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SUBJECT ~~Full Text~~ A View From the Gallery (PRAETORIAN GUARD)
with Paul Duke

ANNOUNCER: From Washington, an NPACT special, "A View from the Gallery: An Assessment of the Congressional Investigation of the CIA and the FBI."

Now, here is NPACT correspondent Jim Lehrer.

JIM LEHRER: Good evening. We've turned on the TV lights again tonight here in the Senate Caucus Room of the Old Senate Office Building, a room that has become as familiar in the last two years as just about any in Washington. For it has been here, under these lights, that the darker side of our government has been shown to us. First there were the months of Water-gate, which later led to the resignation of a President. And now, just completed, the hearings of the Senate Select Committee on Intelligence.

Off and on during the last four months, witnesses have sat at this witness table and told of things that we thought existed only in the minds of spy novelists or crackpots. The senators, up here, led by Democrat Frank Church of Idaho and Republican John Tower of Texas, asked questions about and expressed shock and disbelief at what they heard.

Tonight, we're going to forego further expression of shock and disbelief, and attempt to put this past year of investigations and revelations into the light of perspective. This will include not only what we've heard from this committee, but also from a House investigative committee headed by New York Congressman Otis Pike.

There has been too much, obviously, to crowd into an hour, so we've had to be selective. We're going to deal exclu-

sively with the nation's two major intelligence organizations, the Central Intelligence Agency and the Federal Bureau of Investigation. But even with them, we're going to have leave out some things.

We have brought back into this room some of Washington's top reporters, who spent many hours at these press tables observing the Senate committee's work. But even before this investigation got underway, they were covering this story. And they and Paul Duke and I will tell you what happened tonight, and, hopefully, why it happened and who was responsible.

PAUL DUKE: We always knew that spying was a dirty business, but we never knew just how dirty until The New York Times broke the story a year ago about CIA operations in this country, operations that were not sanctioned by law, that went far beyond the agency's basic charter.

The subsequent investigations have told us a great deal: that the CIA did spy on innocent Americans, it did illegally tap telephones, it did make unlawful break-ins; and overseas, the CIA was implicated in assassination plots and did wage war.

In all of this, the agency did many things public opinion would never have supported. It did these things because it operated in secret, and it also did them because of a conviction that it was serving the national interest.

The CIA view that it could do largely as it pleased was dramatically exposed early in the Senate hearings when the agency's onetime chief counterspy, James Angleton, testified about the opening of American mail.

SENATOR WALTER MONDALE: What was your understanding of the legality of the covert mail operation?

JAMES ANGLETON: That it was illegal.

SENATOR MONDALE: What?

ANGLETON: That it was illegal.

SENATOR MONDALE: How do you rationalize conducting a program which you believed to be illegal?

ANGLETON: From the counterintelligence point of view, we believed that it was extremely important to know everything possible regarding contacts of American citizens with Communist countries. And, second, that we believed that the security of the operation was such that the Soviets were unaware of such a program; and, therefore, that many of the interests that the Soviets would have in the United States, subversive and otherwise, would be through the open mails, when their own adjudication was

that the mails were -- could not be violated.

SENATOR MONDALE: So that a judgment was made, with which you concurred, that although covert mail openings were illegal, the good that flowed from it, in terms of anticipating threats to this country, through the use of this counterintelligence technique, made it worthwhile nevertheless.

ANGLETON: That is correct.

DUKE: This attitude, that the law did not always apply to the CIA, led the agency into many questionable activities, even though Congress, in creating the agency in 1947, clearly said it was to have no police or internal security functions.

To the public, the CIA was a world of super-secret spying for finding out what the enemy was up to. Not many people cared or asked what the CIA was up to. But now we know the unthinkable became the thinkable, as the agency moved more and more down a bizarre trail of death-dealing dart guns and exotic poisons.

There were days, in fact, when the Senate hearings turned into a kind of James Bond theater on the art of snoopering.

SENATOR FRANK CHURCH: Does this pistol fire the dart?

DIRECTOR WILLIAM COLBY: Yes, it does, Mr. Chairman. The round thing at the top is obviously the sight. The rest of it is what is practically a normal .45, although it's special. However, it works by electricity. There is a battery in the handle, and it fires a small dart.

SENATOR CHURCH: So that when it fires, it fires silently?

DIRECTOR COLBY: Almost silently, yes.

SENATOR HOWARD BAKER: Looking at your previous executive session testimony, apparently you developed for them a fountain pen. What did the fountain pen do?

CHARLES SENSENY: The fountain pen was a var -- it was a variation of an M-1. An M-1, in itself, was a system, and it could be fired from anything. It could be put into a

SENATOR BAKER: Did it fire a dart, or an aerosol, or what?

SENSENY: It was a dart.

SENATOR BAKER: It fired a dart.

A starter -- were you talking about a fluorescent light

starter?

SENSENY: That's correct.

SENATOR BAKER: What did it do?

SENSENY: It put up an aerosol in a room when you put the switch on.

SENATOR BAKER: What did that aerosol do?

SENSENY: It would contaminate anybody in the room.

SENATOR BAKER: Okay. What about a cane, a walking cane?

SENSENY: Yes, an M-1 projectile could be fired from a cane; also an umbrella.

DUKE: In truth, we never had a full-fledged spying operation in this country until World War II. There was a celebrated comment by War Secretary Henry Stimson, who once said, "Gentlemen just don't open other gentlemen's mail."

And, Stanley Karnow, you've been a foreign correspondent, you're a syndicated columnist now, and you're also a noted authority on the affairs of the CIA. How is it that we started down this long trail?

STANLEY KARNOW: Well, it's true that the war did change, the Second World War did change people's attitudes and it changed attitudes within the government. And I think it's interesting to look at the personalities of some of these men who emerged as senior CIA officials.

In one respect, they considered themselves to be blue-blood Americans. They'd gone to very exclusive prep schools, Ivy League colleges, and they saw themselves as a special breed. And during the Second World War, many of them served in the Office of Strategic Services, which was the precursor to the CIA, which was an eccentric, romantic, covert operation; and here, their notion of themselves as a special breed was further encouraged.

Now, when the war ended, many of them had to go back to the routine of peacetime life, and it was a bit boring. Can you imagine going back to a lawyer's office or being a bond salesman when, during the war, you'd been parachuting into Yugoslavia or occupied France?

So, when the cold war came along, this was an opportunity for many of these men to relive the exciting years of the Second World War and to use some of the same techniques that they

had used during the Second World War. So, in a sense, it was a continuation of the war for them, and they began to argue, "All's fair in war, so, therefore, let's behave the way we did during the Second World War." And this inevitably led to assassination plots and the like.

DUKE: Was the development of these exotic weapons also a natural consequence?

KARNOW: Well, advanced technology came along to increase the romanticism of it. James Bond was fiction, but these men were living in real life. And eventually, in my opinion, they began to look like kids with deadly toys.

So, it was the spirit of adventure combined with advanced technology.

DUKE: So, as we see, the romanticism soon found a new outlet in reaction, a cold war reality. And for the CIA, this meant action to stop Communist advances in Europe and elsewhere.

After the Communist coup in Czechoslovakia in 1948, Washington was frantic about a similar threat to Italy. So the CIA poured in money to try to influence the Italian elections.

More money was used in France to ward off gains by Communist labor unions.

And agents began moving into Eastern Europe to try to foment trouble for the Russian satellite countries.

But the first great CIA triumph came in Iran in 1953. Here, in a masterpiece of clandestine skill, the agency maneuvered successfully to overthrow a rebel regime and to return the Shah to power. For CIA leaders, this was proof that they could handle events in many other countries as well.

John Steele, you were, during this period, during the early 1950s, you were a magazine reporter and you were on intimate terms with many of the CIA leaders of that day. Was Iran the great jumping-off point?

JOHN STEELE: I think not, Paul. Iran was a page, but not really the beginning in the story of CIA's covert operations, in a modern sense. I think in 1947, when the newly-established National Security Council issued its very first top secret order, it all began. The order told the Central Intelligence Agency to launch covert operations against what was then called International Communism, including, but not limited to, such action as sabotage, demolition, aid to resistance groups. And in the intervening years, covert actions were really pursued relentlessly and, for a long time, with an urgency dictated by cold war tensions and other

tensions, really, with implacable foes.

Most particularly, this was so when for eight years the CIA was run by the late Allen Dulles, a rumpled bear of man, usually surrounded in pipe smoke, with a lifetime of intelligence experience and an unbridled gusto. Few risks were too great for Allen Dulles and few challenges were too stern for his CIA.

But the U.S., it has to be remembered, had no monopoly on this playing board. It girdled the entire globe. All of the great powers, and many of the small powers as well, were playing out a deadly game in the dangerous back alleys of the world.

There were successes: in Iran, as you mentioned; in ousting a Communist-dominated government in Greece; in Guatemala and elsewhere.

The CIA once dug a tunnel, for instance, from West Berlin to East Berlin, and through it tapped Soviet communications, until one day East Berlin street workers repairing the street hit a soft spot and the thing collapsed.

And from high-flying U-2 aircraft, armed only with reconnaissance cameras, CIA pilots audited Soviet nuclear progress, until Francis Gary Powers was shot down in 1960.

I think John Kennedy was right when he told the CIA in 1961 that "your successes are unheralded; your failures are trumpeted."

DUKE: Well, John, given this background, it's hardly surprising that the CIA became more aggressive and more ambitious in its projects. In the past 28 years, the agency has engaged in subversive activity; that is, it has actively tried to influence events in no fewer than 30 countries.

The ultimate climax was U.S. involvement in plots to assassinate foreign leaders. As the Senate committee reported, American officials were implicated in three political assassinations: President Trujillo in the Dominican Republic in 1961, President Diem in South Vietnam in 1963, and General Rene Schneider in Chile in 1970. In two cases, the CIA directly tried to kill foreign leaders: Patrice Lumumba of the Congo in 1960 and Fidel Castro of Cuba between 1960 and 1965. There were at least eight attempts against Castro's life, all designed to prevent Communism from gaining a toehold on our Latin doorstep.

Likewise, this was the reason the CIA tried to prevent Salvador Allende from taking power in Chile, pouring in money to help Allende's opponents, and contributing the turmoil that made it difficult for Allende to govern.

Here, as in everything else, the end seemed to justify the means; so there was no hesitancy about recruiting gangsters to try to kill Castro. But as Senator Mondale remarked, it all proved Americans were just not very good at the assassination business.

SENATOR MONDALE: It seems to me the record shows, over many, many years and under Administrations of both political parties, an incredible naivete about the capacity of American society to control and dictate the course of another society through such things as an assassination, a few guns, a few dollars, or a few lives. None of it worked, and all of it assumed that other societies were capable of being moved around and dictated and directed by our society in a way that we would never accept in terms of outside direction of our own society.

DUKE: Nicholas Horrock, as investigative reporter for The New York Times, you have spent many, many months in this committee room, covering these proceedings, as well as on the House side. How would you assess the findings relating to the political assassinations?

NICHOLAS HORROCK: I tend to a little bit disagree with Mr. Mondale. The policy was naive, but I think what the committee found was that we had learned a lot of very efficient techniques. And they did a good job, and I understand their final report will have in it information, which we had not known about, about our success on a below-the-foreign-leader basis. In other words, in the Phoenix Program in Vietnam, or the famous Green Beret case, we killed people; we learned the techniques almost as well as the Russians, or maybe better.

So I think that it's wrong to say that the CIA was bumbling or fumbling in this thing. But the policy was misdirected, coming back a great deal, by the way, to what Stan was saying earlier. We had a notion that wherever there were countries we were dealing in, there was a rude group of people willing to come to our aid, people to whom you could give money and they would overthrow a government for you. It was a World War II concept of a freedom fighter someplace that you could find. And it just simply, again and again, hasn't proved out.

Now, on the House side, they got into a very intriguing aspect of CIA efficiency on the question of how good they are on simply intelligence gathering. They spend upwards of 4 1/2 billion dollars, somewhere in that range, to 5 gathering intelligence. And in several cases, they don't predict very well. We know that now in the Israeli situation. We know in Vietnam their force levels, of the intelligence community, were lower than the North Vietnamese had there. And I think that not enough attention was given to Mr. Pike's investigation in that range. I think that we should have paid some attention, and I hope that whatever oversight

committee that comes along will get into the question: Do we get our money's worth, and do we know what's going to happen?

LEHRER: All right. This has been a rough year on the CIA, but it's also been -- these investigations and hearings have been just as rough on the FBI, the nation's number one domestic law-enforcement agency.

The FBI stories we all heard in this room also dealt with assassination, but of another kind than the CIA's. It was practiced with poisoned words, rather than with dart guns and deadly toxins. But the shock waves set off by the FBI part of the total picture were almost as great as the CIA's. One of the principal reasons was probably the public image of the FBI that preceded these revelations.

While most people were undoubtedly prepared to accept some sleaziness and unorthodox dirtiness from the CIA, this was not the case with the FBI. There was not an organization in or out of government that enjoyed a better image than the FBI. FBI agents were all impeccably honest and moral, rough-and-ready Efrem Zimbalist Jr., out there fighting crime, but fighting fair and clean. Generations of young Americans, including me, for one, grew up believing that to be an FBI agent was right up there with the ministry on the master list of noble things to do.

The ultimate G-man, of course, was Mr. Hoover, Mr. Gangbuster, the ultimate symbol of law and order. For 48 years he ran the FBI and, in effect, was the FBI. He was the ideal of Boy Scouts. Presidents gave him medals. His tough, bulldog likeness was etched in granite, and in the minds of all Americans, public enemies and public friends alike. He was the closest thing to a perfect hero we've ever had.

Sanford Ungar, Washington editor of Atlantic Monthly. You've spent the last couple of years, Sandy, carefully examining the FBI of J. Edgar Hoover, and you've just finished a book on the FBI. What has all this research and reporting told you about Hoover the man.

SANFORD UNGAR: Well, J. Edgar Hoover was a difficult man, Jim. He was a disciplinarian, above all. He had come into office as a knight in shining armor, cleaned up a corrupt organization, and centralized everything. He put everything in his own name, and had an efficient organization. It was a stiff one, an organization that had little room for jokes with the Director or for healthier constructive criticism, like many other organizations. And within J. Edgar Hoover's FBI, people lived in fear; they were worried. The Director might change his mind about something, and they knew that meant they had to change their minds, or they'd be in trouble.

I think, from a psychological point of view, J. Edgar Hoover was probably a fairly insecure man. His education, he felt, wasn't as good as some others. He had gone to school at night while working at the Library of Congress. And he distrusted other people, disliked people who had a different kind of education from his.

When he would go to a party to be recognized as the leader of the FBI, he didn't like it if some of his aides showed up there as well. He wanted to be the one man who represented the FBI, stood for it.

In private, he was a lonely man; he had very few friends, close, intimate personal friends. He had people who claimed to be his friends and whose friend he claimed to be, but not very many people really knew J. Edgar Hoover.

He was easily manipulated. Within the Bureau, people learned that if they sent him appropriate letters of praise, that they could get their way with Hoover. He was susceptible to flattery. He liked being told that he should stay in his job until he was an old man.

And sometimes he could be kind to people he recognized as his proteges or people he thought were following his way of doing things; but very, very vicious toward people he didn't like, people who crossed him, for one reason or another, even just criticizing J. Edgar Hoover publicly or in any way casting doubt on his leadership of the law enforcement community.

LEHRER: Because J. Edgar Hoover and the FBI were one and the same in the minds of most people, it was understandable that credit for the FBI's many good deeds through the years accrued to him. Thus, it was also inevitable that the blame for the darker side of the FBI, the side we never saw before now, would also go to J. Edgar Hoover.

That newly-revealed darker side includes, for example, the FBI's destruction of a threatening letter Lee Harvey Oswald wrote. In this hearing room, the new FBI story centered particularly on an activity known as COINTELPRO. And over at that witness table, the committee's top staff lawyers told the story.

F.A.O. SCHWARZ JR: COINTELPRO is an abbreviation of the words "Counterintelligence Program." COINTELPRO is the name for the effort by the Bureau to destroy people and to destroy organizations; or, as they used the words, "disrupt and neutralize."

The techniques kind of varied. The black nationalists get hit in the family and factionalization more; the New Left gets hit on the campuses and as far as meetings go.

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They said that our job in the Bureau is to prevent the long-range growth of these movements, especially among the youth. So they should be targeted, they should be destroyed, so they'd no longer appeal to young people in this country.

CURTIS SMOTHERS: Perhaps the most dangerous aspect of the New Left initiative involved the failure, really, to define what New Left was, and the kind of no-holds-barred approach in terms of techniques that the Bureau authorized.

In 1968, we see the initiating document, and it's interesting to note some of the reasons why the New Left is identified as a problem. Quoting from the document of May 1968, "Some of these activists urge revolution in America and call for the defeat of the United States in Vietnam. They continually and falsely allege police brutality, and do not hesitate to utilize unlawful acts to further their so-called causes. The New Left has on many occasions viciously and scurrilously attacked the Director and the Bureau in an attempt to hamper our investigation of it and to drive it off the college campuses."

LEHRER: Targets of COINTELPRO covered the political spectrum. On the top of the list was the Communist Party, USA. There was the Socialist Workers Party, white-supremacy groups, like the Ku Klux Klan; black nationalist groups, like the Black Panthers and the Black Muslims. And then, of course, there was that large group the FBI put in the category of the New Left, which included just about every anti-Vietnam War organization and many of the individual Americans opposed to the war.

But the FBI didn't stop there. The Bureau was even concerned about the Women's Liberation Movement.

Specific COINTEL actions included the FBI's organizing its own KKK klavern to create Klan confusion; encouraging rival militant black groups to fight it out. The Bureau also made sure that it had a paid informant keeping the Bureau up to date on the consciousness-raising sessions of Baltimore housewives. Other techniques included writing anonymous letters replete with lies about people's sex lives, urging employers to fire people connected with a group the FBI had targeted, and leaking derogatory information about a group's leader to the news media.

Despite all of the recent criticism of COINTEL, many in the FBI still think it was the right thing to do.

MARK FELT: I think it was absolutely necessary, and I don't think it's going to be possible to operate in the future without some program like that.

Now, yes, maybe it got out of hand, but I think the times that it got out of hand were relatively small. Of the

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thousands of incidents which were handled, the Attorney General only complained about a relatively small number.

So, obviously, there should be some better guidelines and some form of control, but the counterintelligence type program is necessary.

LEHRER: Jack Nelson, Washington bureau chief for the Los Angeles Times. Jack, you've been reporting on and writing about the FBI for many years. In fact, you were one of the first newspaper reporters really to tackle some of these dark-side stories about the FBI. You know how the Bureau works. How did COINTELPRO get started, and how could the FBI really justify it?

JACK NELSON: Well, let me say first, though, that I really do disagree with Mr. Felt that it's necessary. And I think that they have tried to justify it by saying that it was strictly an effort to prevent the violent overthrow of the government by various organizations, and I don't think they have every really presented much evidence to substantiate this contention.

It got started, I think, as a sort of natural outgrowth of an organization which, as Sanford Ungar said, was under a man, J. Edgar Hoover, who was a very harsh disciplinarian, who tolerated no dissent. He not only didn't tolerate dissent outside the FBI, he tolerated no dissent inside the FBI. He had spying, for example, agents spying on each other. And this happened over the years. This was nothing that was just in recent years.

I think that -- well, for example, even Clarence Kelley, the present FBI Director, last year justified the COINTEL Program, saying that violence-prone groups are seeking to bring America to its knees.

And I think it's important to remember, though -- and you listed many of the organizations -- that they are on the left and the right, that the FBI and Mr. Hoover were really not just after one political philosophy or another. And it went -- and they went way beyond this spying, as you've pointed out.

I can remember, for example, the 1968 COINTELPRO program involving a bombing attempt in Meridian, Mississippi, where two members of the Ku Klux Klan were paid a total of \$36,500 to set up a bombing attempt at which two other Klan members were -- well, two other Klan members were actually caught in the bombing attempt, and one was killed. The point, though, is that I talked to an FBI official who said this: He said, "You know, there's a thin line between entrapment and good law enforcement." But I think the point is that they have gone over that line in many cases, not in a few cases, as Mr. Felt said.

LEHRER: While technically not a part of COINTELPRO,

the real shocker to come out of all of this had to do with Dr. Martin Luther King, Jr. It had been widely known that King and Hoover didn't care for one another, and there had even been prior information about FBI wiretaps of King. But Smothers and Schwarz made it all official.

SCHWARZ: What was the Bureau trying to do as it attacked these black groups? Well, here's what they were instructed to do: "Prevent the rise of a messiah who could unify and electrify the militant black nationalist movement."

And here's what they said about Martin Luther King in that connection: "Martin Luther King might aspire to that position. King could be a very real contender for this position if he abandoned his supposed obedience to, quotes, white liberal doctrines -- non-violence -- and embraced black nationalism."

So, the theory, as expressed in this document, was that a man recognized in the document as being someone who supported non-violence ought to be destroyed because someday he might abandon non-violence and become, thereby, what they regarded as a greater threat to be a messiah.

SMOTHERS: Quoting from a memorandum, the plan here is to completely discredit Dr. King by, quote, taking him off his pedestal and to reduce him completely in influence.

In its effort to reduce Dr. King in influence, to take him off his pedestal, and to change, if you will, his image before the masses, we begin to see -- we begin to get some insight into the thought process of the FBI at this time. The thinking was that this would not be a terribly difficult task. The memo indicated, for example, that "this can be done and will be done. Obviously, confusion will reign, particularly among the Negro people. The Negroes will be left without a national leader of sufficiently compelling personality to steer them in the proper direction."

So the FBI decided that if they were going to take King off his pedestal, it was a part of their task to find and bring into prominence a new, quote, national Negro leader.

LEHRER: The FBI spent six years trying to discredit King. Their tactics included 16 separate telephone taps and the electronic bugging of eight rooms, mostly hotel rooms. Derogatory information was leaked to the news media on King. Informants posing as newsmen followed him around. An attempt was made to keep the Pope from receiving King on a trip to Rome. There were also a lot of anonymous letters sent around concerning King. The most startling of these was a letter sent to King himself just before he was to accept the Nobel Peace Prize: "King, there's only one thing left for you to do. You know what it is. You have

just 34 days in which to do it. It has definite practical significance. You are done. There is but one way out for you."

Some people close to King at the time said he interpreted this as a suggestion that he commit suicide. FBI officials testified, however, that it could have meant only that he was not to accept the Nobel, and step down as a visible leader of the black movement.

At any rate, the anti-King campaign, as well as COINTELPRO and the other FBI revelations, bring us back to where we were a moment ago, to the question of accountability, blame. Should it all go to a man named Hoover and his organization, the FBI? Well, Frank Church, chairman of the committee which did its public work in this room, offered a much broader answer during the hearings.

SENATOR FRANK CHURCH: If fault is to be found, it does not rest in the Bureau alone. It is to be found also in the long line of Attorneys General, Presidents, and Congresses who have failed -- who have given power, rather, and responsibility to the FBI, but have failed to give it adequate guidance, direction, and control.

LEHRER: Sanford Ungar, do you agree with that assessment of accountability on the question of the FBI?

UNGAR: I think that's right, Jim. It's impossible to blame one man for all of these things. I think Attorneys General from Francis Biddle, during the Roosevelt Administration, on through John Mitchell, under President Nixon, shared responsibility with J. Edgar Hoover. They had a responsibility to supervise the FBI, which they failed to do over the years.

President's loved to have J. Edgar Hoover do the dirty work for them. They liked what they got from J. Edgar Hoover. They liked gossip, and they liked the idea that they could tell people that they would sic Hoover on them if they did something they didn't like.

Congress, for example, had an annual litany before the House Appropriations Subcommittee of the organizations and the groups, and sometimes the people, that the Bureau had under investigation. They did nothing. They didn't speak up. That testimony of Hoover's was published every year and it was available to the public. People didn't speak up and say, "Hey, what's the FBI doing here, or there?"

The press, too. The press lionized J. Edgar Hoover. It took his leaks at face value, reported every word he said as the truth, never investigated or tried to present another point of view about what Hoover or the FBI said.

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And I think, in many cases, the Bureau was doing exactly what the higher authorities and, in some instances, the public wanted it to do. But the higher authorities, Congress, the public, didn't want to know the slimy details. They wanted to let the Bureau go ahead and do the dirty work, and then share in the excitement, the credit, or the satisfaction for what the Bureau did.

And I think one of the problems over the years was that nobody was writing rules for the FBI for sharing responsibility with it. What happened is that you had the Bureau going off, defining things for itself. The Intelligence Division of the FBI, to this day, defines for itself what constitutes a subversive threat. Nobody else was helping make that decision, and nobody else, therefore, was sharing the responsibility for what came out of it.

LEHRER: Jack?

NELSON: Well, I must agree that Presidents down the line share some of the responsibility on the King matter, the Attorneys General, just as Senator Church said. And I feel even stronger about the fact that the press itself, the news media, really bears a great deal of the responsibility for not having done something before, because there are many instances where members of the news media were offered, for example, some of the information which the FBI took from the taps and bugs that were placed in the motel rooms or offices, whatnot, of Dr. King's -- places where he was staying. And these reporters who were offered the information never wrote about it, never tried to investigate it, knowing, however, that the FBI was carrying out this campaign.

I think, also, that if there is such a thing as collective or community blame or guilt, that we all do have to accept some of that, for a lot of us knew at times that the FBI was doing things and getting away with things, involved in the civil rights movement, where they should not have been.

And I think, too, that there are, for example, people still in the Bureau, high officials, who were there at the time, and they have never been called to account personally. Why haven't they been on the witness stand, for example, in the Church Committee?

Now, President Ford said at a recent press conference that he believed that anyone who was within the FBI at the time this happened should be identified, if possible, and separated from the service. Where is that kind of accountability? I don't think that we have seen that kind of accountability on the FBI, or the CIA, for that matter, the specific people who were responsible.

LEHRER: All right. As we've heard time and time again

during this past year, and, more particularly, tonight from both Sandy and Jack, Hoover not only had hero worship going for him; there was also a lot of fear involved, fear of his power. How powerful was he?

FELT: Well, first let me say that if he were alive, we wouldn't be having these hearings; they'd be afraid to.

Nothing new is coming out in these hearings. These allegations have been made time and time again before. Martin Luther King knew about the wiretaps in 1962 or 1963.

These people were afraid of Hoover. And if he were still alive, they'd be afraid of him today. And I don't think they would have attacked him. They waited till he was dead. He's not here to defend himself now. It makes me very angry.

LEHRER: Do you agree, Jack, that if Hoover were still alive, we'd never have had any of this investigation? Was he really that powerful a man?

NELSON: Well, I think he was a very powerful man; there's no question about that. And it's very interesting that Mr. Felt says that if he were alive today, people would be afraid to take him on; because that was the way he operated, through fear.

But I think the whole question is according to how long Mr. Hoover might have lived, because his image was coming apart quite a few years before he died. There was a number of cases documented where the FBI, for example, used agents provocateurs in various cases; there were other FBI abuses which came out prior to the Senate hearings, or the Pike Committee hearings, either one.

But Mr. Felt also says that all of this was known before. Well, an awful lot of it was not known. But the real thing is here is the official documentation; I think here's the real stamp on it.

Now, you talk about his power. Why was he so powerful? I can tell you one reason he was so powerful; it's because he kept dossiers like that. And this happens to be one on me, and it has a number of memoranda in it. I'm just one of many reporters that he kept them on.

LEHRER: We won't make you read -- we won't make you read from it.

NELSON: Well, I won't read it, but I'll tell you one thing it says in there, that I'm a drunk and that I have a Jekyll-Hyde personality. And these are things which Mr. Hoover passed on to a top official of the Los Angeles Times in 1971, when he was attempting to get me fired. But this is -- and I think that

this is the kind of thing that Mr. Hoover frequently did, as Sanford Ungar mentioned previously. He would crush a person's career if he thought that was necessary to still dissent. And he not only was powerful, but he didn't hesitate to use that power when he felt it was necessary.

DUKE: Well, we can say that the accountability question is more complicated in the case of the CIA. We know that Congress imposed restraints on spying in this country because it didn't want the agency to become a private Gestapo for the President. And yet we know now that Presidents seriously misused the CIA for their own purposes.

It's been hard to find out the truth about many of the CIA's misdeeds and illegal actions. The internal supervision has been bureaucratically inept; the record's not all available. And, most of all, the chain of command has been elusive and vague; perhaps by design, to provide a shield of ambiguity to protect Presidents.

And yet, the hearings here and in the House leave no doubt that Presidents knew a great deal about what was going on, and, in fact, sanctioned it.

The Senate committee's assassination report says there is a reasonable inference that Dwight Eisenhower authorized the killing of Patrice Lumumba. It says Richard Nixon gave direct orders to keep Allende out of power in Chile. And while there is no direct evidence linking John Kennedy to the attempts on Castro's life -- indeed, the committee seemed to bend over backward not to indict Kennedy -- the circumstantial evidence strongly suggests he had at least some knowledge of the efforts, as did his brother, Attorney General Robert Kennedy.

But, as the senators observed, getting the facts was not easy.

SENATOR WALTER HUDDLESTON: We find this duplicity throughout the entire testimony. We inquired of witness after witness who assured us that he had the full understanding that he was acting with the highest authority; he identified the highest authority as being either the President or the President's chief adviser, certainly the White House. And yet, when you go from the other end, you can never pin down just exactly what those instructions were, even though, as I say, they were using the same language, the same phraseology.

DIRECTOR COLBY: The compartmentation practice is merely the strict application of the need-to-know principle. If an employee in the intelligence business needs to know something in order to do his job, then he has a right to the information. But if he does not need to know that particular information, he does

does not have a right to the information.

SENATOR MONDALE: As I said a few weeks ago, to try to establish real responsibility and accountability is like trying to nail Jell-O to the wall. And I believe the system was intended to work that way: namely, that things would be ordered to be done; but should it be made public, no one could be held accountable. It's the theory of plausible deniability.

SENATOR JOHN TOWER: Was it the usual practice for you to give oral orders or instructions to your subordinates?

RICHARD HELMS: Constantly.

SENATOR TOWER: Even on extremely important matters?

HELMS: Yes, sir.

SENATOR TOWER: Or perhaps especially on sensitive matters. Is it the policy not to transmit some things in writing?

HELMS: Sir, when the day comes that an intelligence organization, particularly a secret intelligence organization, everything has to be put in writing, it's going to come to a resounding halt, I'm afraid.

DUKE: Stan Karnow, why did the Senate committee have such great trouble in getting to the bottom of the CIA's dirty tricks?

KARNOW: Well, one of the big weaknesses in the hearings, inevitably, was that Presidents weren't testifying. And so, this whole question of who was basically responsible, I think, has not really been pinned down.

One thread throughout all the hearings: we see -- we see all the CIA people saying that they were only taking orders. But this is a hard thing to prove. And one of the reasons it's hard to prove is because the whole system was deliberately set up so that the President did not put anything in writing and the President did not take any responsibility.

For example, at a meeting of the National Security Council, the way it worked was that the President would say, "Let's get rid of so-and-so." Or, "We've got to do something about so-and-so." And then it was up to his subordinates to decide what he meant. And as we saw in the hearings, most of them believed that he meant, "Let's get rid of Lumumba. Let's try to assassinate Castro," and so forth.

So, you actually had a procedure. This whole concept of plausible denial was codifying the ambiguity, if you want.

Now, my own view is that the President should be accountable for his own policies. And I think that if Presidents were responsible and accountable for their policies, you'd have less covert action, because they know that they would be to blame if things went wrong, or if it was illegal or unconstitutional.

DUKE: John Steele, you obviously kept very close tabs on the CIA back in the '50s. How do you see it? And, in particular, do you feel that the Executive Branch has had too much authority here?

STEELE: Paul, I really don't. Intelligence activities, and most particularly covert operations, are singularly Executive functions, controlled by and answerable to the President and his National Security Council. Implicit, too, is the doctrine we've talked about, of plausible denial, under which Presidents and their governments are left free to deny complicity in operations. The purpose is insulation for a President from sometimes harsh and violent deeds conducted by [the] intelligence establishment, in compliance with his general policy directives. As Richard Helms once put it, "We're hired out [sic] to keep these things out of the President's office."

In furtherance of this principle, CIA men have died unnoted and the careers of agents have been jettisoned. But Presidents, save when they've been compelled to admit -- take responsibility publicly, have remained immune.

Covert operations, by their very nature, I think, can't be run by congressional committees or shared with legislators, at least until they're all over. Secrecy, dispatch, and operational skills simply are not the hallmarks of the Congress. This doesn't mean a rouge [sic] elephant unleashed; it does mean tight executive control by Presidents as to goals, and as to methods by CIA Directors unafraid to take blame if things go wrong.

DUKE: Nick Horrock, to many of us, I feel, who were in this committee room during the proceedings, as you were, the committee seemed reluctant to assess blame. Do you think that's true?

HORROCK: Particularly on the assassination issue, because that had political overtones.

As you know, President Ford knew by January everything the committee now knows, with some small exceptions, about the assassination matter. And he and his advisers were wise enough to kick it to the Hill.

So, they did labor over that. But I don't believe the proposition that young David Eisenhower made in an article several

weeks ago, that the committee really came down heavily for the Kennedys and against the Republicans. I believe that there were a minority of some pretty strong senators, like John Tower, there who would never have let that happen.

I think that the very thing we've been talking about, plausible deniability, allowed it to be impossible for us to trace a real trail to anybody. And I can't help but saying that I think that's a very dangerous thing. It's one thing to protect the President, but I think that this secrecy hides bad judgment.

I think that if John Kennedy or Dwight Eisenhower had to sit down and write an order that said, "I authorize you to kill Patrice Lumumba, and I'm doing so, and this is going in the Archives," they would have thought twice about these acts. And I think that this oral business that Helms talks about is one of the greatest dangers we have, and I think the hearings brought it out time and time again.

DUKE: Overall, then, Nick, do you feel that the committee, the Senate committee, did its job?

HORROCK: Over and above assassinations, I think that they left too much unanswered in the range of other areas that they were important, that the glamor of the assassination entrapped them. The National Security Agency, electronic surveillance, techniques which are very dangerous to our freedoms, were not gone into in the depth that they should have been, because they were caught up in this assassination trap throughout almost eight months.

DUKE: John, just a moment ago Sandy said that people don't want to know the slimy details. Do you think they now want to know the details?

STEELE: Oh, there's always a curiosity, even a morbid curiosity. But I think we can't forget that when a covert operation becomes public, when it's discussed, when it's in Congress, it isn't covert anymore.

DUKE: And you don't feel that the Congress itself is sufficiently responsible to engage in the kind of legislative oversight which is needed.

How do you feel about that, Stan?

KARNOW: I don't think the Congress will really engage. in that sort of oversight that people have talked about for years. I personally believe that the way to get some control over the CIA is to renovate the whole organization, dismantle the covert operations side from the intelligence side.

DUKE: Well, if the CIA and the FBI were largely invisible governments operating by their own rules, we now know that those rules have changed. The year-long congressional investigations obviously have taken their toll, both in terms of public support and in terms of operating methods.

William Colby, the outgoing CIA chief, and Mark Felt, who helped run the FBI, believe the agencies are now on track and both still are essential for national security.

DIRECTOR COLBY: The CIA is known as an intelligence agency. It isn't supposed to be a social welfare agency or anything else. And I think there's no lost trust problem, other than the general problem of popular attitudes toward government. We have gone through a crisis in this regard. After Vietnam and after Watergate, certainly, they turned to intelligence. It was secret: "There must be something wrong there, if it was secret." They looked into the secrets; they found a few things that were wrong, sensationalized these. And it was a continuation of the Vietnam and the Watergate problem.

Now, I think we have looked at it, however, and I think that we will get a proper sense of proportion as to what really is good (the vast majority), and what was bad, and has been terminated by intelligence itself. CIA was the one who brought forward its history. It's our investigations that are the base of the investigations conducted by the others. It's our regulations, which have terminated those wrong activities, which are now being used to draft regulations to insure that they don't happen again.

FELT: I think we're throwing out the baby with the bath water; that's what we're doing. If the hearings are necessary, both for the FBI and the CIA, I think they should have been conducted in executive session. I think the committee is as much interested in the publicity aspect as they are in correcting the situation.

But I'm positive that there's been tremendous damage done to the FBI by the exposure, particularly a biased exposure, of some of the things that went on. But I would suspect that it's creating a lack of credibility on the part of government. I expect that people are becoming cynical. And this is tragic; it's fortunate.

I think Watergate actually is one of the best examples that I can think of as to the fact that our system does work. And the system may have a lot of faults in it, but it's still the best system in the world.

DUKE: Gentlemen, all of you have now been living this story for a long, long time. What meaning, what personal conclu-

sion do you draw from all of these disclosures?

UNGAR: Paul, I think that all of the hoopla of this committee and the razzle-dazzle of Otis Pike's investigation in the House is fine, and, in fact, important for stirring public awareness and outrage and concern at some of what's gone on in the past. But I think that the investigations will ultimately be meaningless unless they produce substantial reform of some sort, unless there's coming out of this, for example, a charter for the FBI in the area of intelligence outlining what it can and cannot do, whom it should and should not investigate, the kind of thing that will prevent trying to break up marriages on the part of the FBI or putting sand in the gas tanks, and that kind of playing around with people's civil rights and civil liberties.

I think, hopefully, it will result in a definition, a public definition of what's expected of the CIA, what the CIA should do, and some procedures for public debate in advance over policies; with all due deference to John Steele, debate before the Executive commits troops to Angola, a public discussion of this matter; or debate about just what the FBI should do to the Ku Klux Klan, some kind of public unified, established policy that will include more people in the decisions about how these agencies operate.

NELSON: Well, you know, I must say that I agree pretty much with Sanford, except that I'm a little bit more positive about it, because I think it's already had a wholesome effect.

For example, the Attorney General, Attorney General Levi, already is drawing up some new guidelines for the FBI in connection with its domestic intelligence programs, in connection with keeping files on individuals who are investigated, and perhaps not in connection with a crime.

Clarence Kelley of the FBI has opened up the Bureau somewhat, and I'm sure that part of that has been from the pressure of the hearings and so forth. Not all of it, because I think Mr. Kelley, when he came in, said he was going to make it more open, and he did.

So, I think it's already had an effect, and I would hope that the committee would continue the investigation, however.

HORROCK: These kinds of extravaganza investigations may be a problem that we ought to consider. Couldn't we have investigations that go on more routinely and less drops through the cracks in the floor?

In this investigation, for instance, a great deal wasn't gone into. And I think these oversight committees conduct routine,

as a matter of -- make the Executive Branch come up and answer things every day, and investigate regularly; rather than these kind of extravaganzas with lots of theater and lots of publicity.

STEELE: Paul, I think it's time to get CIA out of the limelight and out of the investigating room, and back to work. In this era of disillusionment, many in Congress are seeking to put curbs on CIA operations on grounds that they're vestigial ornaments of a bygone day. But the world still remains a dangerous place, in Portugal yesterday, in Angola today, and perhaps the Middle East tomorrow.

A great nation's interests are worldwide, and this nation still needs an intelligence capability of a high order, including that of conducting covert operations.

Improvements in executive control and operating methods are always desirable, but CIA's function, that of serving the nation's vital security interests, I think remain.

KARNOW: Well, I think, looking back over this whole investigation of both the FBI and the CIA, we're really suffering from a hangover here. It seems so incredible, as we look at everything that's come out. We've seen all this unbelievable stuff that would have only been believable if you'd seen it in fiction.

And the more important thing, as Senator Mondale and others here have said, that we allowed the government to violate our principles in the way it did. And we never asked these hard questions before, and I think we have to continue to ask them. And I agree with Nick Horrock that this investigation has to be a continuing thing.

DUKE: Well, everything that you have heard tonight leads to one final fundamental question: Can it happen again? Will the agencies which abused our trust regain our trust?

The White House and congressional leaders, CIA and FBI leaders all say it won't happen again; and perhaps they're right. But there is reason to be skeptical. Let us remember that the abuses occurred because not one, but many Presidents and politicians permitted them to occur. And how can we be certain that they won't wing again at some future date?

And for all the promises of reform to assure that Congress keeps a close eye on what goes on, it still, as you've heard tonight, it still is doubtful that any real reform will occur.

Furthermore, we know that vast sums still are being spent for intelligence. The amount has been a tight secret; but from authoritative sources, we can report the figure is more than

five billion, well above most estimates. That's a lot of money, and it's being spent in a lot of ways.

And to take just one example, what is now going on in the African state of Angola: We see that our clandestine operations again are evoking some dark memories.

LEHRER: But, as Jack Nelson and others said, it's also possible to take a look at that Angola situation and the other recent ones and come up with an upbeat view of things. Angola, for instance, marks the first time that there ever has been a real public debate raging over a CIA covert operation while it's in progress. It's being argued about most every day in the Congress and on the front pages of the newspapers. In olden times, like, say, any time over a year ago, this probably would not have been the case. If there ever was a debate, it would have come months, maybe years, after it had happened. And, as John Steele says, he feels that is good.

But there is no question that what has gone on under the lights in this hearing room and what these and other reporters have been reporting on and writing about over the past year are responsible for turning Angola into the CIA's very first public covert action. Clearly, the investigations of our intelligence agencies and the controversies that have surrounded them have rolled up that traditional veil of secrecy with the snap of a window shade; and Angola just happened to be the first fresh operation after the snap.

But it is possible that the process of deciding what is right or wrong in Angola could very well set the pattern for the way we conduct our intelligence business from this point on. It raises the basic questions: of secrecy, of when and where and how we should or should not conduct covert operations in other countries, of Congress's role in making those decisions, of responsibility and accountability, and most of the others from the past that have been raised this year.

If something coherent and workable emerges, then everyone can look back on what happened here and say, "It was worth it."

Our thanks now to our guests tonight. And for Paul Duke and NPACT, I'm Jim Lehrer. Thank you and good night.

[Informal conversation among panelists]

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