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*Central Intelligence Agency
Inspector General*

REPORT OF INVESTIGATION

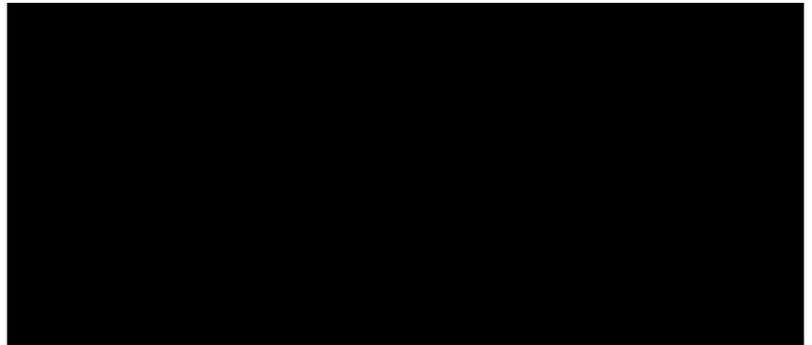


GUATEMALA: VOLUME I
OVERVIEW
(95-0024-IG)

July 15, 1995

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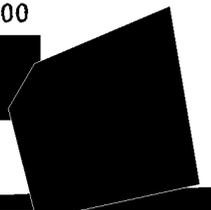


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OFFICE OF INSPECTOR GENERAL
INVESTIGATIONS STAFF

REPORT OF INVESTIGATION
GUATEMALA

GUATEMALA: VOLUME I
OVERVIEW
(95-0024-IG)

July 15, 1995

INTRODUCTION

1. On January 27, 1995, based upon a review of relevant intelligence reporting from the CIA Station in Guatemala, Acting Director of Central Intelligence Admiral William O. Studeman asked the Inspector General (IG) to investigate the relationship between CIA and Guatemalan Army officer Julio Roberto Alpirez, [REDACTED]. [REDACTED] Admiral Studeman requested that the investigation include CIA's knowledge of Alpirez's alleged involvement in the killing of U.S. citizen Michael DeVine and the possible death of Guatemalan insurgent leader Efrain Bamaca Velasquez.

[REDACTED]

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2. A February 15, 1995 letter from the Senate Select Committee on Intelligence (SSCI) posed additional questions to the IG concerning [REDACTED] Alpirez. The SSCI letter included questions about notification to the congressional oversight committees regarding [REDACTED]

3. On March 22, 1995, Congressman Robert Torricelli (D-N. J.) wrote to President Clinton alleging that the CIA had been involved in two murders in Guatemala in the 1990's and that the U.S. Government had misled the American public about the two cases. According to Congressman Torricelli, the first case involved Michael DeVine, an American citizen who had lived in Guatemala for 18 years and was abducted by soldiers and killed on June 8, 1990. In September 1992, six Guatemalan enlisted men were convicted and sentenced to 30 years in prison in connection with the DeVine killing. In May 1993, a Guatemalan captain who allegedly ordered the killing was sentenced to 20 years in prison, but disappeared the same day.

4. The second case cited by Congressman Torricelli involved Efrain Bamaca Velasquez, a Guatemalan insurgent leader who was reportedly captured by the Guatemalan Army on March 12, 1992. He was allegedly held at several locations, tortured, and reportedly killed. According to Congressman Torricelli's letter, the U.S. Government's official claim that it did not know who was responsible for these killings was untrue. DeVine and Bamaca, said Torricelli, were both "murdered under the direction of Colonel Julio Roberto Alpirez, a Guatemalan intelligence officer, who was under a contract with the CIA and remained on its payroll at the time of the murders." Both the State Department and the National Security Agency, said the Congressman, were aware that the U.S. Government "was complicitous in these murders and continued to mislead the families and the American public."

5. The Congressman's letter stated that the indication of "direct involvement by the CIA in these murders" leads "to the extraordinary conclusion that the (CIA) is simply-out of control and . . . contains

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what can only be called a criminal element. The [CIA] clearly has too many resources at its disposal and too little supervision." The Congressman asked the President to secure all information relating to these cases; determine whether there was any deliberate attempt to mislead the Justice Department (DoJ) or any other U.S. agency; request a thorough DoJ investigation; and fire any U.S. government employees who misled the public about these matters. At the same time, Congressman Torricelli released his letter to *The New York Times*.

6. On March 30, 1995, the President directed that the Intelligence Oversight Board (IOB) conduct a government-wide review of allegations surrounding the death of DeVine and the disappearance of Bamaca, as well as any related matters. The IG investigation initially requested by Admiral Studeman was broadened to include the SSCI's questions, the IOB's questions, and other issues that developed during the public debate that followed Congressman Torricelli's allegations. For example, a May 5, 1995 letter from Congressman Torricelli to the IG reported allegations by a former Drug Enforcement Administration agent that DeVine was killed because he had discovered a narcotics trafficking operation run by Colonel Alpirez. According to this second letter from the Congressman, the CIA concealed this information from DoJ and prevented DoJ from finding a political motive for the killing, thereby constituting an obstruction of justice. Finally, a May 11, 1995 letter from the Chairman of the IOB asked the IG to look into allegations that relevant documents were being sent to former Agency employees to conceal them from investigators.

SCOPE OF INVESTIGATION

7. The Acting DCI's January 27, 1995 request for an IG investigation, as recorded in a February 3, 1995 memorandum, referred to "recently obtained information suggesting that [REDACTED] Alpirez may have murdered the Guatemalan insurgent leader Efrain Bamaca Velasquez." Accordingly, the IG was requested to address the Agency's

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relationship with Alpirez; its knowledge of any involvement by him in human rights abuses, including the DeVine killing; the Agency response to derogatory information about Alpirez, including that related to the DeVine and Bamaca killings; whether CIA complied with relevant statutes, regulations, and procedures pertaining to human rights and congressional notification; and whether different actions would have resulted had current authorities been in effect.

8. The February 15 SSCI letter added more specific questions regarding when and how the congressional oversight committees were informed that Alpirez may have been involved in the DeVine killing;

[REDACTED] the referral of information to DoJ and how it was handled;

[REDACTED] These questions, and the expanded allegations of CIA complicity in the DeVine and Bamaca killings that were made by Congressman Torricelli on March 22, 1995, required the IG to expand its inquiry [REDACTED] and into what the Agency knew about DeVine and Bamaca before and after the killings, how that information was handled, and to whom and when it was reported.

9. On April 7, 1995, the President's IOB issued Terms of Reference for its inquiry, as directed by the President, into any and all aspects of the DeVine and Bamaca cases, as well as related matters. The Terms of Reference also included any intelligence relating to the torture, disappearance, or death of any U.S. citizens in Guatemala since 1984, including Sister Diana Ortiz in 1989, Griffith Davis in 1985, and Nicholas Blake in 1985. Further, detailed questions were raised by the IOB concerning dissemination practices, the U.S. intelligence relationship with Guatemala, and the process for validating sources of information. The CIA, Department of Defense (DoD), and State Department IGs were asked to address these matters in their investigations insofar as they were applicable to those agencies.

10. [REDACTED]

Finally, at the request of the IOB, the investigation was expanded further to include allegations that CIA was concealing documents by sending them to former employees.

11. IG Reports of Investigation are usually issued individually and present each case independently. Because of the nature and scope of the issues presented in connection with the Agency's activities in Guatemala, a multi-volume approach is desirable to present the individual cases, but an overview is also necessary to present the overall portrait they present of Agency activities in Guatemala.

12. Volume One, with Exhibits A through G, presents such an overview. It describes the context within which the events occurred, provides the basic facts of the individual cases, discusses the general allegations that have been made regarding the Agency and the activities it has conducted in Guatemala and presents conclusions and recommendations. The Exhibits outline the legal and policy framework within which the Agency operated.

13. Volume Two is a Report of Investigation concerning the alleged dispersal and concealment of CIA records related to Guatemala. Volumes Three through Six present findings regarding questions raised by the ADCI, Congress, the IOB, and the OIG itself. Each volume focuses on one subject: III--Alpirez; IV--DeVine; V--Bamaca; and VI-- [REDACTED]. These individual cases feature common elements and relate to similar themes. The individual volumes are presented in a manner that allows consideration of their

separate findings, but the overview promotes consideration of the interrelationships between them. Volume VII includes an Index and Glossaries.

14. The scope and nature of CIA's [REDACTED] in Guatemala, i.e., the remainder of the intelligence relationship referred to in the IOB's Terms of Reference, will be the subject of a separate investigation and will be described in a separate IG report. Also remaining to be investigated are the questions of (a) what information was available to CIA regarding other human rights abuses of U.S. citizens in Guatemala since 1984; and (b) the Agency's relationship with [REDACTED] allegedly involved in human rights abuses in Guatemala.

PROCEDURES AND RESOURCES

15. The investigation initially involved two investigators from the Investigations Staff of CIA's Office of Inspector General, who began in January by reviewing files and interviewing knowledgeable employees regarding [REDACTED] Alpirez. By early April, the IG had expanded the effort to include an investigative team of 17 Investigators. An April 3, 1995 tasking memorandum from the IG to the Deputy Director for Administration, Deputy Director for Intelligence, Deputy Director for Operations (DDO), Deputy Director for Science & Technology, General Counsel, Director of Congressional Affairs (D/OCA), Director of Public Affairs, and the Executive Secretariat requested that all information in the possession of those components that related to [REDACTED] Alpirez, DeVine and Bamaca be made available to the OIG. The components were also instructed to provide any additional relevant information as it was acquired or identified.

16. As a result of these requests and additional searches, over 56,000 pages of materials were reviewed and over 200 interviews were conducted. Interviewees included present and former DCIs and DDCIs, DDOs, Division Chiefs, Chiefs and Deputy Chiefs of

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Guatemala City Station, and Station officers. Regulations and guidance for the collection and handling of information relating to human rights abuses, reporting to Congress and Ambassadors, [REDACTED] were reviewed. Relevant records of the intelligence oversight committees were requested and reviewed insofar as they were available. Present and former members of the committee staffs were interviewed. National Security Council, DoJ, State Department and DoD personnel in the U.S. and at the Embassy in Guatemala were also interviewed, as were a former Ambassador, Mrs. DeVine and the private investigator who investigated the DeVine killing. Efforts to interview Alpirez in Guatemala proved to be unsuccessful. Throughout the investigation, substantial efforts have been made to cooperate with other related investigative activity by the IOB and the Inspectors General of the National Security Agency and the State, Justice and Defense Departments, as well as a special inquiry by the Justice Department.

BACKGROUND

THE SETTING

17. Central America. From the mid-1980's through the early 1990's, the CIA's activities in Central America took place within the context of wars in Nicaragua and El Salvador which spilled over into Honduras; a real, though diminishing, threat of Cuban subversion; and a long civil war in Guatemala. The Agency engaged in [REDACTED]

[REDACTED] throughout the region. By the 1990s, the wars in Nicaragua and El Salvador had ended and peace negotiations were underway to end the diminishing civil war in Guatemala.

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18. Guatemala. Within Guatemala, politically inspired violence was common.* Military-civilian relations were tense.

- ◆ During this period, all factions of Guatemala's political spectrum used violence to further their political and economic interests. Far-right groups, in league with rogue elements of government security forces, were responsible for bomb attacks in Guatemala City and used assassinations to destabilize the Guatemalan Government. The leftist insurgency also engaged in economic sabotage, extortion and murder of military commissioners to bolster its political fortunes. Moreover, prior to the 1990 presidential election, political parties engaged in kidnapping, assault and robbery to raise campaign funds and settle political feuds;
- ◆ Guatemala's emergence as a narcotics transshipment and production center contributed to the deteriorating security situation;
- ◆ Military perceptions of government paralysis in the face of escalating violence and labor strife, as well as the weak civilian response to the insurgency, triggered two abortive coups during President Vinicio Cerezo Arevalo's administration (1986-1991); and
- ◆ In 1993, instability took the form of an effort by then President Serrano to expand his power by suspending the Guatemalan constitution. This effort collapsed when the military divided, which led to the appointment in June 1993 of Ramiro De Leon Carpio to replace Serrano.

* This violence goes back decades. For example, the insurgents are thought to have been responsible for the 1968 assassination of U.S. Ambassador Gordon Mein.

19. The Guatemalan Military. Under Article 244 of the Guatemalan Constitution, the Guatemalan military is the guarantor of the nation. By long-standing practice, the officer corps serves as guarantor of its own status and position. The overwhelming majority of the roughly 2,000 officers in the Guatemalan military enter through the military academy and usually progress in rank by their class. As a corps, they support their classmates and friends and they support the military institution against external challenge. The senior officers in the Guatemalan military today were often field officers during the period of heaviest fighting and worst human rights abuses prior to 1985. Those senior officers are particularly sensitive to human rights charges against their colleagues, in parts because many of the senior officers engaged in questionable conduct as field officers. (See graphic, paaaage 11, explaining the structure and key personalities of the Guatemalan military during the relevant period.)

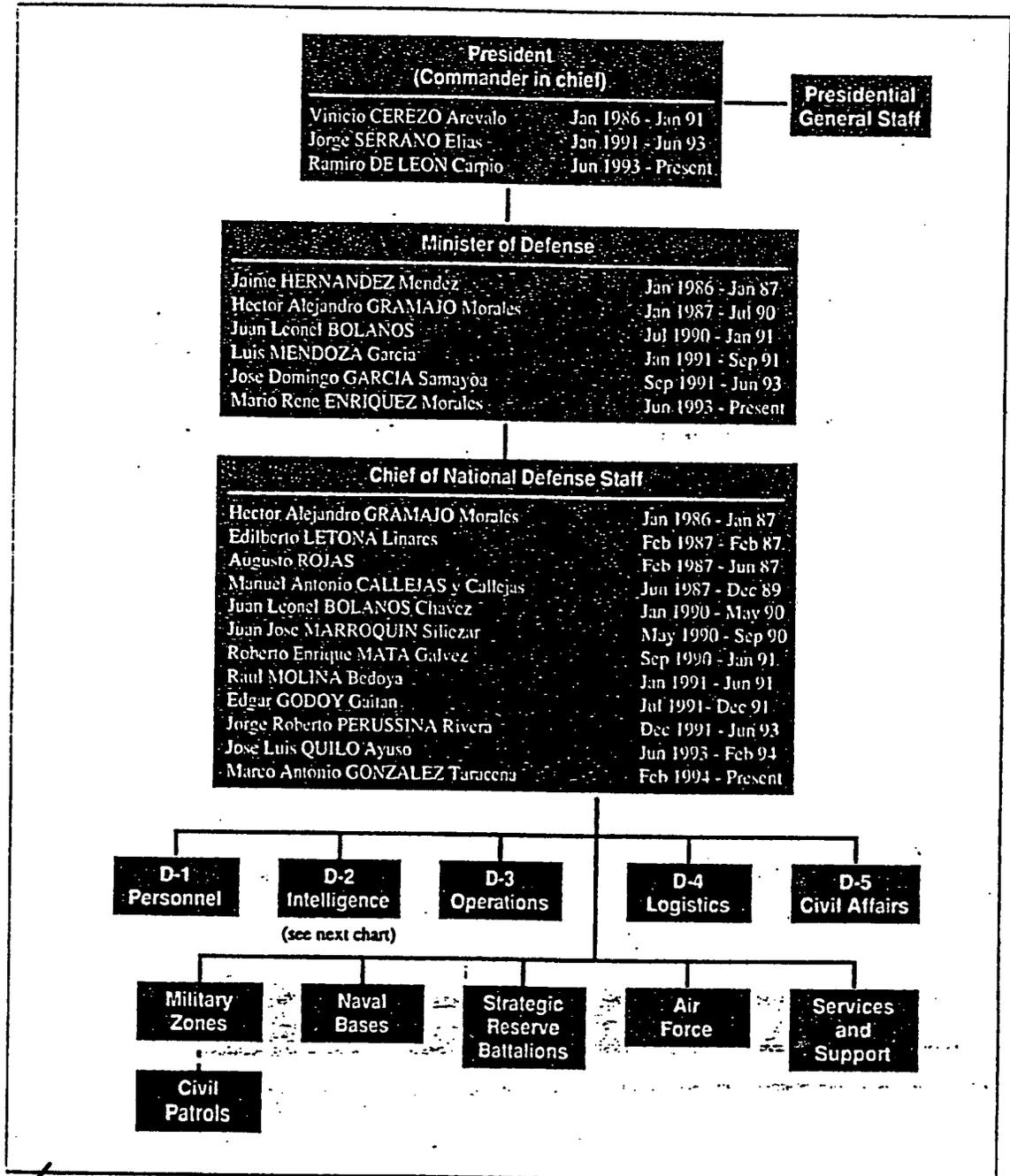
20. The Directorate of Intelligence (D-2) of the Guatemalan National Defense Staff is the national intelligence organization of the Guatemalan Government. Through (a) its headquarters in Guatemala City, (b) staff officers (G-2) in regional military Commands, and (c) intelligence officers (S-2) at the base or local level, the D-2 collects and analyzes information on armed insurgency groups, narcotics traffickers, opposition political parties, potential regional adversaries, and other issues. G-2 officers are under the command of their respective military zone or base commanders but also report directly to the D-2 in Guatemala City. D-2 collection capabilities include an informant network, interrogation of captured insurgents, as well as technical collection and investigative and surveillance teams. (See graphic, page 12, following, indicating the structure and key personalities of the D-2 during the relevant period.)

21. D-2 officers are generally selected from the best military academy graduates or particularly capable field officers. The core of the D-2 is composed of officers who spend their careers in intelligence and consider themselves the elite of the Guatemalan military. They identify themselves as members of the "Cofradia," an Indian term meaning "village elders."

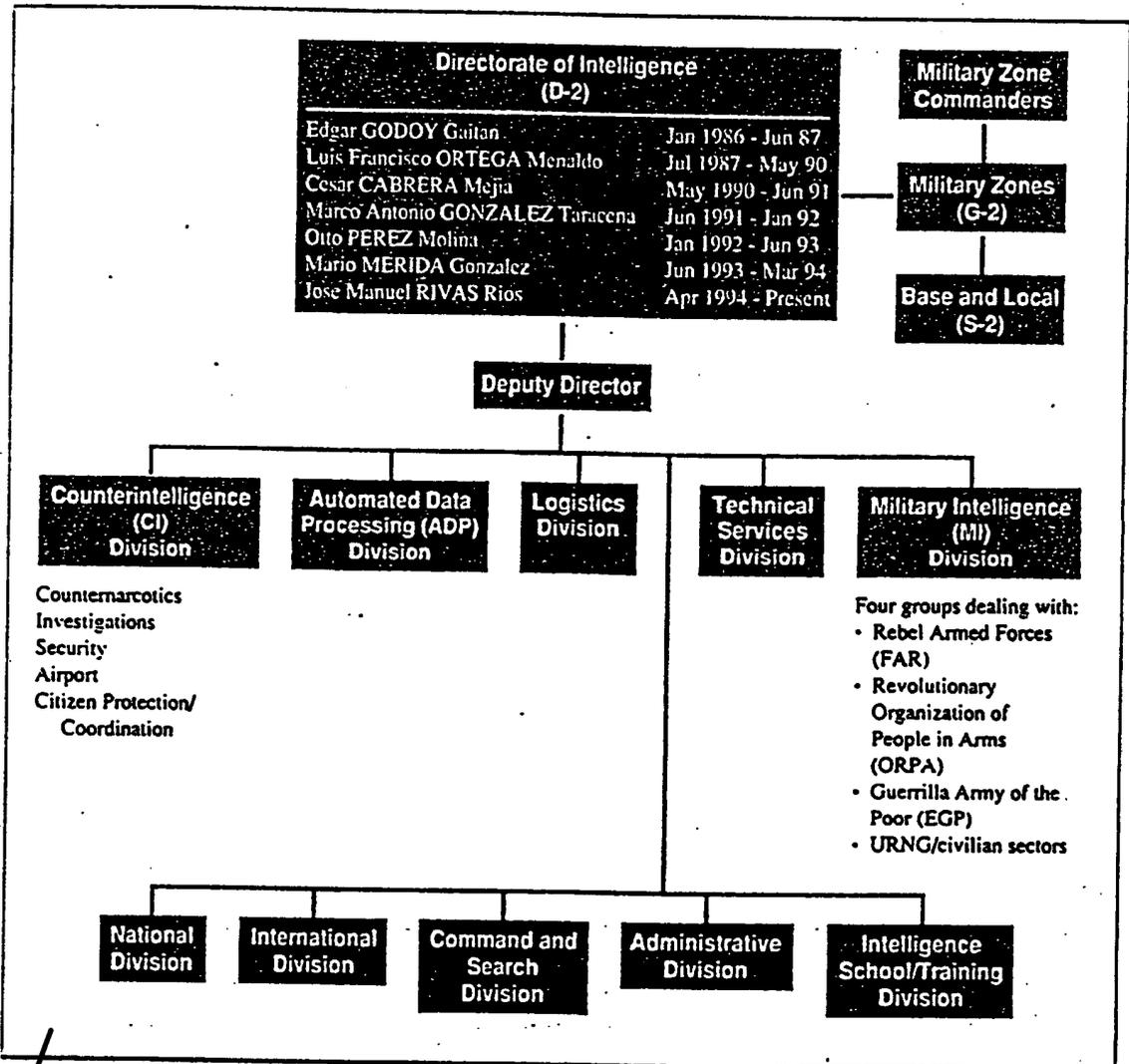
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22. Another important intelligence organization with links to the military and the D-2 was the Department of Presidential Security (DSP), commonly referred to as the "Archivos," or Presidential Security Service. This organization, made up largely of military--including D-2--personnel, reported directly to the President and the Presidential General Staff. In 1993, the DSP was disbanded and replaced by a smaller Center for Analysis. This organization was to be an interim intelligence organization until a civilian-led national intelligence organization could be established. The DSP and its successor are significant because U.S. policy was to promote a democratically-oriented intelligence service and the CIA Station was required to be in close touch with them. [REDACTED] [REDACTED] Alpirez [REDACTED] associated with it.

Guatemalan Military Structure and Key Personalities



Guatemalan Directorate of Intelligence (D-2) Structure and Leadership



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GUATEMALA CITY STATION'S ROLES AND MISSIONS

23. Station Roles.

[REDACTED]

24.

[REDACTED]

[REDACTED]

[REDACTED]

25.

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

26.

[REDACTED]

27.

[REDACTED]

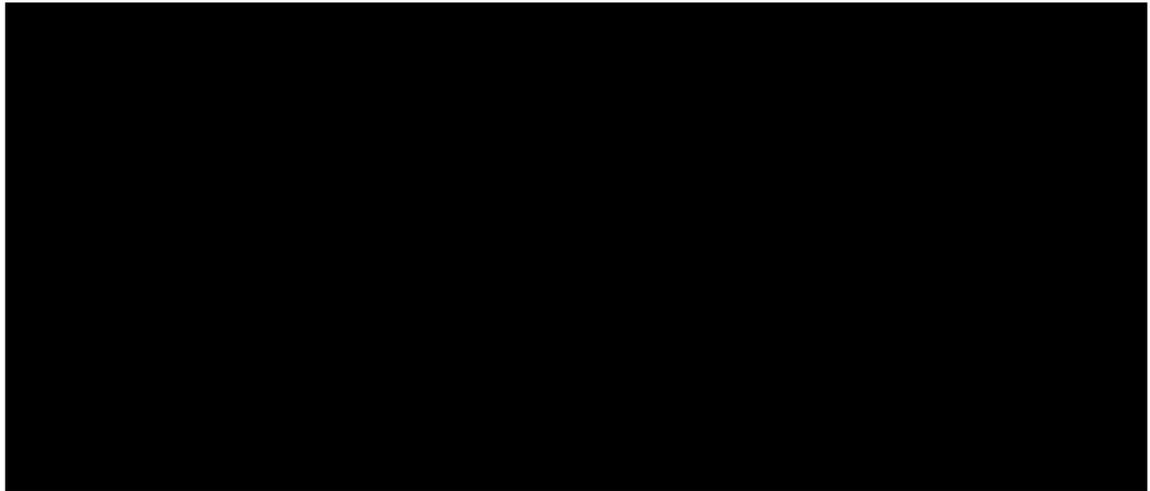
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[REDACTED]

29.

[REDACTED]

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30. Station Missions.



FACTUAL SUMMARY

31. DeVine/Bamaca/Alpirez. Michael DeVine, a U.S. citizen who had lived for some years with his wife near Poptun, Guatemala, was killed on June 8, 1990. A variety of motives for the killing have been proposed since that time. Six Guatemalan soldiers and one officer were subsequently convicted and sentenced to lengthy prison terms for their involvement. However, the officer, Hugo Contreras,

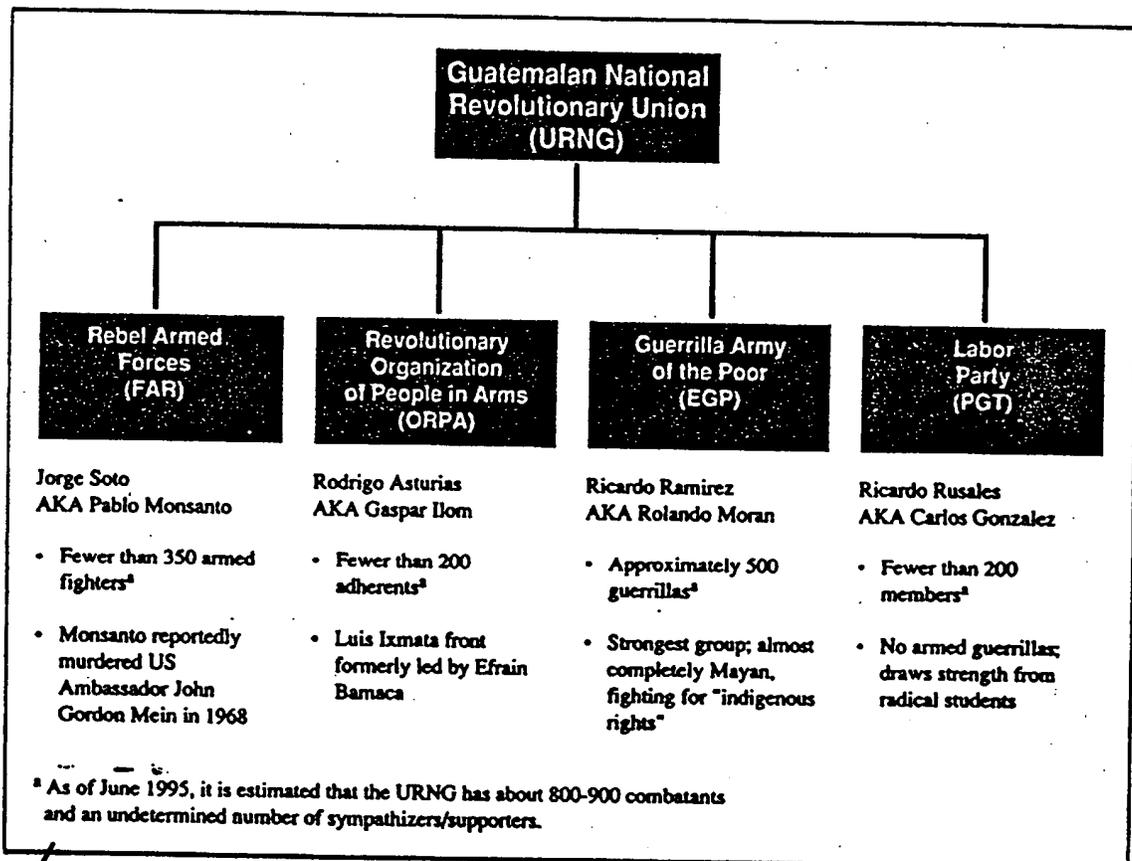
escaped from custody the day of his sentencing and remains a fugitive.

32. Efrain Bamaca Velasquez, also known as Comandante Everardo, was one of the leaders of the Organization of People in Arms (ORPA). ORPA is one of four Guatemalan leftist groups fighting against the Guatemalan Government under the umbrella of the Guatemalan National Revolutionary Union (URNG). (See following URNG Structural Chart.) Bamaca was reported missing in mid-March 1992 after a firefight with Guatemalan Army forces near Nuevo San Carlos in Western Guatemala. Contradictory reports about his fate have circulated ever since. Agency sources have indicated since 1992 that he was captured and cooperated with the Army. Recent reports indicate that senior Guatemalan officials believe he is dead, but his body has never been found.

33. While the death of DeVine and the disappearance of Bamaca were separate events occurring two years apart, they have recently become linked by reports that [REDACTED] Colonel Julio Roberto Alpirez, was involved in both cases. At the time of the Agency's first contact with Alpirez in 1987, he was a Major and Chief of the Presidential Security Department. Because his responsibilities placed him in a position where Agency interaction with him would be required for official purposes, [REDACTED]

[REDACTED]

Guatemala National Revolutionary Union (URNG)



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34. [REDACTED]

[REDACTED] Agency contact with Alpirez was minimal after January 1989 when he departed Guatemala for training at Fort Benning, Georgia and then was assigned to the Special Forces (Kaibil) School near Poptun, an 8-10 hour drive from Guatemala City. At the time of the DeVine killing in June 1990, Alpirez was commander of the Kaibil School.

35. In August 1990, the Station asked [REDACTED] determine if [REDACTED] had any information relating to the DeVine killing. In response, [REDACTED] report that the Guatemalan military had been involved in the DeVine killing and was also covering up its involvement. The resulting Agency intelligence report served as a basis for U.S. Government demarches and the partial suspension of U.S. military assistance to Guatemala.

36. In October 1991, the Agency disseminated an intelligence report that, [REDACTED] Alpirez had [REDACTED] been present at the interrogation of DeVine. This report contradicted earlier information regarding the specific circumstances of DeVine's killing and who was responsible. The report also contained information [REDACTED] that Alpirez had been acting erratically, had killed guerrilla captives and had been transferred for refusing to retract statements about military involvement in the DeVine killing. Neither source alleged that Alpirez actually killed DeVine or that Alpirez ordered DeVine's killing.

37. The October 1991 report that Alpirez had been present at the interrogation of DeVine led to Station and Agency actions to [REDACTED] report the information to the DoJ. On October 18, 1991, [REDACTED] Agency officers initiated the process for submission of a crimes report to DoJ. [REDACTED]

[REDACTED]

[REDACTED] DOJ officials were advised of the allegations about Alpirez on November 18, 1991 and a written crimes report containing the information was submitted in the form of a letter from the Agency's General Counsel on November 19, 1991. Neither the congressional oversight committees nor Ambassador Stroock were informed of [REDACTED] the DOJ referral at this time.

38. [REDACTED]

[REDACTED]

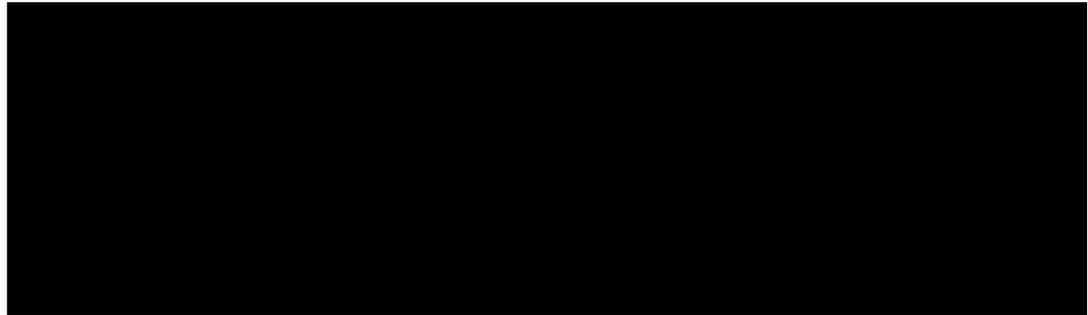
39. In March 1992, Bamaca reportedly was captured by Guatemalan troops assigned to Military Zone 18, the same zone to which Alpirez, ironically, had been assigned [REDACTED]

[REDACTED]
[REDACTED] More than two years passed before the Station received a report, in May 1994, that Alpirez [REDACTED] had personally interviewed Bamaca after his capture and that officers from the D-2 took Bamaca away. On November [REDACTED] 1994, [REDACTED] reported having been told by third parties that Bamaca had been captured alive and interrogated by Alpirez and others, but was now dead. On January [REDACTED] 1995, [REDACTED] reported that he had been told by [REDACTED] that military officers had said that it was known within the senior ranks of the Army that Alpirez was the individual who killed Bamaca.

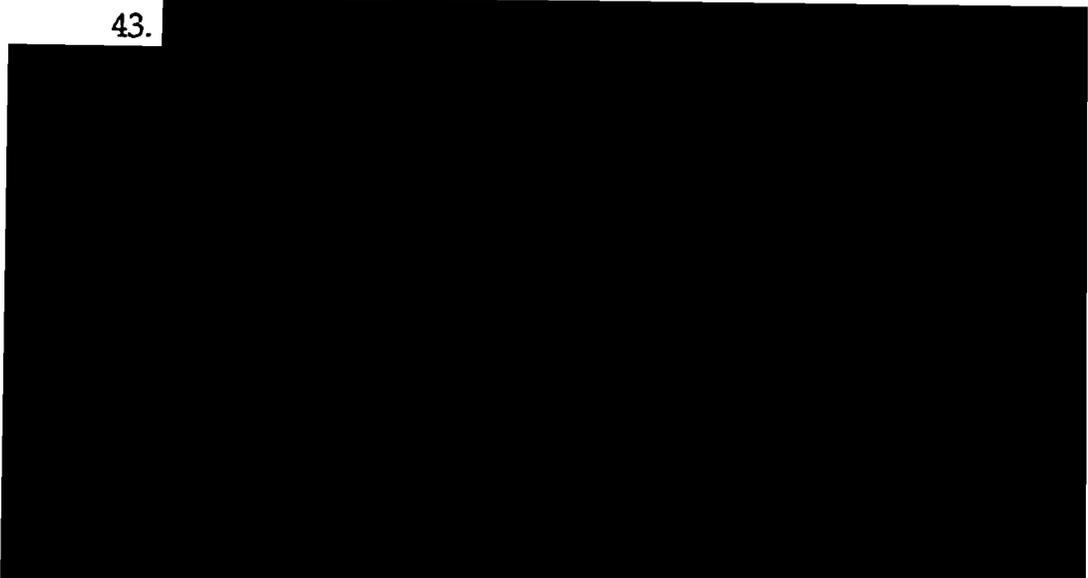
40. [REDACTED]
[REDACTED]

41. [REDACTED]
[REDACTED]

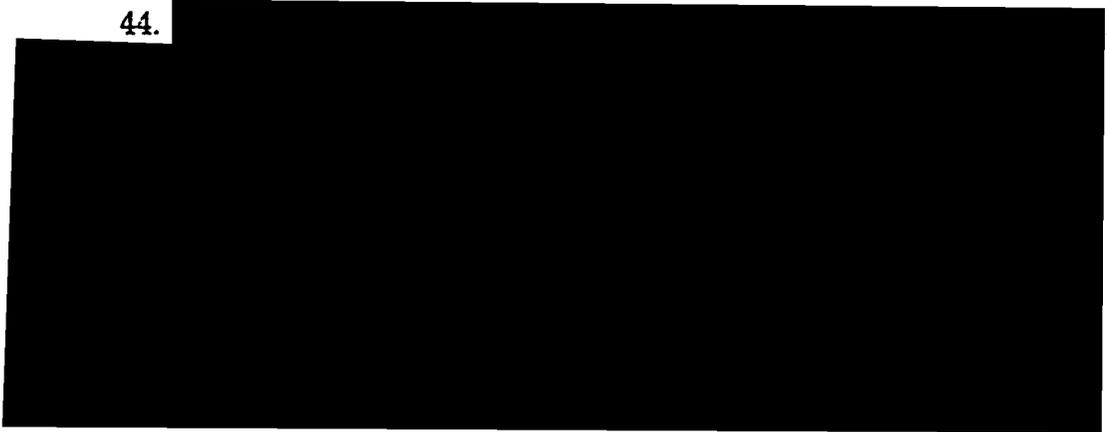
42. [REDACTED]
[REDACTED]



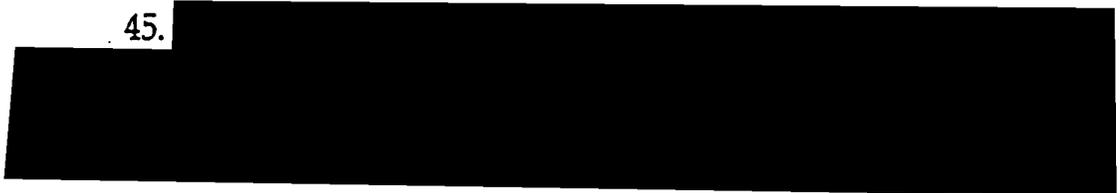
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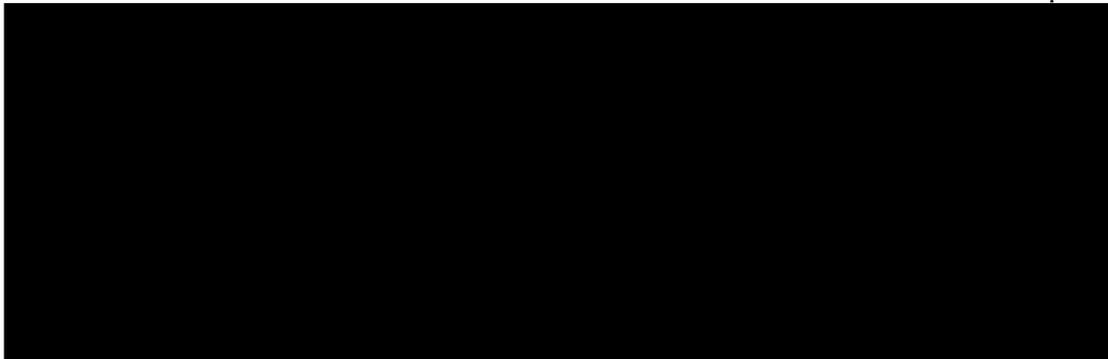
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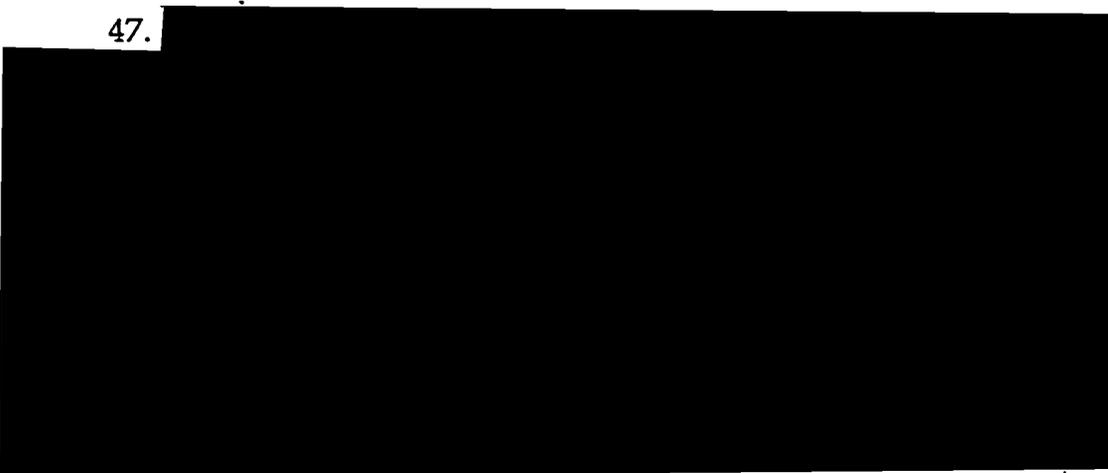
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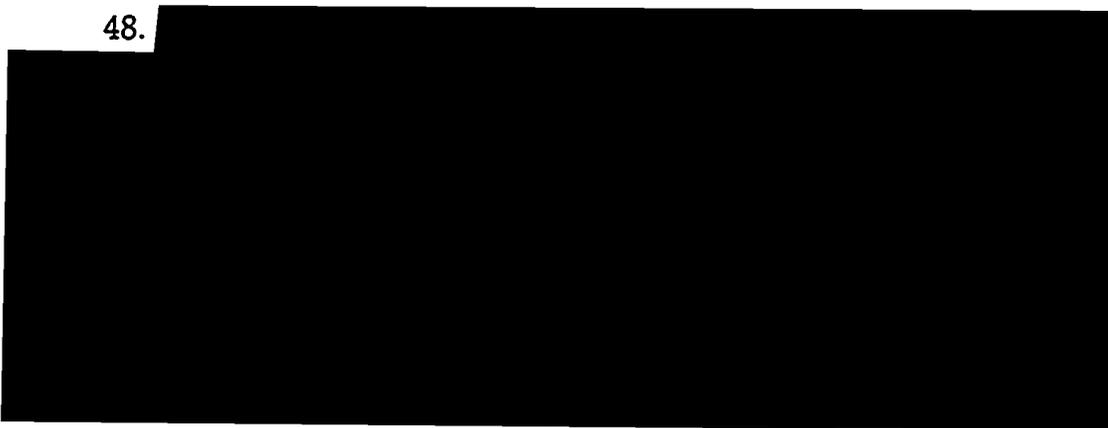
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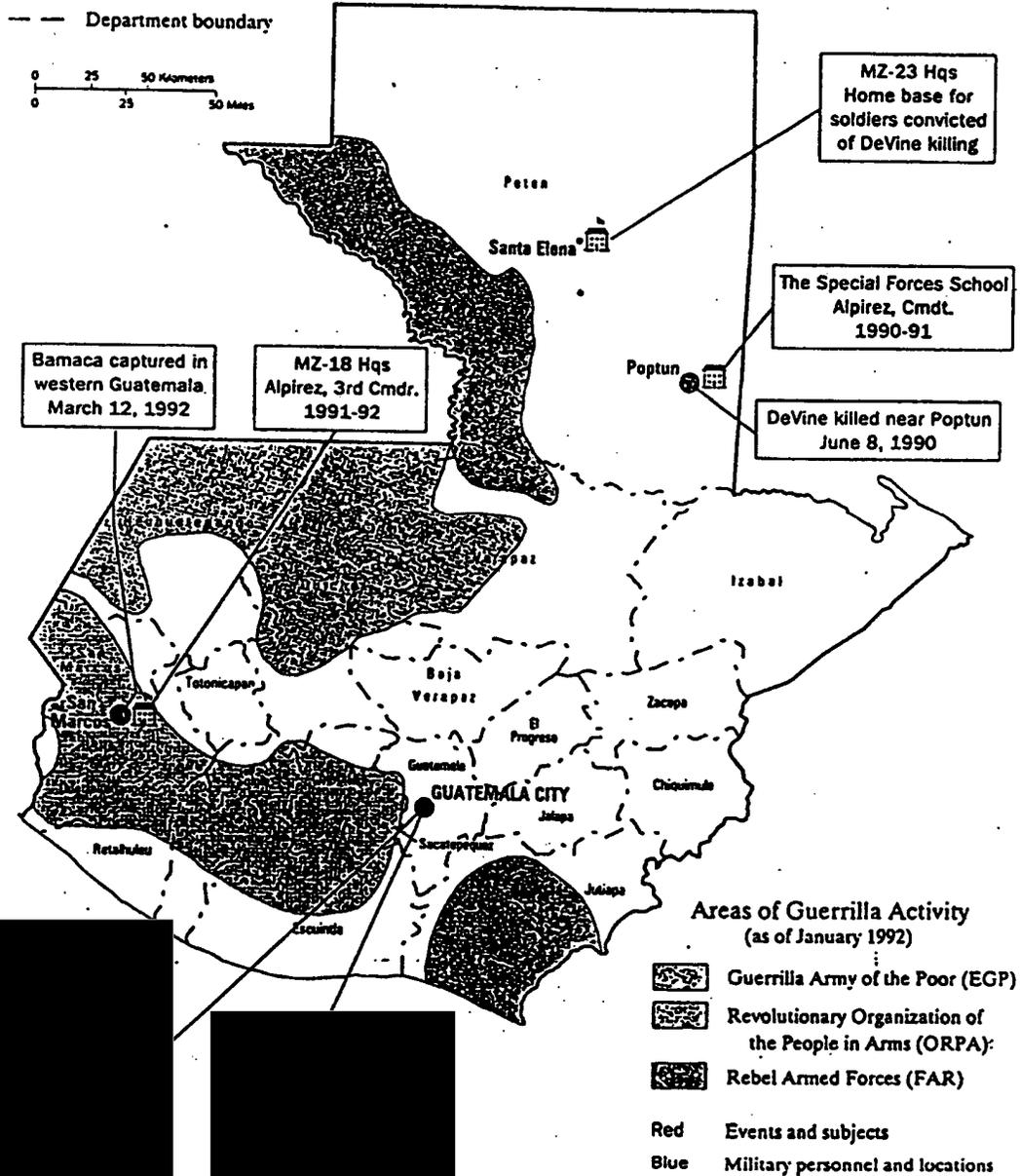
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48.



Guatemala: Alpirez, DeVine, Bamaca, [REDACTED] Key Events and Locations



Secret [REDACTED]

Chronology: Key Events Pertaining to Alpirez, DeVine, Bamaca
[REDACTED]

DATE	KEY EVENTS
December 4	Initial DO guidance on handling human rights cases issued.
[REDACTED]	1988 [REDACTED]
[REDACTED]	1989 [REDACTED]
June 8	DeVine killed
August	[REDACTED] provides information [REDACTED] implicating the military in DeVine killing and a cover-up
[REDACTED]	[REDACTED]
December 21	State Department announces suspension of military aid due to the continued DeVine killing cover-up
[REDACTED]	1991 [REDACTED]
October	Station reports allegations that Alpirez was present at interrogation of DeVine
October 18	Agency initiates the process for submission of a crimes report to DoJ
[REDACTED]	[REDACTED]

CHRONOLOGY
(Continued)

DATE	KEY EVENTS
October [redacted]	Headquarters disseminates October [redacted] report that Alpirez was present at interrogation of DeVine
November 18-19	DoJ officials are briefed and provided formal crimes report regarding October [redacted] allegations. [redacted]
1992	
March 12	Bamaca is reported captured
[redacted]	[redacted]
June 16	[redacted] and October 1991 report alleging Alpirez was present at DeVine interrogation are included in compilation of 10 sanitized reports shown to SSCI Staff members. [redacted]
[redacted]	[redacted]
[redacted]	[redacted]
June 22	SSCI Staff requests information on Agency's human rights policy and reporting
[redacted]	[redacted]
[redacted]	[redacted]
August 5	HPSCI Staff briefed [redacted]
August 7	SSCI Staff briefed on human rights [redacted]
September 29	Six Army specialists convicted in DeVine case
1993	
March 9	Harbury, Bamaca's American wife, requests Embassy help in Bamaca exhumation

CHRONOLOGY
(Continued)

DATE	KEY EVENTS
1994	
January 12	State Department reports Harbury has identified Alpirez as one of two officers who supervised Bamaca's torture
[REDACTED]	[REDACTED]
1995	
[REDACTED]	[REDACTED]
January 25	Station reports allegation that Alpirez was responsible for Bamaca's death
February 3	Intelligence oversight committees briefed on the Bamaca/DeVine cases and [REDACTED]
April 7	DO issues notice on "Reporting Issues of Potential Interest to Congress"

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GENERAL FINDINGS**

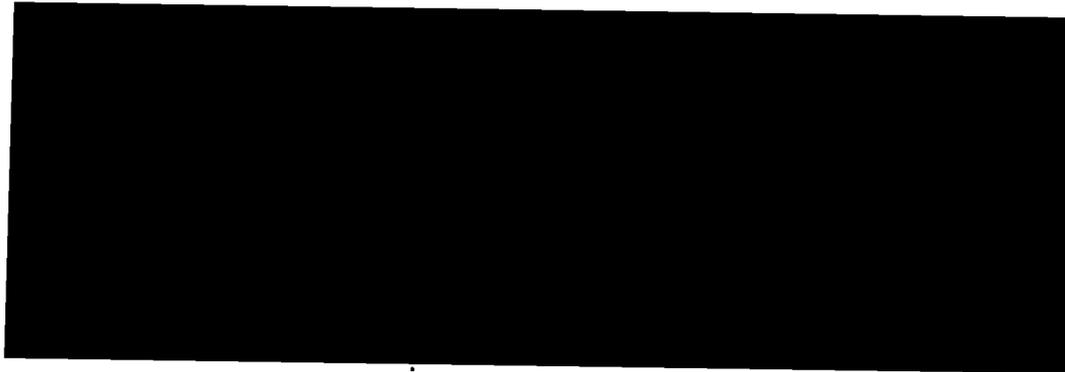
WHY WAS THE CIA IN GUATEMALA? HOW DID THE CIA MISSION RELATE TO AND SUPPORT THE POLICIES OF THE UNITED STATES GOVERNMENT? WAS THERE AN INHERENT TENSION BETWEEN THE MISSION AND THE POLICIES?

51. The CIA was in Guatemala to collect foreign intelligence, the requirements for which were established by the Executive branch in response to National Security Council directives and Presidential findings. The Agency was also engaged in support of [REDACTED] established by a series of Administrations.

52. The human rights-related activities of the Station received substantial scrutiny within the Agency and from the congressional intelligence oversight committees. [REDACTED]

53. [REDACTED]

** The details underlying these general findings are presented in the volumes that follow.



54. However, this resulted in a dilemma for the Agency and Guatemala City Station. In order to fulfill its responsibility for collecting information concerning the human rights policies and practices of the Guatemalan military and intelligence services, the Station was required to establish and maintain very close contacts with a military organization that had a long history of human rights abuses and military personnel who had engaged in such abuses.

DID CIA STAFF PERSONNEL DIRECT, PARTICIPATE IN, OR CONDONE THE KILLING OF U.S. CITIZEN MICHAEL DEVINE OR THE CAPTURE, TORTURE, SUBSEQUENT DISAPPEARANCE AND POSSIBLE DEATH OF GUATEMALAN INSURGENT LEADER EFRAIN BAMACA VELASQUEZ?

55. No evidence has been found to indicate that Agency personnel in any way directed, participated in, or condoned the DeVine killing. [REDACTED]

[REDACTED] The report that Alpirez had been present at DeVine's interrogation did not come until October 1991, over a year after the killing.

56. Nor has any evidence has been found to indicate that Agency personnel in any way directed, participated in, or condoned the capture, torture, subsequent disappearance and possible death of Bamaca [REDACTED]

[REDACTED] it was not until January 1995 that the Agency received information alleging Alpirez had killed Bamaca.

DID CIA PERSONNEL VIOLATE ANY FEDERAL CRIMINAL LAW?

57. No evidence has been found to indicate that any Agency employee encouraged, participated in, condoned, or concealed any action that constituted a potential violation of U.S. criminal law. No evidence has been found that any Agency employee knowingly

misled the congressional oversight committees or deliberately decided to withhold information from them.

DOES AVAILABLE REPORTING ESTABLISH THAT ALPIREZ KILLED MICHAEL DEVINE? THAT ALPIREZ KILLED BAMACA?

58. DeVine. No evidence has been found of any information available to the Agency indicating that Alpirez actually killed or ordered the killing of DeVine. Only the October 1991 report alleges that Alpirez was present during the interrogation of DeVine. The implication of that report is that the interrogation led to DeVine's death in Alpirez's presence. In reaction to this implication, the Agency promptly initiated action to [REDACTED] and report the allegations to DoJ.

59. However, there are substantial grounds to question the credibility of this report. For one thing, it is at variance with most other available evidence regarding the DeVine killing, including that gathered by a private investigator hired by DeVine's wife. In fact, one officer and six enlisted men were convicted in Guatemalan courts for the killing. Alpirez has never been charged with any crime although it seems clear that Alpirez participated in the Guatemalan military's cover-up of the DeVine killing [REDACTED]

60. Secondly, the Station officer who acquired the information from an Agency source in October 1991 states that the disseminated report differs in several respects from the information the source provided him and that the source's meaning was nowhere near as precise as has been implied. [REDACTED]

[REDACTED] This leaves open the question of whether the source meant Alpirez had actually been "present" at the DeVine interrogation itself; or only "present" at the base on or near which the interrogation took place; or, if present at the interrogation itself, was present at the specific point when DeVine died or at some earlier

time. This uncertain meaning and the questions that have been raised by the Station officer regarding the origin of several portions of the report cast doubt on its credibility and value.

61. Bamaca. There is one Agency report that Alpirez killed Bamaca. A Station source reportedly stated in January 1995 that he had been told [REDACTED] that he had been told by [REDACTED] that it was known within the senior ranks" of the Guatemalan Army that Alpirez had killed Bamaca.

62. However, a substantial body of Agency and non-Agency reporting contradicts the January 1995 report. This body of reporting indicates that a military unit within Alpirez's command captured Bamaca in March 1992 and that Alpirez was involved in his initial interrogation. Several reports indicate Bamaca was subsequently taken away for further interrogation by Guatemalan military intelligence. There is much contradictory reporting about Bamaca's eventual fate, but senior Guatemalan officials apparently believe he is now dead. Prior to the January 1995 report, the Agency had no information indicating Alpirez had killed Bamaca. (Agency human rights reporting requirements are explained in Exhibit D to this Volume.)

WHAT INFORMATION DID CIA REPORT CONCERNING THE DEVINE AND BAMACA CASES? WAS THE INFORMATION DISSEMINATED IN A TIMELY AND ACCURATE MANNER TO APPROPRIATE EXECUTIVE BRANCH OFFICIALS? DID CIA SUPPRESS OR DISTORT ANY OF THIS INFORMATION?

63. From 1990 to January 1995, human rights issues in Guatemala were of major concern to the Station [REDACTED]. During this period, the DO at Headquarters issued [REDACTED] related to the DeVine and Bamaca cases. Three of these specifically discussed the circumstances surrounding the DeVine killing and nine specifically related to the capture and subsequent treatment of Bamaca.

64. This reporting provided much unique information, including:

- ◆ the first credible, direct indication of Guatemalan military involvement in the DeVine killing and its cover-up;
- ◆ the initial information concerning the capture of Bamaca; and
- ◆ the first indication that Bamaca may have been alive immediately after his capture.

65. Agency reporting on the DeVine and Bamaca cases was a major factor in U.S. diplomatic demarches to the Guatemala Government. The reporting detailed the involvement of the Guatemalan military in human rights abuses generally and the military's efforts to evade and conceal its responsibility for them. Further, it provided insights into the interaction of [REDACTED] civilian authorities and the military on human rights issues, including internal Guatemalan political dynamics that resulted from the pressure being applied to the Guatemalan Government by the U.S. regarding human rights policies.

66. Almost without exception, the reporting on the DeVine and Bamaca cases was delivered in a timely manner to the appropriate consumers in the Executive branch. There were several instances, however, where information was delayed or disseminated in an incomplete manner due to concerns about source protection. In addition, key customers such as U.S. Ambassadors to Guatemala were not made aware of [REDACTED]

67. While there were delays of a few days in certain instances, most information relating to Alpirez, Bamaca and DeVine that was collected by the Agency was provided to

appropriate Executive branch consumers in a timely manner. Some of these delays were due to the process necessary to convert sensitive Station reports into a more appropriate format for dissemination. Other delays, for example, [REDACTED]

[REDACTED] were due to Station concerns about source protection.

68. [REDACTED]

[REDACTED] A few sensitive reports were provided to the Ambassador after Headquarters review. In Washington, most reporting was broadly distributed. A few sensitive reports were disseminated to a small number of officials, but all were routinely provided to the Assistant to the President for National Security Affairs, the Director of the Defense Intelligence Agency (DIA), and the Assistant Secretary of State for Latin American Affairs or the Assistant Secretary of State for Intelligence and Research. The FBI and DoJ were provided those that appeared to be responsive to their interests.

69. [REDACTED] regarding reporting delays by Guatemala City Station in 1994, [REDACTED]

[REDACTED] the COS was reprimanded. He was subsequently removed from his position after the January 1995 report that Alpirez had been responsible for Bamaca's death was delayed several days.

WHAT WAS THE NATURE AND RELIABILITY OF THE SOURCES FROM WHOM THE CIA OBTAINED INFORMATION CONCERNING DEVINE, BAMACA, ALPIREZ, [REDACTED]

70. A detailed review of sources related to DeVine, Bamaca, Alpirez, [REDACTED] indicates that only a few can be considered

[REDACTED] This means that, either at the time or in retrospect, the accuracy and validity of important reporting from those sources is open to question. [REDACTED]

◆ [REDACTED]

◆ [REDACTED]

[REDACTED]

71. [REDACTED]

[REDACTED]

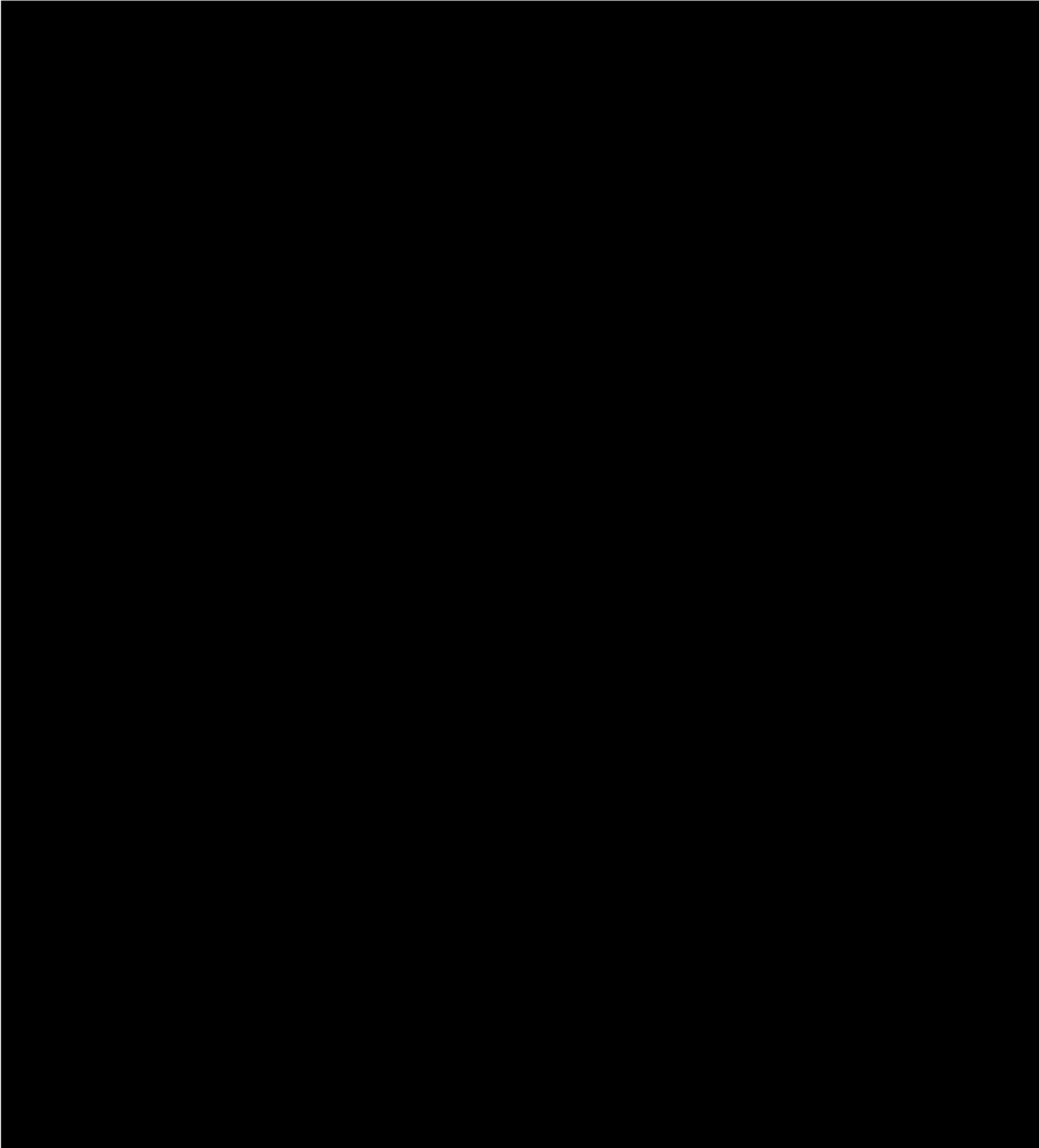
72. There was also a lack of systematic analysis at the Station and Headquarters regarding the chain of acquisition of information provided by sources. Both the Station and Headquarters frequently failed to verify facts or pursue

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further details from sources. There was also a lack of attention to, and a disregard of, potential source biases.

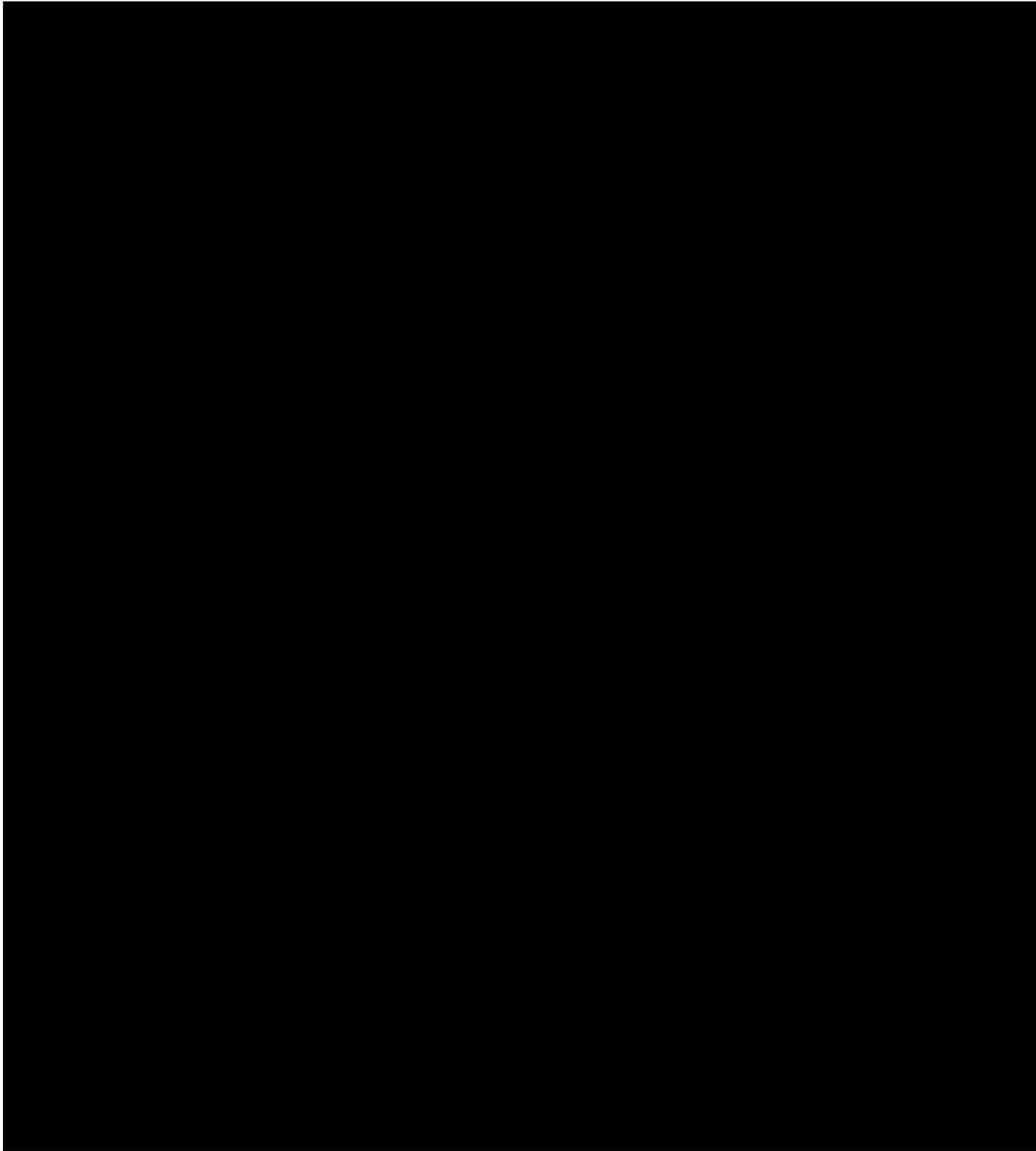
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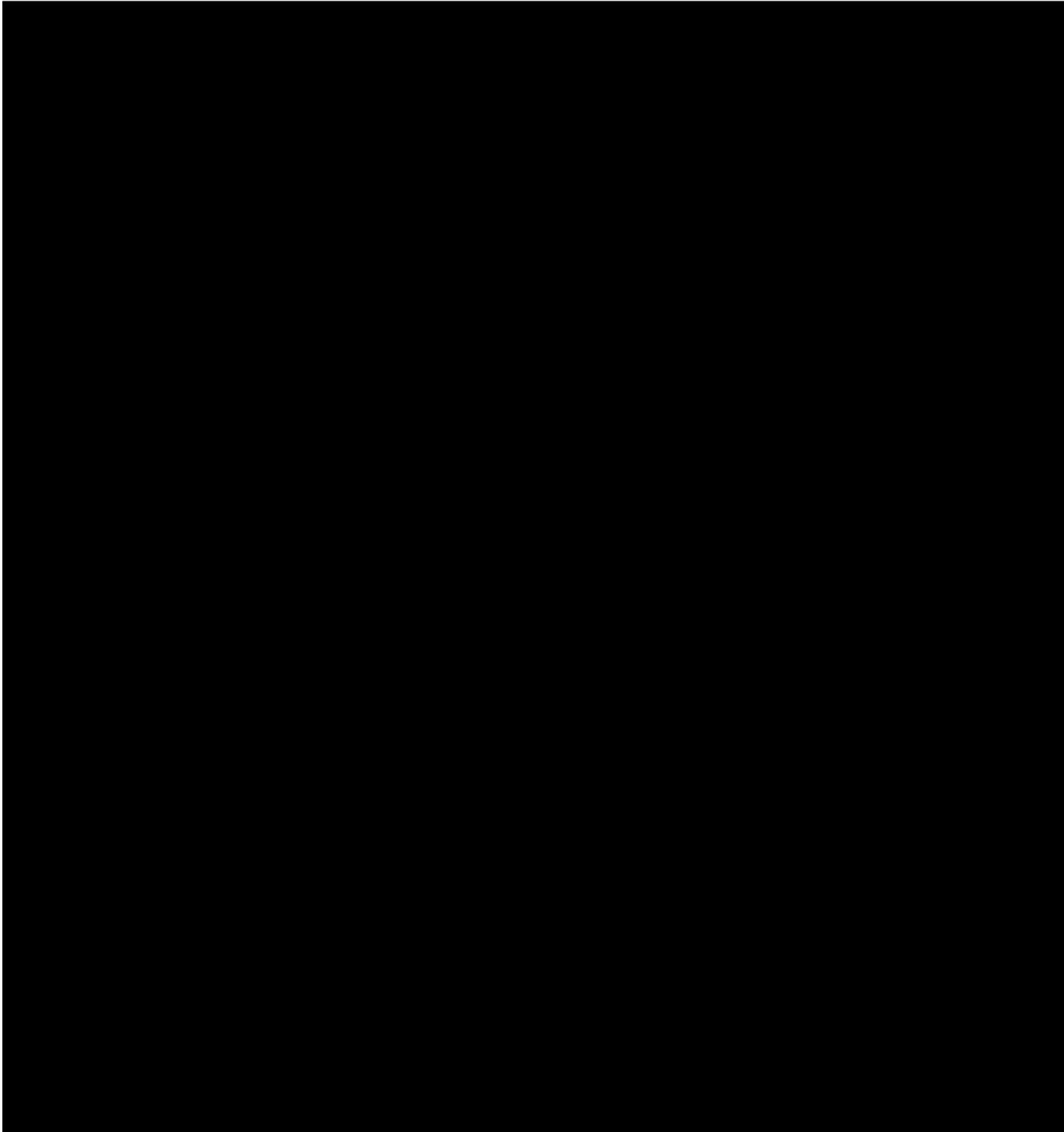
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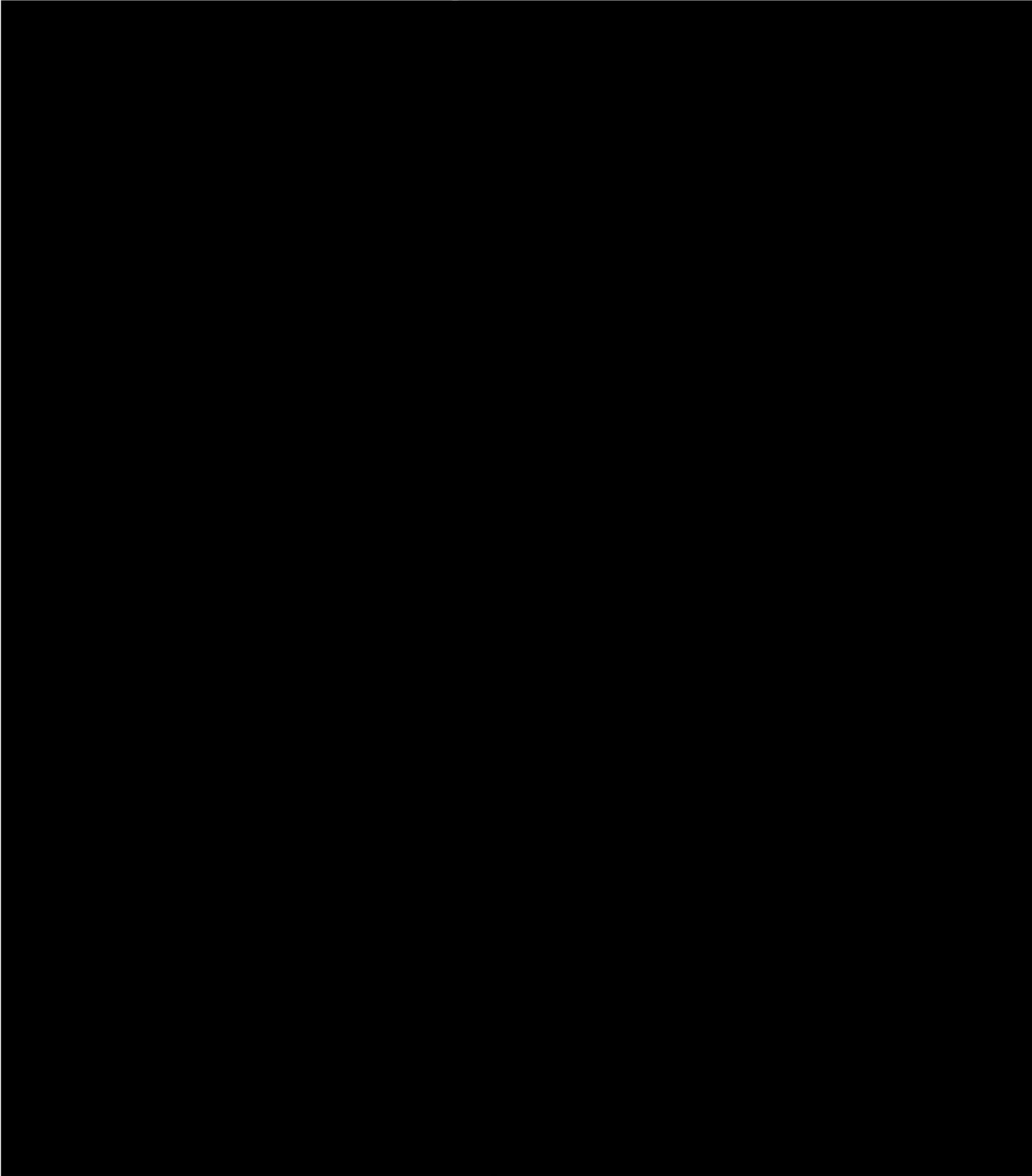
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HOW WELL DID THE AGENCY'S GUATEMALA CITY STATION AND LATIN AMERICA DIVISION HANDLE REPORTING ON DEVINE, BAMACA, ALPIREZ,

[REDACTED]

73. A review of the relevant reports from Guatemala City Station indicates a number of cases where, either at the time or in retrospect, the handling of key reports regarding Alpirez, Bamaca, DeVine, [REDACTED] is open to criticism. Some examples include:

[REDACTED]

◆ [REDACTED]

◆ [REDACTED]

◆ [REDACTED]

◆ [REDACTED]

- ◆ [REDACTED]
- ◆ [REDACTED]
- ◆ [REDACTED]

Alpirez-October 1991 DeVine Report

- ◆ On October [REDACTED] 1991, the Station reported to Headquarters information obtained from a source alleging that Alpirez had [REDACTED] been present at the interrogation of DeVine and another source alleging that Alpirez was acting bizarrely, was violent and had killed guerrilla prisoners.
- ◆ The disseminated report did not note that [REDACTED] thus coloring not only the credibility [REDACTED] but also the dependability [REDACTED] of it as well.
- ◆ [REDACTED]
- ◆ [REDACTED] the first source said that Alpirez was in the area at the time, not that Alpirez was actually present at DeVine's interrogation as is stated in the report to Headquarters and the disseminated version.

◆ [REDACTED]

◆ [REDACTED]

- ◆ The second source whose information is included in the October 1991 report received the allegations about Alpirez's character and conduct from unidentified subsources [REDACTED]

Alpirez-January 1995 Bamaca Report

- ◆ On January [REDACTED] 1995, the Station obtained information alleging that Alpirez killed Bamaca from a source who had been told about [REDACTED] conversation [REDACTED]

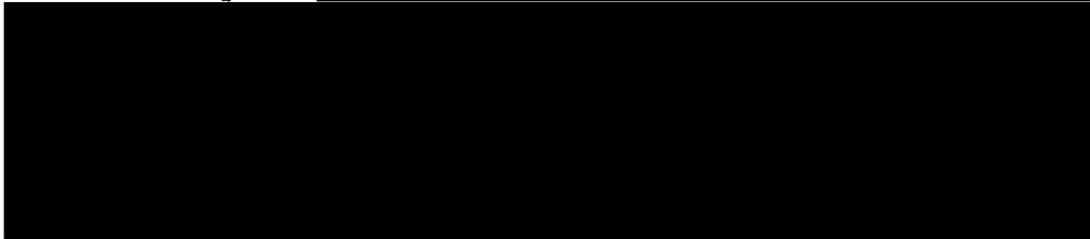
[REDACTED] reportedly said "it was known within the senior ranks" of the Guatemalan Army that Alpirez had killed Bamaca, but no one had done anything about it. [REDACTED]

- ◆ [REDACTED] At the time the report was acquired, the Station and Division had access to previous, conflicting reporting about Bamaca's fate from the same [REDACTED] that did not mention Alpirez at all:

- In July 1993, the same [REDACTED] reported to the source that Bamaca was alive, just as former guerrillas were saying publicly at that time; and
- On January [REDACTED] 1995, the same [REDACTED] told another Guatemalan officer who reported to an Agency source that Bamaca had committed suicide.
- ◆ Neither the Station nor the Division made any effort to resolve the conflicts in the [REDACTED] statements regarding Bamaca's fate before disseminating the report, nor did the Station note the differences in earlier reports from the same officer in the disseminated report. In addition, the information was at least fourth-hand when acquired by the Agency.



74. Alpirez. [REDACTED]



75. [REDACTED] reports were received between June 1988 and June 1992 that he may have somehow been involved in narcotics trafficking. These reports were vague, uncorroborated and appear not to have been sufficiently credible [REDACTED]

[REDACTED] No additional derogatory information was received regarding Alpirez until the October 1991 allegations that he was present at the interrogation of DeVine.

76. [REDACTED]

77. [REDACTED]

WHAT ACTIONS DID CIA TAKE AFTER RECEIVING ALLEGATIONS THAT ALPIREZ [REDACTED] WERE INVOLVED IN HUMAN RIGHTS VIOLATIONS?

78. Alpirez, [REDACTED] October 1991, the Agency received the report that Alpirez had been present at the interrogation of DeVine. The Station and Agency reacted to this information as follows:

- ◆ The report was submitted to Headquarters for dissemination on October [REDACTED] Deputy Chief of LA Division [REDACTED] brought the matter to the attention of the Chief of LA Division;

◆ [REDACTED]

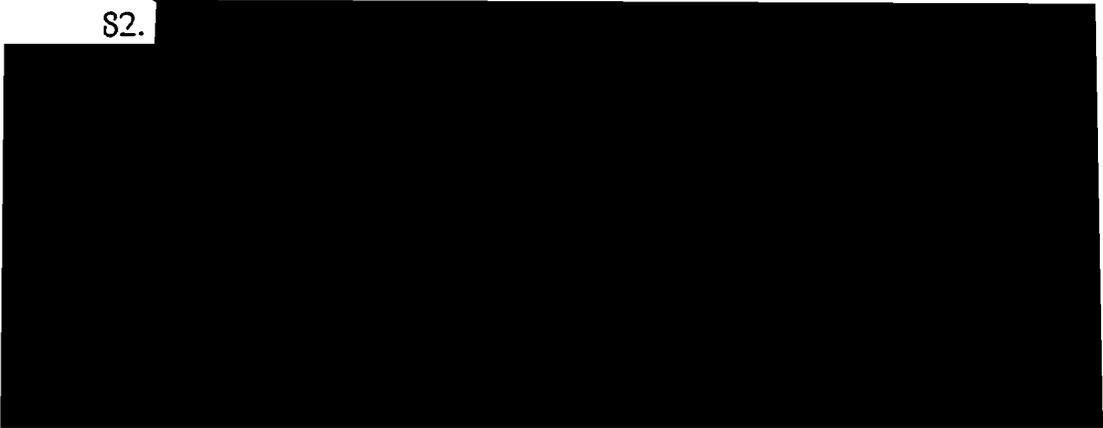
- ◆ The report was disseminated to officials at the White House, State Department, DIA, Federal Bureau of Investigations, DoJ, and to the Ambassador in Guatemala on October [REDACTED] 1991;
- ◆ [REDACTED]
- ◆ Justice Department representatives were briefed on November 18, 1991 and were sent a formal crimes report, based on the October report, on November 19, 1991.

79. [REDACTED]

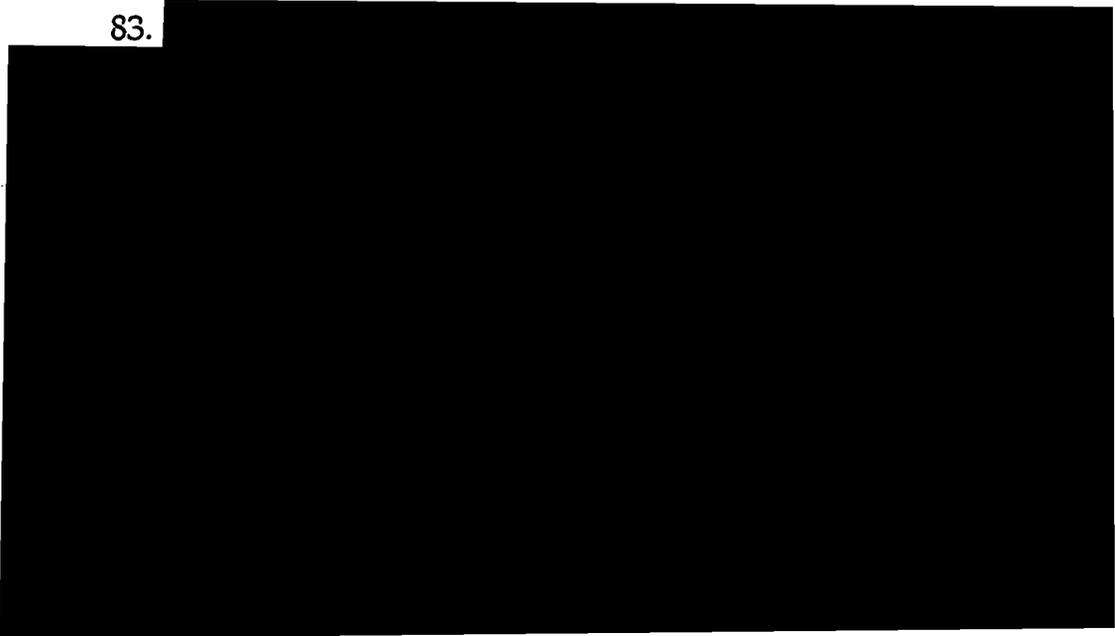
80. [REDACTED]

81. [REDACTED]

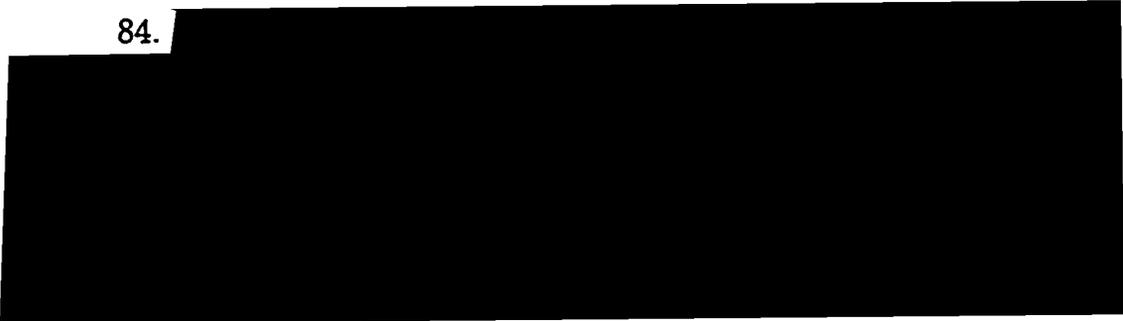
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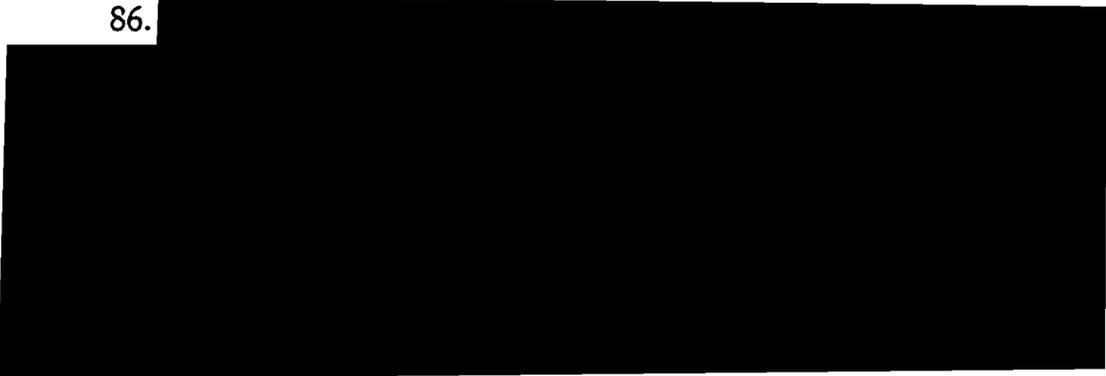


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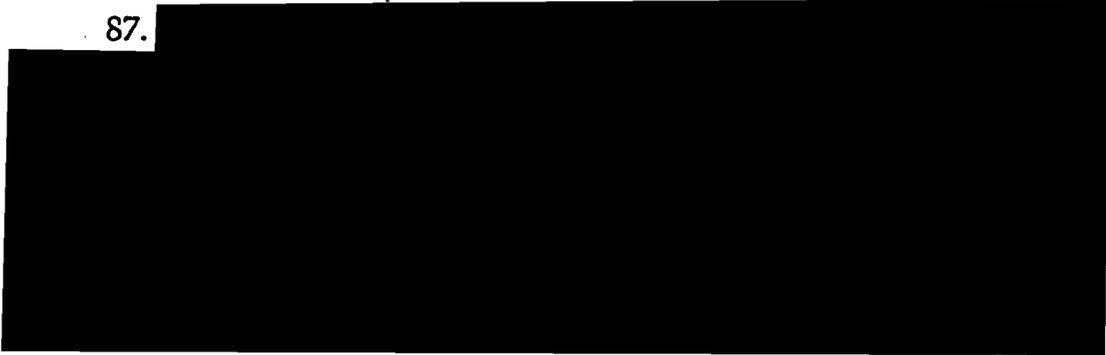




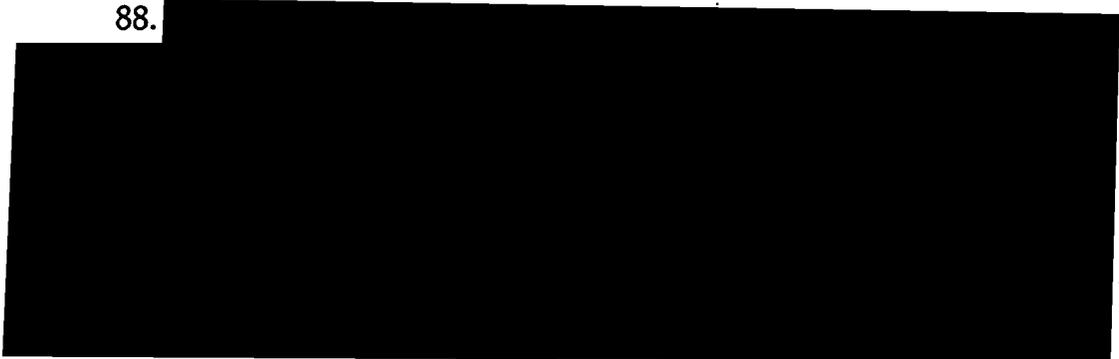
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88.



[REDACTED]

- ◆ [REDACTED]
- ◆ [REDACTED]
- ◆ [REDACTED]
- ◆ [REDACTED]

89.

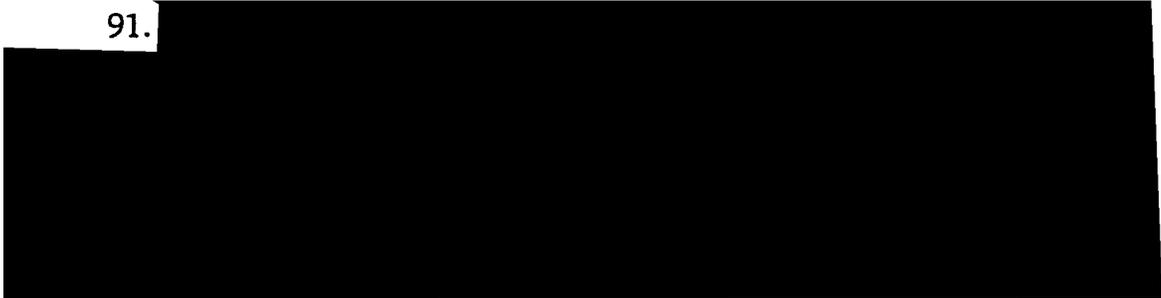
[REDACTED]

90.

[REDACTED]



91.



92.



93.



[REDACTED]

*DID THE AGENCY APPROPRIATELY INFORM CONGRESS ABOUT [REDACTED]
[REDACTED] ALPIREZ [REDACTED] ALLEGED
INVOLVEMENT IN HUMAN RIGHTS ABUSES?*

94. Senior Agency officials acknowledge that the Agency should have notified Congress [REDACTED]. The same senior officials, specifically including the then-DDO, also accept responsibility for not doing so. (Agency obligations to notify the committees are explained in Exhibit C of this Volume.)

95. Alpirez-DeVine: No evidence has been found to indicate that the Agency formally notified the congressional intelligence oversight committees of the October 1991 report that Alpirez was allegedly present at the interrogation of DeVine [REDACTED]. There is evidence that some DO officers who were aware of that report recognized that it should be reported to the oversight committees and made preparations to do so at that time. Virtually all of the key officers were familiar with the most contentious aspects of Central American programs through the 1980's and were well aware of the need for congressional notification and the consequences of not doing so. However, those preparations did not result in such notification.

96. No evidence has been found that any Agency personnel advocated not notifying the committees of the October 1991 report nor that any Agency personnel decided not to inform the committees. Such notification was especially pertinent since the October 1991 report was treated so seriously by the Station and Headquarters and led to a formal crimes report to DoJ [REDACTED]. No satisfactory explanation has been provided as to why congressional notification of the October 1991 report [REDACTED] was not accomplished, but

those who were involved state that it was forgotten in the course of business when no one took clear charge of ensuring that notification was made.

97. On at least two specific occasions in the year after the Agency received the October 1991 report, congressional interest in Guatemalan human rights issues came to the attention of senior LA Division and Agency managers. [REDACTED]

[REDACTED]

Further, in the summer of 1992, a compilation of ten human rights reports on Guatemala was prepared to be shown to SSCI staff members after DO representations that it was receiving good reporting from Guatemala regarding human rights. The October 1991 report alleging Alpirez presence at the DeVine interrogation was included and that compilation was reviewed by senior LA Division and DO managers prior to being shown to the SSCI staff.

[REDACTED]

98. Alpirez-Bamaca. By contrast, the Agency quickly informed Congress of the January 25, 1995 report alleging that Alpirez had killed Bamaca. In that report, an Agency source said he had been told by [REDACTED] had said that "it was known within the senior ranks" of the Guatemalan military that Bamaca was killed by Alpirez. On January 26, 1995, CIA officers met with representatives of the National Security Council, State, the Vice President's office, and DoJ to discuss the report and a demarche to Guatemala. The Agency officers raised their responsibilities regarding notification of Congress at that meeting. The CIA personnel were asked to defer

congressional notification pending development of an Administration strategy and the forwarding of a demarche to the Guatemalan Government. On February 3, the Agency was permitted to notify the committees and notified HPSCI Chairman Combest and Ranking Democrat Dicks. An SSCI staff member was also briefed on February 3. Additional information was provided to the committees in the form of documents and briefings through February and March of 1995.

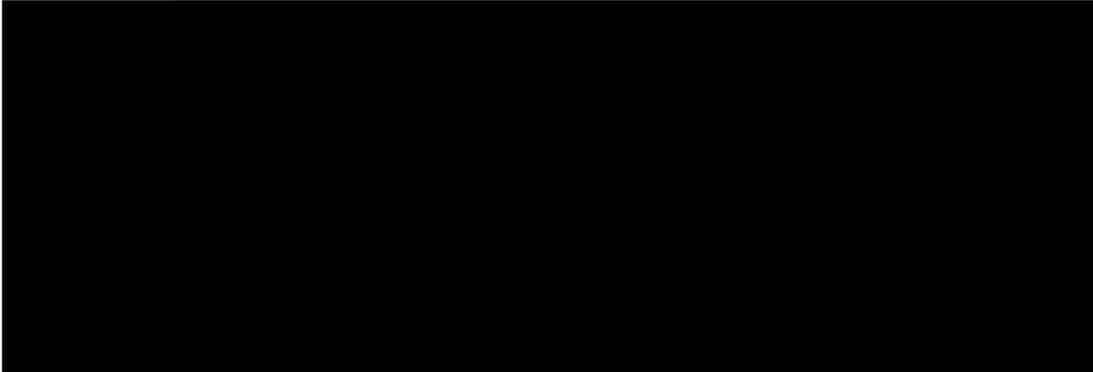
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DID CIA KEEP THE U.S. AMBASSADORS TO GUATEMALA APPROPRIATELY INFORMED ABOUT [REDACTED] ALPIREZ AND [REDACTED] ALLEGED INVOLVEMENT IN HUMAN RIGHTS ABUSE?

102. Obligations to the Ambassador. The framework for the relationship between the COS and Ambassador contains two sometimes conflicting principles:

- ◆ the Chief of Mission (COM), acting under the direction of the President, is responsible for coordinating and supervising all U.S. personnel in his country; and
- ◆ the DCI is responsible for protecting intelligence sources and methods. (This framework is explained in Exhibit E to this Volume.)

103. Agency guidance interpreting this framework has emphasized its flexibility and has placed considerable responsibility on the COS to apply the requirements based on the local situation and the COS's relationship with the COM. [REDACTED]

◆ [REDACTED]

◆ [REDACTED]

104. December 1994 Agency guidance [REDACTED]

[REDACTED] was somewhat less restrictive [REDACTED]

The guidance advised that, if misunderstandings arise and local efforts fail, the issue could be raised with Headquarters but that "this should be rarely necessary." The DO considers COS's to be experienced officers who should be able to resolve conflicts between the written guidance and the needs of the Ambassador.

105. [REDACTED]

- ◆ [REDACTED]
- ◆ [REDACTED]
- ◆ [REDACTED]

106. In late 1994, Ambassador McAfee became increasingly concerned that she had not been shown key intelligence and that the Station was engaged in a pattern of protection of programs and assets that denied her information relevant to the policy judgments she had to make. This perception that CIA was suppressing information was supported, in part, by the conduct of the then-COS. [REDACTED]

[REDACTED]

DID CIA PERSONNEL SEND CLASSIFIED DOCUMENTS RELATING TO GUATEMALA TO FORMER AGENCY EMPLOYEES SO THAT THOSE DOCUMENTS WOULD NOT BE AVAILABLE TO INVESTIGATORS REVIEWING AGENCY ACTIVITIES IN GUATEMALA?

107. On April 18, 1995, a question was raised at a Presidential press conference alleging that classified documents were being sent by mail to retired Agency employees in order to conceal them from investigators. The Chairman of the IOB, on May 11, 1995, related this allegation to the Guatemala investigation and requested that the CIA IG look into the matter.

108. No evidence has been found to indicate any effort by CIA personnel to remove, dispose of, or destroy classified Agency documents to avoid any investigation. The allegation may be attributable to the Agency's provision in March 1995 of copies of classified documents concerning Guatemala to former Directors of Central Intelligence for background purposes in order to assist them in responding accurately to inquiries from the media.

WHY DID THE AGENCY NOT PROVIDE INFORMATION IT COLLECTED TO THE DEVINE FAMILY OR BAMACA'S AMERICAN WIFE?

109. The DeVine family and Bamaca's American wife acquired substantial information about their respective concerns from private sources, the Guatemalan Government and the U.S. Government. The Agency's mission is to collect information pertaining to U.S. foreign policy and other interests abroad for analysis and provision to official consumers. While the Agency collects information regarding terrorism generally, it is under no general requirement to collect information regarding threats or harm to U.S. citizens abroad or to disclose clandestinely collected information to families of U.S. citizens who may have been murdered, captured, imprisoned, or are missing abroad.

110. Agency information about assassination threats or harm to U.S. citizens can be indirectly conveyed through State Department personnel and Agency-derived and reported information may have served as background and to verify facts conveyed in discussions between Ambassadors Stroock and McAfee and Mrs. DeVine and Bamaca's American wife, Jennifer Harbury. Freedom of Information requests from Mrs. DeVine and Harbury are currently being processed by the Agency according to standard procedures.

DID CIA'S FAILURE TO NOTIFY DOJ OF REPORTS IMPLICATING ALPIREZ IN NARCOTICS TRAFFICKING HINDER THE ATTORNEY GENERAL'S ABILITY TO DETERMINE WHETHER THE DEVINE MURDER WAS POLITICALLY MOTIVATED? SHOULD THE REPORTS HAVE BEEN PROVIDED TO DOJ UNDER EXISTING CRIMES REPORTING PROCEDURES?

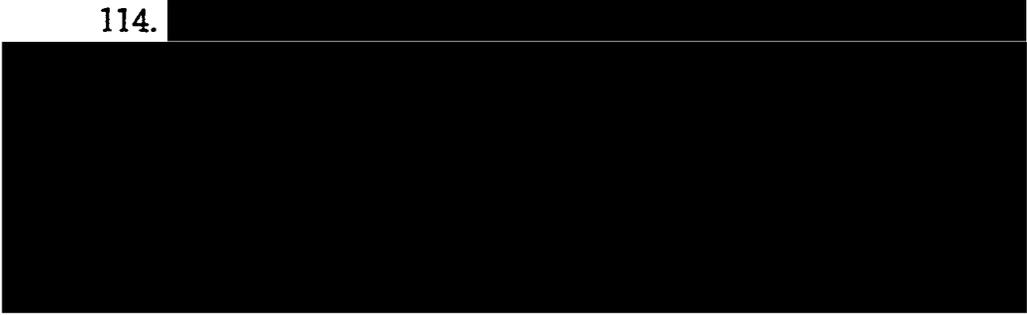
111. A May 4, 1995 letter to the CIA Inspector General from Congressman Robert Torricelli stated that a "former Drug Enforcement Administration employee" alleged that the DeVine murder was politically motivated, and that DeVine was murdered because he had discovered a drug operation being run by Colonel Julio Roberto Alpirez. The letter also suggested that CIA officials would be guilty of "obstruction of justice" if they concealed such information when the October 1991 allegations that Alpirez was present at the interrogation of DeVine were referred to the Department of Justice.



112. It appears that section 2332 of Title 18 of the U.S. Code is the statute referred to in this letter as granting the United States the ability to prosecute foreign nationals for crimes against American citizens abroad when such crimes have a "political" element. That provision, appearing in Chapter 113B of Title 18, is part of the codification of the Antiterrorism Act of 1990. Section 2332 provides criminal penalties for murdering a U.S. national who is outside the United States. However, the murder of a U.S. national overseas only

constitutes a violation of that statute and confers criminal jurisdiction on U.S. District Courts in cases where the Attorney General certifies that the murder was intended to coerce, intimidate, or retaliate against a government or a civilian population.

113. If CIA officials had information relating to the DeVine case that would have assisted the Attorney General in making a determination that DeVine's murder was intended to coerce, intimidate, or retaliate against a government or civilian population, such information should have been provided to DoJ with or following the referral. However, there is no indication that Agency officials either had or withheld any such information from DoJ and therefore there could be no obstruction of justice on that basis.

114. 

115. Six reports have been identified that contain information alleging that Alpirez might have had knowledge of, or have been involved in, narcotics trafficking. None of the reports constitutes direct evidence of such involvement. (These reports are summarized in paragraphs 137 - 152 of Volume III.) At the time of the referral to DoJ of the October 1991 allegation that Alpirez was present at DeVine's interrogation, the Agency had two and possibly three of these reports in its possession. One was from DEA, one from the DAO, and one was acquired by the Station in 1988 but was not disseminated outside the Agency, apparently because of a lack of corroborating information.

116. None of the six reports suggests that the DeVine murder was linked in any way to drug trafficking, or, more importantly, had as its purpose coercion, intimidation, or retaliation against a government or civilian population. No evidence has been found to

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indicate that any CIA official intentionally withheld these reports from DoJ in order to prevent or hinder the Attorney General from certifying that the DeVine murder was politically motivated or for any other reason. Finally, DEA reports that it has located no additional information in its files to indicate that Alpirez was involved in narcotics trafficking.

117. Furthermore, it does not appear that CIA had an obligation to advise DoJ of the information contained in any of the six reports. Procedures established by the Attorney General and the DCI require the Agency to report to DoJ certain information CIA receives that relates to possible violations of U.S. law. The information contained in [REDACTED] reports did not indicate a violation of U.S. law. Nevertheless, two of CIA's three reports were disseminated in intelligence channels to U.S. law enforcement agencies. The other CIA report did not implicate Alpirez in illegal activity at all. The remaining three reports originated in other agencies, which had the responsibility to act on the information the reports contained. One was from the DAO. Two were from DEA, an element of DoJ, and it is one of these that clearly concerned a violation of U.S. law.

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CONCLUSIONS

118. The conclusions set forth below are repeated in the volumes relating to Alpirez, DeVine, Bamaca, [REDACTED]

Agency Purposes in Guatemala

119. Agency programs in Guatemala during the period in question were conducted in furtherance of duly approved [REDACTED]

[REDACTED] that were duly authorized by the President, reviewed by the National Security Council and reviewed and funded by the Congress. [REDACTED]

Alleged Complicity in Deaths of DeVine and Bamaca

120. No evidence has been found to indicate that any CIA employee had prior knowledge of, directed, participated in, or condoned the interrogation or killing of DeVine. No evidence has been found to indicate that any CIA employee had prior knowledge of, directed, participated in, or condoned the reported interrogation, torture, or killing of Bamaca.

121. The October 1991 report alleging that Alpirez, [REDACTED] was present at DeVine's interrogation was seriously flawed and should have been reviewed more thoroughly at the Station and disseminated with appropriate caveats. Neither the Station nor Headquarters made a serious effort to verify the allegations contained in the October 1991 report and Headquarters did not follow-up sufficiently on its initial efforts to have the Station do so.

122. Similarly, the January 1995 report alleging that Alpirez had killed Bamaca was also based on questionable information and should have been reviewed more thoroughly at the Station and disseminated with appropriate caveats. Neither the Station nor

Headquarters made serious efforts to verify that report and Headquarters did not encourage the Station to do so.

Congressional Notification

123. The Agency should have notified the congressional intelligence oversight committees in October 1991 about the allegations that Alpirez had been present at an interrogation that resulted in the death of a U.S. citizen [REDACTED]. The committees should have been briefed, especially in light of the prompt and serious actions the Agency took on the basis of that report, in reporting to DoJ and [REDACTED]. LA Division officers intended to provide such notification to the committees, but neither those officers nor senior Agency managers ensured that this was done.

124. In February 1995, the oversight committees were expeditiously notified of the only report alleging that Alpirez had been responsible for the death of Bamaca. While notification was laudable, it should have been made clear that there were competing versions of what happened to Bamaca, and that the January 1995 report was sketchy, third-hand hearsay, and unconfirmed. Furthermore, when it had become clear in November 1994 that there was congressional interest in Bamaca's fate, formal notification of the April 1994 report that Alpirez had interviewed Bamaca [REDACTED] [REDACTED] should have occurred.

125. [REDACTED]

126. The Agency provided [REDACTED] the oversight committees and participated during various committee hearings and briefings of committee staff [REDACTED].

[REDACTED] It should have been recognized that the failure to provide this information in connection with the discussion of the DeVine case [REDACTED] [REDACTED] would be viewed as misleading the committees. No evidence has been found to indicate that the failure to mention [REDACTED] in these reports, hearings and briefings was intended to mislead the committees. Neither has any evidence been found to indicate that the failures to notify the committees in 1994 of information indicating that Alpirez had interviewed Bamaca or [REDACTED] [REDACTED] were intended to mislead the committees.

Ambassadorial Notification

127. The Station did not keep the Ambassadors appropriately informed in certain instances. Concerns about source protection and possible threats to Agency equities in its liaison relationships appear to have been the causes of some of these failures.

128. Ambassador Stroock was not properly notified in August 1990 [REDACTED] when the Ambassador was provided information about the military's involvement and cover-up in the DeVine killing and was preparing to present a demarche.

129. Ambassador Stroock was not properly notified in October 1991 [REDACTED] when allegations were received that Alpirez was present at the interrogation of DeVine.

130. [REDACTED]
[REDACTED]

131. Ambassador McAfee was not properly notified in 1994, even after asking in October 1994 for a complete summary of CIA intelligence relating to Bamaca, that Alpirez had reportedly

interviewed Bamaca after his capture in March 1992 [REDACTED]
[REDACTED]

132. [REDACTED]
[REDACTED]

[REDACTED]
133. [REDACTED]
[REDACTED]

Collection and Reporting Standards

134. Information provided by Agency assets was responsive to [REDACTED] and included significant reporting on human rights issues in Guatemala, including the DeVine killing, Bamaca's fate, and the reactions of [REDACTED] Guatemalan political and military officials to U.S. policy initiatives in this regard.

135. However, in certain instances, concerns about source protection or possible threats to Agency equities in its liaison relationships appear to have been the cause of failures to report information fully and promptly. [REDACTED]
[REDACTED]

136. Station reporting regarding human rights issues included some unsubstantiated reports from possibly biased sources about Alpirez [REDACTED] as well as the DeVine and Bamaca cases. The Station, LA Division and the DO should have made stronger efforts to validate the information and place it in the context of other reporting, analyze the biases and motivations of the sources, and ensure that consumers of the information were advised that there were significant questions about its validity and hearsay nature. It also appears that LA Division and the Station gave insufficient attention and consideration to the possibility that Station asset reporting on Bamaca's fate was based upon deliberately false information [REDACTED]

137. The Station and LA Division failed to meet Agency standards for [REDACTED] with particular reference to the assets who provided key information relating to Alpirez, DeVine, Bamaca, [REDACTED]

[REDACTED]

138. At the time the CIA first encountered Alpirez in a liaison capacity in 1987 [REDACTED] Agency records apparently revealed no derogatory information or indication that he had engaged in human rights abuses [REDACTED]

[REDACTED]

139. The August 1990 information [REDACTED] formed a substantial part of what the U.S. Government knew about official Guatemalan involvement in DeVine's killing. It also served as part of the basis for at least one U.S. Government demarche to the Guatemalans and the partial suspension of U.S. military assistance to Guatemala.

140.

[REDACTED]

141.

[REDACTED]

142.

[REDACTED]

[REDACTED]

143.

[REDACTED]

144.

[REDACTED]

145.

[REDACTED]

Referral to Department of Justice

146. LA Division and OGC acted prudently in ensuring a prompt referral of the October 1991 allegations about Alpirez to DoJ. However, OGC should have probed more thoroughly to determine through a preliminary inquiry whether or not there was any basis to the allegations. In addition, having made the referral, OGC did not properly record or monitor the matter, or adequately respond to DoJ requests for further information.

Analytical Responsibilities

147. No factual basis has been identified for the [REDACTED] conclusion in an analysis presented to the NSC in January 1995 that Alpirez was at least "the intellectual author" of Bamaca's death. That analysis was also flawed because [REDACTED]
[REDACTED]

148. The DI [REDACTED] with primary responsibility was not made aware by DO officers of the April 1994 report that Alpirez [REDACTED] had interviewed Bamaca or that Alpirez [REDACTED] was reportedly present at the interrogation of DeVine. As a consequence, he was not able to include that information in briefings to senior State officials and HPSCI and SSCI staff members in November 1994 or in the [REDACTED] analytic reports that were disseminated to the Ambassador and NSC and State customers prior to January 1995.

149. Six reports have been found that allege that Alpirez had knowledge of or was involved in narcotics trafficking or other potentially unlawful activities. None of these reports establishes any connection between narcotics trafficking and the DeVine murder, nor does any of them indicate that the murder had as its purpose coercion or intimidation of, or retaliation against, a government or civil population. Neither has other evidence been found to indicate that Agency employees were aware of such a connection or purpose.

Thus, there is no support for the contention that Agency employees engaged in an obstruction of justice in connection with the November 1991 referral to the Department of Justice.

Dispersal or Destruction of Records

150. No evidence has been found to indicate that any Agency personnel dispersed or destroyed records to prevent them from being reviewed by investigators. It appears that this allegation may have had its source in an Agency effort to provide copies of selected documents to former DCIs in order that they might be able to respond knowledgeably to public inquiries relating to Guatemala.

DO Records System

151. Weaknesses in the DO records system led to a failure to retrieve relevant allegations regarding human rights abuses [REDACTED]

[REDACTED] . These weaknesses continue to cause problems for the Agency.

[REDACTED]
[REDACTED] A. R. Cinquegrana
[REDACTED]

RECOMMENDATIONS

1. General. The following areas have been identified in the course of this investigation as requiring the attention of Agency management and are addressed in this section:

- Congressional notification;
- Ambassadorial notification;
- Selection of Chiefs of Station;
- [REDACTED]
- Collection and reporting responsibilities;
- Human rights reporting;
- [REDACTED]
- Analytical functions; and
- DO records system.

2. The paragraphs that follow constitute the IG's best judgment as to what should be done in each area, but we recognize that a management review of the issues involved may develop different and better approaches to improving current practices and policies in each area. The most important message we are conveying is that the identified areas require management's attention and remedial action. Thus, these recommendations should be viewed as a framework for further deliberation and development of responsive reactions in each area, not as a prescriptive list of actions that should be taken as stated. However, we strongly believe that the Overview Volume, with Conclusions and all Recommendations except the individual accountability section, should be made available to Agency employees in order that they may be fully informed and apply the lessons of this investigation to their own situations.

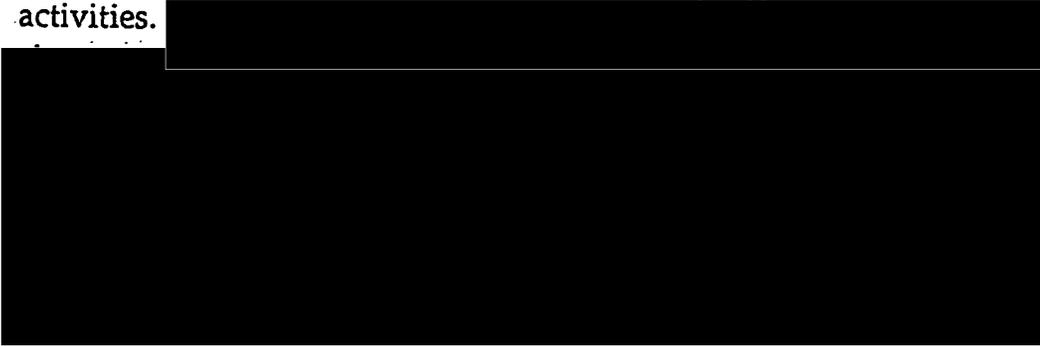
3. Congressional Notification. This investigation has shown that in the DO there is a predisposition against sharing information with Congress despite repeated statements by the Agency's leadership that Congress needs information to perform its oversight role and has the right to such information. The DDO should work to replace this bias with a predisposition that favors sharing information.

4. The DCI should reaffirm that the Agency has an obligation to ensure that the Congress is kept fully and currently informed about Agency activities. The Director should make it clear that each Deputy Director and Head of Independent Office is responsible for determining, on a continuing basis, which matters within their areas of responsibility should be reported to the intelligence oversight committees of the Congress. Clear procedures should be established to ensure that such matters are reported.

5. Each Deputy Director and Head of Independent Office, in conjunction with the General Counsel and the Director of Congressional Affairs, should recommend criteria for the DCI's approval that are applicable to their areas of responsibility to govern which matters will be reported to the intelligence oversight committees.

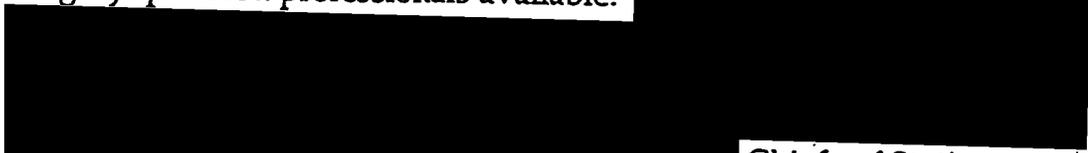
6. Each Deputy Director and Head of Independent Office should require their managers to review on a continuing basis which matters within their areas of responsibility meet the established criteria for reporting to the intelligence oversight committees. In addition, each Deputy Director and Head of Independent Office should conduct a formal quarterly review of their activities to determine which matters, within or in addition to the established criteria, should be reported to the intelligence oversight committees. As part of this process all employees should be given the opportunity to identify matters that should be considered for such reporting.

7. Ambassadorial Notification. The DCI should issue new guidance concerning Chief of Station (COS) responsibilities for keeping Ambassadors informed about Station programs and activities.





8. Selection of Chiefs of Station. The DDO should develop standards, subject to DCI concurrence, for the development, selection and retention of Chiefs of Station to ensure that they are the most highly qualified professionals available.



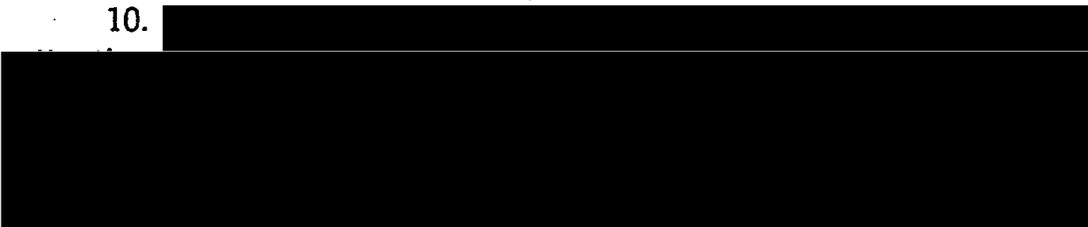
Chiefs of Station should not be selected for reasons other than professional competence,



9.



10.



11. Collection and Reporting Responsibilities. Both Headquarters and Stations are responsible for ensuring that the highest possible standards are maintained in CIA's collection and reporting efforts. [REDACTED]

12. Human Rights Reporting. The DDO should develop procedures to ensure that Stations meet established standards for reporting information relating to human rights abuses. [REDACTED]

13. [REDACTED]

14. [REDACTED]

[REDACTED]

15. Analytical Functions. DI analysts responsible for producing finished intelligence and conducting briefings of government policymakers should be given access to [REDACTED] that pertains to their areas of responsibility. The DDI should establish standards that ensure that DI analysts consider all relevant information so that inaccurate, misleading, or incomplete statements are not incorporated into DI intelligence products or briefings.

16. DO Records System. The DO should intensify its efforts to ensure that Headquarters and Station personnel are supported by a records and information management system that will provide thorough, dependable and timely access to all information of relevance to a particular individual or subject. [REDACTED]

[REDACTED]

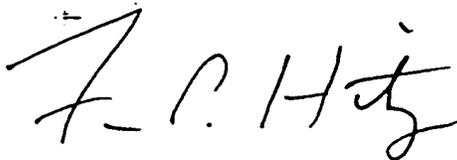
17. Accountability. This investigation has established that there is no basis for several of the most significant allegations that have been made against the Agency and its employees relating to its activities in Guatemala. Unfortunately, the investigative and political furor that was launched with these allegations and that has consumed much of the U.S. Government's valuable time and energy for the past several months could have been avoided or reduced if Agency employees had performed more capably in reporting the events in question.

18. A review of Agency activities relating to the Alpirez, DeVine, Bamaca, [REDACTED] matters reveals a general failure to adhere to the professional standards in collecting, reporting and analysis that the Agency expects from its personnel. The causes of this are puzzling. It may be that closer scrutiny or higher standards are now being imposed on the workforce. There are many possible explanations which we will not venture here.

19. Whatever the reason, from recruitment to reporting; from corroboration to processing; from validation to analysis; from congressional notification to crimes referral, the facts demonstrate performance that is not as professional or competent or sound in its judgments as the Agency and the U.S. Government have a right to expect. It is not that anyone engaged in intentional wrongdoing, but that so many errors were committed along the way. Agency management also must be faulted for the failures of Agency personnel that are identified in this Report of Investigation.

20. Many officers contributed to the problems and shortcomings described in this Report, but certain officers had special responsibilities and played significant roles that separate them from the rest. Although there is no evidence to indicate that they were involved in the specific events under review here, the level of professionalism that prevailed in the Agency must ultimately be laid at the feet of the most senior Agency managers, DCIs and DDCIs during this period. In addition, the names of individual officers who should be held responsible for specific deficiencies have been provided to the Director for his consideration and action.

CONCUR:



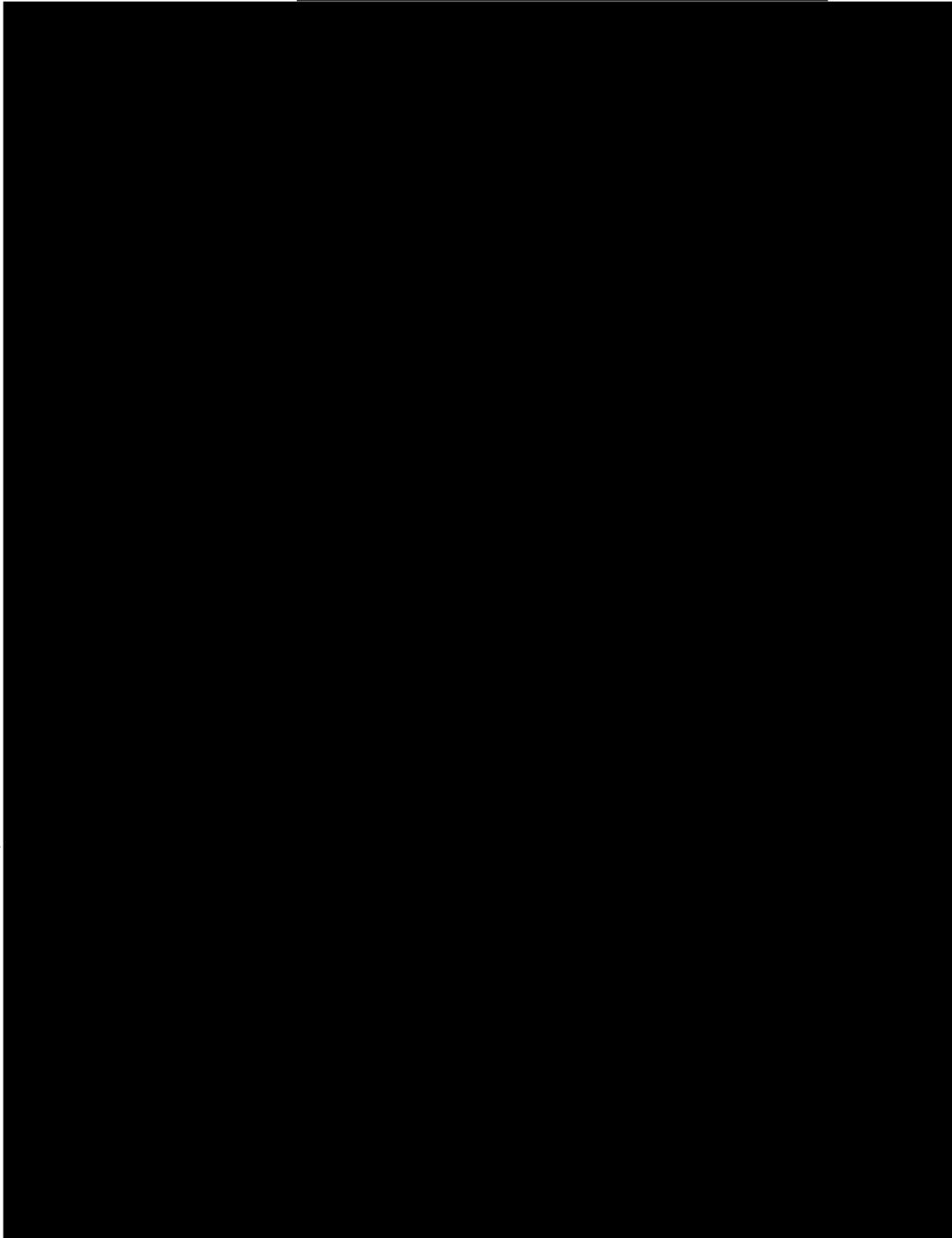
Frederick P. Hitz
Inspector General

15 July 95

Date

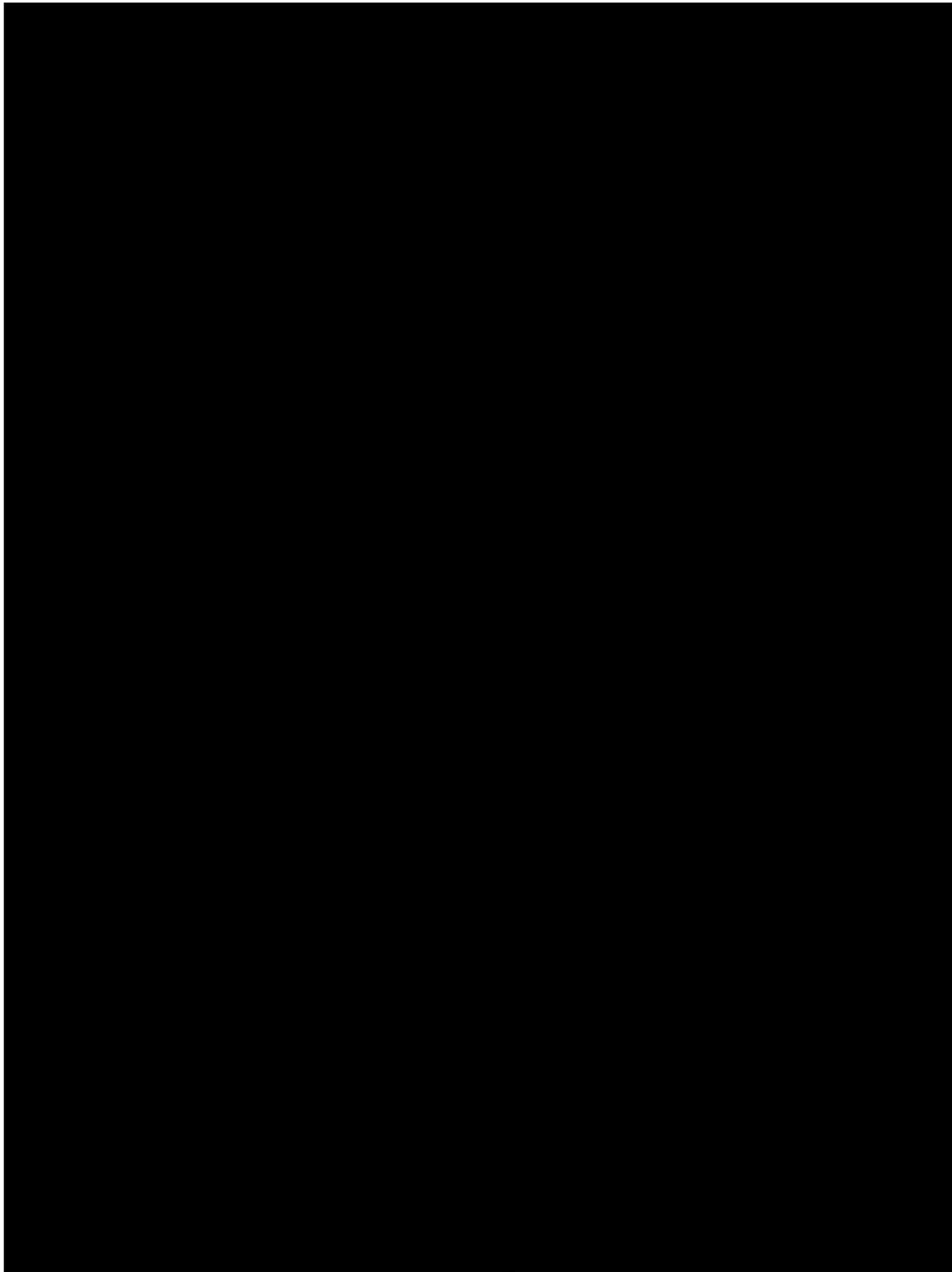
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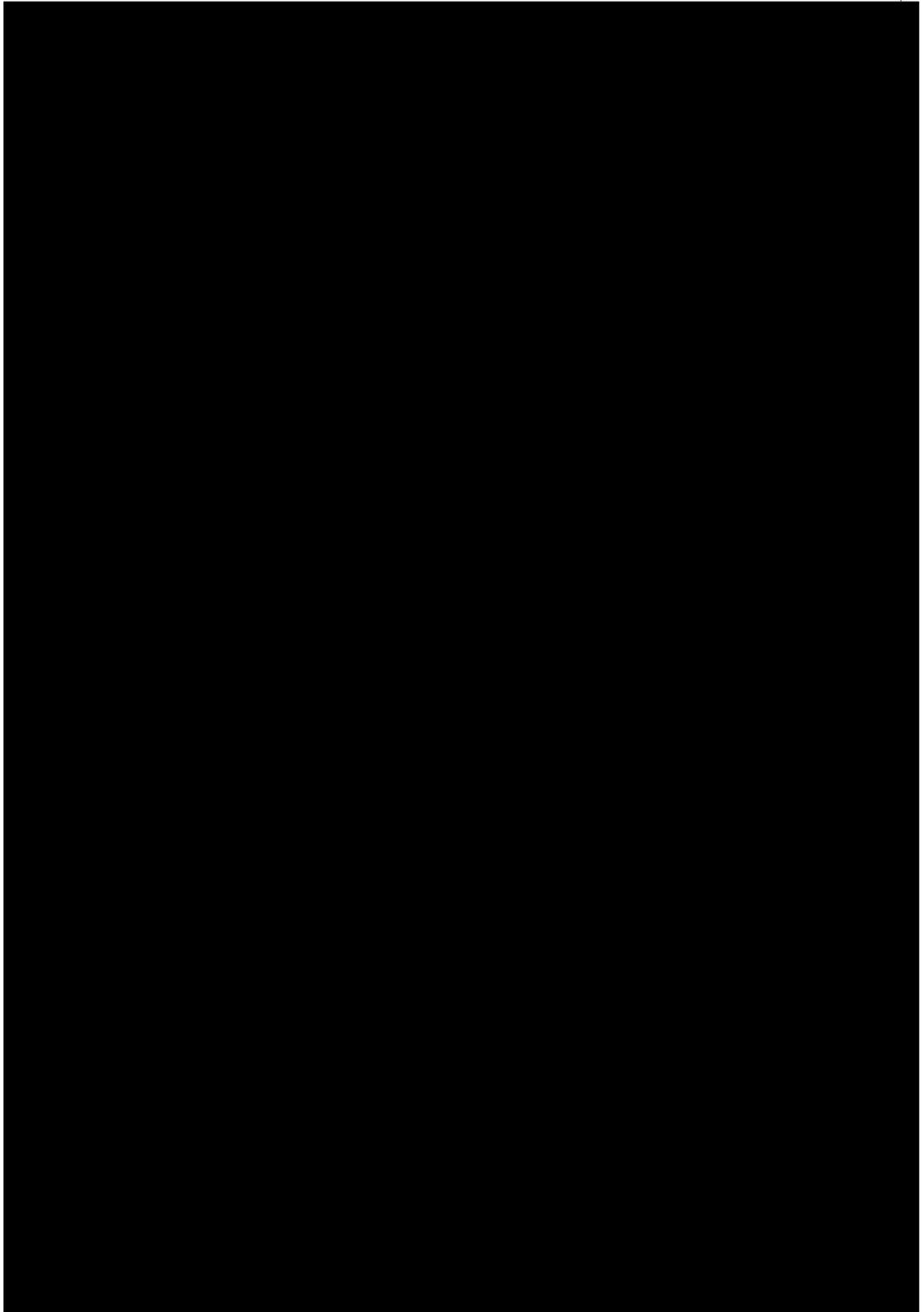
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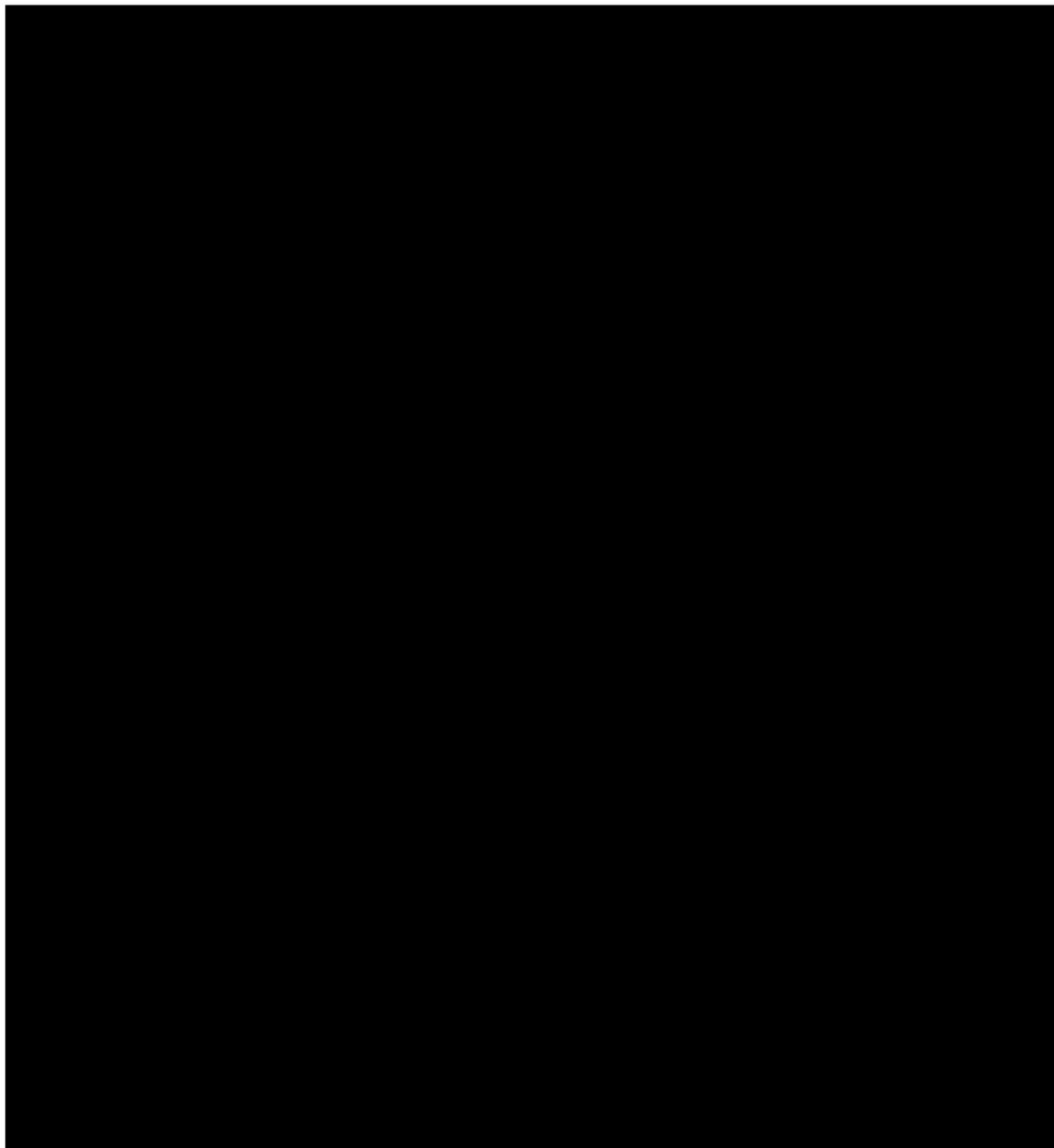
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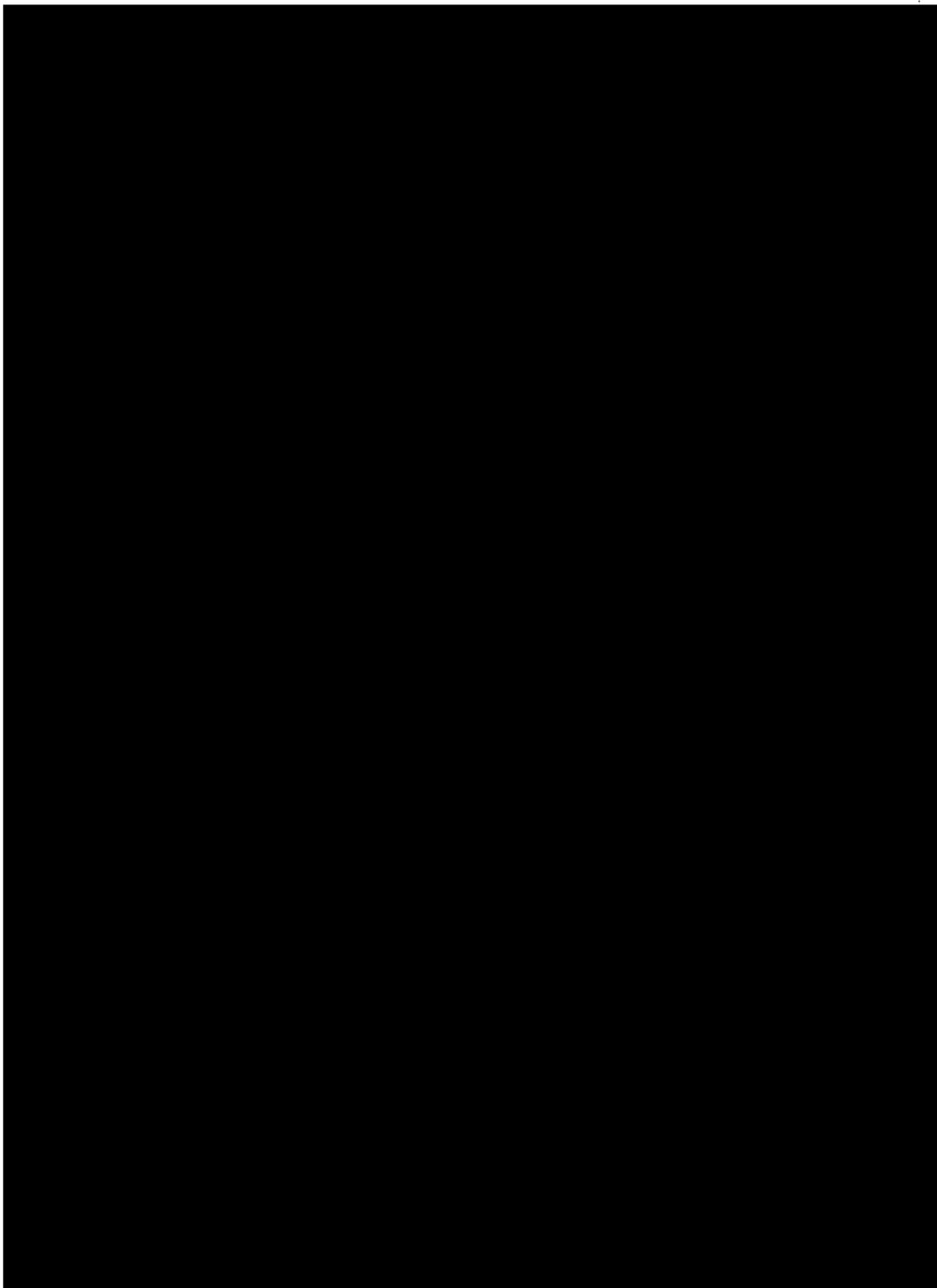
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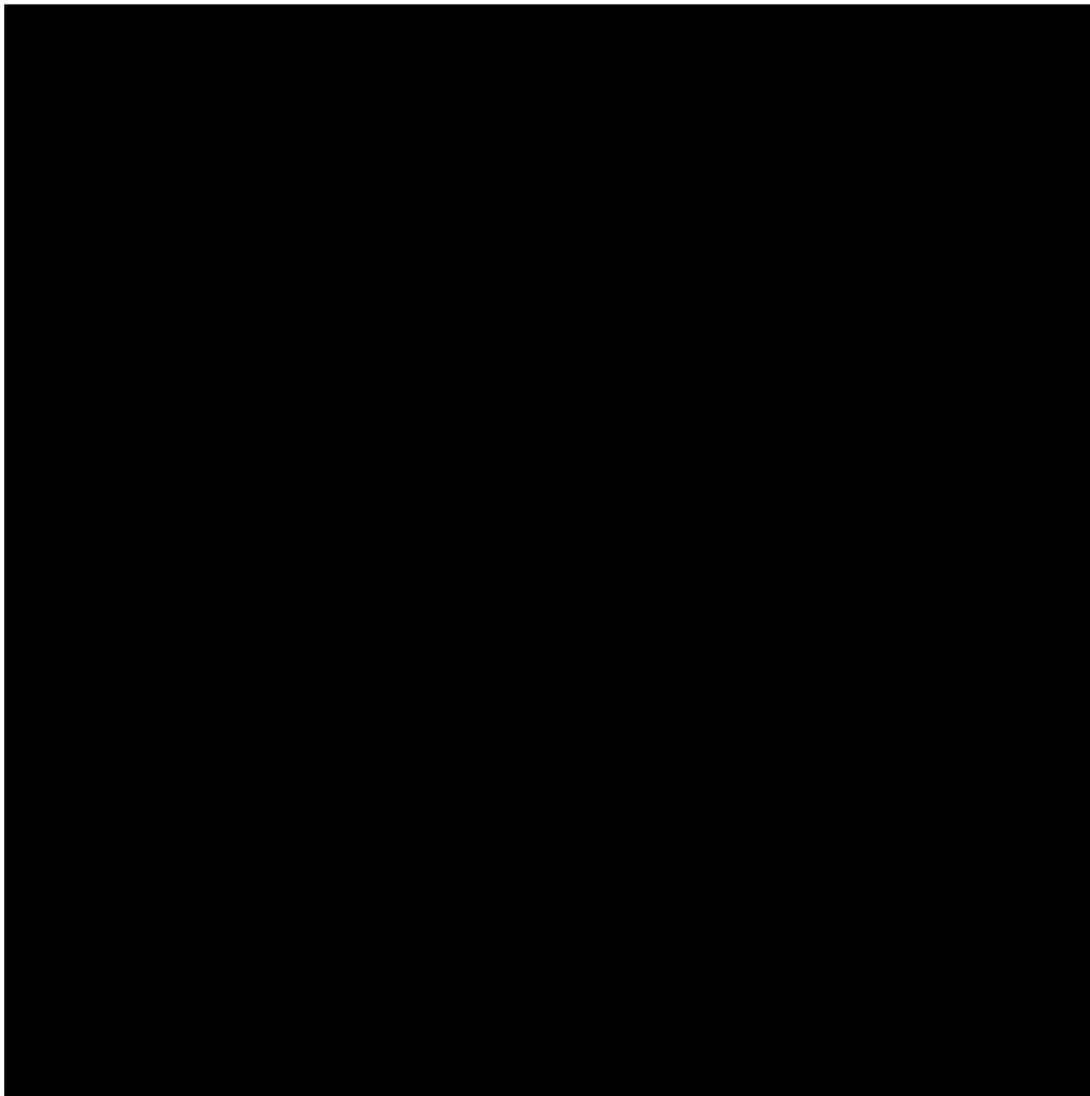
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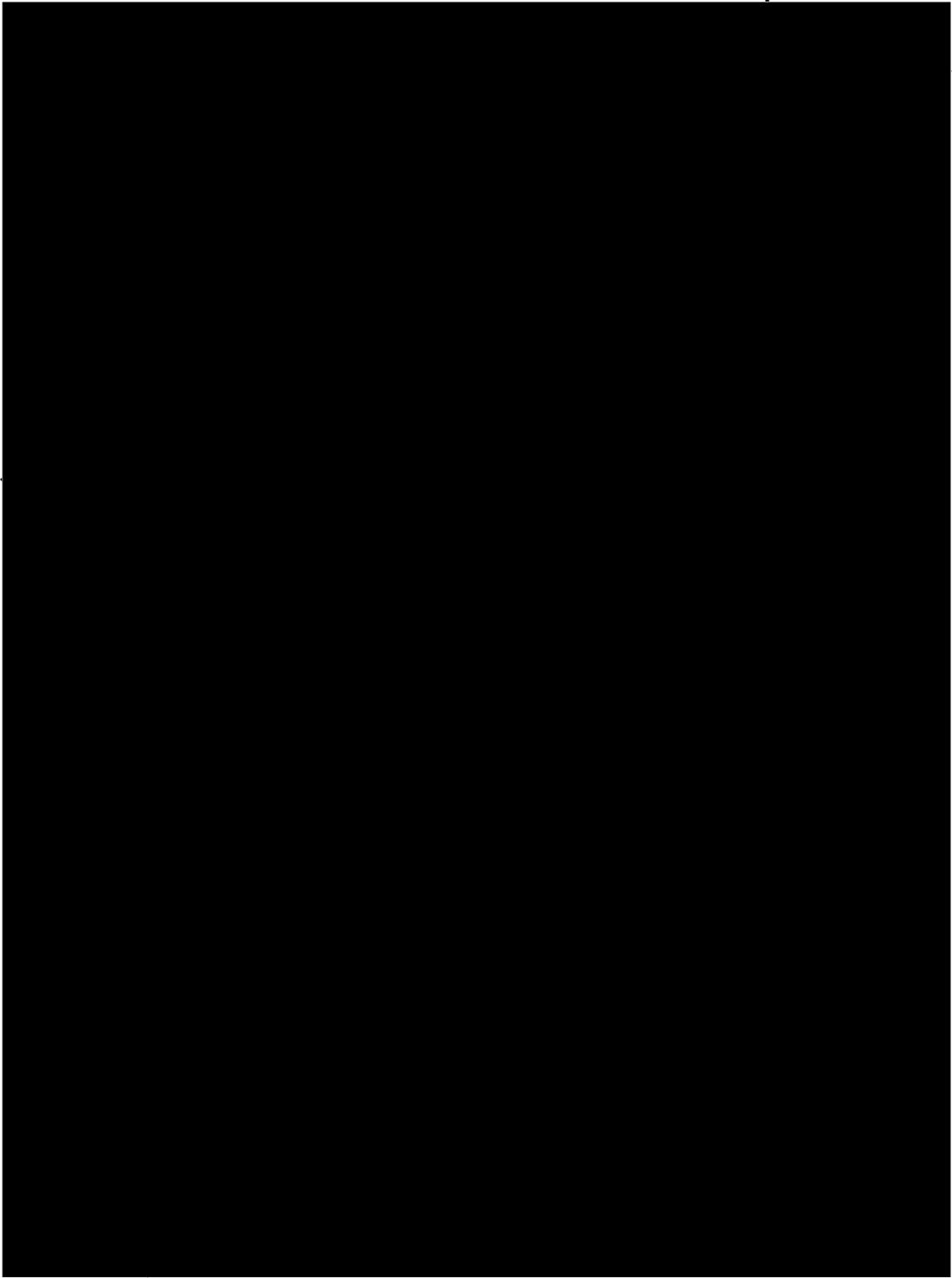
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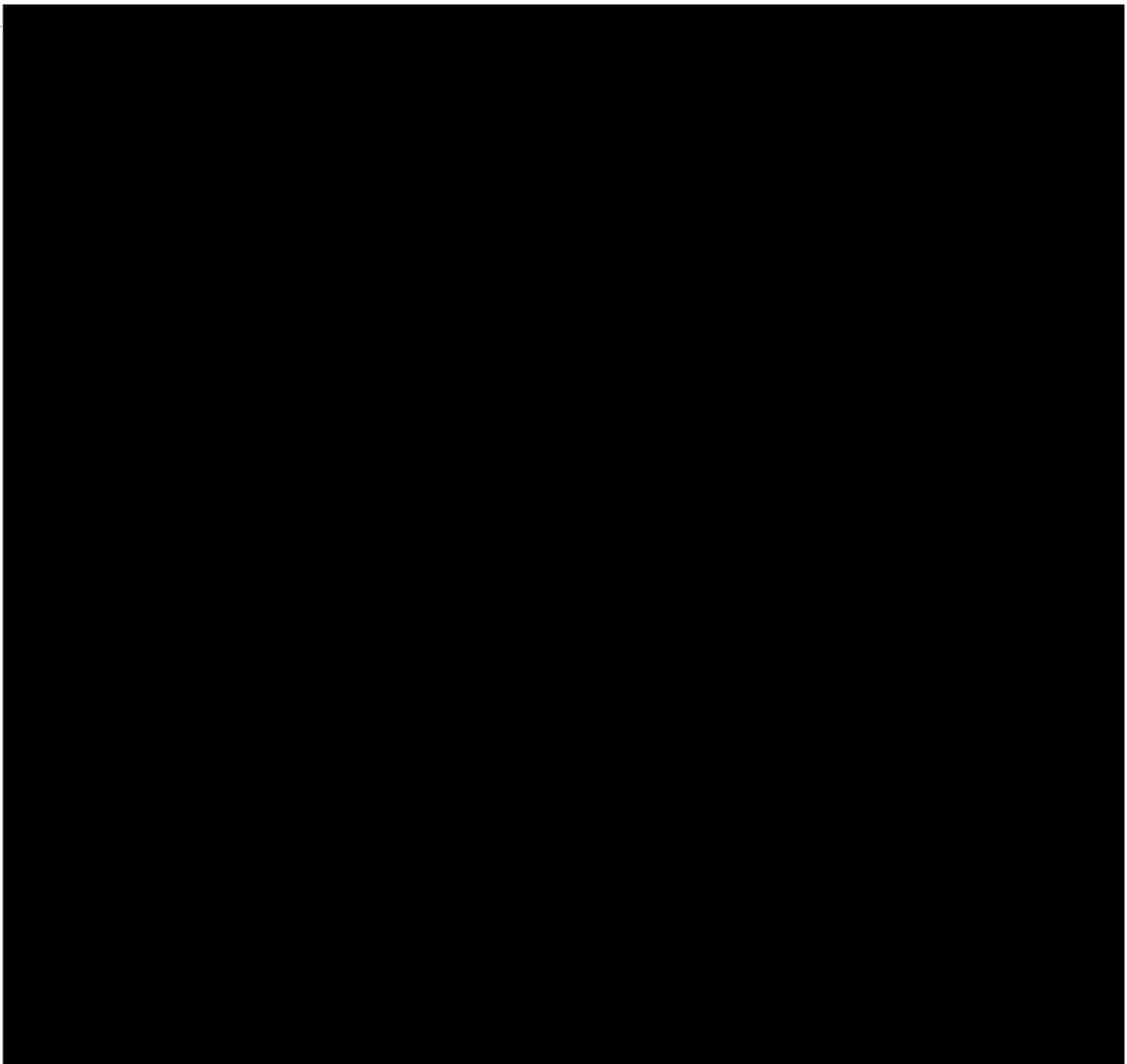
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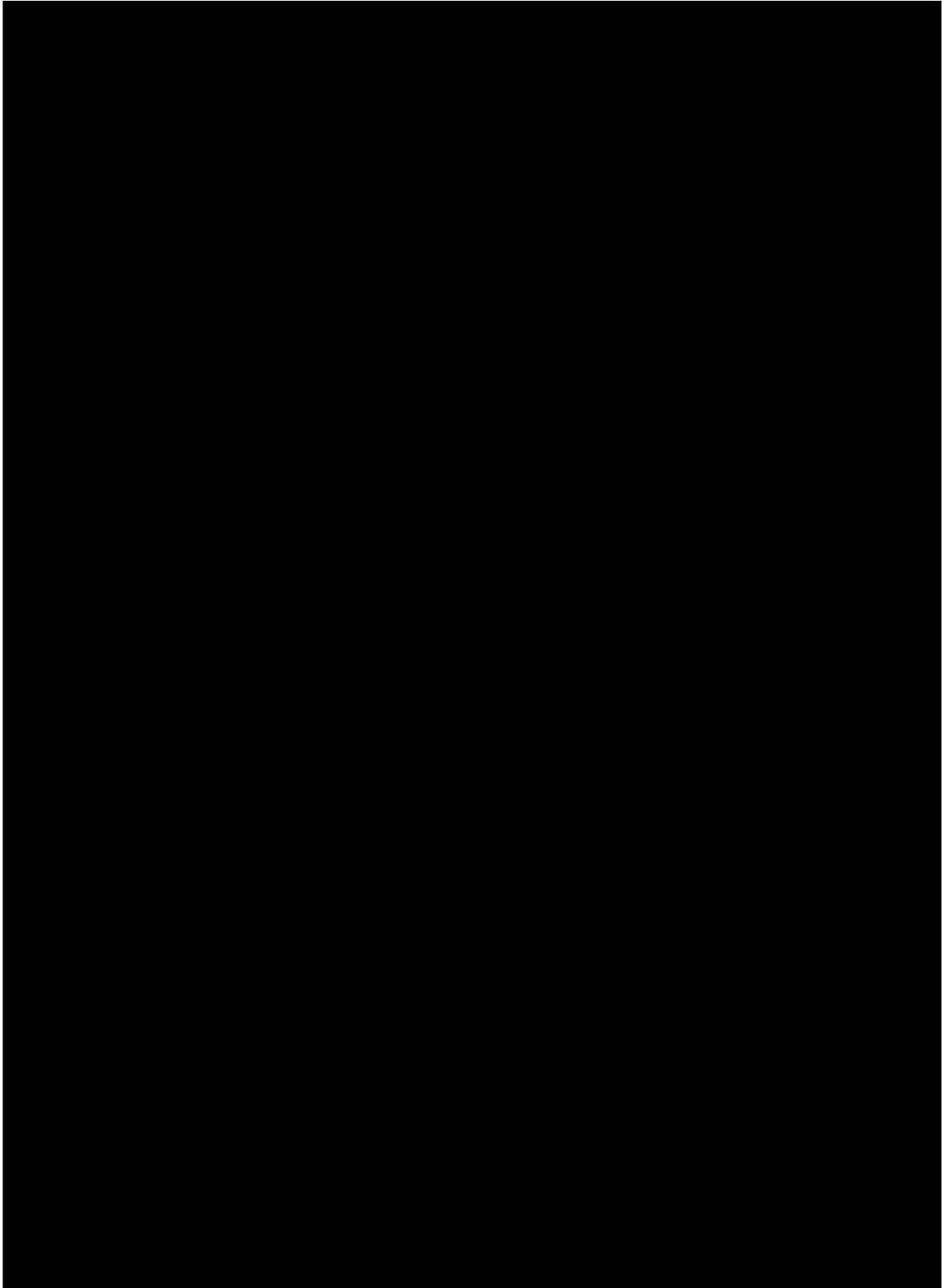
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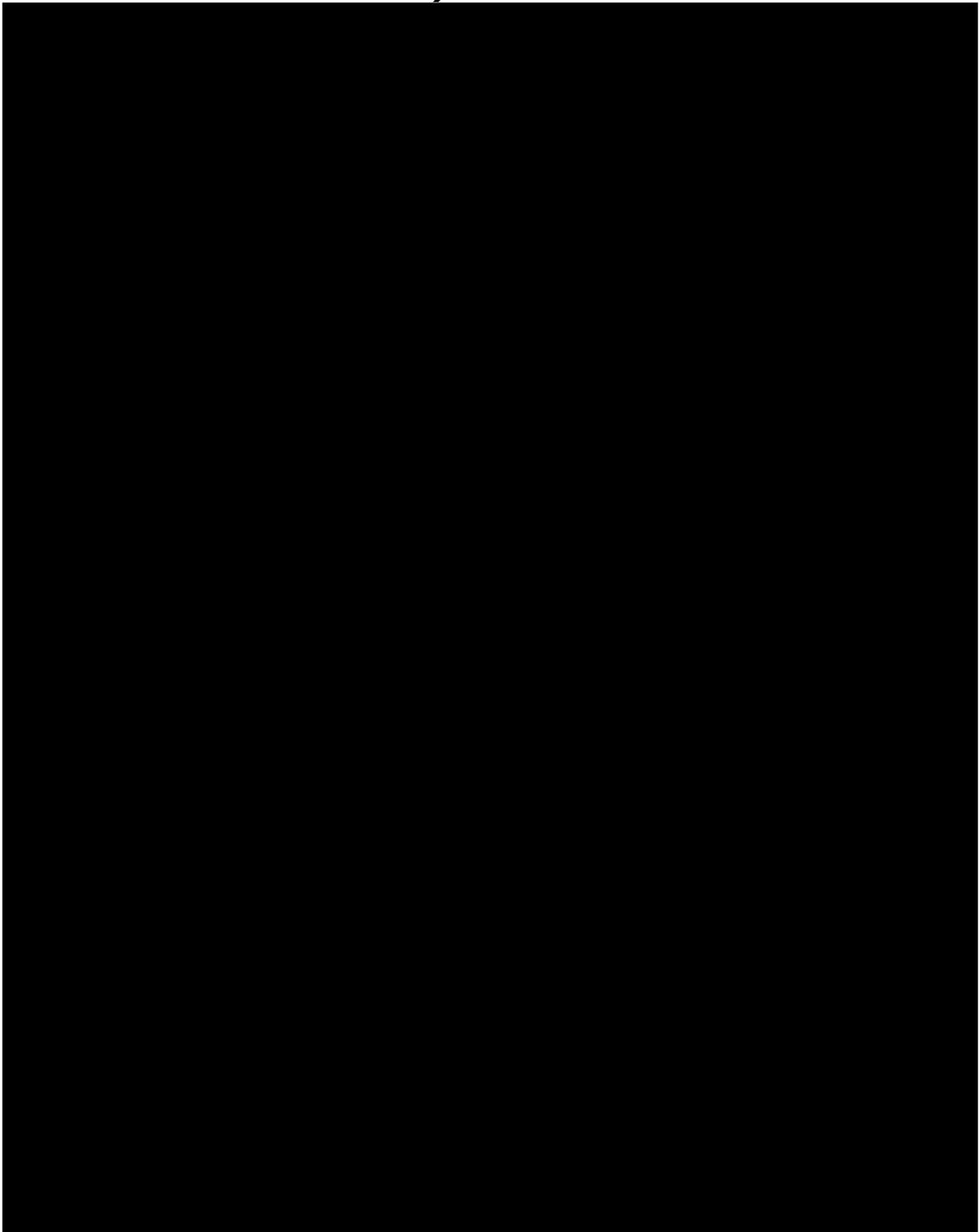
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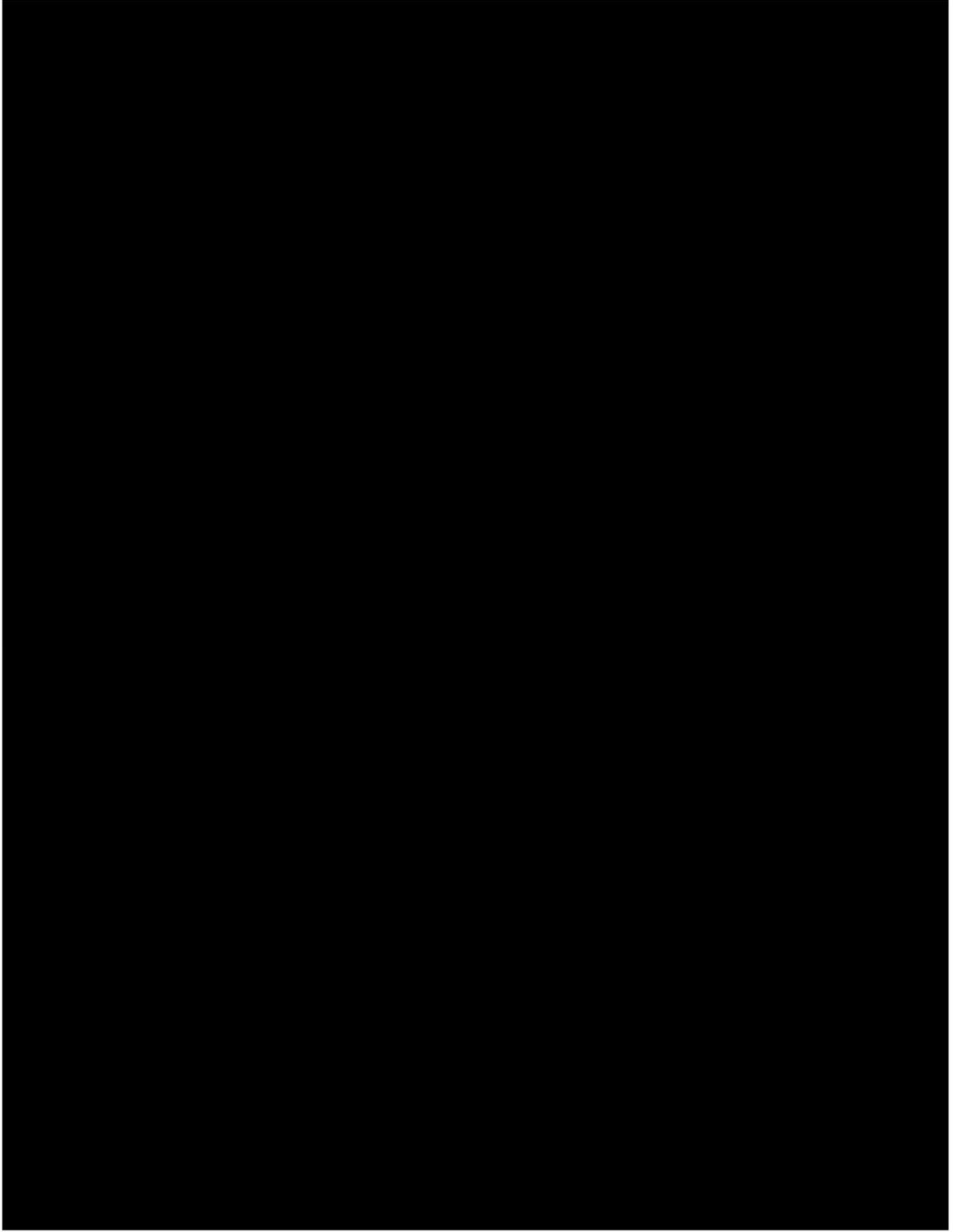
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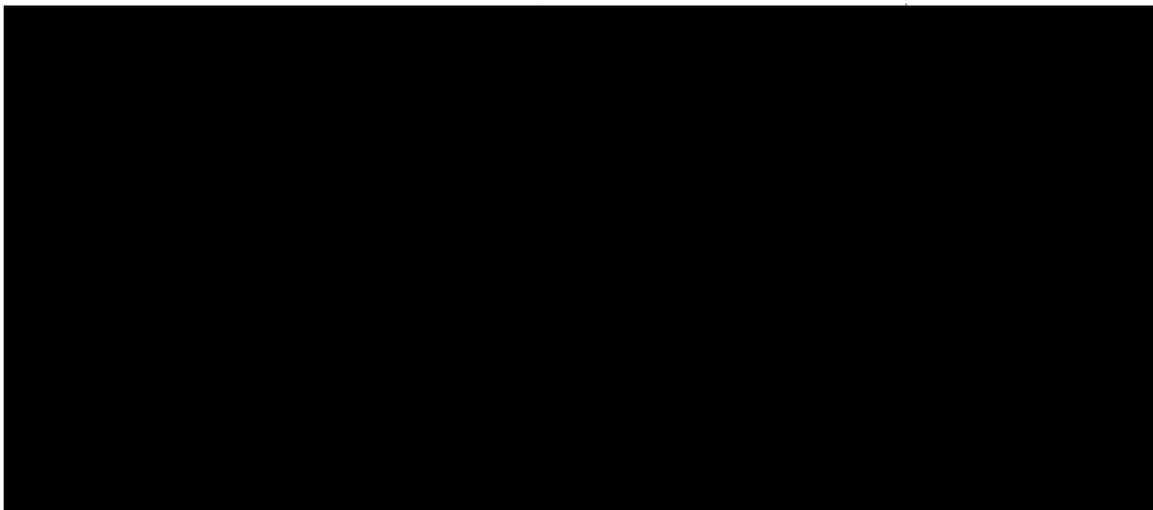
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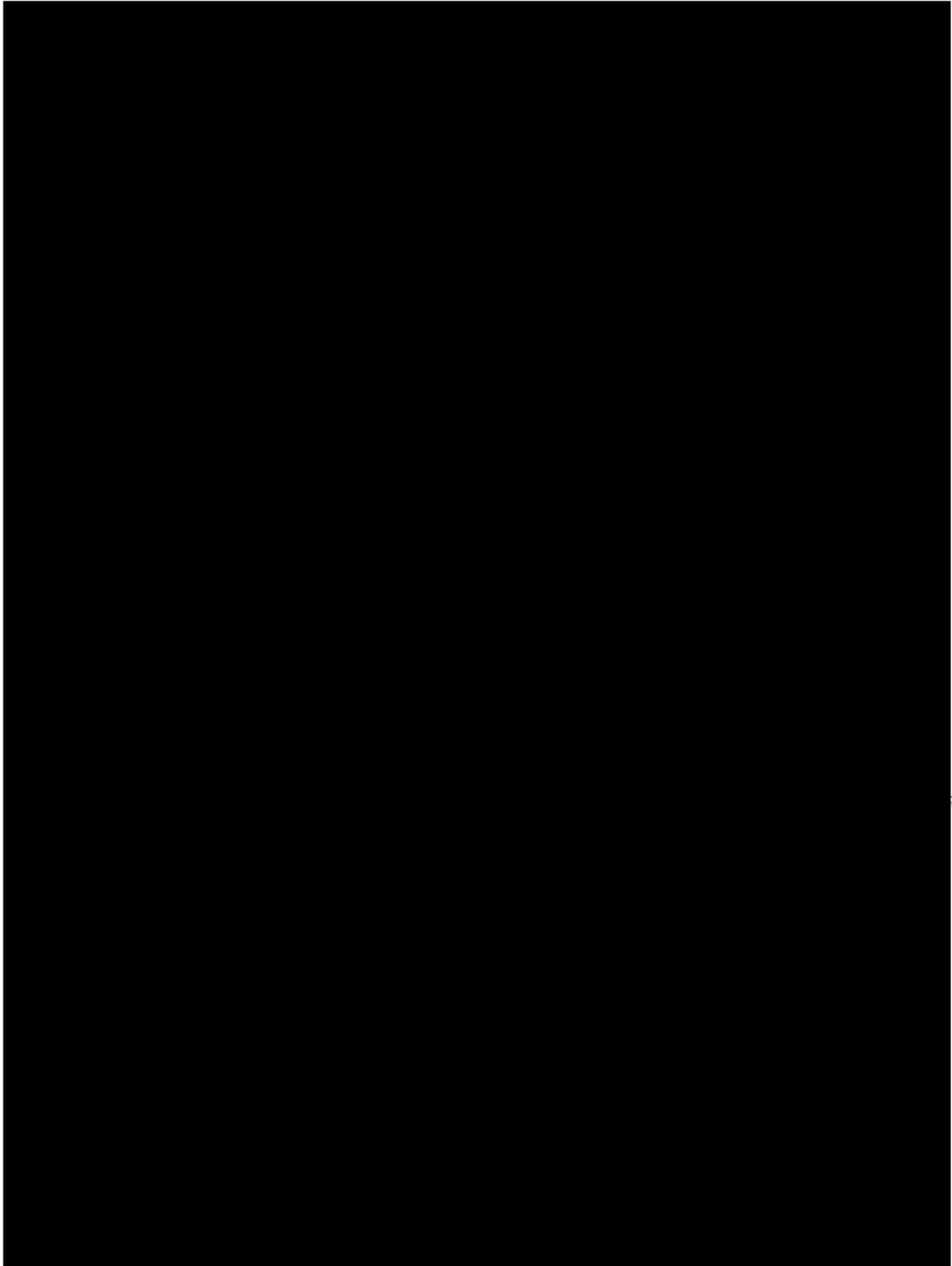
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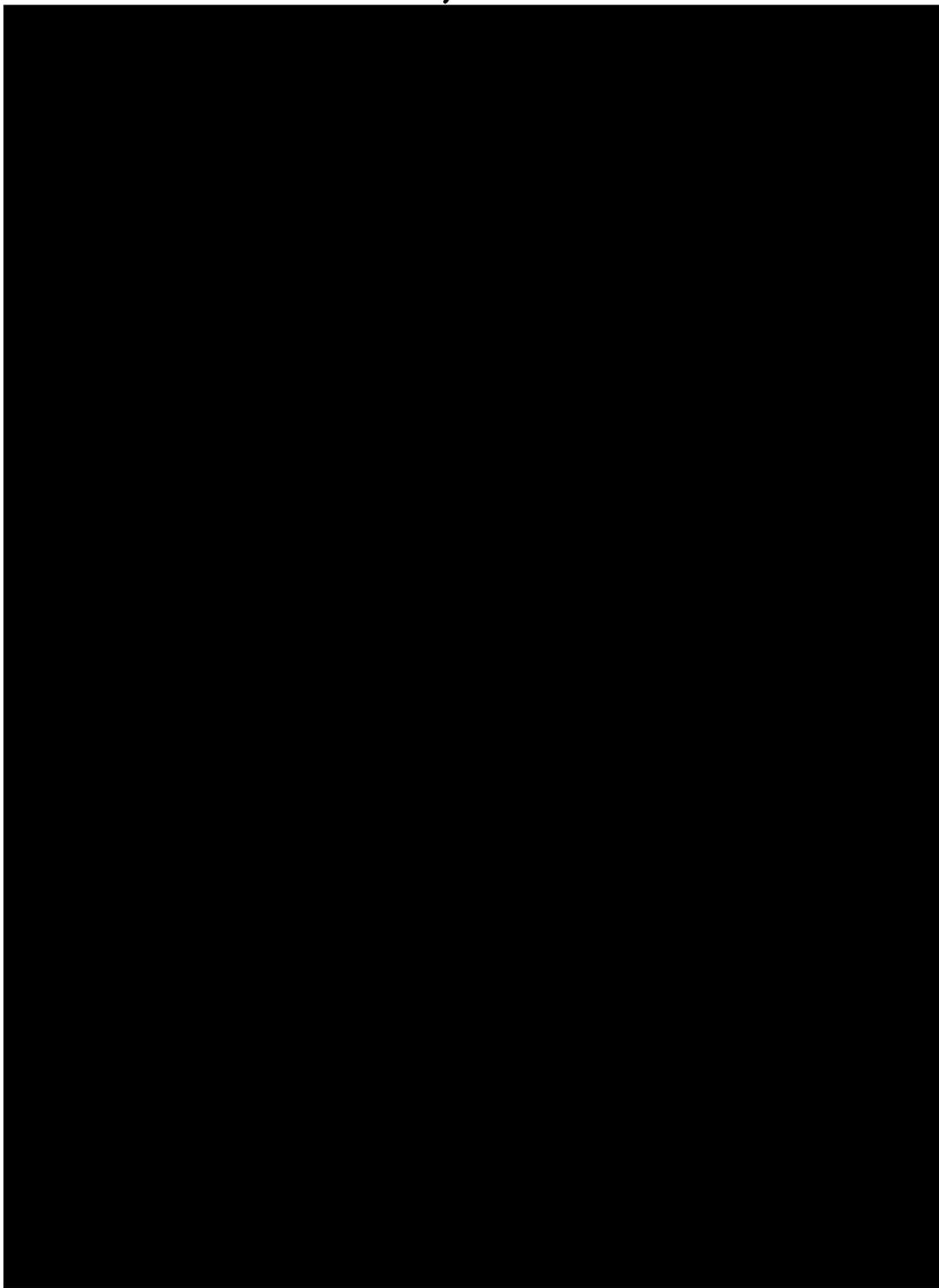
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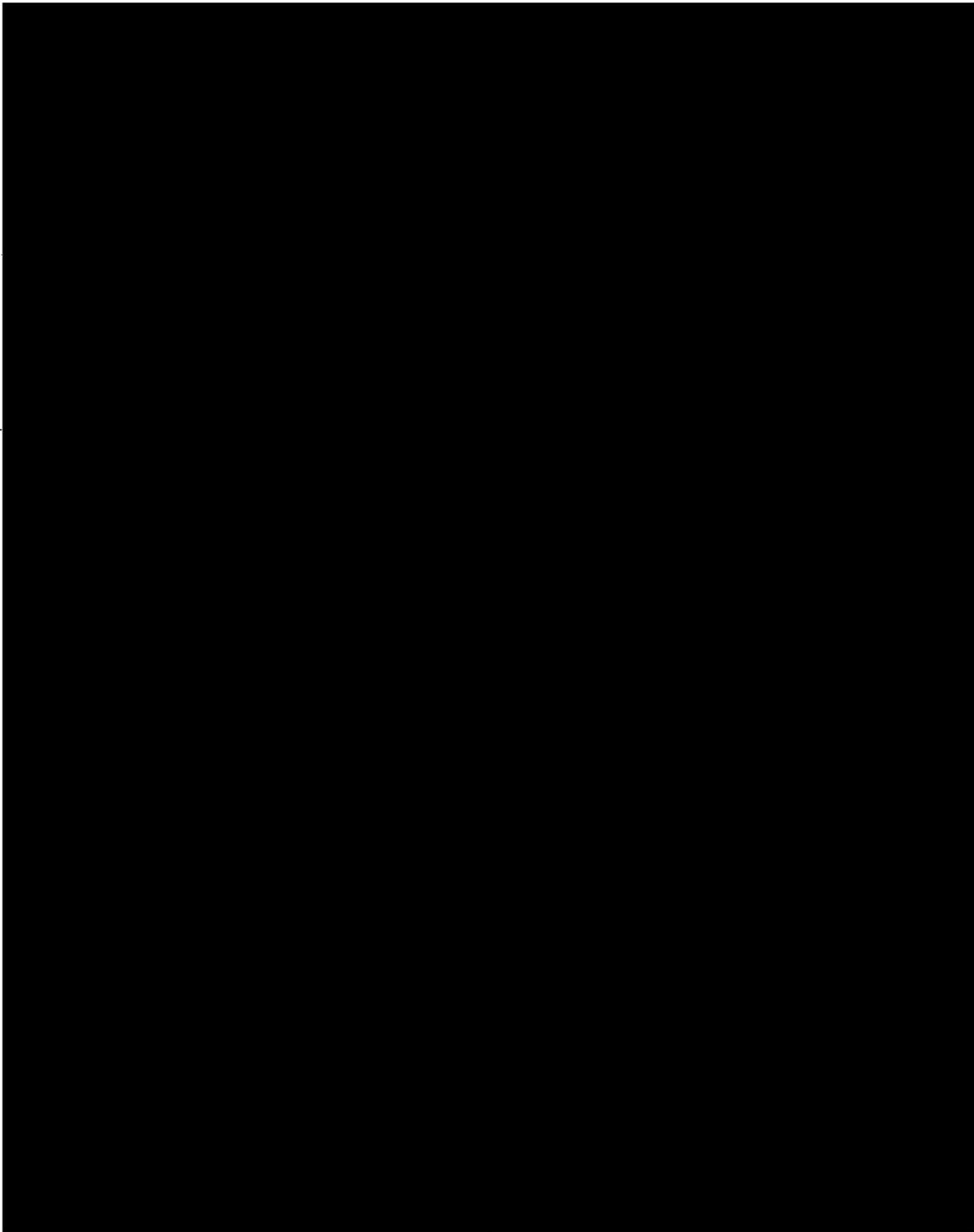
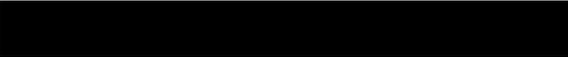


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Exhibit B

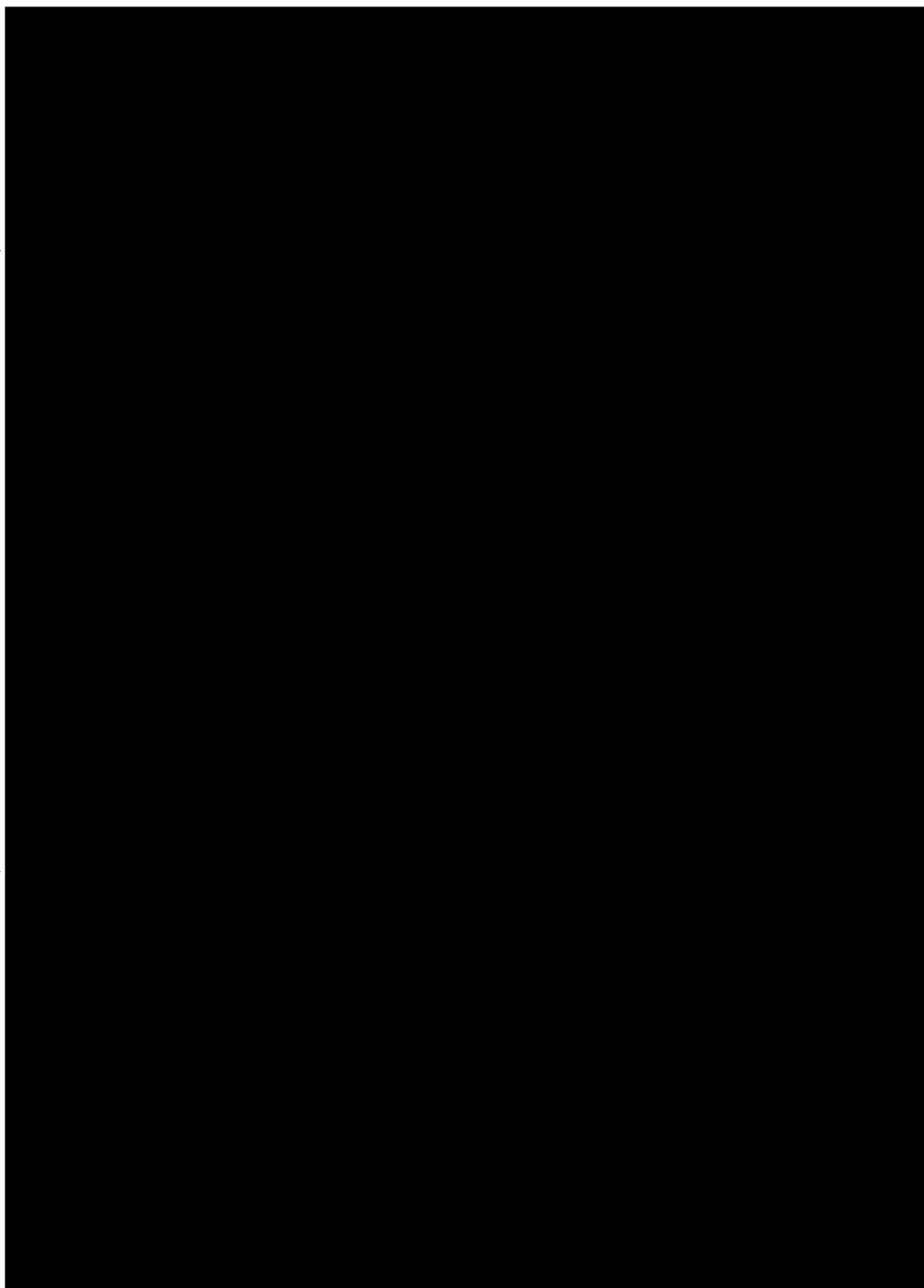
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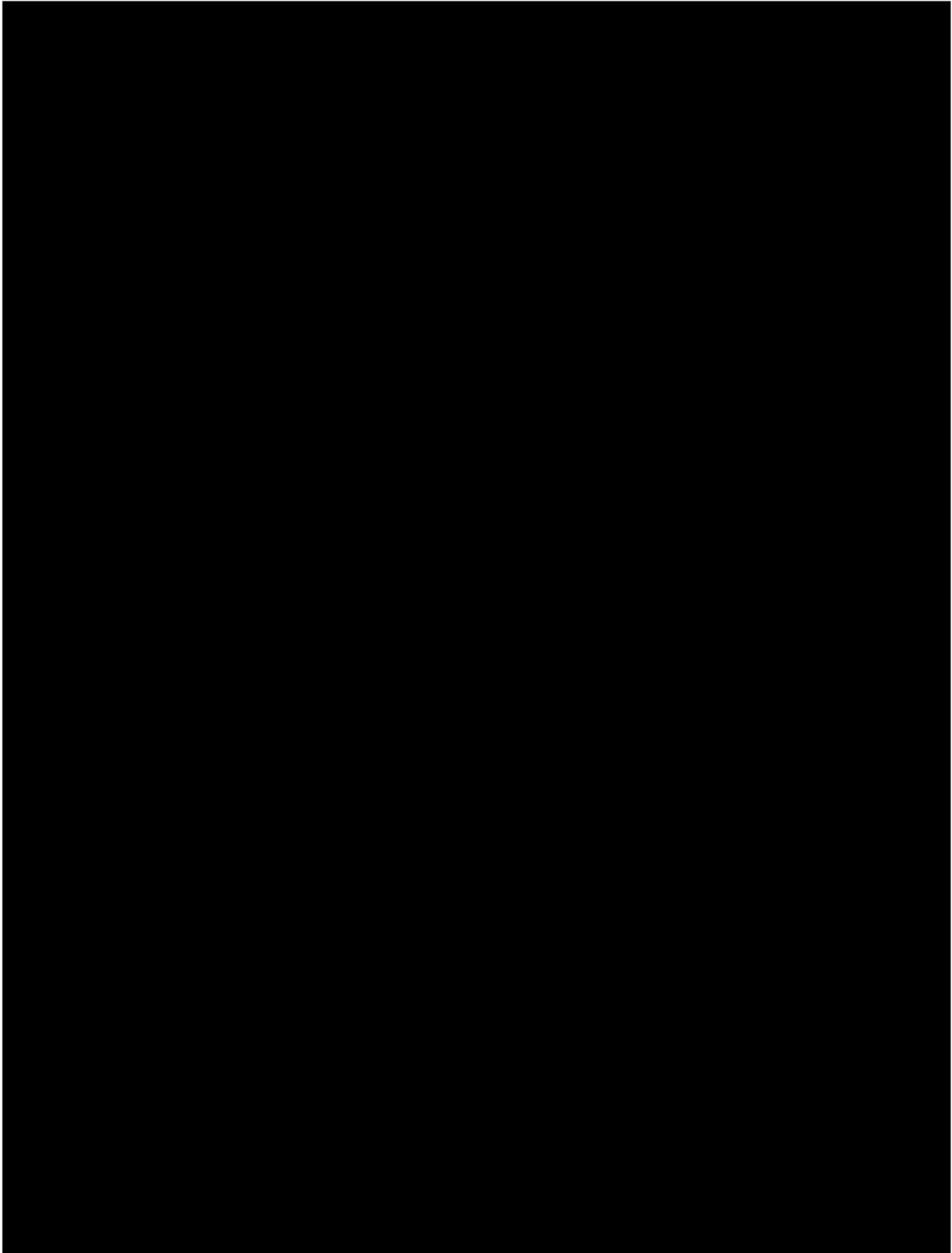
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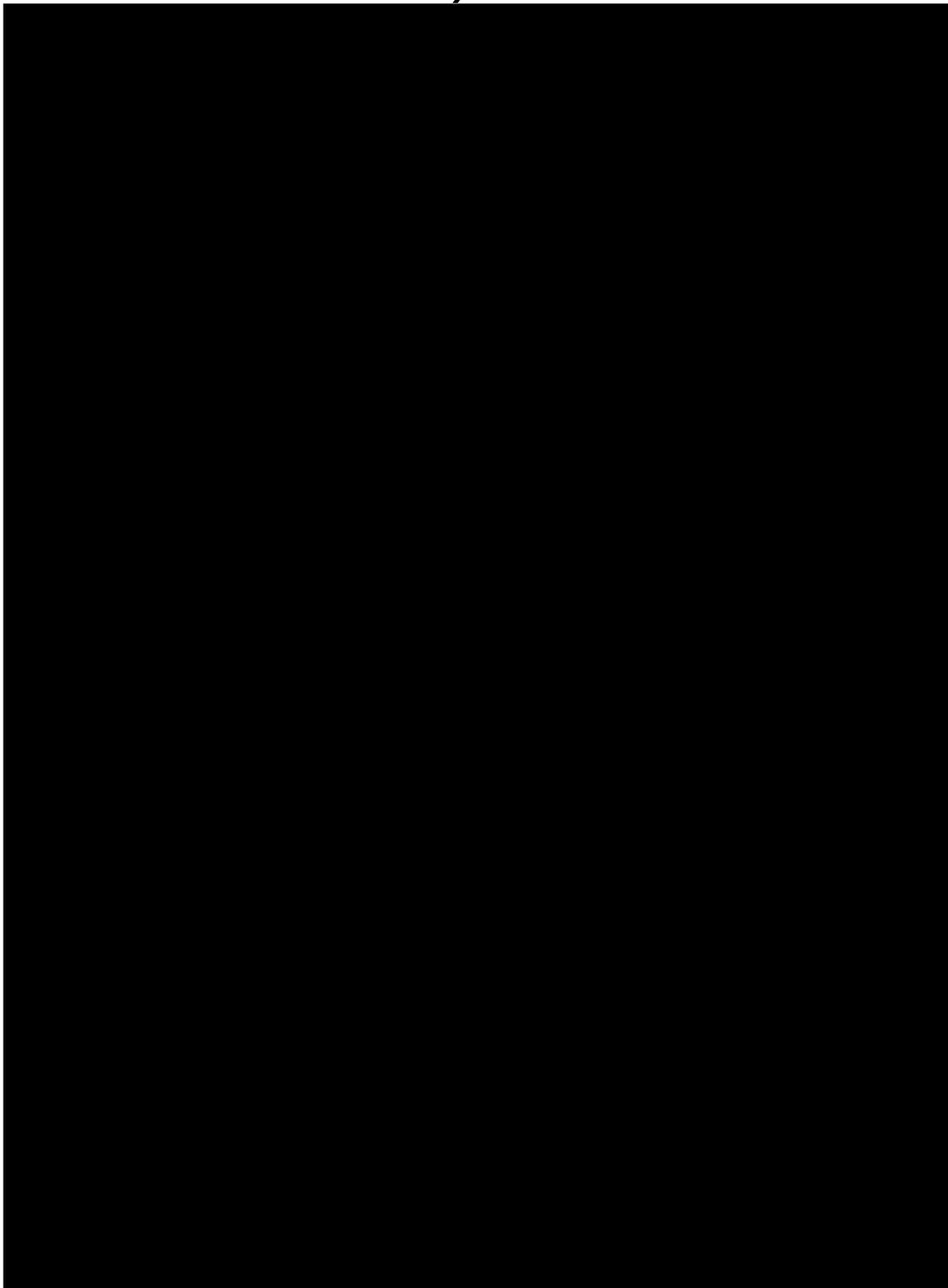
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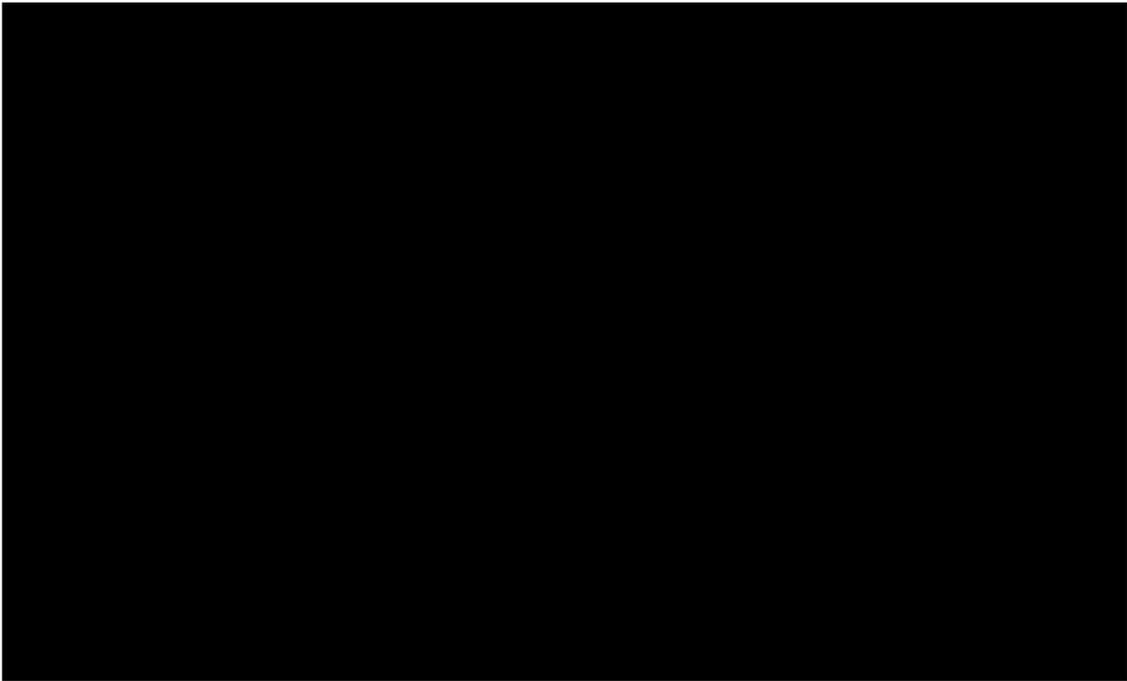
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EXHIBIT C: CONGRESSIONAL NOTIFICATION REQUIREMENTS

Section 502 of the National Security Act of 1947, as amended (50 U.S.C. § 413a) requires, "to the extent consistent with due regard for the protection of unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters," that the Director of Central Intelligence "keep the Intelligence Committees fully and currently informed of all intelligence activities," other than covert actions, that are carried out by CIA. In addition, Section 501 of the National Security Act (50 U.S.C. § 413) provides that "the President shall ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States" and that "the President and the intelligence committees shall each establish such procedures as may be necessary to carry out the provisions of this Title."

The requirement to keep the Intelligence Committees fully and currently informed of the intelligence activities carried out by CIA (hereinafter "fully and currently informed") is one aspect of the provisions governing congressional oversight of intelligence activities that originated in the Intelligence Authorization Act for Fiscal Year 1981. While the provisions were amended and recodified by the Intelligence Authorization Act for Fiscal Year 1991, Senate Report 102-85 accompanying that 1991 Authorization Act provides that the provision requiring that the intelligence committees be kept fully and currently informed "maintains obligations imposed by current law."

The meaning of the fully and currently informed requirement was discussed in nearly identical language by Senate Report No. 96-730 that accompanied S.2284, the Intelligence Oversight Act of 1980, and House Report 96-1153, Part I that accompanied H.R. 7668, the House version of the bill. The Senate and House Reports state that the phrase "fully and currently informed" was adopted from the

* This summary of statutory, regulatory and policy guidance relating to Agency obligations to collect and report information pertaining to human rights abuses has been prepared by the CIA Office of Inspector General.

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Atomic Energy Act of 1946, a standard that served well the needs of the Joint Committee on Atomic Energy for over 30 years. The Reports go on to say that "the responsibility of the Executive here is not limited to providing full and complete information upon request from the Committees; it also includes an affirmative duty on the part of the head of each entity to keep the committees fully and currently informed of all major policies, directives, and intelligence activities."

Report No. 96-1350 explains actions taken by the Conference Committee to reconcile and incorporate the oversight provisions in the Intelligence Authorization Act for Fiscal Year 1981 and provides additional explanatory comment on the meaning of the provisions. With regard to the provision that nothing in the Act was to be construed as authority to withhold information from the intelligence committees on the grounds that providing them with information would constitute an unauthorized disclosure of classified information or information relating to intelligence sources and methods, the Conference Report states:

"The conferees expect that mutual agreement on the need to protect vital intelligence sources and methods may result in decisions that certain information, such as the identities of covert agents, need not be furnished to the select committees in particular circumstances. Although differences have occasionally arisen under the current procedures, and may arise on future occasions after the enactment of this statute, it is the view of the conferees that, as in the past, such differences must be resolved on the basis of comity and mutual understanding. Moreover, both branches agreed that the select committees continue to have the right to obtain information they require by subpoena."

In 1991, the National Security Act was amended to place responsibility on the President, in addition to the DCI and the heads of other intelligence entities, to ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States. The role intended for the President appears to be broad, contemplating the establishment of policies that ensure that the statutory requirements in the bill are implemented. The 1991 amendments left undisturbed the preexisting authority of the President and intelligence committees to establish procedures necessary to carry out the congressional oversight provisions of the Act, including the requirement that the committees be kept fully and currently informed. Since that Act became law, however, no procedures have been established by the President or the intelligence committees that relate to this obligation.

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Executive Order 12333, United States Intelligence Activities, dated December 4, 1981, provides in section 3.1, Congressional Oversight, that the duties and responsibilities of the DCI to cooperate with the Congress in the conduct of its responsibilities for the oversight of intelligence activities are as provided in 50 U.S.C. Section § 413. Agency Regulation [REDACTED]

[REDACTED], repeats the substance of the oversight provisions in 50 U.S.C. § 413 and § 413a, including the requirement to keep the intelligence committees fully and currently informed of all intelligence activities conducted on behalf of CIA. Agency Regulation [REDACTED]

[REDACTED] guidance with respect to requests from members, committees and staffs of the Congress. This regulation states that "decisions on reliability of Agency information are made by the Deputy Director concerned or designee in coordination with OCA based upon the general responsibility of a member or committee or the specific subject of a committee inquiry or investigation."

A January 1993 Inspector General Report of Inspection concerning the Office of Congressional Affairs and the Agency's Interaction with Congress examined the subject of providing information to Congress. The report, which did not make any formal recommendations, noted that "although the provision of information to the intelligence oversight committees is one of the Agency's important responsibilities, Agency officials . . . did not identify any formal guidelines for decisions to provide or deny information requested by a congressional inquiry." The IG Report went on to note that "currently in some parts of the Agency, the process for responding to requests for information from the oversight committees appears to be influenced by persistent cultural bias against sharing information." The Report noted that the inspection team "believed that "this bias should be replaced by a predisposition that favors sharing information unless withholding is approved by the DCI or disclosure would entail an unacceptable risk of irreparable injury to core Agency interests, as may be the case with the disclosure of agent or source identities or equally sensitive

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information." While the inspection team was told that any decision to deny information to the Congress would require the DCI's approval, the majority of the team believed that Agency regulations were ambiguous as to who has authority to deny information. The majority of the team believed the regulation should state clearly that denial of information to Congress requires the approval or concurrence of the DCI.

Other Agency policy pronouncements have addressed the requirement to keep the intelligence committees fully and currently informed. [REDACTED]

reiterates this statutory obligation, noting that it is to be carried out "consistent with Constitutional prerogatives of the Executive Branch." In addition, the Agency has published and circulated widely since at least 1988 an eight-page pamphlet entitled "Briefing Congress." In a section entitled "Guidelines for Congressional Briefings the pamphlet states that "a CIA officer in contact with Congress—whether before a committee, an individual Member, or a staffer—should present information that reflects the following: "candor, correctness, completeness, and consistency." These elements have come to be known in the Agency as "The Four C's."

Candor: Be sure that the information you provide is, to the best of your knowledge, true and accurate.

Completeness: Respond to questions in a full and forthright manner; avoid conduct that could give rise to criticism that your audience "did not get the right answer because it did not ask the right questions."

Correctness: If you have provided information in a briefing that is incorrect, or if you have omitted something significant, see that the right information is provided as soon as possible. OCA will transmit the corrected or updated information to the Member, committee, or staffer.

Consistency: Our responses to Congress are based on established guidelines which are summarized in the pages that follow.

The first guideline that follows the explanation of "consistency" is entitled "analytical vs. operational information." The guideline states that analytical information may be provided to any Member, or committee, or staff member with the requisite clearance and a legitimate reason for requesting it. The discussion goes on to state :

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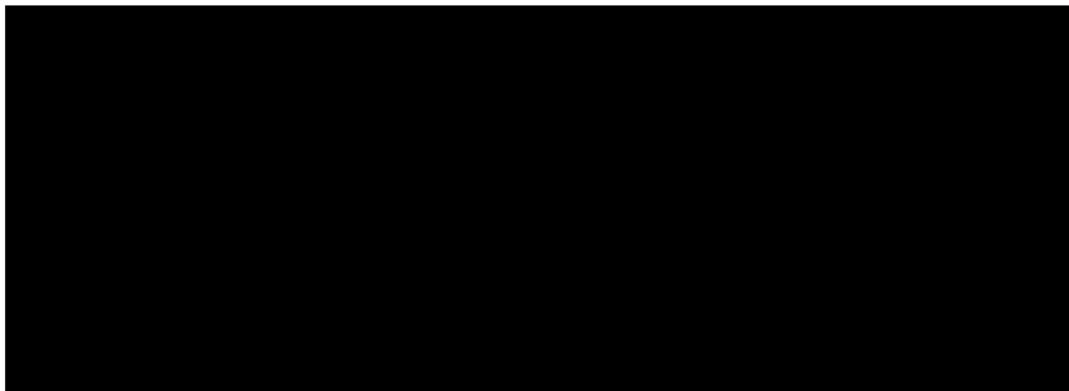
"information about operational activity, excluding specific source identifying data, is provided only to the oversight committees."

In addition, the Office of Congressional Affairs developed a lengthy paper in the late 1980's entitled "Guidelines for Contacts with Congress." It appears that this OCA paper predated the Four C's pamphlet and its guidelines concerning the obligation to provide certain information to Congress are more limited in scope. For example, in explaining the term "completeness", the statement is made that

"it is not enough that testimony be accurate; it must also be complete. Agency officials should not respond to a question with a narrowest possible answer. Instead keeping in mind the protection of sources and methods and other issues identified in these guidelines, Agency officials should be forthcoming in responding to a question and should attempt to answer it with an informative, complete answer." (Emphasis added).

In addition, under a heading of "sources and methods," it is stated that

Sources are readily described to oversight committees in general terms Agency officials should not discuss the specific sources of intelligence . . . except in unusual circumstances and with advance approval. Such exceptions generally involve cases where there is credible evidence of illegal or improper activities.





It does not appear that these guidelines were circulated outside of OCA. However, the qualifications they contain concerning intelligence sources may have served as the basis for the statement in the Four C's Pamphlet that "specific source identifying data" was generally to be excluded from the operational information provided to the oversight committees.

 provided guidance for release of DO intelligence information to the congressional oversight committees. It dealt with procedures for releasing information in response to requests, not with any general requirements to notify the committees in the absence of a request. This  was replaced by a revised version on .

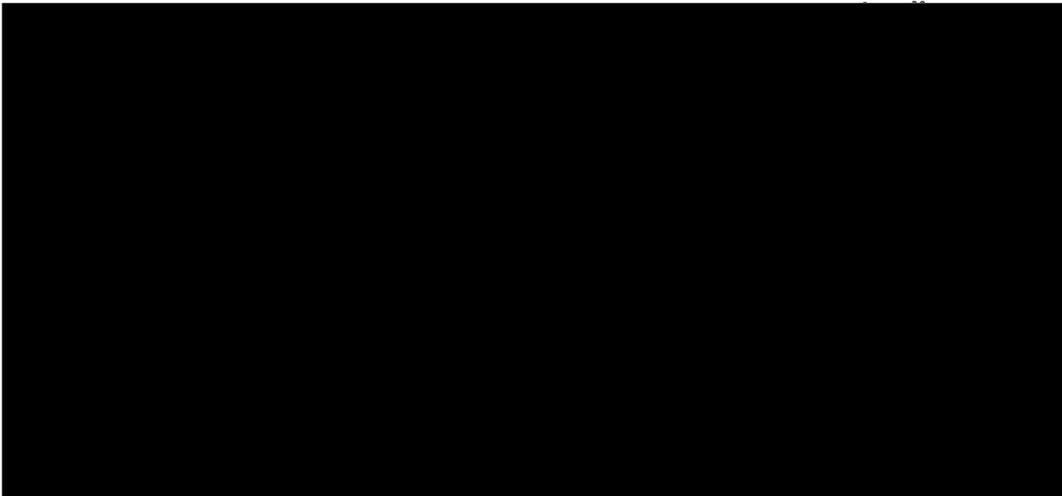
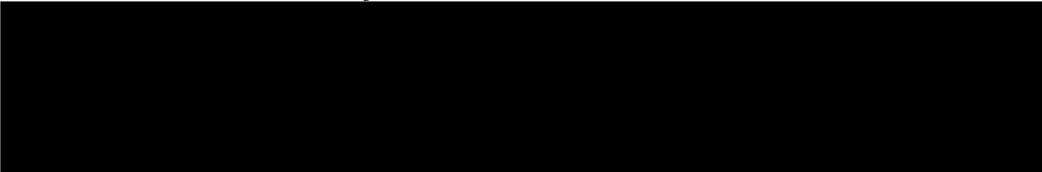
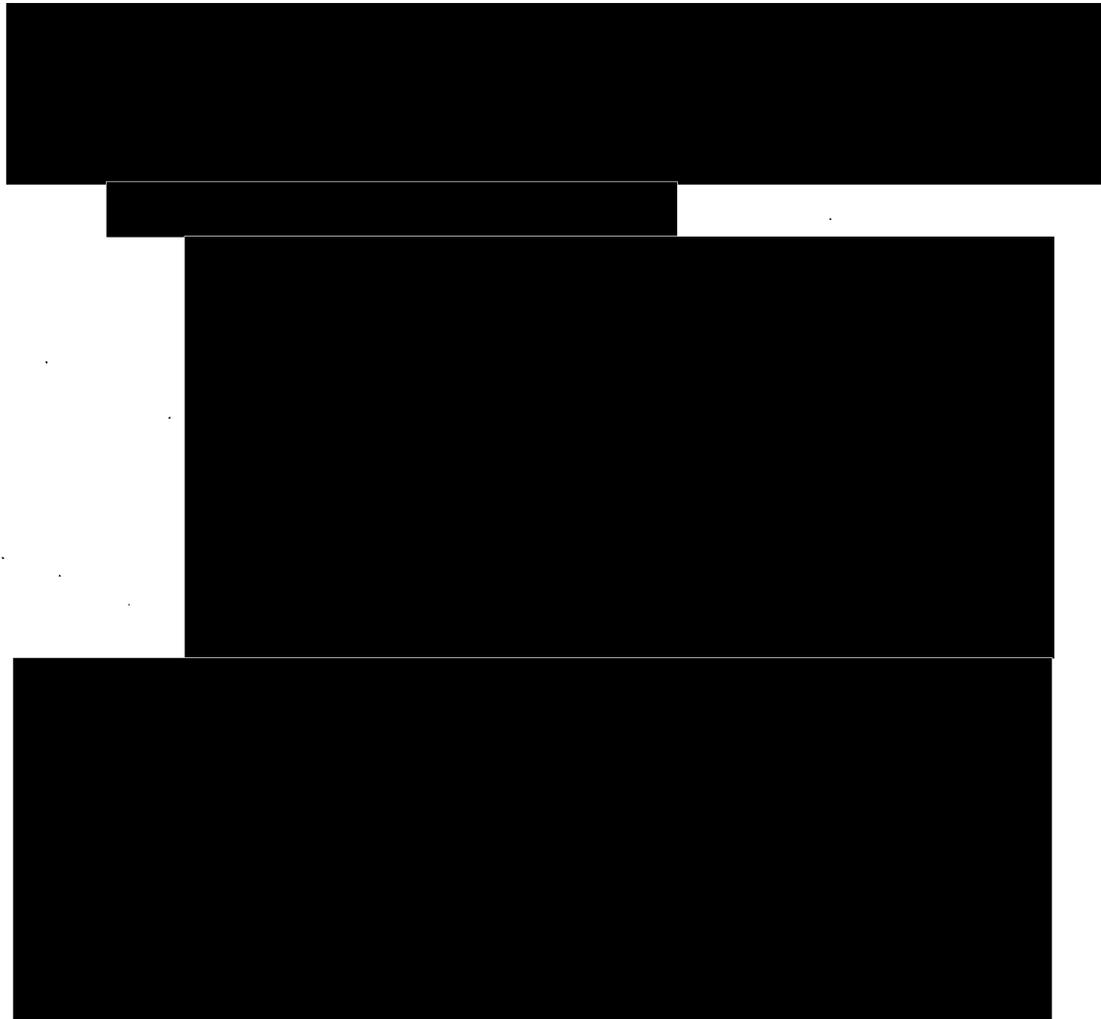


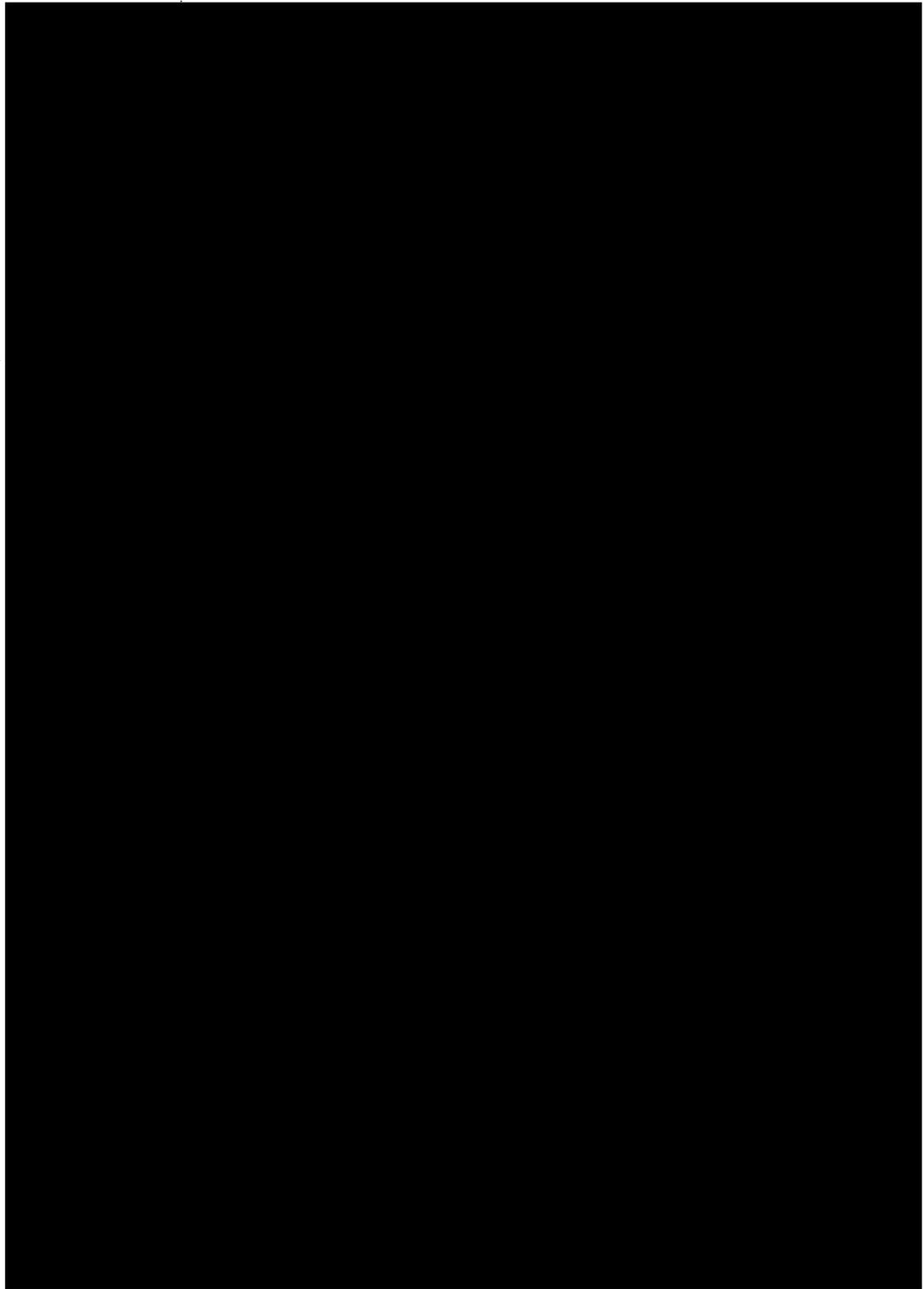
EXHIBIT D: HUMAN RIGHTS REPORTING REQUIREMENTS

There is no statute, Executive order, or Agency regulation that, per se, requires CIA to report human rights violations to Congress. Executive Order 12333, Section 2.1, of December 4, 1981 states that intelligence activities are to be conducted in a "responsible manner that is consistent with the Constitution and applicable law and respectful of the principles upon which the United States was founded."



This summary of statutory, regulatory and policy guidance relating to Agency obligations to notify the intelligence oversight committees of Congress has been prepared by the CIA Office of Inspector General.

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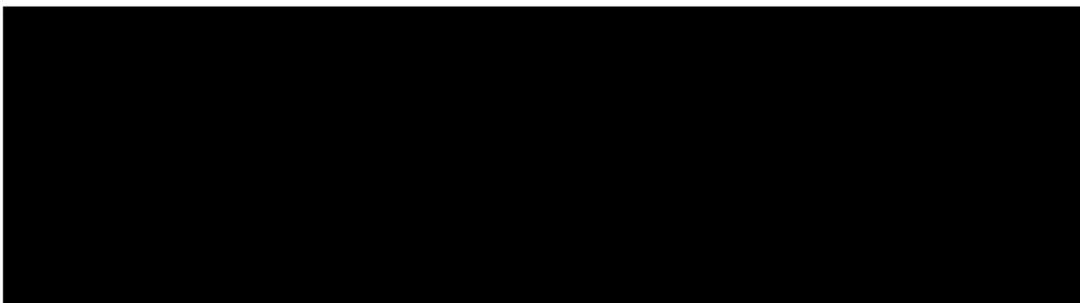
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EXHIBIT E: STATION OBLIGATIONS TO THE AMBASSADOR

Summary. The legal framework for the relationship between the Agency Chief of Station (COS) and the Ambassador derives from the National Security Act of 1947, the Foreign Service Act of 1980 (hereinafter 22 U.S.C. § 3927(a), National Security Council Intelligence Directive (NSCID) No. 5, and Director of Central Intelligence Directive (DCID) 5/1. Other key policy documents include Executive Order 12333 of December 4, 1981, the 1977 State-CIA Agreement, and a series of presidential letters to Ambassadors. (See attached copy of September 16, 1994 letter from President Clinton to Chiefs of Mission).

In sum, these documents provide that the Ambassador should be kept apprised of station activities and make it clear that the Ambassador may disapprove and delay an activity until the issue is adjudicated in Washington. The documents also make clear, however, that Ambassadors should be concerned with the overall impact of CIA operations in their country of assignment, not specific operational details.

Some general principles by which a COS may strike an appropriate balance between the Ambassador's need for information and the COS's obligation to protect sources and methods have emerged from these documents and practical experience. For example, a COS is expected to keep the Ambassador fully and currently informed about



This summary of requirements for providing information to Ambassadors has been prepared by the CIA Office of Inspector General.

Chief of Mission Statutory Duties. 22 U.S.C. § 3927(a) establishes the statutory duties of the Chief of Mission:

"Under the direction of the President, the chief of mission to a foreign country:

(1) shall have full responsibility for the direction, coordination, and supervision of all Government executive branch employees in that country (except for employees under the command of a United States area military commander); and

(2) shall keep fully and currently informed with respect to all activities and operations of the Government within that country, and shall insure that all Government executive branch employees (except for employees under the command of a United States area military commander) comply fully with all applicable directives of the chief of mission.

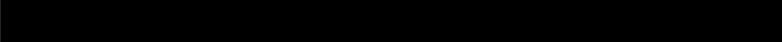
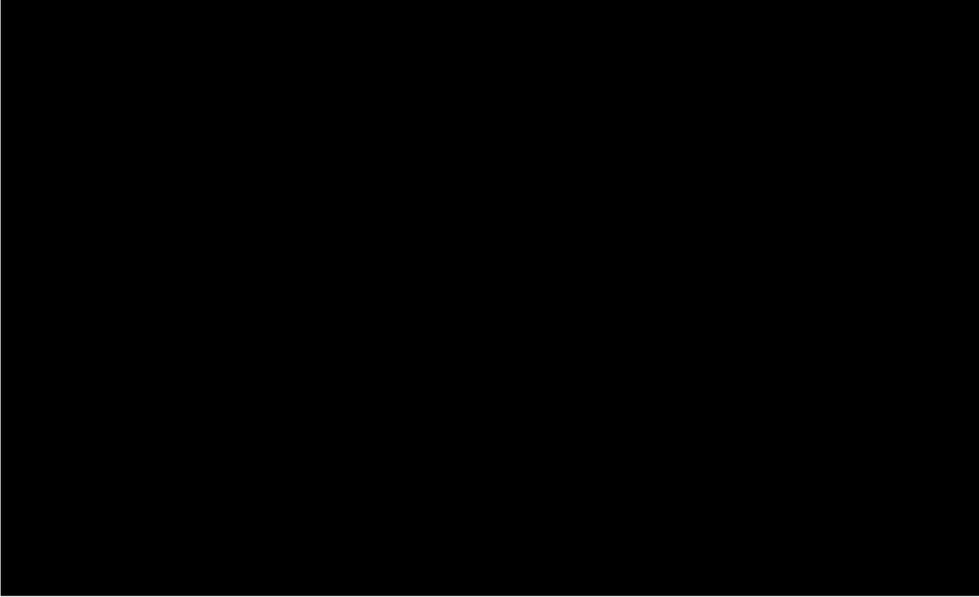
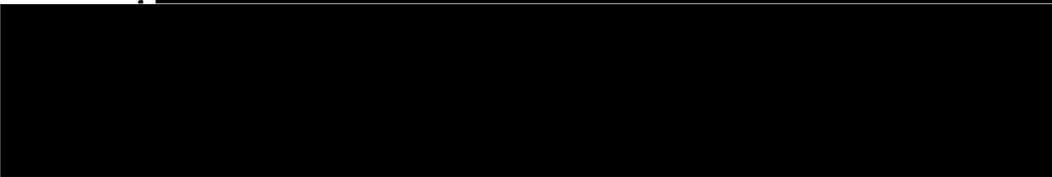
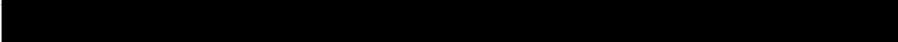
22 U.S.C. § 3927(b) imposes a corresponding duty on executive branch agencies to keep the chief of mission fully and currently informed:

Any executive branch agency having employees in a foreign country shall keep the chief of mission to that country fully and currently informed with respect to all activities and operations of its employees in that country, and shall insure that all of its employees in that country (except for employees under the command of a United States area military commander) comply fully with all applicable directives of the chief of mission.

COS Authorities. As the Director of Central Intelligence (DCI) representative, a COS derives authority to conduct intelligence activities from the National Security Act of 1947. The DCI is responsible under the National Security Act for establishing requirements and priorities that govern the collection of national intelligence by elements of the intelligence community. The DCI is charged under 50 U.S.C. § 403-3(c)(5) with the responsibility to protect intelligence sources and methods from unauthorized

disclosure. It is this statutory responsibility to protect sources and methods that can become a source of possible tension between the COS and a Chief of Mission's statutory duty to remain fully and currently informed of CIA's activities in a foreign country.

Such conflicts were addressed in the 1977 CIA/State Department Agreement, approved by the President, that explains the authorities and responsibilities of a Chief of Mission and a COS and provides a framework for cooperation between the COS and Chief of Mission.

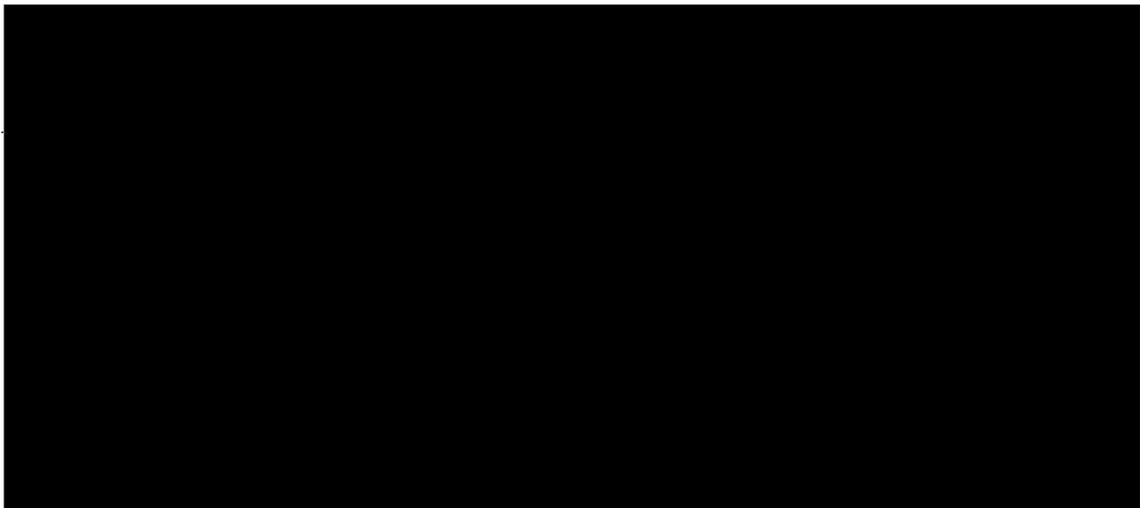


Periodic CIA and State Department messages to the field have reinforced this agreement.

Executive Order 12333. Executive Order 12333 emphasizes the importance of the effective conduct of U.S. intelligence activities to

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ensure the acquisition of timely and accurate information about the activities, capabilities, plans, and intentions of foreign powers, organizations, persons and their agents. It requires all U.S. Government departments and agencies to cooperate fully to fulfill the goal of providing the President and NSC with the necessary information on which to base decisions concerning the conduct and development of foreign, defense and economic policy, and the protection of U.S. national interests from foreign security threats. Thus, the Executive Order implicitly contemplates cooperation between the COS and Chief of Mission.



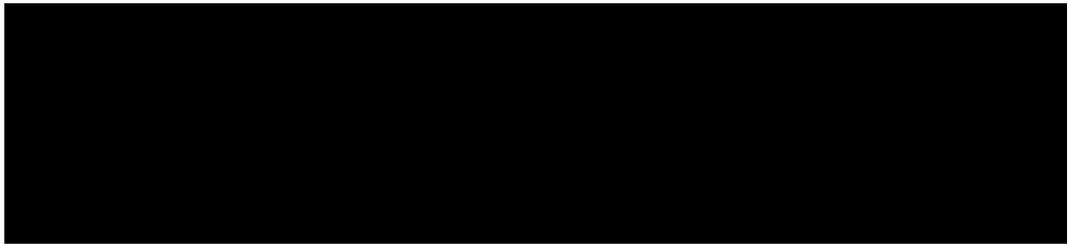
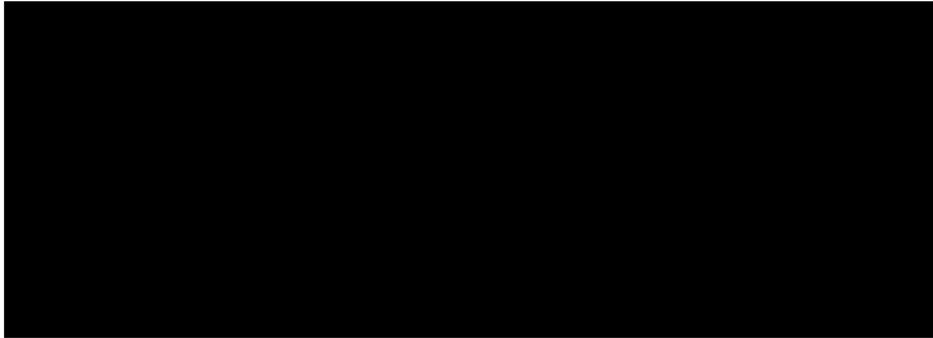
National Security Council Intelligence Directive No. 5, U.S. Espionage and Counterintelligence Activities Abroad, February 17, 1972 (NSCID No. 5). NSCID No. 5 is an NSC directive concerning the conduct of U.S. intelligence activities. Under this directive, the DCI is responsible for ensuring centralized direction through prior, comprehensive and continuing coordination of all authorized clandestine activities, including the coordination of clandestine activities with overt collection abroad.

Under NSCID No. 5, the CIA has primary responsibility for U.S. Government clandestine activities abroad, including the conduct of espionage outside the U.S. Other Executive branch agencies are required to assist the CIA in its conduct of espionage by providing collection requirements and assessments of the value of collected

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information. The DCI is responsible for ensuring that the senior U.S. representative in a foreign area is appropriately advised on a timely basis of U.S. espionage activities conducted in or affecting the area.



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PRESIDENT CLINTON
LETTER OF INSTRUCTION TO CHIEFS OF MISSION
September 16, 1994

Dear Mr./Madam Ambassador:

Please accept my best wishes and appreciation for your efforts as my personal representative to (country/international organization).

We are at a moment of unique historic opportunity for the United States and the world. With the end of the Cold War, we are entering an era so new that it has yet to acquire a name. Our task as a Nation, and yours as Chief of the United States Mission, is to ensure that this new era is one conducive to American prosperity, to American security, and to the values America seeks to exemplify. To accomplish this task I need your full support for the three goals of my foreign policy that aim to keep our Nation strong at home and abroad: renewing and adapting America's security alliances and structures; rebuilding and revitalizing the American economy; and promoting democracy, human rights, and sustainable development.

You should give special attention in the security realm to halting arms proliferation, preventing, resolving, and containing conflict, and to countering terrorism and international crime; and in the economic arena, to opening and expanding markets for America's exports. No country can be exempt from upholding the basic principles in the Universal Declaration of Human Rights; all should understand that shared democratic values are the most reliable foundation for good relations with the United States. Finally, I will need your help as my Administration seeks to promote international cooperation to address global problems including the environment and population, narcotics production and trafficking, refugees, migration, and humanitarian assistance.

Achieving these goals will demand a dynamic diplomacy that harnesses change in the service of our national interests and values. It will require us to meet threats to our security and practice preventive diplomacy, to anticipate threats to our interests and to peace in the world before they become crises and drain our human and material resources in wasteful ways. I have asked you to represent the United States in (country)/at (international organization) because I am confident that you possess the skills, dedication, and experience necessary to meet the many challenges that this new and complex era presents. This letter outlines your principal authorities and responsibilities. I have informed all department and agency heads of these instructions, and I know you will receive their full support.

I charge you to exercise your authority with wisdom, justice, and imagination. Dramatic change abroad and austerity here at home have put a premium on leadership and teamwork. Careful stewardship of your mission's resources stands in the forefront of your responsibilities. I urge you to see budgetary stringency not as a hardship to be endured but as an incentive to innovation.

As my representative, you, with the Secretary of State, assist me in the implementation of my constitutional responsibilities for the conduct of our relations with [country/international organization]. I charge you to exercise full responsibility for the direction, coordination, and supervision of all executive branch offices and personnel in [country]/at [international organization], except for personnel under the command of a U.S. area military commander, under another chief of mission in (country), or, on the staff of an international organization. This encompasses all: American and foreign national personnel, in all employment categories, whether direct hire or contract, full- or part-time, permanent or temporary.

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All executive branch personnel under your authority must keep you fully informed at all times of their current and planned activities so that you can effectively carry out your responsibility for U.S. Government programs and operations. You have the right to see all communications to or from Mission elements, however transmitted, except those specifically exempted by law or Executive decision.

As Commander in Chief, I retain authority over U.S. Armed Forces. On my behalf you have responsibility for the direction, coordination, supervision, and safety, including security from terrorism, of all Department of Defense personnel an official duty (in (country)/at (international organization)), except those personnel under the command of a U.S. area military commander. You and such commanders must keep each other currently informed and cooperate on all matters of mutual interest. Any differences that cannot be resolved in the field should be reported by you to the Secretary of State; area military commanders should report to the Secretary of Defense.

Every executive branch agency under your authority, including the Department of State, must obtain your approval to change the -size, composition, or mandate of its staff. Use this authority to reshape your Mission in ways that directly serve American interests and values. I ask that you review regularly programs, personnel, and funding levels, and ensure that all agencies attached to your Mission do likewise. Functions that can be performed by personnel based in the United States or at regional offices overseas should not be performed at post. In your review, seek guidance from the Secretary of State, who has the responsibility for establishing appropriate staffing levels. Given the restrictive resource environment in which we operate, I urge you to cooperate in every way you can with any downsizing efforts undertaken by other departments and agencies. If an agency head disagrees with you regarding staffing, he or she may inform the Secretary of State, to whom I have delegated responsibility for resolving such issues. In the event the Secretary is unable to resolve the dispute, the Secretary and the respective agency head will present their respective views to me, through my Assistant for National Security Affairs, for decision. In such instances, both the Secretary and I will uphold the party arguing for the best use of increasingly scarce resources.

The Secretary of State is my principal foreign policy adviser. Under my direction, he is, to the fullest extent provided by the law, responsible for the overall coordination and supervision of U.S. Government activities abroad. The only authorized channel for instructions to you is through him or from me. There are only two exceptions: (1) if I personally instruct you to use a private channel. (2) if the Secretary instructs you to use a non-State channel. The Secretary and I will look to you for your expert guidance and frank counsel. You should seek the same from your own staff. I urge you to foster a climate of openness, as debate and dissent serve a vital role in policy-making. Ultimately, there can be only one U.S. policy, which I expect you and all members of your mission to follow and articulate. But by having a frank internal debate, we are better able to speak to others with one voice regarding U.S. foreign policy.

The Secretary of State and, by extension, chiefs of mission abroad must protect all U.S. Government personnel on official duty abroad (other than those personnel under the command of a U.S. area military commander) and their accompanying dependents. I expect you to take direct responsibility for the security of your Mission. I also expect you to support strongly appropriate counterintelligence and counterterrorism activities that enhance security both locally and in the broader international context.

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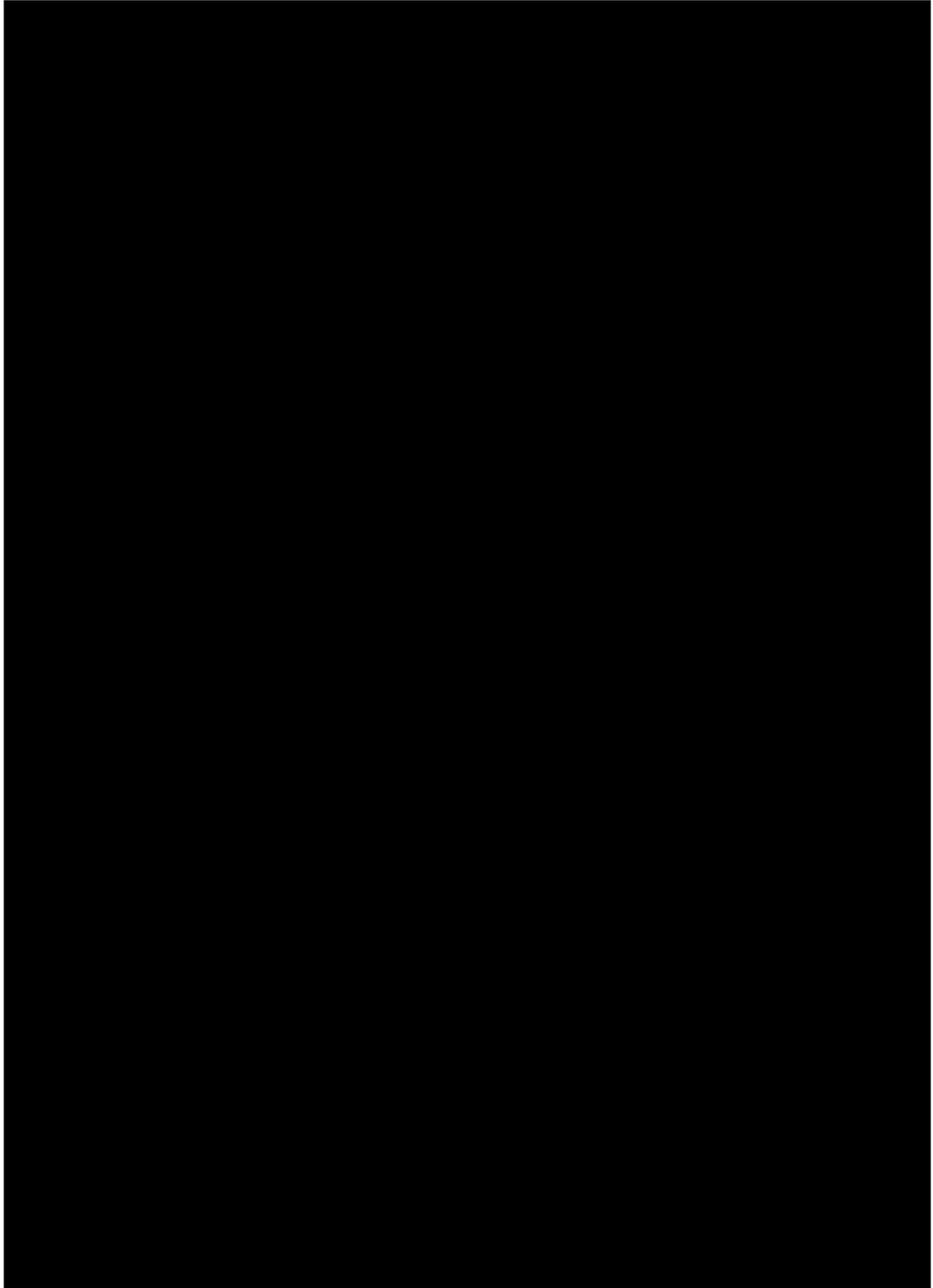
You should cooperate fully with personnel of the U.S. legislative and judicial branches in (country)/at (international organization) so that U.S. foreign policy goals are advanced, security is maintained, and executive, legislative, and judicial responsibilities are carried out.

As Chief of Mission you are not only my representative in (country/international organization) but a servant of the people of our Nation. This is both a high honor and a great responsibility. I expect you to discharge this trust with professional excellence, the highest standards of ethical conduct, and diplomatic discretion. I ask you to ensure that your staff similarly adheres to the same strict standards and maintains our shared commitment to equal opportunity. I urge you in particular to see that discrimination or harassment of any kind find no acceptance at your Mission, just as they have no place in American society.

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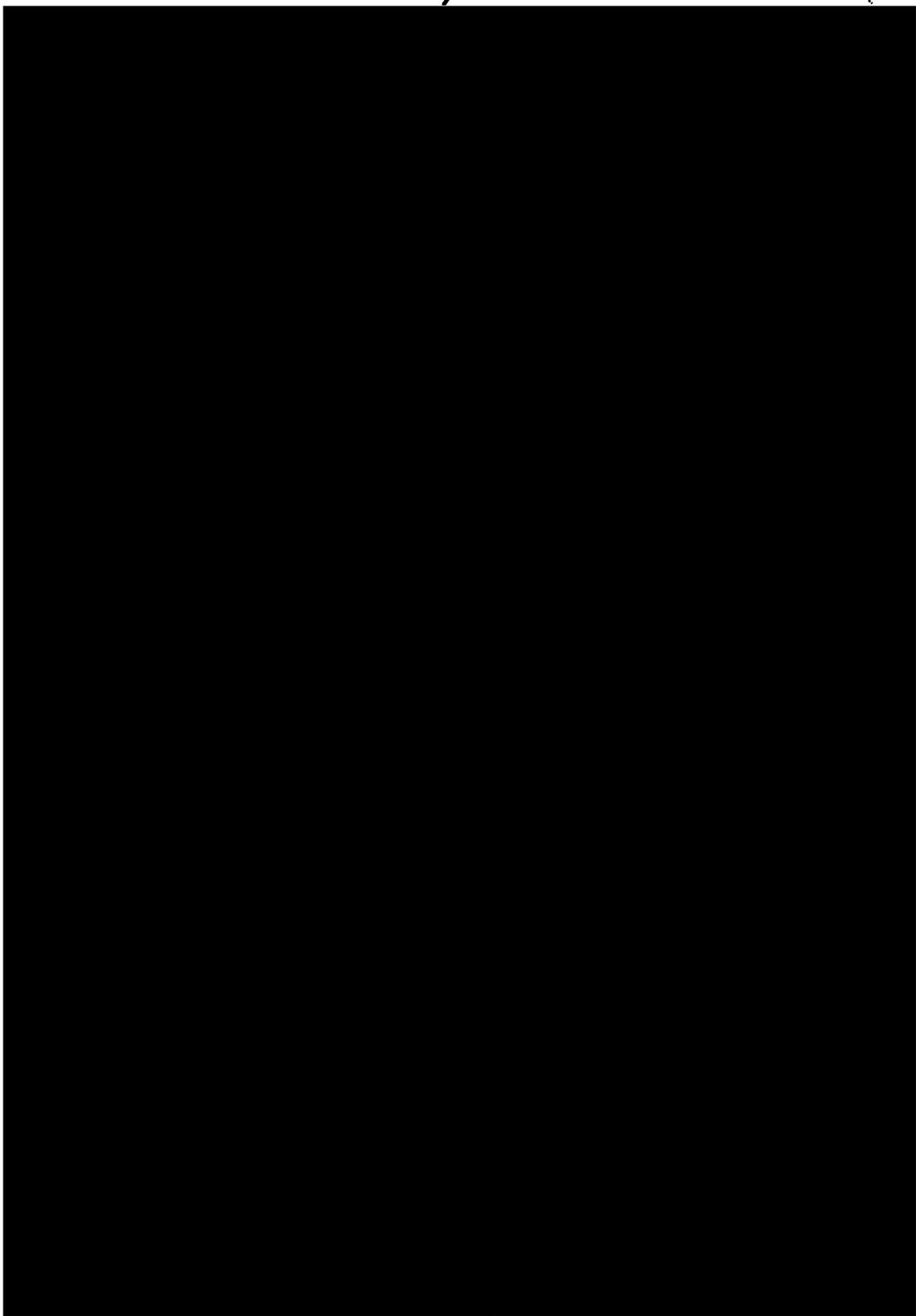
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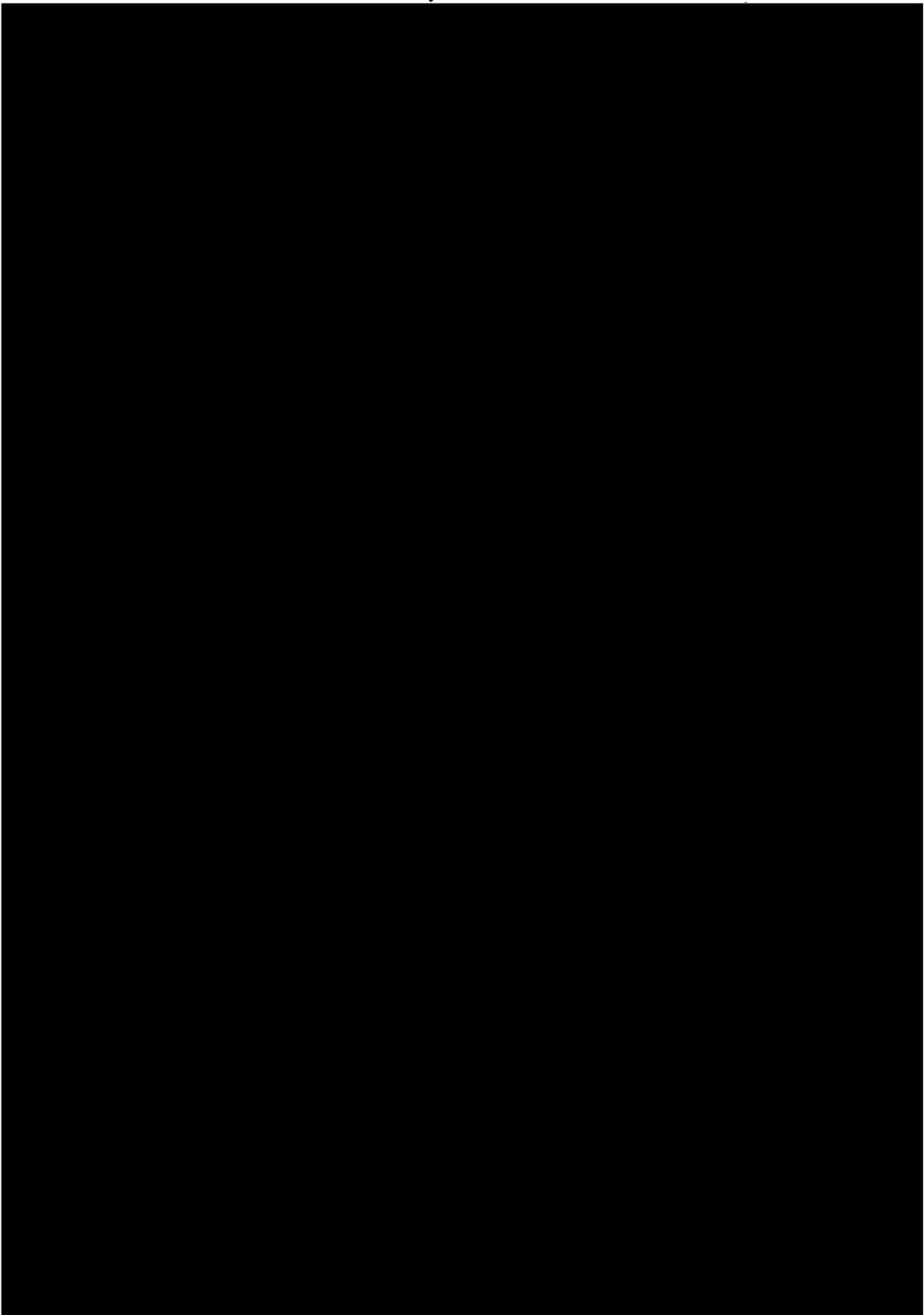
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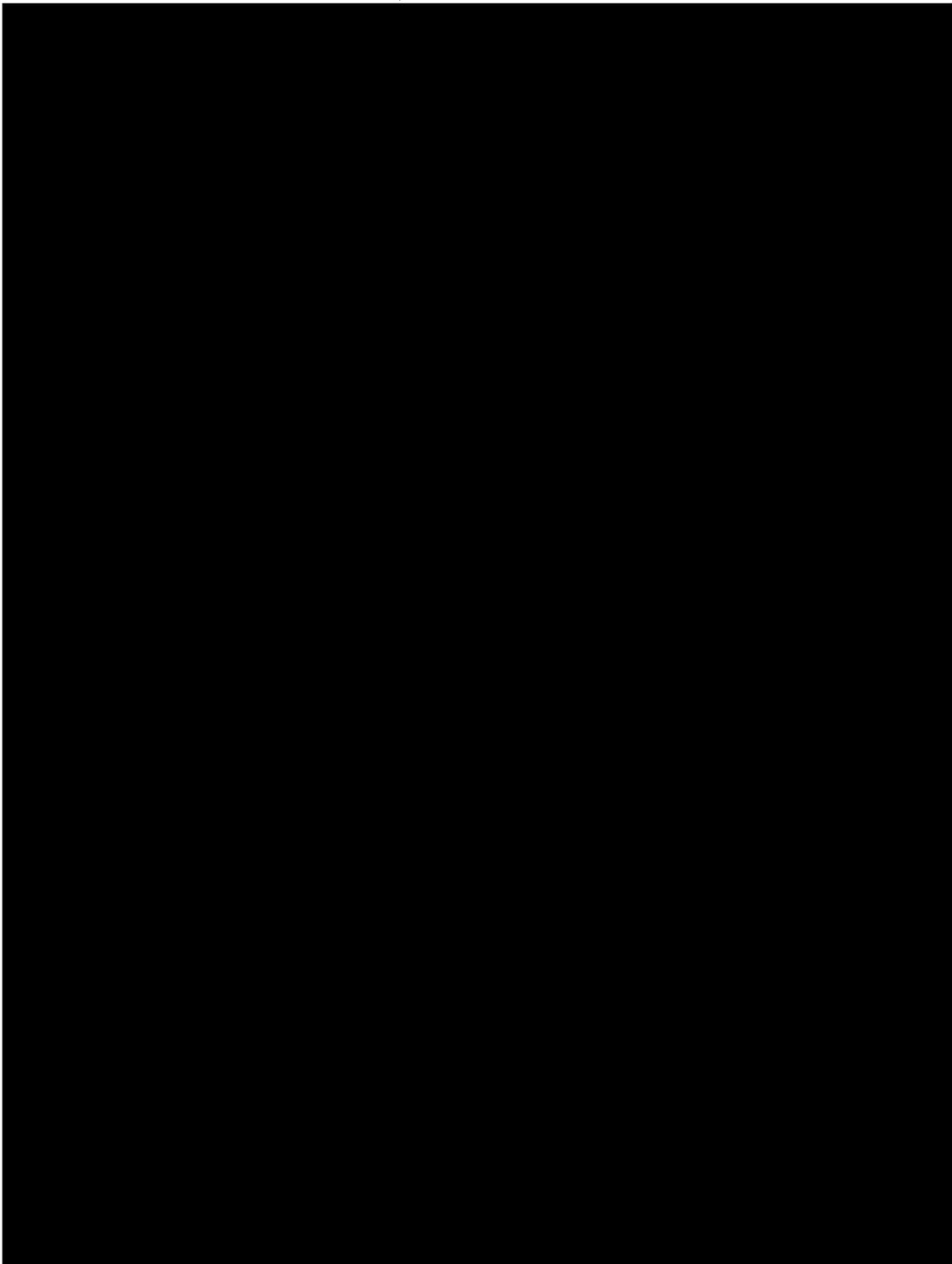
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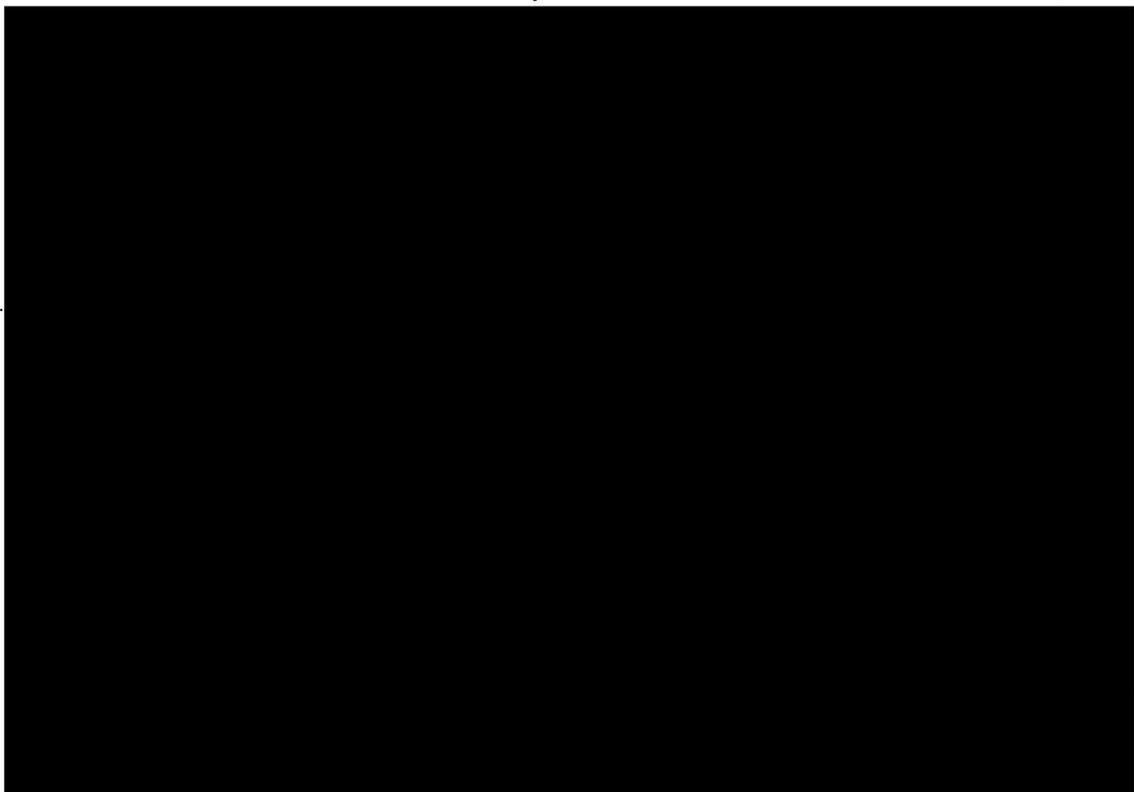
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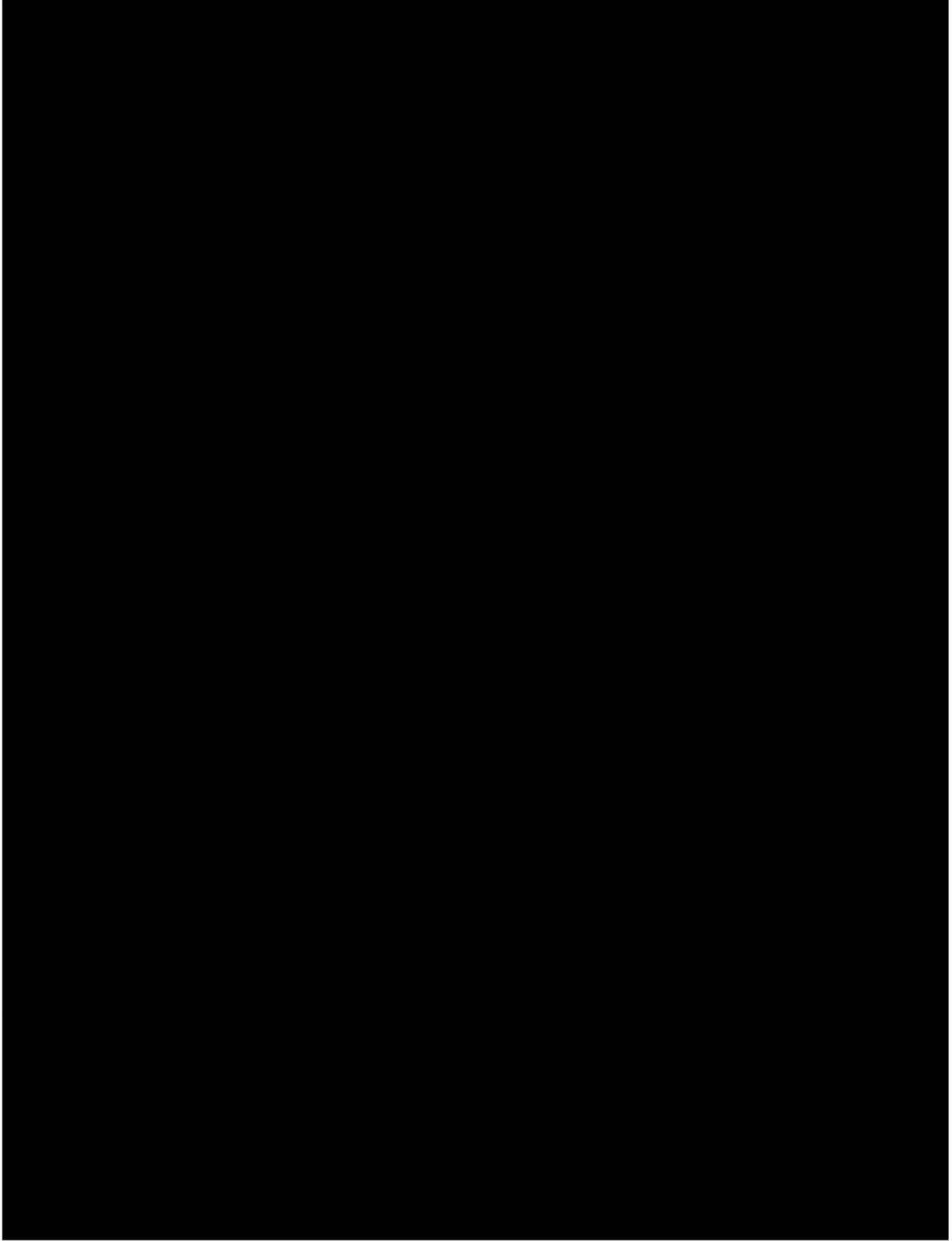
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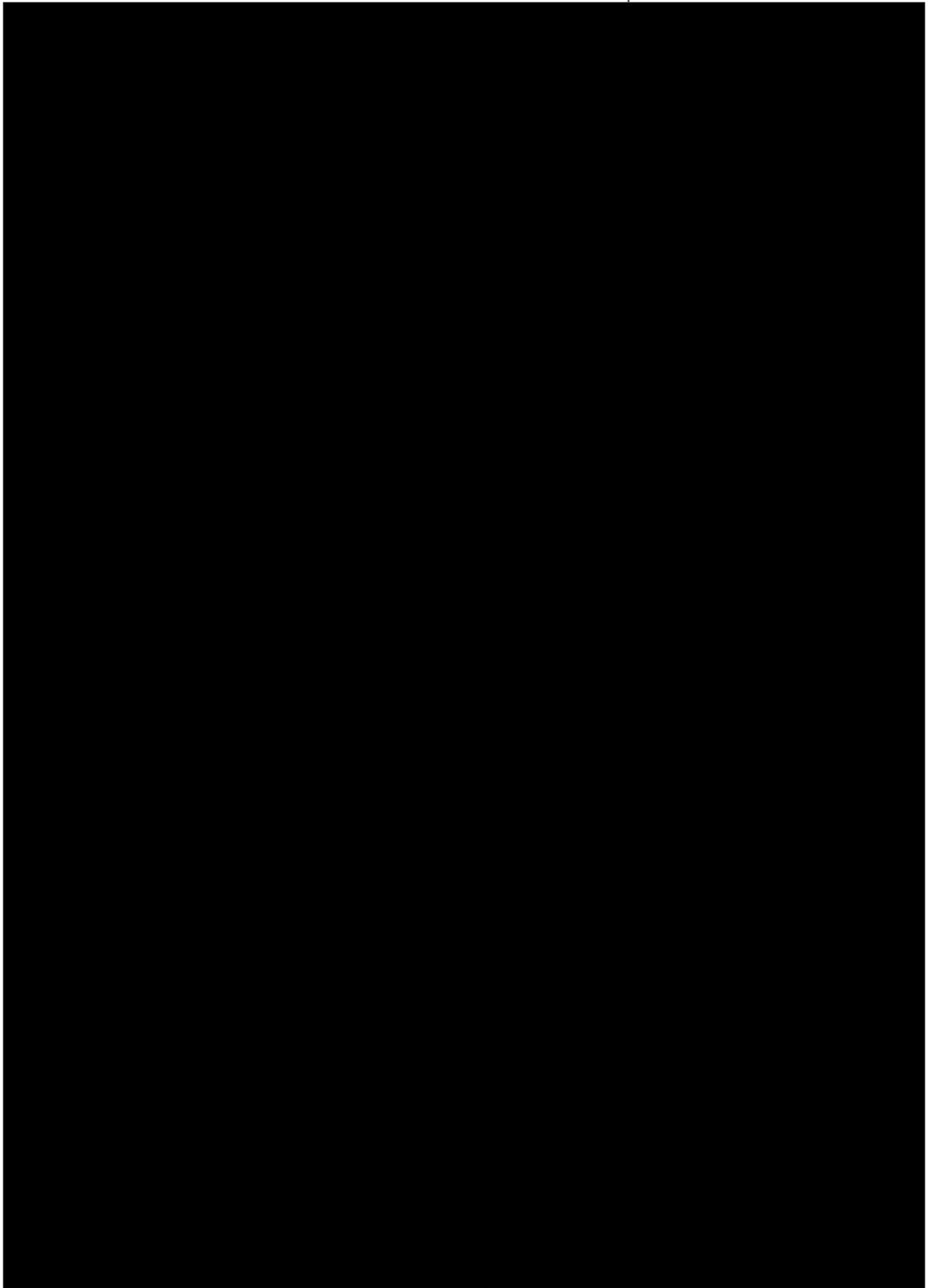
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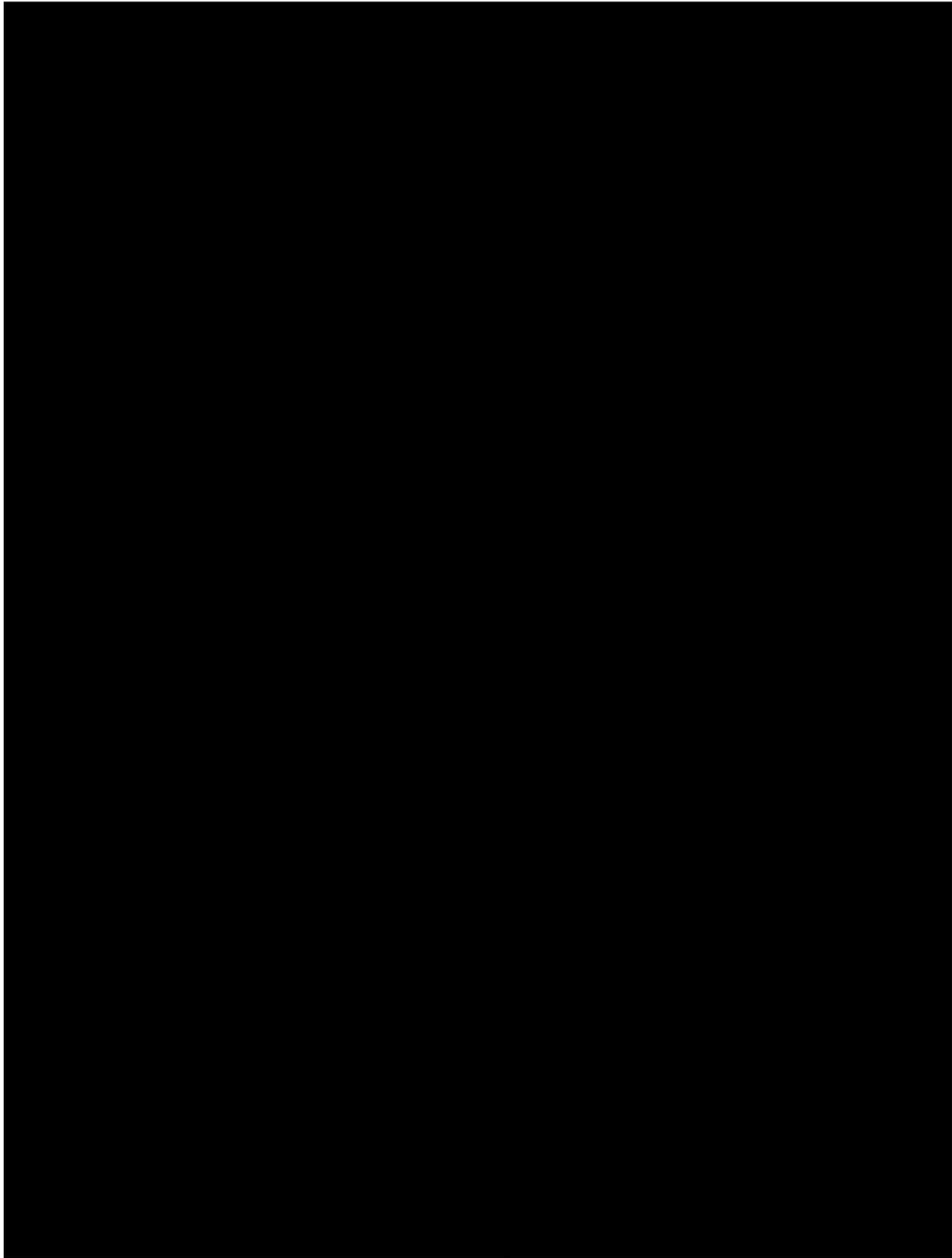
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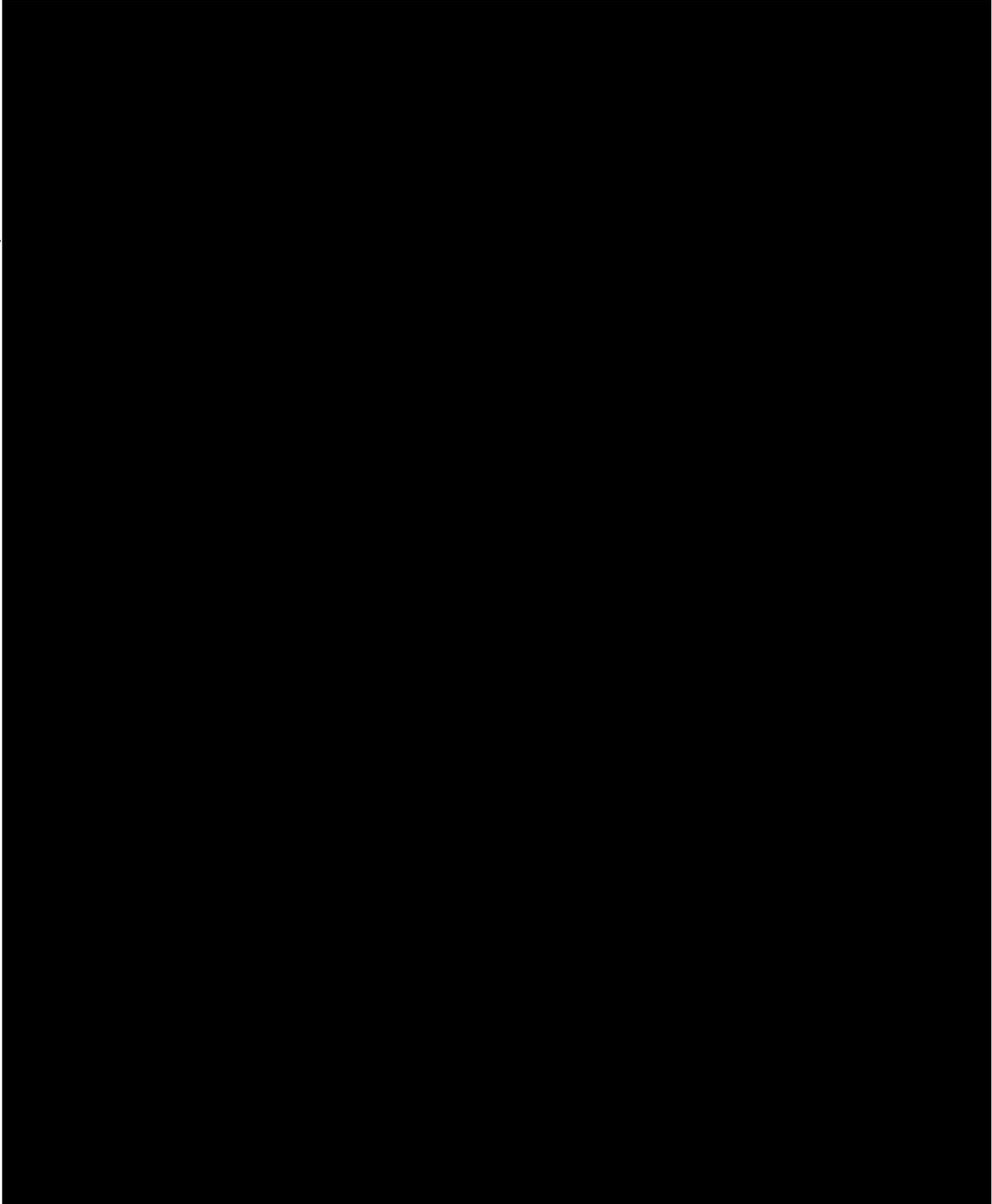
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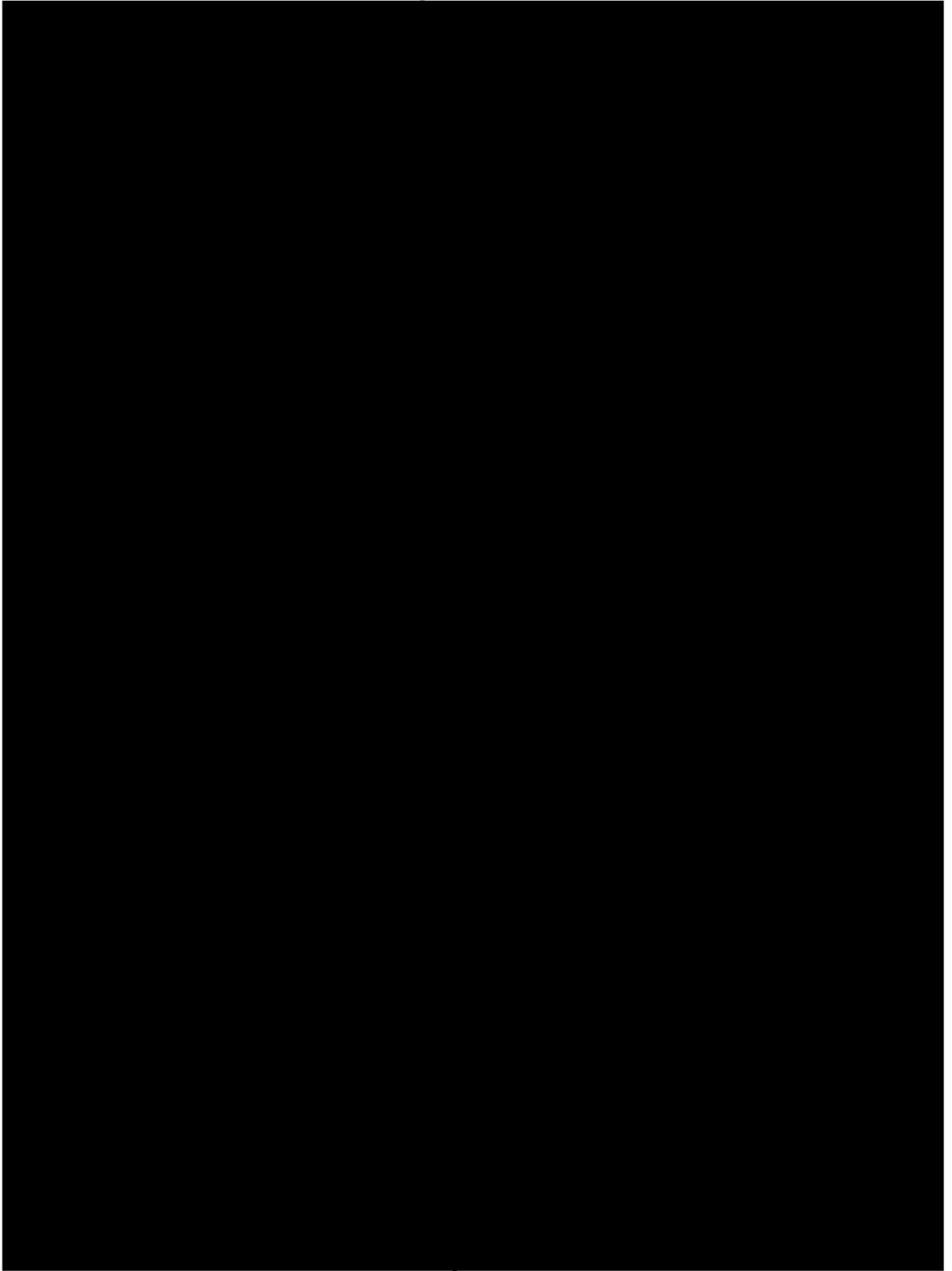
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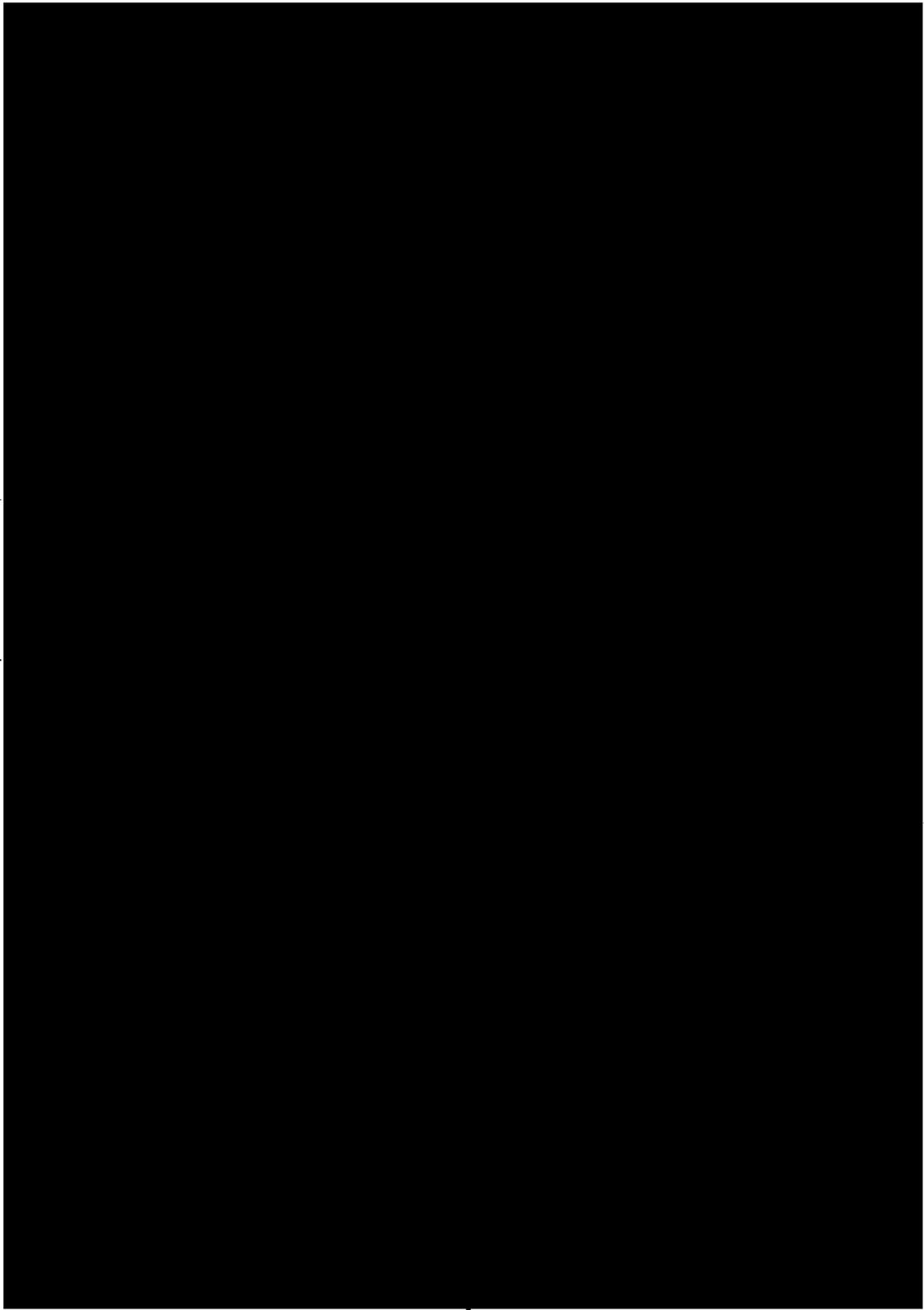
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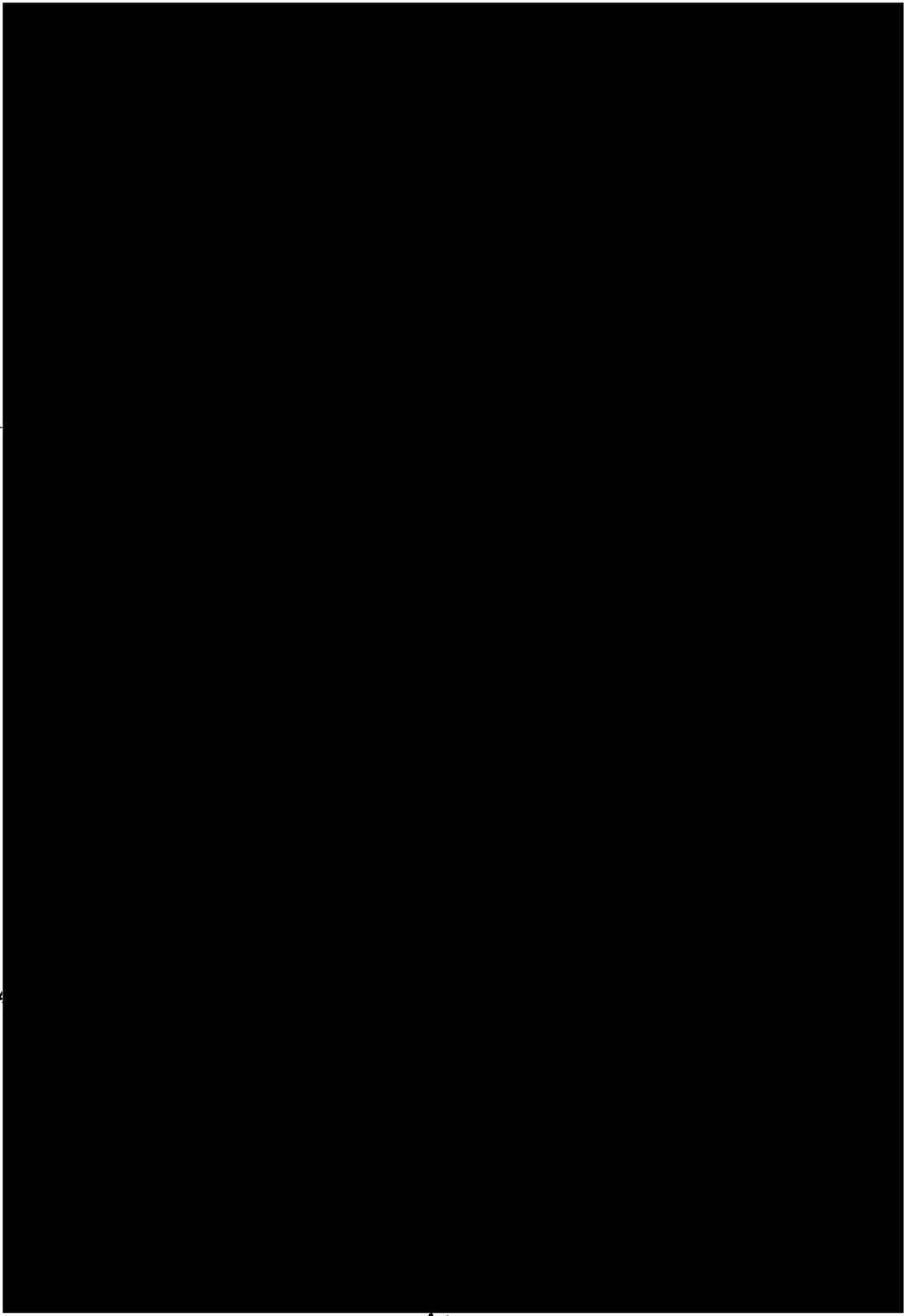
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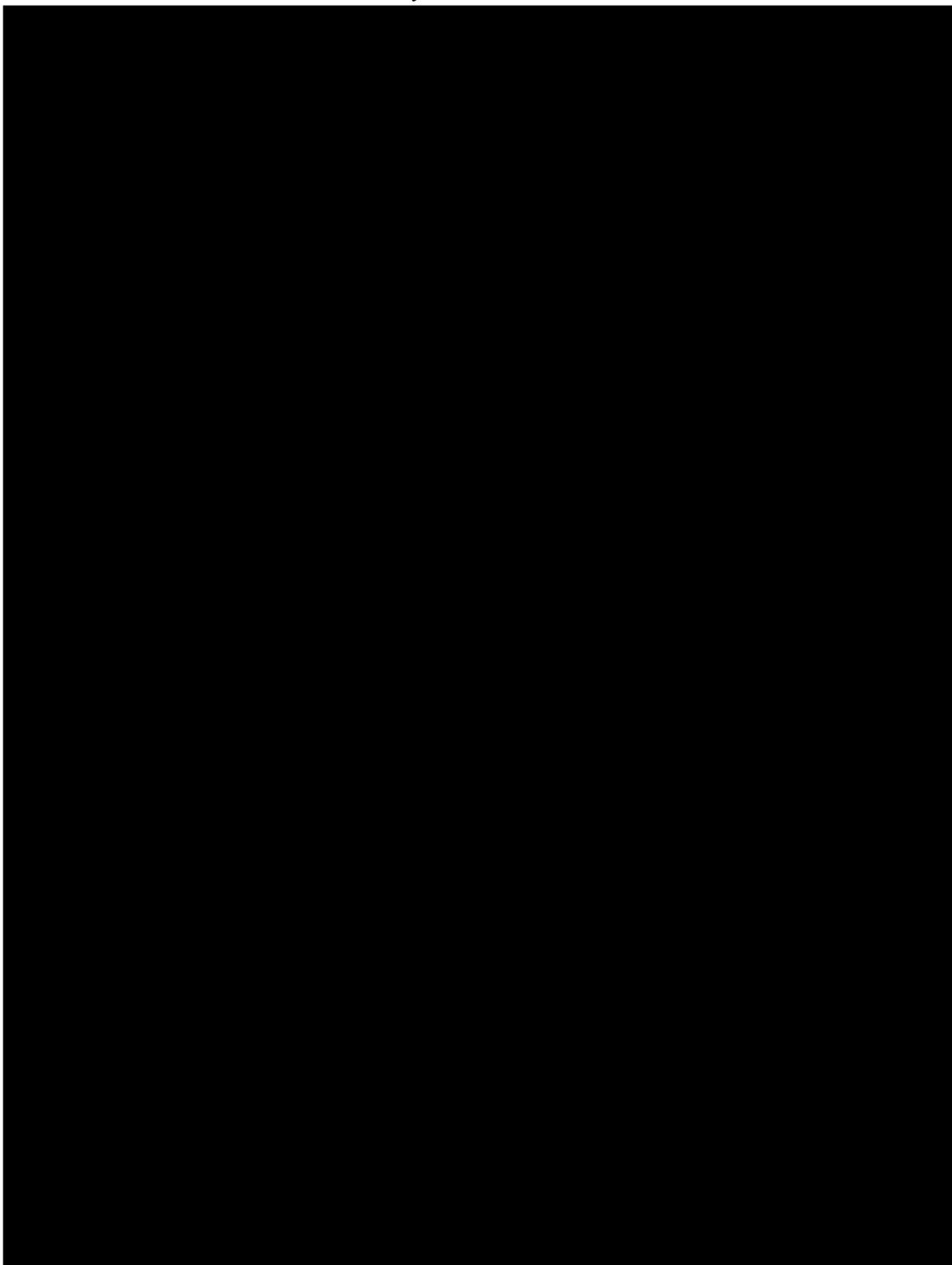
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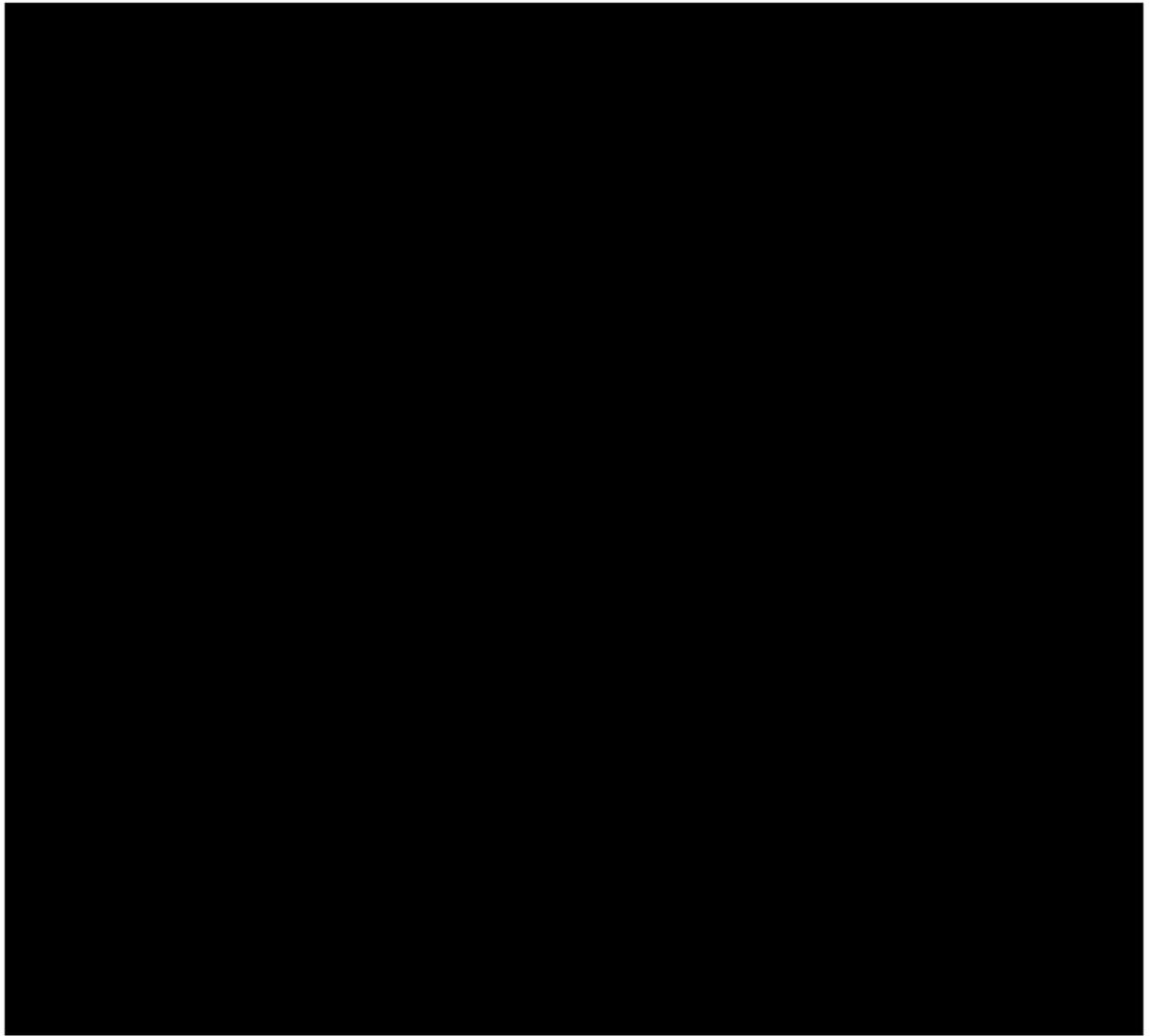
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EXHIBIT G:
PASSAGE OF INTELLIGENCE, OR OTHER INFORMATION,
TO PRIVATE CITIZENS'

The statutes, regulations and procedures pertaining to the passage of information to private citizens, by CIA, are quite specific and narrow. There is no statute, Executive order or Agency regulation that requires relevant intelligence information be disclosed to families of U.S. citizens, or others, who are murdered, captured or imprisoned, or are missing in a foreign country. Indirectly, under the Freedom of Information Act and the Privacy Act, the Agency must provide information to private individuals, upon request, but in each case the DCI's responsibility in the National Security Act of 1947 to protect intelligence sources and methods is recognized as an appropriate basis for withholding information.

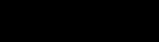
A number of Executive orders and Agency regulations deal with disclosure of information generally. For example, Executive Order 12333 (U.S. Intelligence Activities) provides guidance for CIA activities and limits the collection, retention and dissemination of information about U.S. persons to authorized foreign intelligence purposes. Executive Order 12958 (Classified National Security Information) prescribes a uniform system for classifying, declassifying and safeguarding national security information, but does not require the dissemination of classified information to the public. The Executive order does require the declassification of certain information after prescribed intervals.

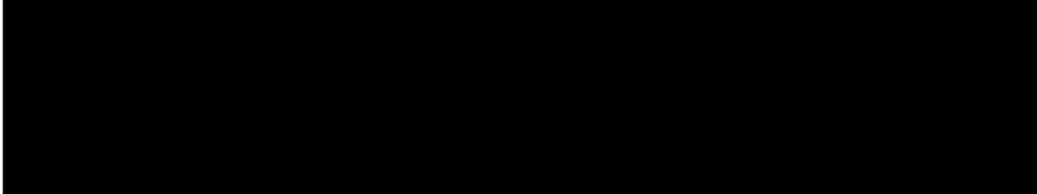
There are also a number of Agency regulations that address various issues related to the disclosure of information by CIA. For example, [REDACTED] and [REDACTED] make it clear that the Public Affairs Office is the Agency component responsible for releasing information to the public; [REDACTED] provides for the review of significant historical information with a view toward releasing it to the public;

This compilation of information relating to the sharing of intelligence information with private citizens has been prepared by the CIA Office of Inspector General.

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 provides for release of information to Congress, GAO, the Library of Congress, former employees, former Presidential Appointees and historical researchers. 



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