in a boxcar situated to the near *northwest* of the assassination scene, which would have been to the right front of the Presidential car at the time of the shooting. Between the area in which that boxcar was claimed by this witness to be located and that part of Elm Street where the assassination occurred was a "grassy knoll."

It was alleged by other witnesses (who were associated with the first witness and who also volunteered testimony) that a bullet fired from the area of that "grassy knoll" struck President Kennedy in the head. It was also claimed by the same witnesses that one of the three photographed "derelicts" bears a "striking" facial resemblance to E. Howard Hunt and that another of them bears a "striking" facial resemblance to Frank Sturgis. Finally, it was alleged that if those two "derelicts" were, in fact, Hunt and Sturgis, and if the President was in fact struck by a bullet fired from his right front, the CIA would be shown to be implicated in the killing of President Kennedy.

The photographs of the "derelicts" in Dallas have been compared with numerous known photographs of Hunt and Sturgis taken both before and after November 22, 1963. Even to non-experts it appeared that there was, at best, only a superficial resemblance between the Dallas "derelicts" and Hunt and Sturgis. The "derelict" allegedly resembling Hunt appeared to be substantially older and smaller than Hunt. The "derelict" allegedly resembling Sturgis appeared to be thinner than Sturgis and to have facial features and hair markedly different from those of Sturgis.

The witnesses who testified to the "striking resemblance" between the "derelicts" and Hunt and Sturgis were not shown to have any qualifications in photo identification beyond that possessed by the average layman. Their testimony appears to have been based on a comparison of the 1963 photographs of the "derelicts" with a single 1972 photograph of Sturgis and two 1972 photographs of Hunt.

Over fifty photographs taken of Hunt and Sturgis both before and after November 22, 1963, were submitted to the FBI photographic laboratory for a comparison with all known photographs of the "derelicts." (The FBI assembled a complete set of all photographs of

the "derelicts" taken by the three photographers known to have photographed them.) The comparison was made by FBI Agent Lyndal L. Shaneyfelt, a nationally-recognized expert in photo identification and photo analysis.

The report of Agent Shaneyfelt, embodied in a Report of the FBI Laboratory, dated April 21, 1975, and signed by Clarence M. Kelley, Director of the FBI, concluded that "neither E. Howard Hunt nor Frank Sturgis appear as any of the three 'derelicts' arrested in Dallas, Texas, as shown in the photographs submitted."

With respect to Hunt, it was found that he had a much younger appearance, a smooth and tightly contoured chin, and a more angular or pointed chin, compared with the "derelict" in question. The latter was much older, had a chin with protruding pouches and a more bulbous nose.

With respect to Sturgis, even more distinguishing characteristics were observed. Sturgis looked like a Latin, whereas the "derelict" had the general appearance of a Nordic. Sturgis had very black, wavy hair—and the "derelict" had light or blond and straighter hair. Sturgis had a rather round face with square chin lines; the "derelict" had an oval face with a more rounded chin. Sturgis and the "derelict" had markedly different ratios between the length of their noses and the height of their foreheads. They also had different ear and nose contours.

Hunt is approximately five feet nine inches tall, and Sturgis is approximately five feet eleven inches tall. The FBI laboratory made an on-site study in Dallas, using the cameras with which the photographs of the "derelicts" were originally taken; it concluded from the study that the "derelict" allegedly resembling Hunt was about five feet, seven inches tall, and that the "derelict" allegedly resembling Sturgis was about six feet two inches tall, with a one inch margin for error in each direction. The difference between the height of the two "derelicts" was therefore about seven inches, while the difference between Hunt's height and that of Sturgis is only about two inches.

The photographs of the "derelicts" in Dallas have been displayed in various newspapers in the United States, on national television programs, and in the April 28, 1975, issue of *Newsweek* magazine. But no witnesses have provided testimony that either of the "derelicts" was personally known to be Hunt or Sturgis—and no qualified expert was offered to make such an identification.

4. The Allegation That President Kennedy Was Struck in the Head by a Bullet Fired From His Right Front

The witnesses who presented evidence they believed sufficient to implicate the CIA in the assassination of President Kennedy placed



much stress upon the movements of the President's body associated with the head wound that killed the President. Particular attention was called to the Zapruder film, and especially Frame 312 and the succeeding frames of that film. It was urged that the movements of the President's head and body immediately following the head wound evidenced in Frame 313 established that the President was struck by a bullet fired from the right front of the Presidential car—the direction of the grassy knoll and the freight car in which "Hunt" and "Sturgis" were allegedly found.

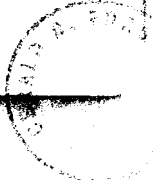
By Frame 312 of the Zapruder film, President Kennedy had already been wounded by a bullet which had struck him in the region of his neck. His body is shown to be facing generally toward the front of the Presidential car. He is leaning toward the left. His head is turned somewhat toward the left front, and it is facing downward toward the floor in the rear portion of the car. His chin appears to be close to his chest.

At Frame 313 of the Zapruder film, the President has been struck by the bullet that killed him, and his head has moved forward noticeably. At Frame 314 (which is about 1/18 of a second later) his head is already moving backward. Succeeding frames of the film show a rapid backward movement of the President's head and upper body, and at the same time his head and body are shown to be turning toward his left. Still later frames show the President's body collapsing onto the back seat of the car.

The evidence presented to the Warren Commission revealed that the speed of the Zapruder motion picture camera was 18.3 frames per second. If the film is projected at that speed, the forward movement of the President's head from Frame 312 to Frame 313 is not readily perceived. On the other hand, such forward movement is evident upon careful measurement of still projections of the relevant frames. It is very short, both in distance and duration. The backward movement and the turning of the President's head toward the left are rapid, pronounced and readily apparent during a running of the film at either normal or slow speed.

It was claimed that the movement of the President's head and body backward and to the left is consistent only with a shot having come from the right front of the Presidential car—that is, from the direction of the grassy knoll.

Medical and ballistics experts were consulted. Also considered were (1) the autopsy report on the body of President Kennedy, and (2) the report of a panel of medical experts who, in February 1968, at the request of Attorney General Ramsey Clark, reviewed the autopsy report and the autopsy photographs, x-ray films, motion picture



films of the assassination, the clothing worn by President Kennedy and other relevant materials.

The autopsy report of James J. Humes, M.D., J. Thornton Boswell, M.D., and Pierre A. Finck, M.D., described the President's head wounds as follows:

The fatal wound entered the skull above and to the right of the external occipital protuberance. A portion of the projectile traversed the cranial cavity in a posterior-anterior direction (see lateral skull roentgenograms) depositing minute particles along its path. A portion of the projectile made its exit through the parietal bone on the right carrying with it portions of the cerebrum, skull and scalp. The two wounds of the skull combined with the force of the missile produced extensive fragmentation of the skull, laceration of the superior sagittal sinus, and of the right cerebral hemisphere.

In February 1968, a panel of physicians met in Washington, D.C., at the request of Attorney General Ramsey Clark, to examine the autopsy report, the autopsy photographs and x-rays, the Zapruder, Nix and Muchmore motion picture films of the assassination, and various other evidence pertaining to the death of President Kennedy. Each of the four physicians constituting the panel had been nominated by a prominent person who was not in the employment of the federal government. They were:

William H. Carnes, M.D., Professor of Pathology, University of Utah, Salt Lake City, Utah; Member of Medical Examiner's Commission, State of Utah. Nominated by Dr. J. E. Wallace Sterling, President of Stanford University.

Russel S. Fisher, M.D., Professor of Forensic Pathology, University of Maryland; and Chief Medical Examiner of the State of Maryland, Baltimore, Maryland. Nominated by Dr. Oscar B. Hunter, Jr., President of the College of American Pathologists.

Russel H. Morgan, M.D., Professor of Radiology, School of Medicine, and Professor of Radiological Science, School of Hygiene and Public Health, The Johns Hopkins University, Baltimore, Maryland. Nominated by Dr. Lincoln Gordon, President of The Johns Hopkins University.

Alan R. Moritz, M.D., Professor of Pathology, Case Western Reserve University, Cleveland, Ohio; and former Professor of Forensic Medicine, Harvard University. Nominated by Dr. John A. Hannah, President of Michigan State University.

After reviewing the autopsy photographs, and making their findings concerning them, the Panel said in its report:

These findings indicate that the back of the head was struck by a single bullet traveling at high velocity, the major portion of which passed through the right cerebral hemisphere, and which produced an explosive type of fragmentation of the skull and laceration of the scalp. The appearance of the entrance wound



in the scalp is consistent with its having been produced by a bullet similar to that of Exhibit CE 399.²

After a review of the autopsy x-rays, the Panel's report states:

The foregoing observations indicate that the decedent's head was struck from behind by a single projectile. It entered the occipital region 25 mm. to the right of the midline and 100 mm. above the external occipital protuberance. The projectile fragmented on entering the skull, one major section leaving a trail of fine metallic debris as it passed forward and laterally to explosively fracture the right frontal and parietal bones as it emerged from the head.

The Panel discussed its findings as follows:

The decedent was wounded by two bullets both of which entered his body from behind.

One bullet struck the back of the decedent's head well above the external occipital protuberance. Based upon the observation that he was leaning forward with his head turned obliquely to the left when this bullet struck, the photographs and x-rays indicate that it came from a site above and slightly to his right.

The absence of metallic fragments in the left cerebral hemisphere or below the level of the frontal fosse on the right side together with the absence of any holes in the skull to the left of the midline or in its base and the absence of any penetrating injury of the left hemisphere eliminate with reasonable certainty the possibility of a projectile having passed through the head in any direction other than from back to front as described in preceding sections of this report.

Certain other evidence relating to the source of the bullets that struck President Kennedy was noted. This included the following:

a. The bullet fragments found in the Presidential car which were large enough to bear ballistics marks were determined by the FBI to have been fired by the Oswald rifle found on the sixth floor of the Texas School Book Depository building, and not from any other weapon. CE 399 was also fired from that rifle.

b. No physical evidence, such as a rifle, shell casings, bullets, or damage to the Presidential car, was ever found which would support a theory that one or more shots were fired from a direction other than from behind and above the President.

c. Most eyewitnesses testified that three shots were fired. Three shell casings were found near the window at the southeast corner of the sixth floor of the Texas School Book Depository building, and all of them were determined by the FBI to have been fired by the Oswald rifle to the exclusion of any other weapon. That window was also the one in which a man firing a rifle was seen by witnesses who testified before the Warren Commission. The

² CE 399 was Warren Commission Exhibit 399, a nearly whole bullet found in Parkland Memorial Hospital in Dallas on the day of the assassination. It was established by ballistics experts as having been fired by the rifle found on the sixth floor of the TSBD building and found by the Warren Commission to have belonged to Lee Harvey Oswald. The Warren Commission determined that bullet passed through President Kennedy's neck and then struck Governor Connally, who was sitting directly in front of President Kennedy, and who was taken to Parkland Hospital.



Oswald rifle was found on the sixth floor of the TSBD building within an hour after the assassination.

d. No witness at the scene was found who saw any other assassin, or who saw anyone firing, or disposing of a weapon in any other location, or who heard the bolt of a rifle being operated at any other location. Three TSBD employees testified before the Warren Commission that they had been watching the motorcade from open windows near the southeast corner of the fifth floor of the TSBD building. One of them testified that he heard not only the three shots, but also the sound above him of a rifle bolt in action and the sound of empty shells hitting the floor. All three of them testified that "debris" fell down from above them at the time of the shots, and that they talked to each other at that time about the shots having come from above them.

e. A shot fired from the direct front of the Presidential car can be ruled out. Such a bullet would have had to pass through the windshield of the car unless fired from above the overpass just ahead of the Presidential car. There were no holes in the windshield, and the overpass was guarded by two policemen in the presence of some fifteen railroad employees. None of them saw or heard any shooting take place from the overpass.

Nonetheless, a re-examination was made of the question whether the movements of the President's head and body following the fatal shot are consistent with the President being struck from (a) the rear, (b) the right front, or (c) both the rear and the right front. The Zapruder, Nix and Muchmore films, a set of all relevant color slides of the Zapruder film, the autopsy photographs and x-rays, the President's clothing and back brace, the bullet and bullet fragments recovered, and various other materials, were reviewed at the request of the Commission staff by a panel of experts consisting of:

Lieutenant Colonel Robert R. McMeekin, MC, USA; Chief, Division of Aerospace Pathology, Armed Forces Institute of Pathology, Washington, D.C.

Richard Lindenberg, M.D., Director of Neuropathology & Legal Medicine, Department of Mental Health, State of Maryland, Baltimore, Maryland.

Werner U. Spitz, M.D., Chief Medical Examiner, Wayne County, Detroit, Michigan.

Fred J. Hodges III, M.D., Professor of Radiology, The Johns Hopkins School of Medicine, Baltimore, Maryland.



Alfred G. Olivier, V.M.D., Director, Department of Biophysics, Biomedical Laboratories, Edgewood Arsenal, Aberdeen Proving Grounds, Maryland.³

The Panel members separately submitted their respective conclusions. They were unanimous in finding that the President was struck by only two bullets, both of which were fired from the rear, and that there is no medical evidence to support a contention that the President was struck by any bullet coming from any other direction.

They were also unanimous in finding that the violent backward and leftward motion of the President's upper body following the head shot was not caused by the impact of a bullet coming from the front or right front.

Drs. Spitz, Lindenberg and Hodges reported that such a motion would be caused by a violent straightening and stiffening of the entire body as a result of a seizure-like neuromuscular reaction to major damage inflicted to nerve centers in the brain.

Dr. Olivier reported that experiments which have been conducted at Edgewood Arsenal disclosed that goats shot through the brain evidenced just such a violent neuromuscular reaction. There was a convulsive stiffening and extension of their legs to front and rear, commencing forty milliseconds (1/25 of a second) after the bullet entered the brain. In the past two decades, Dr. Olivier and his associates have conducted extensive tests on the effects of high velocity bullets fired into live animals, using high speed photography to record the results.

Dr. Olivier reported that the violent motions of the President's body following the head shot could not possibly have been caused by the *impact* of the bullet. He attributed the popular misconception on this subject to the dramatic effects employed in television and motion picture productions. The *impact* of such a bullet, he explained, can cause some immediate movement of the *head* in the direction of the bullet, but it would not produce any significant movement of the *body*. He also explained that a head wound such as that sustained by President Kennedy produces an "explosion" of tissue at the area where the bullet exits from the head, causing a "jet effect" which almost instantly moves the head back in the direction from which the bullet came.

³Dr. McMeekin is a forensic pathologist who has done extensive studies in the field of accident reconstruction, utilizing computer-assisted analysis of the reactions of human body components to the application of various forces. Dr. Lindenberg is a prominent authority in the field of neuropathology, i.e., the pathology of the brain and nervous system. Dr. Spitz is a forensic pathologist who has had extensive experience with gunshot wounds and is an editor of a textbook on forensic pathology. Dr. Hodges is a specialist in radiology and surgery associated with the brain and nervous system. In 1973-1974 he served as President of the American Society of Neuroradiology. Dr. Olivier has conducted numerous experiments to study the effects on animals and humans of penetrating wounds from high velocity bullets. Drs. Spitz, Lindenberg and Hodges hold faculty positions in the Medical Schools of Wayne State University, the University of Maryland, and The Johns Hopkins University, respectively.



Drs. Olivier and McMeekin, utilizing enlargement of the film and an accurate measuring device, made measurements of the movement of the President's head associated with the head shot. They found that in the interval between Zapruder Frames 312 and 313, the President's head moved forward significantly; at Frame 314 (1/18 of a second later) it was already moving backward and it continued to move backward in the succeeding frames.

Dr. Olivier was of the opinion that the start of the backward movement resulted from both a neuromuscular reaction and a "jet effect" from the explosion at the right front of the head where the bullet exited. Thereafter, the violent backward and leftward movement of the upper body, he believes, was a continuing result of the neuromuscular reaction. Dr. McMeekin's report to the Commission contained no reference to the subject of a "jet effect."

Dr. Olivier credited Dr. Luis Alvarez with originating studies into the "jet effect" produced by high velocity bullets fired into the head. Dr. Alvarez is a Nobel Prize-winning physicist at the Lawrence Berkeley Laboratories, University of California at Berkeley. An article describing his experiments is soon to be published.

Dr. John K. Lattimer of New York and Dr. Cyril H. Wecht of Pittsburgh were also interviewed. Each of them has studied in detail the autopsy photographs, x-rays, and other materials, as well as the motion pictures of the assassination, and has published the results of his findings.

Dr. Lattimer testified that there was no medical evidence to support a theory that the President had been hit by a bullet from any direction other than from the rear and above. The medical evidence showed that the President had not been hit from the front or right front. Had a second and nearly simultaneous bullet from the front or right front hit the President's head after Frame 313 of the Zapruder film, it would either have encountered no skull (in which case it would have passed through the brain and exited elsewhere) or it would have struck the skull. In either case, it would have left evidence which would be revealed by the autopsy photographs and x-rays.

Dr. Lattimer also testified that he has performed experiments to test both the damage effects of a bullet fired into the rear of the head (in the precise area where the President was hit) and the principle of the "jet effect." He utilized a Mannlicher-Carcano 6.5 millimeter rifle of the same model as the one found by the Warren Commission to belong to Lee Harvey Oswald, and ammunition from the same manufacturer and lot number as that found to have been used by Oswald. The results, he said, confirmed both the head injuries shown in the autopsy photographs and x-rays and the principle of the "jet-effect." Dr. Lattimer presented to the Commission staff as evidence a

motion picture film and still photographs showing the results of his experiments.

Dr. Wecht testified that the available evidence all points to the President being struck only by two bullets coming from his rear, and that no support can be found for theories which postulate gunmen to the front or right front of the Presidential car.

In a 1974 article written by Dr. Wecht and an associate, an article which was made an exhibit to his testimony, Dr. Wecht stated that "if any other bullet struck the President's head, whether before, after, or simultaneously with the known shot, there is no evidence for it in the available autopsy materials." He testified that on the autopsy photographs of the back of the President's head, there was something above the hairline which he could not identify at all, and he thought it was possible that this was an exit wound. He stated that the other autopsy photographs and the autopsy x-rays provided no support to that possibility, but he thought it was possible that the physicians who performed the autopsy could have missed finding such a wound.

Dr. Wecht said that there was some question about the backward and leftward movement of the President's head and upper body after Frame 313, but he also said that a neuromuscular reaction could occur within about one-tenth of a second.

The Commission staff also interviewed by telephone Dr. E. Forrest Chapman of Michigan, the only other physician who is known to have studied the autopsy photographs and x-rays. Dr. Chapman declared that if there were any assassins firing at the President from the grassy knoll, "they must have been very poor shots because they didn't hit anything."

No witness who urged the view that the Zapruder and other motion picture films proved that President Kennedy was struck by a bullet fired from his right front was shown to possess any professional or other special qualifications on the subject.

On the basis of the investigation conducted by its staff, the Commission believes that there is no evidence to support the claim that President Kennedy was struck by a bullet fired from either the grassy knoll or any other position to his front, right front or right side, and that the motions of the President's head and body, following the shot that struck him in the head, are fully consistent with that shot having come from a point to his rear, above him and slightly to his right.

5. The Allegation That Assassins (Allegedly Including "Hunt" and "Sturgis") Are Revealed by the Zapruder and Nix Films To Be Present in the Area of the Grassy Knoll

In further support of his contention that shots were fired at President Kennedy from the grassy knoll—and inferentially by "Hunt"



and "Sturgis"—a witness called attention to certain frames of motion picture films taken at the time of the assassination. He asserted that these frames, including Frames 413 and 454-478 of the Zapruder film, reveal the presence of other "assassins" bearing rifles in the area of the grassy knoll.

The Zapruder and Nix films have been carefully reviewed. Frames alleged to reveal the presence of assassins in the area of the grassy knoll have received particularly close attention, together with those frames immediately preceding them and immediately following them. In addition, the Commission has had the benefit of a study of these films by the photographic laboratory of the FBI, and a report on that study.

The Commission staff members who reviewed the films were of the opinion that the images allegedly representing assassins are far too vague to be identifiable even as human beings. For example, Zapruder Frames 412, 413, and 414, which have tree foliage in the foreground, show combinations of light and shadow along their lower margins which are varyingly shaped somewhat in the form of a rain hat or a German army helmet of World War II vintage. In Frames 411 and 415, however, the contours of the shadows are markedly different and bear no resemblance to a human head—with or without a rain hat or helmet.

Since each frame of the film is only about 1/18 of a second removed in time from its adjacent frame, it was not believed reasonable to postulate that an assassin's head would come into view, and then disappear, directly in front of the Zapruder camera, in the space of about 1/4 of a second (the elapsed time between Frames 411 and 415), or that the shape of a head would change so rapidly and markedly.

The conclusion was that the alleged assassin's head was merely the momentary image produced by sunlight, shadows, and leaves within or beyond the foliage. The same was true of the "rifle" allegedly in evidence in Frame 413. Even to make out the rough image of a rifle in that frame required imagination—and in the adjacent frames, it is nowhere in evidence.

From the extensive photographic work done in connection with the Warren Commission investigation, the FBI has a substantial library of both its own photographs and copies of the photographs and motion pictures of others taken at the assassination scene.

The place where Abraham Zapruder was standing when he took his famous motion picture has been established. (He was standing on a concrete wall elevated approximately four feet, two inches above the ground to his front.) Based upon an analysis of the direction in which the Zapruder camera was facing at Frame 413, the FBI Laboratory was able to identify from other photographs

the exact tree shown in that frame. With the aid of reports from the FBI Laboratory, it was concluded that: (1) The tree was between 6 feet and 6½ feet high; (2) it was barren of any branches or leaves to a height of about 4 feet to 4½ feet above the ground; (3) its foliage was about 2 feet high and 4 feet wide; (4) the near side of its foliage was about five feet directly in front of Mr. Zapruder's legs; (5) its trunk was only a few inches in diameter; (6) only the top of the tree came within view of the Zapruder camera; (7) it was the only tree in the immediate vicinity; (8) a human head (even without a helmet) 5 feet in front of Mr. Zapruder would have occupied about one-half of the total area of Frame 413 (many times as much as is occupied by the image of the alleged assassin's head); and (9) it is not reasonable to postulate an assassin in or behind that tree.

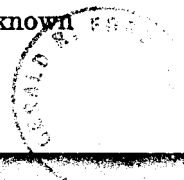
An assassin would be unlikely to hide himself behind the barren trunk of a tree only a few inches in diameter, with only his head and shoulders behind the foliage, and with his whole person almost within arm's length in front of a spectator taking movies of the motorcade. Neither would such an assassin go unseen and undiscovered, able to make his escape over open ground with a rifle in hand, again unseen by anyone among the numerous motorcade police, spectators and Secret Service personnel present.

A clear photograph of the tree in question, taken on May 24, 1964 (about six months after the assassination), was made a part of the FBI Laboratory Report. It was marked to show the place where Zapruder was standing as he took his motion picture.

The FBI photography laboratory was also able to identify the tree in question on some of the frames of the Nix film, which was also being taken at the time of the assassination. An examination of those frames of the Nix film reveals that there was nobody in or behind that tree. Also made a part of the FBI Laboratory Report was a series of frames from the Nix film, with the tree in question, Mr. Zapruder, and the alleged positions of "assassins" separately marked.

A similar examination was made by the FBI photography laboratory of other frames of the Zapruder and Nix films alleged to reveal assassins in the area of the grassy knoll. Frames 454 through 478 of the Zapruder film were found to reveal no formation "identifiable as a human being or an assassin with a rifle or other weapon." With respect to the Nix film, the FBI reported that "no figure of a human being could be found in the area" of another alleged rifleman, which was determined to be "approximately nineteen feet to the right of where Mr. Zapruder was standing and clearly visible to him." The FBI concluded that the configuration described as a rifleman was actually produced by some "clump type shrubbery" in the background.

On the basis of its staff investigation, the Commission believes that there is no credible basis in fact for the claim that any of the known



motion pictures relating to the assassination of President Kennedy reveals the presence of an assassin or assassins in the area of the grassy knoll.

B. The Theory That the CIA Had Relationships With Lee Harvey Oswald and Jack Ruby

The second theory advanced in support of allegations of CIA participation in the assassination of President Kennedy is that various links existed between the CIA, Oswald and Ruby. Lee Harvey Oswald was found by the Warren Commission to be the person who assassinated the President. Jack Ruby shot and killed Oswald two days after the President's assassination.

There is no credible evidence that either Lee Harvey Oswald or Jack Ruby was ever employed by the CIA or ever acted for the CIA in any capacity whatever, either directly or indirectly.

Testimony was offered purporting to show CIA relationships with Oswald and Ruby. It was stated, for example, that E. Howard Hunt, as an employee of the CIA, engaged in political activity with elements of the anti-Castro Cuban community in the United States on behalf of the CIA prior to the Bay of Pigs operation in April 1961. In connection with those duties, it was further alleged that Hunt was instrumental in organizing the Cuban Revolutionary Council and that the Cuban Revolutionary Council had an office in New Orleans. Finally, it was claimed that Lee Harvey Oswald lived in New Orleans from April to September 1963, and that a pamphlet prepared and distributed by Oswald on behalf of the Fair Play for Cuba Committee during that period indicated that the office of the Fair Play for Cuba Committee was situated in a building which was also the address of the New Orleans office of the Cuban Revolutionary Council.⁴

It was therefore implied that Hunt *could* have had contact with Lee Harvey Oswald in New Orleans during the spring or summer of 1963. No evidence was presented that Hunt ever met Oswald, or that he was ever in New Orleans in 1963, or that he had any contact with any New Orleans office of the Cuban Revolutionary Council.

Hunt's employment record with the CIA indicated that he had no duties involving contacts with Cuban exile elements or organiza-

⁴ Each of these statements is substantially true, but many other relevant facts disclosed in the Warren Commission Report are omitted. It is not mentioned, for example, that Oswald made up the Fair Play for Cuba Committee pamphlets; that the address he stamped on the pamphlets was never an office of that Committee; that he fabricated a non-existent New Orleans Chapter of the Committee, a non-existent President of that Committee, and a non-existent office for it; that the building in question was a *former office*, rather than a current office, of an anti-Castro organization when Oswald made up his pamphlets, and that Oswald had tried to infiltrate the anti-Castro organization.



tions inside or outside the United States after the early months of 1961. This was more than two years before Oswald went to New Orleans in April 1963 and more than a year before Oswald returned to the United States from the Soviet Union, where he had lived for almost three years.

An example of the testimony relating to an alleged relationship between the CIA and Jack Ruby consisted of a statement that Frank Sturgis was engaged in a series of revolutionary activities among Cuban exiles in the United States in the 1950's and 1960's and that the CIA also sponsored and organized anti-Castro activities among Cuban exiles in the United States in 1959 and the early 1960's.

It was further stated that someone once reported to the FBI that Jack Ruby had engaged in supplying arms to persons in Cuba in the early 1950's in association with a former Cuban President, Carlos Prio, and that Frank Sturgis also had connections with Carlos Prio during the 1950's and 1960's.

In addition, it was alleged that Frank Sturgis was at one time (before he escaped from Cuba in June 1959) a director of gambling and gaming establishments in Havana for the Castro government, and that in August or September, 1959, Jack Ruby made a trip to Havana at the invitation of a friend who had interests in gambling establishments in Cuba and the United States.

Moreover, both Sturgis and Ruby were alleged to have had connections with underground figures who had interests in the United States and Cuba.

From this group of allegations, the witness inferred that Sturgis and Ruby *could* have met and known each other—although no actual evidence was presented to show that Ruby or Sturgis ever met each other.

Even if the individual items contained in the foregoing recitations were assumed to be true, it was concluded that the inferences drawn must be considered farfetched speculation insofar as they purport to show a connection between the CIA and either Oswald or Ruby.

Even in the absence of denials by living persons that such connections existed, no weight could be assigned to such testimony. Moreover, Sturgis was never an employee or agent of the CIA.

A witness, a telephone caller, and a mail correspondent tendered additional information of the same nature. None of it was more than a strained effort to draw inferences of conspiracy from facts which would not fairly support the inferences. A CIA involvement in the assassination was implied by the witness, for example, from the fact that the Mayor of Dallas at that time was a brother of a CIA official who had been involved in the planning of the Bay of Pigs operation



in Cuba several years previously, and from the fact that President Kennedy reportedly blamed the CIA for the Bay of Pigs failure.

The same witness testified that E. Howard Hunt was Acting Chief of a CIA station in Mexico City in 1963, implying that he *could* have had contact with Oswald when Oswald visited Mexico City in September 1963. Hunt's service in Mexico City, however, was twelve years earlier—in 1950 and 1951—and his only other CIA duty in Mexico covered only a few weeks in 1960. At no time was he ever the Chief, or Acting Chief, of a CIA station in Mexico City.

Hunt and Sturgis categorically denied that they had ever met or known Oswald or Ruby. They further denied that they ever had any connection whatever with either Oswald or Ruby.

Conclusions

Numerous allegations have been made that the CIA participated in the assassination of President John F. Kennedy. The Commission staff investigated these allegations. On the basis of the staff's investigation, the Commission concluded there was no credible evidence of any CIA involvement.



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Appendix I

Executive Order

ESTABLISHING A COMMISSION ON CIA ACTIVITIES WITHIN THE UNITED STATES

The Central Intelligence Agency as created by the National Security Act of 1947 fulfills intelligence functions vital to the security of our nation, and many of its activities must necessarily be carried out in secrecy. Such activities are nevertheless subject to statutory limitations. I have determined that in order to ensure scrupulous compliance with these statutory limitations, while fully recognizing the statutory missions of the Agency, it is advisable to establish a Commission on CIA Activities Within the United States.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, and as President of the United States, I hereby order as follows:

SECTION 1. *Establishment of the Commission.* There is hereby established a Commission on CIA Activities Within the United States (hereinafter referred to as the "Commission"), to be composed of a Chairman and other members to be appointed by the President.

SECTION 2. *Functions of the Commission.* The Commission shall:

(a) Ascertain and evaluate any facts relating to activities conducted within the United States by the Central Intelligence Agency which give rise to questions of compliance with the provisions of 50 U.S.C. 403;

(b) Determine whether existing safeguards are adequate to prevent any activities which violate the provisions of 50 U.S.C. 403;

(c) Make such recommendations to the President and to the Director of Central Intelligence as the Commission deems appropriate.

SECTION 3. *Cooperation by and with Executive Departments and Agencies.* The Commission is authorized to request, at the direction of the Chairman, from any executive department or agency, any information and assistance deemed necessary to carry out its functions



under this order. Each department or agency shall furnish such information and assistance to the Commission, to the extent permitted by law. The Commission shall furnish to the Attorney General any evidence found by the Commission which may relate to offenses under the statutes of the United States.

SECTION 4. *Compensation, Personnel and Finance.*

(a) Each member of the Commission may receive compensation for each day he or she is engaged upon the work of the Commission at not to exceed the daily rate now or hereafter prescribed by law for persons and positions in GS-18, as authorized by law and may also receive travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the government service intermittently employed.

(b) The Commission shall have an Executive Director who shall be designated by the President and shall receive such compensation as may hereafter be specified. The Commission is authorized to appoint and fix the compensation of such other personnel as may be necessary to enable it to carry out its functions, and is authorized to obtain services in accordance with the provisions of 5 U.S.C. 3109.

(c) All necessary expenses incurred in connection with the work of the Commission shall be paid from the appropriation for "Unanticipated Personnel Needs" P.L. 93-331, 88 Stat. 617, or from such other funds as may be available.

SECTION 5. *Administrative Services.* The General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

SECTION 6. *Report and Termination.* The Commission shall present its final report to the President not later than three months from the date of this order. It shall terminate within one month after presenting its final report.

GERALD R. FORD.

THE WHITE HOUSE, *January 4, 1975.*



Appendix II

Statement by the President

January 4, 1975

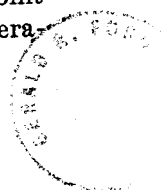
I have today established a Commission to ascertain and evaluate any facts relating to activities conducted within the United States by the Central Intelligence Agency that give rise to questions as to whether the Agency has exceeded its statutory authority. I will soon be naming a distinguished group of members to serve on this "Blue Ribbon" Panel.

In the world in which we live, beset by continuing threats to our national security, it is vital that we maintain an effective intelligence and counterintelligence capability. This capability is fundamental in providing the safeguards that protect our national interests and help avert armed conflict. The Central Intelligence Agency has had a notable record of many successes in this field, but by nature of its operations, such successes and achievements cannot be divulged publicly.

It is essential in this Republic that we meet our security requirements and at the same time avoid impairing our democratic institutions and fundamental freedoms. Intelligence activities must be conducted consistently with both objectives.

To that end, in addition to asking the panel to determine whether the CIA has exceeded its statutory authority, I have asked the panel to determine whether existing safeguards are adequate to preclude Agency activities that might go beyond its authority and to make appropriate recommendations. The Commission will immediately have the benefit of the report already furnished to me by Director W. E. Colby of the CIA. The Justice Department is, of course, also looking into such aspects of the matter as are within its jurisdiction.

I am aware of current plans of various Committees of the Congress to hold hearings on matters similar to those which will be addressed by the Commission. Whether hearings are undertaken by existing oversight Committees, or should the Congress deem a joint House-Senate Committee to be the best approach to avoid a prolifera-



tion of hearings, it is my strong hope that the Committee consider the findings and recommendations of the Commission.

I am confident that through the cooperative efforts of the Executive Branch, particularly by the new Commission, and of the Congress, the results will be beneficial both to our national security and to the traditions and institutions of this Republic.

Moreover, I am writing to those Department and Agency heads who are responsible for the overall intelligence activities of the United States as related to our national security and to the conduct of our foreign policy, for the purpose of emphasizing that they are at all times to conduct their activities within the scope of their respective statutory authorities.

Appendix III

National Security Act of 1947, as amended

Title 1—Coordination for National Security

NATIONAL SECURITY COUNCIL

SECTION 101. (a) There is established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: *Provided*, That in his absence he may designate a member of the Council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The Council shall be composed of—

- (1) the President;
- (2) the Vice President;
- (3) the Secretary of State;
- (4) the Secretary of Defense;
- (5) the Director for Mutual Security [now abolished];
- (6) the Chairman of the National Security Resources Board [now abolished];
- (7) the Secretaries and Under Secretaries of other executive departments and of the military departments, the Chairman of the Munitions Board [now abolished]; and the Chairman of the Research and Development Board [now abolished]; when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure.



CENTRAL INTELLIGENCE AGENCY

SEC. 102. (a) There is established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence who shall be the head thereof, and with a Deputy Director of Central Intelligence who shall act for, and exercise the powers of, the Director during his absence or disability. The Director and the Deputy Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, whether in an active or retired status, or from among individuals in civilian life: *Provided, however,* That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.

(b) (1) If a commissioned officer of the armed services is appointed as Director, or Deputy Director, then—

(A) in the performance of his duties as Director, or Deputy Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers or functions (other than such as he possesses, or is authorized or directed to exercise, as Director, or Deputy Director) with respect to the armed services or any component thereof, the Department of the Army, Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit, or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1) of this subsection, the appointment of the office of Director, or Deputy Director, of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, or Deputy Director, continue to hold rank and grade not lower than that in which serving at the time of his appointment and to receive the military pay and allowances (active or retired, as the case may be, including personal money allowance) payable to a commissioned officer of his grade and length of service for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Central Intelligence Agency. He also shall be paid by the Central Intelligence

Agency from such funds an annual compensation at a rate equal to the amount by which the compensation established for such position exceeds the amount of his annual military pay and allowances.

(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member.

(c) Notwithstanding the provisions of section 652 [now 7501] of Title 5, or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination: *Provided, however,* That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

(f) Effective when the Director first appointed under subsection (a) of this section has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946) shall cease to exist; and

(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist. Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.

Appendix IV

Biographical Information and Acknowledgements

Members of Commission

The Honorable Nelson A. Rockefeller, Vice President of the United States, was graduated from Dartmouth College with a B.A. degree in 1930, where he was elected to Phi Beta Kappa. Vice President Rockefeller was elected Governor of New York in 1958 and was re-elected in 1962, 1966 and 1970. In 1973, he resigned to organize the Commission on Critical Choices for Americans and to serve as its Chairman. From 1940-44, he served as Coordinator of Inter-American Affairs. He was Assistant Secretary of State for American Republic Affairs from 1944 to 1945; served as Chairman of the Development Advisory Board (Point 4 Program) from 1950-51 and as Under Secretary of Health, Education and Welfare from 1953 to 1954. He also served as Special Assistant to President Dwight D. Eisenhower from 1954 to 1955.

The Honorable John T. Connor received his A.B. degree (magna cum laude) from Syracuse University in 1936, where he was elected to Phi Beta Kappa, and his J.D. degree from Harvard Law School in 1939. He served as U.S. Secretary of Commerce from 1965 to 1967. After practicing law in New York City from 1939 to 1942 with the firm now known as Cravath, Swaine and Moore, he served the federal government from 1942 to 1947 as General Counsel of the Office of Scientific Research and Development; Air Combat Intelligence Officer, U.S. Marine Corps; Counsel, Office of Naval Research; and Special Assistant to the Secretary of the Navy. Mr. Connor joined Merck & Co., Inc. in 1947 as General Attorney and became President and Chief Executive Officer in 1955. He is presently Chairman and Chief Executive Officer of Allied Chemical Corporation.

The Honorable C. Douglas Dillon received his B.A. degree from Harvard University (magna cum laude) in 1931. He served as Secretary of the Treasury from 1961 to 1965. In 1953 Mr. Dillon was ap-

pointed as Ambassador to France where he served until 1957 when he became Deputy Under Secretary of State for Economic Affairs, which office was raised to the Under Secretary level in 1958. From 1959 to 1961 he served as Under Secretary of State. During 1968 and 1969 he was a member of the General Advisory Committee on U.S. Arms Control and Disarmament. Mr. Dillon served as Chairman of the Board of Dillon, Read & Co., Inc., of New York City from 1946-53, and is presently a Managing Director of that firm.

The Honorable Erwin N. Griswold received his A.B. and A.M. degrees from Oberlin College in 1925, where he was elected to Phi Beta Kappa, and his LL.B. degree from Harvard Law School in 1928 and his S.J.D. in 1929. From 1967 to 1972 he was Solicitor General of the United States, after having served as Assistant Professor of Law at Harvard Law School from 1934-35, Professor of Law from 1935-46 and Dean of the Harvard Law School from 1946-67. He was an attorney in the Office of the Solicitor General and Special Assistant to the Attorney General from 1929 to 1934, and he was a member of the United States Civil Rights Commission from 1961 to 1967. He is now a partner in the Washington, D.C. firm, Jones, Day, Reavis and Poague.

Lane Kirkland was graduated from the United States Merchant Marine Academy in 1942 and served as a licensed deck officer aboard various merchant ships. He received a B.S. degree from Georgetown University School of Foreign Service in 1948. Since 1969 he has served as Secretary-Treasurer of the AFL-CIO, with which he has been associated in various positions since 1948, serving as Executive Assistant to the President of the AFL-CIO from 1961 to 1969.

General Lyman L. Lemnitzer served as the Chairman of the Joint Chiefs of Staff from 1960 to 1962, when he became NATO's Supreme Allied Commander in Europe, serving in that capacity until his retirement in 1969. General Lemnitzer is a 1920 graduate of the United States Military Academy and during World War II served on the staffs of General Eisenhower, General Mark Clark and Field Marshal Alexander. He was Commander-in-Chief of the Far East and United Nations Commands from 1955 to 1957. From 1959 to 1960 General Lemnitzer served as Army Chief of Staff.

The Honorable Ronald Reagan received his A.B. degree from Eureka College, Illinois, in 1932. He served as Governor of the State of California from 1966 until the completion of his second term in 1974. Governor Reagan was a motion picture and television actor from 1937 to 1966, except for service as an officer in the United States Air Force from 1942 to 1945. He was the President of the Screen Actors Guild from 1947 to 1952 and again in 1959, and served two terms as Presi-



dent of the Motion Picture Industry Council which was composed of all labor and management groups in the Motion Picture Industry.

Dr. Edgar F. Shannon received his A.B. degree in 1939 from Washington & Lee University, where he was elected to Phi Beta Kappa, and received an A.M. degree from Duke University in 1941 and from Harvard University in 1947. He received his Ph.D. degree from Oxford University, England, where he was a Rhodes Scholar. He was a member of the Harvard University faculty from 1950 to 1956, when he joined the faculty of the University of Virginia, where he is presently Commonwealth Professor of English. From 1959 until 1974 he served as President of the University of Virginia and was President of the National Association of State Universities and Land-Grant Colleges in 1966. He served in World War II from 1941 to 1946 as an officer in the Naval Reserve and is a Captain, USNR (Ret.). He was a member of the Board of Visitors of the United States Naval Academy from 1962-1964 and of the Board of Visitors of the United States Air Force Academy from 1965 to 1967.

Executive Director

David W. Belin is a graduate of the University of Michigan where in six years he earned A.B. (1951), M.Bus. Adm. (1953) and J.D. (1954) degrees—all with high distinction. He is a member of the Des Moines, Iowa, law firm of Herrick, Langdon, Belin, Harris, Langdon and Helmick, where he has practiced since 1954. From the University of Michigan Law School he received the Henry M. Bates Memorial Award, made to each of the "two most outstanding seniors in the law school" and is a member of the Phi Beta Kappa and the Order of the Coif. In 1953-54 he was Associate Editor of the Michigan Law Review. In 1964 he served as Assistant Counsel with the President's Commission on the Assassination of President Kennedy (Warren Commission).

Senior Counsel

Harold A. Baker is a graduate of the University of Illinois (A.B. 1951) and the University of Illinois Law School (J.D. 1956). Mr. Baker is a partner in the Champaign, Illinois, law firm of Hatch and Baker, where he has practiced law since 1956. He also is a lecturer in Advocacy at the University of Illinois Law School. Mr. Baker is a member of the Order of the Coif and he is a Fellow of the American College of Trial Lawyers.

Ernest Gellhorn was graduated with a B.A. degree from the University of Minnesota (1956) and was graduated magna cum laude



from the University of Minnesota Law School with a J.D. degree (1962). He is a member of Phi Beta Kappa and the Order of the Coif and was Note Editor of the Minnesota Law Review in 1961-1962. After practicing law in Cleveland, Ohio, he entered the teaching profession and since 1970 he has been Professor of Law at the University of Virginia Law School.

Robert B. Olsen was graduated from the University of Michigan (A.B. 1953) and from the University of Michigan Law School (J.D. 1955), where he served as Editor-in-Chief of the Michigan Law Review. He is a member of Phi Beta Kappa and the Order of the Coif. He has practiced law in Kansas City, Missouri, since 1955 and he is a member of the law firm of Olsen, Talpers and Welte.

William W. Schwarzer was graduated cum laude from the University of Southern California (A.B. 1948) and cum laude from Harvard Law School (LL.B. 1951), where he was a teaching fellow until 1952. He then entered the practice of law in San Francisco and is a member of the law firm of McCutchen, Doyle, Brown & Enersen. Mr. Schwarzer is a Fellow of the American College of Trial Lawyers.

Counsel

Marvin J. Gray, Jr. was graduated from Princeton University (A.B. 1966) and Harvard Law School magna cum laude (J.D. 1969), where he was Articles Editor of the Harvard Law Review. From 1969-70 he served as Law Clerk to Judge Henry J. Friendly and 1970-71 he served as Law Clerk to Mr. Justice John M. Harlan of the United States Supreme Court. He is an Assistant United States Attorney, Seattle, Washington.

George A. Manfredi was graduated from Brown University cum laude (A.B. 1966) and New York University Law School (LL.B. 1969), where he was Managing Editor of the New York University Law Review. From 1969-1974 he was associated with the law firm of O'Melveny and Myers and he is presently a partner in the Los Angeles law firm of Costello, Manfredi & Thorpe.

James N. Roethe graduated from the University of Wisconsin (A.B. 1964) and the University of Wisconsin Law School (J.D. 1967) where he was Editor-in-Chief of the Wisconsin Law Review. He is a member of the Order of the Coif. Since 1967 he has practiced law in San Francisco, where he is associated with the law firm of Pillsbury, Madison and Sutro.

James Burton Weidner is a graduate of Bowdoin College (A.B. 1964) and the Cornell Law School (J.D. 1967) where he won the first and second year Moot Court Competitions and was a finalist in the



third year Moot Court Competition. He has practiced law in New York City since 1967 with the firm of Rogers & Wells, where he is a partner.

Special Counsel

Ronald J. Greene was graduated from Harvard College (A.B. 1964 magna cum laude) where he was a member of Phi Beta Kappa, and the Harvard Law School (LL.B. 1968, summa cum laude) where he received the Fay Diploma and Sears Prize for ranking first in his class. He served as Note Editor of the Harvard Law Review from 1967-68. He was a Law Clerk to Mr. Justice Thurgood Marshall of the U.S. Supreme Court from 1968-69 and he is associated with the Washington, D.C., law firm of Wilmer, Cutler and Pickering.

Staff Members

R. Mason Cargill was graduated from the Georgia Institute of Technology (B.S. 1970, with highest honor) and the Harvard Law School (J.D. 1973, magna cum laude), where he was a member of the Board of Student Advisers. After graduation, he entered active duty as a reserve officer with the United States Navy, assigned to the staff of Assistant Secretary of Defense Terence E. McClary. Pursuant to the request of the Commission, he was temporarily assigned to its staff.

Peter R. Clapper was graduated from Princeton University (A.B. 1949) and spent thirteen years as a news correspondent for The Washington Post, CBS, ABC and Westinghouse Broadcasting. He has been a Public Affairs Officer with the United States Environmental Protection Agency since 1972, and prior to that he was a Public Affairs Officer with the Agency for International Development for four years. Pursuant to the request of the Commission, Mr. Clapper was temporarily assigned as a Public Affairs Officer for the Commission.

Timothy S. Hardy was graduated from Amherst College (B.A. 1969, magna cum laude), where he was a member of Phi Beta Kappa, and was graduated from the Yale Law School (J.D. 1972) where he was an editor of the Yale Law Journal. After serving as a Law Clerk for Judge Max Rosenn of the United States Court of Appeals for the Third Circuit, he entered active duty as a reserve officer with the United States Navy, assigned to the staff of Assistant Secretary of Defense Terence E. McClary. Pursuant to the request of the Commission, he was temporarily assigned to its staff.



Acknowledgments

The Commission wishes to thank Sol Neil Corbin, Special Counsel to the Vice President; Peter J. Wallison, Counsel to the Vice President and Hugh Morrow, Assistant to the Vice President, for their assistance and contributions to the preparation of this Report.

The Commission also wishes to acknowledge the assistance of Frank R. Pagnotta, Assistant to the Vice President for Administration, who helped expedite so many matters ranging from the remodeling of facilities at 712 Jackson Place to accommodate the Commission staff, to securing personnel, equipment and supplies.

In addition, the Commission wishes to thank the following secretaries and support personnel for their unstinting efforts on behalf of the Commission:

Secretaries and Support Personnel

Kathryn Baker
Carolyn Bazarnick
Donna L. Carroll
Donald Connor
Marie Dene
Donald Harner
Ruth E. Johnson

Ruth V. Johnson
Roxanne Marsh
Mona A. Meier
Sammie L. Newman
Ramona Overton
V. Modene Reed
Barbara Rose



APPENDIX V

Highlights of Civil Disturbances and Other Disorders in the United States—January 1966 through January 1973

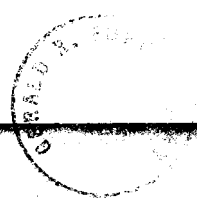
This Appendix reviews major social and political unrest, disturbances, disorder and violence in the United States during the late 1960's and early 1970's.

It is offered by way of perspective on the Presidential initiatives that influenced activities of the Central Intelligence Agency during that period with respect to dissidents and dissident groups.

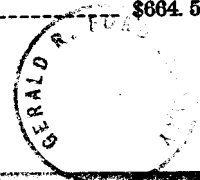
The chronology that follows covers representative items from the period between January 1966 and the end of direct United States military involvement in the Vietnam War in January 1973. That period was preceded by other episodes of disorder and violence earlier in the 1960's. In 1963 and 1964, civil rights disturbances occurred in Birmingham, Savannah, Cambridge (Maryland), Chicago and Philadelphia. Early in 1965, serious disorder took place in Selma, Alabama, and in August of 1965 the Watts section of Los Angeles became the scene of massive rioting and destruction. By 1966, news coverage of domestic turmoil had almost become a part of everyday life in the United States.

1966

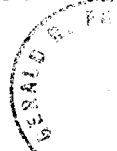
- Jan. 31..... The resumption of United States bombing raids against North Vietnam after a 37-day pause brought a series of demonstrations across the country.
- Apr. 9..... The Berkeley, California, headquarters of the anti-war Vietnam Day Committee was blown up.
- May 14..... Student protests against draft procedures broke out at several universities, and in some cases students seized their school's administration buildings.
- May 15..... A demonstration for peace in Vietnam brought 8,000-11,000 demonstrators to Washington.



- June 6..... James H. Meredith, who had integrated the University of Mississippi in 1962, was shot from ambush. Rallies and demonstrations followed.
- June 29..... The bombing of oil installations on the outskirts of Hanoi and Haiphong set off a series of protests in the United States.
- July..... Destruction and widespread rioting swept Omaha's Near North Side, Chicago's West Side, the Brooklyn neighborhood known as East New York, and the Cleveland neighborhood of Hough.
- Aug. 6..... Anti-Vietnam war protests were staged across the country.
- Aug. 16-19..... At least 50 persons were arrested for disorderly conduct at hearings held in Washington by the House Un-American Activities Committee. The Committee was investigating Americans who aided the Viet Cong in Vietnam.
- September..... Rioting swept sections of Atlanta, Dayton and San Francisco.
- 1967
- Jan. 21..... About 2,000 people marched in front of the White House in Washington, demanding a halt to the bombing of North Vietnam and a de-escalation of the ground war in South Vietnam.
- Mar. 8..... A bill declaring Congress' intention of supporting United States Armed Forces in Vietnam, of supporting efforts to end the war honorably, and of preventing its expansion was passed by both Houses and was signed by the President on March 16.
- Apr. 15..... Massive demonstrations and parades were held in New York and San Francisco to protest United States policy in Vietnam.
- May 13..... A parade in support of United States troops in Vietnam was held in New York. *The New York Times* estimated that there were about 70,000 participants. The parade was organized to counter anti-war demonstrations.
- May 16-17..... Police and students exchanged rifle fire at Texas Southern University. 486 students were arrested.
- May 19..... United States jets bombed the center of Hanoi for the first time.
- Summer of 1967..... The summer of 1967 was marked by the worst racial disturbances in the history of the United States. The Senate Permanent Investigations Subcommittee on November 1 made public these statistics on riots in 1967:
- | | |
|-----------------------------------|---------|
| Number of riots..... | 75 |
| Persons killed | 83 |
| Persons injured | 1,897 |
| Number arrested | 16,389 |
| Number convicted..... | 2,157 |
| Estimated cost (in millions)..... | \$664.5 |



- Although severe racial rioting had occurred in United States cities in previous summers, it never had been as widespread or as intense as it became in 1967. In the two cities hardest hit, Newark (26 dead) and Detroit (43 dead), conditions of near-insurrection developed in ghetto areas, and police and National Guardsmen with weapons fire.
- Stokely Carmichael, the former Chairman of the Student Non-Violent Coordinating Committee, and H. Rap Brown, the Chairman of the SNCC, called for "guerrilla warfare" in urban ghettos.
- June ----- Violence and rioting broke out in Tampa, Dayton, Boston, Cincinnati and Buffalo.
- June 21 ----- Sixteen alleged members of the Revolutionary Action Movement (RAM), were arrested on charges of plotting to murder moderate civil rights leaders.
- July ----- Rioting swept sections of Los Angeles, Detroit, Newark, Plainfield, New York, Rochester and Cambridge. In Detroit the disturbances brought the first use of Federal troops to quell civil strife in 24 years.
- July 27 ----- A Special Advisory Commission on Civil Disorders was appointed by President Johnson to "investigate the origins of the recent disorders in our cities." The President said that the Nation had "endured a week such as no nation should live through; a time of violence and tragedy."
- Aug. 1 ----- Arson, vandalism and looting occurred in northwest Washington, D.C.
- Aug. 3 ----- President Johnson announced plans to send an additional 45,000 to 50,000 troops to Vietnam by July 1968.
- Aug. 6 ----- SNCC Chairman R. Rap Brown told a rally in New York that the summer's racial riots were only "dress rehearsals for revolution."
- Aug. 11 ----- United States planes launched an intensified air offensive against North Vietnam.
- Aug. 15 ----- Martin Luther King, Jr. called for a campaign of massive civil disobedience in Northern United States cities.
- April-August ----- Among other cities and communities around the country where racial rioting was reported (in order of date) :
- Nashville (8-10 April) ; Cleveland (16 April) ; Jackson, Mississippi ; Lansing, Michigan (14-15 June) ; Kansas City, Missouri (9 July) ; Waterloo, Iowa (9 July) ; Erie, Pennsylvania (11-12 July and 18 July) ; Fresno, California (16-17 July) ; Des Moines, Iowa (16 July) ; Nyack, New York (19 July) ; Birmingham, Alabama (22 July) ; Youngstown, Ohio (22 July) ; New Britain, Connecticut (22-23 July) ; Toledo, Ohio (24-26 July) ; Mount Vernon, New York (24-28 July) ; Phoenix, Arizona (25-26 July) ;



April-August—Continued

- Saginaw, Michigan (25-26 July); South Bend, Indiana (25-28 July); Peekskill, New York (27-28 July); San Francisco, California (27-28 July); Long Beach, California (28 July); Marin City, California (28 July); Memphis, Tennessee (28 July); Wilmington, Delaware (28-29 July); Newburgh, New York (29-30 July); New Castle, Pennsylvania (29-30 July); Rockford, Illinois (29-30 July); West Palm Beach, Florida (30 July); Portland, Oregon (30-31 July); San Bernardino, California (30-31 July); Riviera Beach, Florida (31 July); Wichita, Kansas (31 July, 3-5 August); Peoria, Illinois (2 August); Wyandanch, New York (2-4 August).
- Aug. 25----- George Lincoln Rockwell of the American Nazi Party was shot to death in Arlington, Virginia.
- Aug. 27----- SNCO Chairman H. Rap Brown told a cheering crowd in riot-stricken Detroit: "You did a good job here." But he said the riots in Detroit would "look like a picnic" when blacks united to "take their due."
- Aug. 28----- The Reverend James E. Groppi led a series of daily open-housing demonstrations in Milwaukee. The drive was frequently marked by violence.
- Sept. 20----- About 500 members of the Women's Strike for Peace clashed with Washington police in front of the White House.
- Oct. 16-21----- Demonstrations against the draft were held through the United States by opponents of United States policy in Vietnam.
- October ----- A massive demonstration took place in Washington, D.C. in a protest against United States policy in Vietnam. Many demonstrators at the Pentagon were arrested after clashing with United States Army troops and Federal Marshals. Demonstrations supporting United States troops in Vietnam were held in the New York area and other parts of the United States. Demonstrations occurred in various parts of the country in 1967 to protest job recruitment by Dow Chemical Company, which manufactured napalm used in Vietnam. The protests reached their peak in October.
- Oct. 27----- FBI agents in Baltimore arrested three persons, including a Roman Catholic clergyman, for pouring duck blood on records at the city's Selective Service headquarters.
- Nov. 12----- President Johnson cancelled plans to attend the annual meeting on November 13 of the National Grange in Syracuse, New York, to avoid a threatened anti-war demonstration.
- Nov. 14----- Hundreds of anti-war demonstrators clashed with police in New York during a rally in protest against Secretary of State Rusk, who was attending a dinner there.



- Dec. 4..... Martin Luther King announced plans in Atlanta for a massive civil disobedience campaign to disrupt federal activities in Washington in April, 1968.
- Dec. 4-8..... A coalition of about 40 anti-war organizations staged "Stop the Draft Week" demonstrations throughout the United States. The marchers sought to disrupt United States Armed Forces induction centers.
- Dec. The build-up of United States forces in Vietnam reached approximately 500,000 men by the end of 1967. In an overview of the situation in December 1967, the FBI reported:

"One of the most significant features of the American scene of the 1960's is the evolution and growth of what has become known as the 'new left.' This movement of rebellious youth, involving and influencing an estimated 100,000 to 300,000 college students, is having a jarring impact upon contemporary society and portends serious trouble for this country. * * *"

1968

- Apr. 4..... Assassination of Martin Luther King, Jr., followed by widespread rioting.
- Apr. 26..... Secretary of Defense Clark Clifford announces establishment of Riot Control Center at the Pentagon.
- June 5..... Senator Robert F. Kennedy shot in Los Angeles and dies the following day.
- June 19..... More than 50,000 persons demonstrate in Washington, D.C. in Poor People's Campaign Resurrection City set up near Lincoln Memorial.
- July By the middle of July serious racial disorders had occurred in 211 cities.
- Aug. 28-29..... Widespread disorder in Chicago, concurrent with Democratic National Convention.
- Sept. 29..... CIA Recruiting Office in Ann Arbor, Michigan, destroyed by bomb.
- Nov. Dozens of United States college campuses explode with violence.
- Nov. 20..... CIA recruiter routed from South Bend, Indiana, in connection with recruiting at Notre Dame University.

1969

- January Extensive disturbances at San Francisco State College.
- February Rioting at University of Wisconsin and Duke University.
- Apr. 2..... 21 Black Panther Party members charged with plotting to bomb New York City stores.
- Apr. 9..... Harvard University students seize University Hall.
- Apr. 20..... Students from Cornell University seize University Building, carrying rifles and shotguns.
- May 15..... Rioting at University of California in Berkeley.
- Oct. 15..... Massive observances of anti-war moratorium throughout the United States.

- Nov. 13..... 46,000 persons engage in "March Against Death" past the White House.
- Nov. 15..... More than 250,000 persons stage peaceful march and rally against war in Washington, D.C.
- During 15-month period from 1 January 1969 to 15 April 1970 United States experienced 4,330 bombings, 1,475 unsuccessful bombing attempts, and 35,129 threatened bombings. Included were a number of bomb threats at CIA buildings.

1970

- Feb. 26..... Governor Reagan declares state of emergency in Santa Barbara after student rioting and bombing of a bank.
- Mar. 6..... Greenwich Village townhouse demolished by explosions—thought to be bomb factory for Weatherman faction of SDS.
- May 4..... Four students killed and others wounded at Kent State University in clash with National Guardsmen.
- May 9..... A crowd of 100,000 in Washington, D.C. protest United States actions in Cambodia.
- May 10..... 448 United States universities and colleges on strike or closed over Cambodia action protest.
- May 15..... Two youths killed by police fire during demonstration at Jackson, Mississippi, State College.
- June 13..... President Nixon names nine-member commission to explore campus violence and student grievances.
- Aug. 7..... California Judge Harold Haley and his three kidnapers killed in escape attempt at San Rafael Courthouse. Warrant later issued for arrest of Angela Davis.
- Aug. 24..... Research Building at University of Wisconsin destroyed by bomb.
- Sept. 11..... President Nixon orders use of Federal armed guards on overseas flights of United States airlines, following numerous skyjacking incidents.
- Oct. 3..... United States Commission on Campus Unrest issues report warning of growing crisis.

1971

- Jan. 12..... Father Berrigan and five others charged with conspiracy to kidnap Dr. Kissinger and to blow up heating systems of Federal Buildings in Washington.
- Mar. 1..... Powerful bomb explodes in Senate Wing of the Capitol.
- Mar. 8..... Break-in at FBI Office at Media, Pennsylvania, resulting in theft of numerous sensitive documents.
- Apr. 8..... Administration Building at Santa Cruz campus of University of California destroyed by arsonists. There followed fires and fire bombs at Tufts University of Hawaii, and Cornell University.
- Apr. 22..... 110 demonstrating veterans arrested at Supreme Court Building.

- Apr. 24----- Massive, but peaceful, anti-war rallies held in Washington crowd at 200,000, San Francisco crowd at 150,000.
- May 3-5----- Thousands of anti-war protesters arrested in Washington, D.C. in connection with attempts to disrupt traffic and immobilize Government.
- June 13----- New York Times begins publication of Pentagon Papers.
- Aug. 21-22----- 25 persons arrested in raids on Selective Service Offices in Buffalo, New York, and Camden, New Jersey.

1972

- Apr. 10----- United States begins deep penetration raids into North Vietnam for the first time since November 1967, provoking new wave of protests.
- May 8----- President Nixon announces mining of North Vietnamese harbors, touching off another intense wave of anti-war protests and widespread violent clashes with police.
- May 19----- Bomb explodes in the Pentagon Building.
- May 21-22----- More than 400 protesters arrested in Washington, D.C., during battles with police.
- Aug. 12----- Last United States combat troops leave South Vietnam. Heavy air raids conducted over North Vietnam.
- July and August----- Democratic and Republican National Conventions take place in Miami Beach with only minor incidents

1973

- January 23 and 27----- President Nixon announces signing of agreement in Paris to end the war in Vietnam.

Appendix VI

Proposed Amendments to Statute

In Recommendation (1), the Commission proposes that 50 U.S.C. Section 403(d) be amended to read (Additions are italicized; deletions are marked through) :

(d) For the purpose of coordinating the *foreign* intelligence activities of the several government departments and agencies in the interest of national security, it shall be the duty of the [Central Intelligence] Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such *foreign* intelligence activities of the government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such *foreign* intelligence activities of the departments and agencies of the government as relate to the national security;

(3) to *collect*, correlate and evaluate *foreign* intelligence relating to the national security, and provide for the appropriate dissemination of such *foreign* intelligence within the government using where appropriate existing agencies and facilities:

Provided, that except as specified by the President in a published Executive Order, in collecting foreign intelligence from United States citizens in the United States or its possessions, the Agency must disclose to such citizens that such intelligence is being collected by the Agency.

Provided further, that the Agency shall have no police, subpoena, law enforcement powers, or internal security functions:

Provided further, that the departments and other agencies of the government shall continue to collect, evaluate, correlate and disseminate departmental intelligence:

~~And provided further, that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;~~

(4) to perform, for the benefit of the existing intelligence agencies, such additional *foreign intelligence* services of common

concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to foreign intelligence affecting the national security as the National Security Council may from time to time direct.

(6) to be responsible for protecting sources and methods of foreign intelligence from unauthorized disclosure. Within the United States, this responsibility shall be limited (a) to lawful means used to protect against disclosure by (i) present or former employees, agents or sources of the Agency or (ii) persons, or employees of persons or organizations, presently or formerly under contract with the Agency or affiliated with it, and (b) to providing guidance and technical assistance to other government departments and agencies performing intelligence activities.

Appendix VII

Assistance To and From Federal, State and Local Agencies

The following information is provided as a supplement to that material set forth in Chapter 17, Section B, involving CIA assistance to and from state and local law enforcement agencies. Its purpose is to provide additional detail and identify some additional contacts between the CIA and state and local police authorities not referred to in the chapter. As specific Agency files on relations with state and local law enforcement agencies were not established as such until 1970, this summary does not purport to be an exhaustive description of all such activities.

A. Other Assistance Given to State and Local Police

Among those police departments sending representatives to Agency training courses referred to in Chapter 17 were the Washington Metropolitan Police Department, most Washington suburban police departments, the Maryland and Virginia State Police, and the police of Los Angeles, Miami, and Chicago. CIA records show that in 1968 and 1969, four three-week training programs in lockpicking and positive audio surveillance were given to an aggregate of 24 police officials from in and around the Washington, D.C., area. In July and August of 1972, two one-week courses in lockpicking were presented to Washington area police. In September 1972, twelve representatives from the New York Police Department attended a seminar on clandestine collection methodology, the basic theories of intelligence, and the Office of Security's role in the intelligence effort. Other shorter briefings, seminars and demonstrations—on a wide variety of topics—have been sponsored by the Agency.

In 1970 the Office of Security, with the approval of the Director of Central Intelligence, provided six men to the Law Enforcement

Assistance Administration to brief police and local officials on a "trace metal detecting technique" developed by the Agency. These six men, operating as Law Enforcement Assistance Administration consultants, conducted a number of briefings on the technique in different locations throughout the country.

For several years training in explosives detection and disarmament has been given to local police representatives at an isolated Agency facility in North Carolina. That facility was established to provide the Agency with a capability for detecting, handling and disarming all types of explosive devices. Police departments from all over the country have funneled information concerning new types of explosive devices to this CIA facility, which in turn has studied the information and attempted to ascertain the most appropriate methods of detecting and disarming each type of explosive device studied. In turn, the CIA has periodically brought representatives to the facility from local law enforcement agencies to share with them the knowledge it has learned concerning new devices.

Just before the Presidential Inauguration in January of 1969, a representative of the Washington Metropolitan Police Department's Intelligence Division asked the Office of Security to provide the police with several radio-equipped automobiles to assist the Department in monitoring the large groups expected to congregate during the inauguration ceremonies. The purpose of obtaining the CIA equipment was to provide the police department with an additional assigned radio frequency for use in connection with the planned activities during the inauguration, and to open up the Department's own radio frequency for ordinary police communications. Other agencies normally able to assist were fully utilizing their radio equipment during this period. From six to nine radio-equipped automobiles—some privately owned and others Agency owned—were furnished the Department by the CIA under the condition that these vehicles remain totally under the control of Office of Security employees.

The police agreed to this condition and both the vehicles and drivers were provided by the Office of Security. Command posts for monitoring intelligence reports were established at both the headquarters building of the Central Intelligence Agency and the Intelligence Division headquarters of the police department. The CIA also provided footmen radios for other police officers to utilize while on the street, enabling them to communicate with the CIA vehicles or either command post. Similar assistance was rendered by CIA to the Metropolitan Police Department on at least two other occasions (the antiwar moratorium demonstrations in November 1969 and the May Day demonstrations in 1971) and possibly a third.

As is discussed in Chapter 17, the Office of Security has occasionally loaned electronics equipment to police departments for training or for use in police operations. Some equipment has been given outright. Technical assistance on the proper use of such equipment has also been given on occasion. As a general rule, the Office of Security has restricted the availability of this electronics equipment to police departments in the Washington, D.C. metropolitan area (primarily to the Montgomery County and Metropolitan Police Departments). However, in isolated incidents, electronics equipment has also been loaned to the New York and San Francisco police departments. Included in the type of electronic equipment loaned or given to police were transmitters, telephonic decoders, touchtone dial recorders, tunable receivers, Kelcom SK-7 audio devices (for use in audio surveillance), amplifiers, transmitter beacons, and receivers. In addition, some nonelectronic equipment, including cameras and photographic gear, gas masks, tear gas grenades, and protective flack jackets has been furnished to Washington metropolitan area police departments, primarily for use during the period when the dissident groups were at their peak of activity from 1967 through 1971.

The CIA has on at least one occasion provided some technical assistance in an actual police operation being carried out by the Metropolitan Police Department. In late 1968 or early 1969, CIA was asked to provide the Department with transmitters which could be planted in several lamps to be placed in the apartment of a police informer who frequently met with members of dissident groups. CIA agreed to provide the requested equipment. The lamps were provided to CIA and the transmitter devices were installed in the lamps by personnel from the Office of Security. The lamps were then placed back in the police informer's apartment by the police. The police informer was aware that the apartment was being bugged and consented to the operation.

In early 1973 the CIA permitted the Metropolitan Police Department to use one of its safe houses in the Washington metropolitan area during the course of a police investigation. The safe house was used on a part-time basis in an attempt to purchase an extremely large quantity of heroin from out-of-town interests. This use of the safe house was approved by the Director of Security and continued until June of 1973.

On one other occasion the Office of Security made special arrangements to allow three policemen to use an Office of Technical Services photography facility to develop some police film taken during an operational police assignment. The film was considered to be so sensitive that the normal police facilities could not be used without the possibility of compromising the entire police investigation.

On at least three separate occasions, alias documents (including social security and draft cards) were provided to police officers representing police departments in Washington, Miami, and Baltimore. The purpose of providing this documentation was to permit the recipients to engage in undercover police work. The alias documentation given to the Metropolitan Police Department was never used and has been turned over to, and been made a part of the record of, this Commission. It is not known whether the documentation provided to the Miami and Baltimore Police Departments was ever utilized.

In 1968, the Office of Security provided copies of a reference document entitled "Where's What" to a number of local police departments. "Where's What" is a publication compiled by a CIA Office of Security employee during the period of March 1965 to March 1966, as the recipient of a Brookings Institution Federal Executive Fellowship. It is a comprehensive reference work designed as a guide for the federal investigator and is classified "confidential." The Office of Security distributed 1,000 copies of the book, the majority going to various federal agencies. Records reflect, however, that five copies each were given to the Arlington and Fairfax County Police; two copies to the Maryland State Police; and a total of 32 copies to the Washington Metropolitan Police Department. Although a request was made in 1970 by the Law Enforcement Assistant Administration to republish a second unclassified edition of this booklet, the suggestion was rejected since the CIA felt that it would not be proper for it to publish law enforcement material for general usage and unclassified purposes.

B. Other Assistance From State and Local Police

In 1966, CIA contracted with a private company to undertake an extensive study on the use of polygraph machines as a tool in personnel investigations. The purpose of the study was to determine what kind of individuals could "beat the polygraph." During the period of the study (1966-1967), CIA's contractor drew upon the resources of the San Mateo County, California, sheriff's office to find subjects for the study. Various inmates of the San Mateo County jail were used in connection with this experiment.

Police cover in the form of badges and other identification has, on several occasions, been obtained from local police departments. In 1960, nine CIA officers attached to the New York Field Office of the Office of Security were provided with New York Police Department badges in connection with assignments directed against several foreign intelligence targets in New York City.

In connection with the surreptitious entry of a business establishment in Fairfax County, CIA officers were provided with a metal badge obtained from the Fairfax City Police Department for use as "flash" identification in the event that any one should question their activities. It never became necessary for the officers engaged in the operation to use the badge for identification purposes.

During the 1971 May Day demonstrations in Washington, D.C., the CIA was provided with approximately twenty Metropolitan Police Department identification cards for use while monitoring the crowds in cooperation with Washington police officers. The purpose of obtaining these identification cards was to permit CIA agents to cross police lines during the anti-war demonstrations. The credentials were subsequently destroyed.

In September of 1971 a representative of the Office of Security's Washington Field Office approached the Fairfax County Police Department and requested the use of several sets of identification (including badges and identification cards) for "national security" purposes. These badges were, in fact, requested to facilitate a CIA surveillance then underway within Fairfax County of a former Agency employee threatening to make a public allegedly classified material. It was thought that any questionable activity on the part of those conducting the surveillance could be alleviated by showing the police badges to any concerned citizen. After some delay, the request was approved by the Chief of the Fairfax County Police Department. Nine patrolmen's and one sergeant's badge were delivered to CIA. In fact, these badges were never used in any CIA operation and were returned to the Fairfax County police in early 1973.

While no evidence of additional use of police credentials by CIA officers has been found, it is the opinion of a former director of the Office of Security that additional police credentials may have been obtained from time to time from police departments in cities where the Office of Security maintains field offices.

C. Gifts and Gratuities Given to Local Police Officials

In addition to the items covered in Chapter 17, the Commission has learned of the following instances in which gifts or gratuities were given by the Office of Security to state or local police officials for their cooperative attitude towards CIA.

On two occasions CIA furnished transportation to police officials while those officials were vacationing. In one instance, a rental vehicle was made available to a particularly cooperative police official while he was vacationing in the Los Angeles area. The bill for the rental of that vehicle came to approximately \$800 and was paid from CIA

funds. The second instance involved the furnishing of a rental car to the Chief of that police department while he was vacationing in Puerto Rico. This car was used for approximately two days and was subsequently returned as the Chief obtained access to other transportation. The amount expended by the Office of Security for this vehicle is unknown.

In about 1965 or 1966, the Office of Security sponsored dinners honoring two retiring inspectors of the Washington Metropolitan Police Department who had been particularly helpful in providing assistance to CIA. Several contemporaries of the two inspectors from local police departments were invited guests. On each occasion the honoree was presented with a service revolver valued at about \$75 or \$80 as a gift from the Office of Security. In 1970 or 1971, a similar dinner was sponsored by the Office of Security for a captain of the Fairfax County Police Department. On this occasion, the captain was presented with a gift from the Office of Security of a watch valued at about \$150. One retiree from the Metropolitan Police Department who desired to safeguard certain files in his home was also given a four drawer combination safe to facilitate the storage of these materials.

In about 1969 or 1970 an inspector from another police department was given the use, free of charge, of a safe house maintained by the Office of Security in Miami, Florida, for about one week while he was on vacation there. The inspector had been helpful to the Agency in making personnel investigations and in other respects.