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Colby: With respect to Chile, Mr. Chairman, since my testimony on Chile was given in executive session from which it has unfortunately leaked, I do not propose to discuss the details of our activity there, other than to point out that they fall within the gener principles I outlined above.

I repeat what I have previously said that CIA had no connection with the military coup there in 1973. We did look forward to a change in government. (Audience laughter) But, in the elections of 1976 by the democratic political forces. I would add that, in my review of the transcript of that testimony, there is no reference to prototype, nor the term "de-stabilize." The latter, especially, is not a fair description of our national policy from 1971 on of encouraging continued existence of democratic forces looking toward future elections. I would also comment that this unfortunate leak, once again, raises the delima of how we are to provide the Congress such delicate information without its exposure and consequent adverse impact on those who put their faith in our secrecy and those who might be contemplating such a relationship in the future. This is a matter, of course, for the Congress to decide; and I have every confidence that a fully satisfactory solution will eventualate. I think with that, Mr. Chairman, I would be very happy to answer any questions.

Abourezk: Thank you, Mr. Colby. Before I call on Mr. Borosage, I have a question that I would like to ask of you. Your statement is that "covert action reflects national policy." Now, since all covert action is done

in secret, and when it is revealed it is denied by the CIA, and since it is

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neither disclosed nor acknowledged to the public, how can it reflect national policy?

Colby: Because, Mr. Chairman, it is given to us by the established elected authorities of the United States government, the President and the National Security Council and is reported to the Congress.

Abourezk: I might say, it is not reported to me.

Colby: That may be true, Mr. Chairman, and as I have indicated, I believe these matters should be reported to the Congress in the manner that the Congress establishes. That is up to the Congress to determine how it shall be done. You are correct that these covert actions, by definition, are secret. But, they are not denied. Some years ago, there was a phrase called "plausible denial" used. We -- I have proscribed that phrase, because I do not believe that we can tell the American people an untruth. I think we can tell the American people a true statement and keep other matters which have to be secret, secret. But I do not believe we can tell them an untruth.

Abourezk: I'd like to call on Mr. Bob Borosage.

Borosage: I don't have much to say. In your speech you say that it is a strange anomaly that the United States has so much information that it makes public, whereas our potential adversaries do not. It seems to me that the title of that strange anomaly, or the reason for it, is called democracy.

The strange anomaly is that this is supposed to be a society in which the legislature and the people decide what are the policies that we undertake, and I think that that example of what is national policy exemplifies my point. National policy on matters of war-making or acts of war by the Constitution is supposed to be done at least in conjunction with the legislature. It is not defined simply by the executive. And the easy assumption that national policy is an executive matter is exactly what has taken us into all of the wars we've fought and all the agony we've had over the last decade.

I guess, if I can add a personal note, which may be somewhat out of order, it's very difficult for me to be here. Partly, because I'm very pleased that you've agreed to come. I think it's a wonderful thing that you have decided to face your critics. On the other hand, I grew up in your world. A world of CIA interventions and of America trying to maintain a world order and I was of the generation that was directed to fight in the war in Indochina. I had friends who fought there. I had friends who resisted. I had friends who were drafted. All of my friends and myself went through that agony. For many of us, a lot of these questions got out of the realm of being policy or something that you would argue about and were seen as criminal activities. For many of us, it wasn't any longer a question of what the United States was doing, but it was a question of crimes that were being committed in our name that we had no way of controlling, no way of stating. Now there were five years of struggle in this country because of that, of demonstrations of agony. And one of the great problems for people of my generation was that there were very good people who ran those policies.

Robert Macnamara was a member of the ACLU and many of us saw ourselves in their positions, and wanted to be in their positions, and were agonized at the notion that good people could be doing these things in our name. I guess the question that I would like to ask you is to get some notion of the fears that you have, or the fears that you did have in your youth, because, for me and for at least many of my friends, we have a totally different worldview. We have a totally different set of fears and of aspirations which at least include some minimal principles of behavior that we would like our country to follow abroad.

Colby: I think, Mr. Borosage, the answer to that is that, like every other government employee, I took an oath to support and defend the Constitution of the United States. My concept of the Constitution of the United States is one expressed through the duly established legislative, judicial, and executive bodies represented by it. The various policies of the United States, national policy is not an executive matter. It is one which depends upon an annual appropriation. It depends upon the judicial review of the Constitutionality of both the legislation and of the executive actions. At one occasion, you point out the anomaly. I had the occasion to follow the suggestion of one of the individuals who spoke at this panel of attempting to negotiate an end to that anomaly.

I had the occasion last summer of being in the reception line when Mr. Breshnev was over here. And President Nixon presented me to Mr. Breshnev as the new head of the CIA. Mr. Breshnev recoiled in some mock horror and asked if I was a dangerous man. The President reassured him that I agreed with the treaty on the limitations on nuclear war that had just been signed, and I commented to Mr. Breshnev, in my first effort toward summit diplomacy, that the more we know of each other the safer we both will be. I believe that. That's why I believe in working in the intelligence profession to hopefully increase the knowledge of our leadership about the problems in the world.

It is clear that, thanks to some of the intelligence work of the past ten or fifteen years, we now have a self-agreement which depends upon the fact that we can monitor whether the Soviets are complying with it or not. A situation we were unable to do when our intelligence was so weak that we had to ask for on-the-ground inspections. I think that the fears that I had in my youth are very similar to the ones you had, Mr. Borosage. We probably faced the problem of a national threat

and war at about the same age, and I faced it again in the Vietnam situation and I spent three and a half years there working on that problem in the best way that I could for my country.

Unidentified member of the audience: How many did you kill?

Colby: I'd like to answer that question. I didn't kill any. (Audience laughter) I'll tell you the answer to that question. The Phoenix program was one part of the total pacification program of the government of Vietnam. There were several other parts: The development of local security forces in the neighborhood to protect the villages; the distribution of a half a million weapons to the people of South Vietnam to use in unpaid self-defense groups. A venture that I doubt that many other governments would try or would meet with the success that the Vietnamese did.

It also included a program of developing local village and provincial elections and giving authority to the elected officials thereof. It gave decisions about economic development programs in the localities to the local officials. There were a variety of programs of this nature, including the inducement, reception, and resettlement of over 200,000 Vietnamese who had served with the Viet Cong and decided to come over to the government's side and were received and not punished for whatever they had done. It involved the reception and resettlement and eventual return to village, as security improved, of hundreds of thousands of refugees. And it included the Phoenix program which was designed to identify the leaders of the Communist apparatus that was bringing terror and invasion to the population of South Vietnam.

The Phoenix program was designed and started in about 1968 in order to bring some degree of order and regularity to a very unpleasant, nasty war that had preceded it. It did a variety of things to improve the procedures by which that was run. It provided procedures by which the identification of the leaders, rather than the

followers, became the objective of the operation. By which the objective was to capture, rather than to kill, the members of the apparatus. By which there were limits placed on the length of time of detentions and the procedures for interrogation.

Unidentified member of the audience: How many were killed while you were over there?

Colby: I have testified on that and I said that over two and a half years of the Phoenix program there were 29,000 captured; there were 17,000 defected; and there were 20,500 killed, of which 87% of those killed were killed by regular and para-military forces and 12% by police and similar elements. The vast majority of those killed were killed in military combat, fire fights or ambushes, and most of the remainder were killed in police actions attempting to capture them. The major stress of the Phoenix program was to encourage the capture for very sensible easy reasons.

First, our respect, not the Communists, our respect for human life where it can be gained (audience laughter), and secondly because a live captive has information and a dead body has none.

(Paul Sakwa)

Unidentified member of the audience: Bill, I was a former colleague of yours. May I ask you a few questions?

Chairman: Excuse me just a minute, please. If I might -- it makes it tougher to shut you off if you say that -- I wonder -- what I would like to do is allow the panelists their chance to question and then following that I would like to offer the audience an opportunity.

Unidentified member of the audience: Mr. Senator, I work in clandestine services.

Chairman: I know that. If you'd permit me to do that I'd be very grateful

Ransom: Mr. Chairman, I'd like to ask Mr. Colby to comment further on this question of the statutory authority of the Central Intelligence Agency to engage in covert operations. I read that statute over and over and over, and it does say what you said it says with regard to other duties and functions related to intelligence affecting the national security, but it seems to me you find a lot more flexibility in that and particularly the word "intelligence" than I as a user of the English language would find in it. Will you comment further on whether you think that is really an ideal statement of statutory authority that does not leave any ambiguity?

Colby: I think that history over the years has given that deliberately general phrase a great deal of content. A great deal of content that has been ratified by the Congress and ratified by the executive and has come to, shall we say, not a little public attention, and without any change being made in it.

Chairman: Congressman Harrington first; the woman here the second from the end, I don't know your name; and then Mort Halperin and then Mark Raskin, and Dan Ellsberg.

Harrington: Mr. Colby, if I could, let's turn to the country of the week. My problem basically is in a couple of broad areas, and let me say at the outset that I'll stand by a memory that I have of two readings of your testimony, and obviously not finding it as accessible as you do day to day, it is very hard to have more than a memory. The term "political destabilization" was indeed used and I think, to go to the credit given you, was very candid discourse as far as the CIA operation in Chile. Let me also say, and I say this only because I don't want to be deterred from what I think the central concern that I had with this all along is, that your historic intelligence gathering and evaluation role is one that I not only endorse but, in a sense, accept as a legitimate facet of agency operations and one I might, from a

I suppose a perspective of watching this unravel suggest that maybe it is the only place that you people should be going unless you want to witness the continued disintegration of your credibility overall because of what is going on. But since you have already indicated in your addendum to your prepared remarks, your intention not to address specifics raised in your testimony to Lucien Nedzi on April 22, let me at least get into the question of what I think is the fiction of congressional oversight. Was Lucien Nedzi, or were the informal members of the Armed Services Committee structure that oversaw, at least theoretically the CIA role with specific reference to Chile, informed with that degree of specificity before April 22 of this year?

Colby: I believe Mr. Nedzi is a rather recent appointee to that chairmanship, but over the years since 1964 a variety of congressional committees and individual congressmen and senators have been -- were made aware at appropriate times in the period of our covert action activity. This was done according to the procedure set up at that period -- at each period -- and as you know we have a round-up recap every now and again and the April 22nd one was one for the House committee. There had been previous total round-up recaps for other committees of the Congress well prior to that time, and, in fact, right after the coup in 1973.

Harrington: Well, if it was as substantive as my effort to obtain information from you on the Inter-American Affairs Sub-Committee before which you testified, I still question whether or not there was the kind of language you have chosen to use indicating frank and substantive information being given to the committee. But let me make the point that Lucien Nedzi, I believe, in late 1972, was first given the designation as Chairman of the apparently prior loosely structured apparatus

at the Armed Services Committee level on the House side, and it was apparent to me, in the forty eight pages of your testimony, that the information being given him that day was unquestionably being given to him for the first time by the very nature of the responses and by the very absence of anything really short of what I would paraphrase as being Colby monologue to a certainly interested and to a degree and on occasion incredulous and rather small audience. In fact, the audience as far as that particular testimony consisted frankly of Mr. Nedzi as a member of the Congress, yourself, Mr. Phillips and Mr. Slatinger, and I would say that that really even falls rather short of what would pass for the dimension of Armed Services Sub-Committee oversight.

You've indicated in general, too, that your efforts, at least as they were reflected in Chile and I can infer from that generally, were to keep the State Department informed at all times of activities that were conducted in the carrying out of what you characterized again today as a directive given you by the executive branch in the course of their Constitutional mandate. Was this particular situation that you have described in detail, either going back to the 1960's or with more relevance to the 1970 Allende period through the latter part of last summer, followed as a matter of practice in keeping informed various embassy department personnel in Chile during that period of time? I make specific reference to former Ambassador Davis, to former Assistant or Deputy Ambassador Slaterman, and to a variety of other people who might be loosely in the category of those who would be, as a part of their State Department discipline, responsible for Latin American affairs in general -- Jack Coupage, Ambassador Designate to Greece; Charles Meyer, who I think was his predecessor in that role; and Mr. Cory who was the former Ambassador to that country. Do they fit within the purview of what you have indicated? Was an effort to keep State Department personnel informed of these operations that you were mandated

to carry out by the National Security Council?

Colby: If I may answer several questions, Mr. Harrington, on the question of reporting to the committees and particularly your reference to my reporting to the Latin American Sub-Committee of the Foreign Affairs Committee, as I outlined in some detail at that time where we discussed it at some length, our reports to Congress run on three levels: The one is an open session, of which this one is a comparable example, where we can, without divulging our operational methods and secrets; we also report broadly in executive session on the substance of what is going on in the world, and that particular hearing that day was arranged for that purpose, to try to report generally on what was happening, and as I said at that time, I was not prepared to discuss our operational activities in Chile at that particular hearing. I was prepared, and so indicated in our conversation, that I was prepared to discuss any operational detail with the constituted sub-committees of the Armed Services Committee or the Appropriations Committee, and I did so.

As I recall it, Mr. Harrington, I think there were a couple other of the members present on the April 22 event. I've forgotten precisely who they were and how long they spent there. But with respect to the question about clearance with State, the Department of State through the Deputy Secretary of State, is a member of the Forty Committee who considers and approves the various covert action directions that we get or approvals that we get.

The State Department, as do the rest of us, handle this on a very strictly compartmented basis offering the need-to-know principle for the reason for limiting sharply who should and who should not know. Well, obviously, each department determines that for itself. There are occasions in which these matters are held extremely tightly and made available only perhaps to the principal concerned. There are other occasions

in which a broader group of people, including the Ambassador and including others in the State Department, are made available. I really am not prepared, I just can't say right now, which item was made available to which State Department officer at this particular point.

Harrington: Let me, if I can, just try to get a little bit further into that question. Perhaps the more interesting part of your discussion with Mr. Nedzi and those other members whose names you don't remember this afternoon, who made up the sub-committee on intelligence oversight --

Colby: I remember their names. I'm not sure if they were there.

Harrington: -- ran to the method you used to operate in the furtherance of this kind of an activity where I believe, if I could roughly paraphrase it without being held to exactness in language, you indicated that it was usually or customarily the case to inform and to include State Department personnel, and I assume from that at the reasonably ranking level, in the country in which the operation was to be carried out, first because it made relationships easier; second, to a degree it avoided problems of attempting to of necessity go around them; and third, and because I can infer that the method of operation as far as getting approvals usually ran apparently some sort of joint chain of command though I would suspect that the CIA could take, at least as you described it, a great deal by way of credit in the initiation area rather than necessarily just being at the execution or the furtherance level. I say that because I want to read, just for the sake of not expecting that I am going to get any more directness than I have had, statements made on three occasions by three separate individuals all of whom were directly concerned with Chilean policy on the part of this country's government before congressional committees over the course of the last

year. The first was before our sub-committee, the Inter-American Sub-Committee, on June 12th of this year by Deputy Ambassador or Deputy Chief Slatteman. "Despite pressures to the contrary," and I'm quoting now, "the United States government adhered to a policy of non-intervention in Chile's internal affairs during the Allende period. That policy remains in force today."

Let me read secondly from testimony given to the Church sub-committee last spring. Again, given by former Ambassador Cory, quoting, "I said it was obvious from the historical record that we did not act in any manner that reflected a hard line." This is with reference to Chile. "The United States gave no support to any electoral candidate. The United States had maintained the most total hands off the military policy from 1969 to 1971 conceivable." And so on, but the -- and let me read one more significant paragraph in view of your testimony. "The United States did not seek to pressure, subvert, influence a single member of the Chilean congress at any time in the entire four years of my stay. All of my instructions came from State in that no hard line toward Chile was carried out at any time."

I could read the last of former Inter-American Ambassador Meyer's but it runs along the same lines. "The policy of the government, Mr. Chairman, was that there would be no intervention in the political affairs of Chile. We were consistent in that we financed no candidates, no political parties before or after September 8 or September 4th rather."

I think it is obvious that there is an apparent discrepancy between what they are stating as officials of the United States government, and what you have testified to in a session before, as you call it, relevant House sub-committee, and I would also as a backdrop to this quote, if needed, the comments from Senator Symington that were attributed to him that as

a member of the Senate structure for oversight, statements made by yourself came as a surprise to him as to the degree of involvement in this country. I say it because I think it does tend to make the point both of the fiction of oversight and of the, at least, casual use of the truth on the part of a variety of State Department officials that have appeared before congressional committees over the course of the last year.

Colby: Mr. Harrington, I am prepared to go into the CIA there in detail before the proper committees. I am prepared to go into the CIA operations in detail before any other members who are brought into the matter by the proper committees. I am prepared to change our procedure if the Congress decides to set up the structure in another way. Until one of those happens, I respectfully must not get into a further discussion about the details of our activities there.

Abourezk: I wonder if I might raise a quick point before we go on to a quick question by Fred Branfman. It seems that CIA covert activities are never discussed in advance with anyone that I know of. Now, if it is discussed with Lucien Nedzi or Stuart Symington, I'm not aware of it. I think this most recent Chilean thing indicates that is the case. You say, Mr. Colby, that you are prepared to discuss the Chilean operation before any appropriate committee -- that's over with. We are always talking about what the CIA has done two or three years, four or five years in the past. Do you think it might not be a good idea to discuss what you are doing now, at this time, even before the appropriate committees? And I, personally, would like to see you go further than that if you are prepared to call what you do in covert activities national policy, then shouldn't the nation be brought in, if not on specific matters, at least on the general principle of whether the nation approves of assassinations (audience applause) -- does the nation approve of CIA sponsored government coups, of many things of which I personally (slight applause) -- please hold it -- of many things

that I and I know a lot of Americans personally disapprove of. If you don't want to talk about the specific activity, the CIA will not even talk about the general principle of these things. I mean wouldn't that be an appropriate matter for public debate to establish whether or not then a specific Chilean operation or the Cuban operation might be then national policy?

Colby: I beg your pardon, Mr. Chairman. I think that my presence here demonstrates that I am prepared to talk about covert actions, and I've talked about a bunch of them.

Abourezk: If I can just impose on the time of the panel and follow this up --

Colby: As for discussing future events, many of them cannot be predicted in the future but a number of our covert activities have gone on over a number of years and during that number of years there have been periodic appropriations, some of which is used for some of these operations, and when they get significant enough, they must be covered in the appropriations process. I did state that to Mr. Nedzi in an open hearing a few weeks ago that there are no secrets from that particular subcommittee or the corresponding sub-committee of the Appropriations Committee. None. And that beyond a responsibility to respond to his questions, I have a positive responsibility to bring to his attention things that he might be interested in; and I have undertaken to bring to the various committees our current activities so that they will be informed of what we are doing.

Abourezk: Let me ask you this. Did the Chairman of the oversight committee know in advance of your Chilean operation?

Colby: Various of our individual actions in Chile over the years were reported at that time and in some cases before the funds were expended to the appropriate chairmen of the committees involved.

Abourezk: Now, are you responding specifically to the recent disclosure over the weekend?

Colby: No, I'm not responding specifically because I don't want to talk about the individual operations. But I am giving you a general principle. I can't say that every dollar that CIA spent in Chile was individually approved by a chairman, but I can say that the major efforts were known to the senior officials of the Congress as established.

Abourezk: I would like to refer to the weekend disclosures of the Chilean action, the Chilean operation by the CIA, was that specific action, was the knowledge of that action provided in advance to the supervising committees of the Congress?

Colby: The action disclosed by Mr. Harrington's letter over the weekend covered the period from 1964 to 1973. I believe that I have answered that question in my earlier answer.

Abourezk: I wonder if you would repeat it and capsulize it so that --

Colby: That at various times during that period, the major steps were brought to the attention of the chairman or appropriate members of various of these committees. Now, I cannot say that every individual instance was brought to them, but there were a series of discussions between CIA and senior members of Congress which brought them up to date with the fact that this occurred, and was occurring.

Abourezk: I want to have one more specific question. In the newspaper story by Lawrence Stern in the "Washington Post," it states that \$350,000 was authorized to bribe the Chilean Congress which at that time was faced with deciding a run-off election between Allende and the opposition candidate. Just for example, did the committees, were they aware of that?

Colby: Mr. Chairman, with great respect, that falls within the category of the details that I'm not going to talk about.

Abourezk: Is there anything in this story that you would be able to either admit or deny?

Colby: I can't remember every detail of the story, but I, right at the moment, but I think I've made my position clear that I do not want to talk about the details of our operation in Chile outside of the duly constituted committees of the Congress.

Chairman: Mr. Fred Branfman.

Branfman: Mr. Colby, putting aside various arguments over what actually happened in operation Phoenix and given your understanding of what did happen under it, if you were ordered by the President of the United States and the National Security Council to engage in such actions against either Americans or other people in other third world countries, I'd like to know if you would have any moral objections to it? I understand where you might have some legal or you don't think it is within your charter, but from a moral point of view, what -- would you have any moral objections to it?

I am particularly intrigued by a statement you made when you testified before Congress in '71 about the An Tri sentencing procedure whereby Vietnamese are sentenced to two years without a lawyer, and you said you wouldn't want to see these legal standards applied to Americans, although they were being applied to Vietnamese. What moral distinctions -- from a moral point of view now, I understand that could mean different things -- but are there any moral implications to that? From a moral point of view what are the distinctions between what we do to Americans and Vietnamese and other countries?

Secondly, I'd like to know whether, since Senator Symington told you at your confirmation hearing that "we are getting pretty sick of being lied to" -- he's on the oversight committee, do you -- if we don't want to take your word that there are for example the CIA is not now involved in paramilitary activities in Cambodia, if we don't want to rely simply on your testimony, nothing personal here but there is a lot of feeling that over twenty years CIA directors have lied to Congress, even by people like Symington, do we have any means to discover this? Do we have any way of finding out what you people are up to other than having to take your word for it?

And thirdly, I just want to know if you -- what your understanding is of the fact that so many Americans are sick and tired of what they understand the Vietnamese -- the CIA is up to. Whether it is your understanding, as mine, that millions of Americans are opposed to any kind of assassination programs, any kind of police programs, any kind of attempts to overthrow foreign countries or influence the political practices in foreign countries in that if and when the CIA does this, is it your understanding as it is mine that this is repugnant to most Americans and, in fact, is being carried out against the will of most Americans?

Colby: Mr. Branfman, I have a considerable degree of modesty as to whether anyone has a monopoly of morality. (outbreak from the audience)

Chairman: I'd like to ask the audience, please, it does slow down the proceedings here. It's all right to be happy and everything, but please don't interrupt the question or the answer. I would be very grateful. It would help a great deal. Please proceed.

Colby: With respect to the question about the due process under Vietnamese law and the advice of counsel, I do stand by the fact that I would hope that Americans

will have the benefit of due process including the advice of counsel. As a former member of the Bar myself, maybe that is a professional promotional device, but I think it is a very useful one. However, in Vietnam there were only two hundred lawyers, and it was a little hard to get advice of counsel for every person arrested in Vietnam under those circumstances, and therefore a variety of other activities were conducted to try to improve the legal and procedural aspects of the Phoenix program.

As for the question of how to check on CIA, I think the front benches here of the press do a superlative job of showing us and catching us whenever they can. I think that the various members of Congress and the various staff members as they travel around, they have a chance to ask our people what's going on. They get a feel of these people. There are a lot of other people who are quite willing to bring to the attention of the public or to the appropriate authorities any wrongdoing by the agency or any contradiction between what we are duly authorized to do under our constitution and what we are not duly authorized to do. And, therefore, I think that any exceptional effort to use CIA in an improper way will come out, and I have talked to our own employees, and I have told them that it is my conviction that if anybody tried to misuse CIA against the American people that CIA would explode from within and I would think it a good thing.

Chairman: Nancy Stein.

Stein: I know that I speak for a lot of people here when we say that we really appreciate the effort of Senator Harrington to get a full investigation into the Chilean thing, and we really encourage him to continue with that.

Harrington: Thank you for the promotion, Nancy.

Stein: I just want to make a few statements. The people of Latin America have suffered first hand the consequences of U.S. foreign policy and covert operations.

CIA activities have led to the overthrow of governments in Guatemala, Brazil, Bolivia, and now Chile, the details of which you know better than any of us, Mr. Colby. To achieve its goal, the CIA has infiltrated, distorted, and attempted to destroy the political, social, and economic lives of the people of the third world. They have resorted to terror and genocide. We know that the CIA conducted the training of foreign police in Texas under the auspices of the Office of Public Safety so that they learned to make bombs and conduct terrorists actions against their own people. We know about your operation Phoenix in Vietnam which resulted in, you said yourself, 20,500 people murdered, and similar programs elsewhere. But all of these programs won't work, because we are talking here about the struggle of the people for their own independence and self-determination. In Vietnam, the people are continuing to defeat the United States military and CIA apparatus; and, despite setbacks, the people in Latin America are gaining strength every day. The United States, in fact, has had to resort to the imposition of Facist governments around the world because of the strength of the peoples movement.

I want to read a brief portion of a document written by some organizations in Latin America that I think represent the interests of the majority of the people there, and they are leading the struggle against you and the CIA apparatus that you represent.

"The peoples of the world live under the permanent threat of the most aggressive imperialism that has ever existed. They have not been indifferent to the organized genocide directed by yankee imperialism against the heroic people of Vietnam. In this unequal war, whose flames are still not extinguished, the belligerent and treacherous character of U.S. imperialism has been fully exposed. But in this war it has once again been shown that in spite of all of their military power their system is weak

when confronted by a people prepared to fight and be free whatever the price. The Latin American people from the last century until today have suffered a string of military interventions and unjust wars executed and fermented either by the North American armed forces or the ^{multinational} / monopolies. There was the plunder of Mexico, the occupation of Puerto Rico, the intervention in the Dominican Republic, the Bay of Pigs, and many other acts that our America does not forget and will never forgive. There is Shell, Esso and Standard Oil, United Fruit, and ITT, the money of Mr. Rockefeller and Mr. Ford, and there is the CIA ^{which, with Papy Shelton, Mitrioue and Siracusa,} / and now you, Mr. Colby, have left indelible evidence of the oppressive and overpowering policies of the United States against the popular movement in Latin America. There is now the conclusive awakening of our people that is setting into motion millions and millions of people and is moving toward our true independence for the definitive illumination for the unjust capital system and the establishment of our true revolutionary socialism."

I just want to say to you, Mr. Colby, that the best answer to all of your policies, the policies of the CIA, it is going to be the will of the people who are going to win and that we know that you will suffer eventual defeat. (audience applause)

Chairman: Mort Halperin.

Colby: May I, as a point of personal privilege, Mr. Chairman. Miss Stein, you said that I said that 20,000 people were murdered. I did not. You justified apparently the murder of Mr. Mitrione. I don't see how you can. You said that the CIA conducts genocide. It does not. You said that you hoped that the people would win. I agree with you because I think the foundation of our country is in its people, and I think the people of this United States deserve to have their freedom protected.

Chairman: Before going to Mort Halperin who is next, I want to follow up on that with one question. Is there anything that the CIA has done overseas that you would not do in the United States? (audience outburst)

Colby: Mr. Chairman, of course. We are engaged everyday overseas in trying to learn through secret, clandestine operations. Matters which are kept secret and are illegal. In the closed societies and countries that we work in and in some of the other countries that we share this world with, there are a lot of illegal things, according to our standards, done overseas, and I think this is a natural aspect of the fact that we live in a world of sovereign nations, each one of which must protect its own security.

Chairman: I wonder if you would answer the question, what things would you do overseas -- what things would you do here that you would do overseas and vice versa?

Colby: In the United States we do a lot of things which are perfectly proper and legal. We have a large number of employees out at Langley who do research, who study, who learn what is going on in the world and try to make the best assessment they can out of it.

Chairman: Excuse me. In the context of what we are talking about -- illegal activities, what activities in the covert operation do you engage in overseas that you would approve of in this United States, is a better way to phrase the question?

Colby: I believe I said that, in my prepared statement, that CIA must do those things that are lawful in the United States. I did not say that we had any authority to commit crimes in the United States and I deny that we do have any such authority and we have given very strict directions to our people that they will not.

Chairman: But you do undertake activities overseas that would be crimes in this country?

Colby: Of course. Espionage is a crime in this country.

Chairman: Other than espionage?

Colby: Of course.

Chairman: Mort Halperin.

Halperin: Mr. Colby, I was encouraged by your statement that you now think it is a legitimate question whether we should, given our current perception of our interests, engage in any covert operations. And then your additional statement that you do not think abolishing such operations, if I understood you correctly, would have a major impact either on current activities or on the current security of the United States. I wonder whether we can assume that that statement was made with, among other things, the current situation in Greece in mind. Specifically if, as appears to be the case, Greece may well be getting a government which decides to withdraw from NATO and eliminate American bases, would your statement still hold that elimination of covert actions would not affect the current security of the United States? Do you believe that American security interests require or justify American covert intervention to prevent a Greek withdrawal from NATO and has the CIA proposed to the Forde Committee or do you expect that it would propose to the Forde Committee operations designed to prevent a Greek government from coming to power which would seek to withdraw from NATO and close American bases?

Colby: As I said in my statement, I do not think that covert actions -- the elimination of covert actions -- would have a major effect on our current activities because it is such a small portion of our total activity. Secondly, I did not think it would have an immediate adverse effect on the security of the United States.

That is a different question than whether any particular situation might be in the net

interest of the United States. On that, I really do not think it is very useful for me to discuss in this forum whether any particular proposal should be made or should not be made about an individual covert action. I think that exactly falls within the category of those things that I believe, if we are to conduct covert actions, should be conducted within those very restricted circles in the executive and reported to those very restricted circles in the legislature which can enable them to be done and still be kept secret.

Halperin: May I just follow that up with one point. Did I understand you correctly to say that while there might be a net advantage for the intervention in Greece that you were not prepared to discuss, but nevertheless the statement that there would not be any major impact on American security if we did not conduct covert operations would apply to all of the world including Greece?

Colby: Well, I'm thinking, Mr. Halperin, of the fact that the current status of the world is such that it does not look that we are on the brink of any serious damage to our country at the moment. The capitol, I think, will still stand whether any particular covert action takes place or not, at this time.

Chairman: Mark Raskin.

Raskin: Mr. Colby, I was puzzled by some conceptual questions. One was what you thought a "threat" was, whose interests were really being served in your view, and how you defined them; and along those lines, in the last generation as you know, the Rockefeller family, the Nelson Rockefeller family, has been very much involved in different forms of intelligence activities of the United States. Is it going to be the case that the CIA, under your direction, will continue to be involved or use various of the Rockefeller-owned corporations abroad either as covers or be involved with them in any sort of way. And, indeed, how do you tend, and how does

the agency intend to deal with the question of conflict of interest? Will that be made public to Congress and the American people?

Colby: If Mr. Rockefeller is confirmed as the Vice President of the United States, the CIA will respond to him as the Vice President of the United States. Whatever the authority that suggests something to us, we are restricted by our legal authorities in what we can do, and we are not given any privilege to engage in conflict of interests with anybody. And I did indicate in my confirmation hearings, and I believe I'm still bound by it, that if anybody asks me to do something which is improper and outside the proper lines of authority of my responsibilities, I am quite prepared to resign and leave it.

Raskin: Does that mean then that the Central Intelligence Agency will not use various of the corporations, of the Rockefeller corporations, as covers around the world?

Colby: I don't believe that is a useful subject to discuss, Mr. Raskin, because I get back to my responsibility not to talk about the operational details of my agency.

Raskin: Let me just add one more question to that, then. Did the Central Intelligence Agency use ITT as a cover in Chile?

Colby: Again, I would say that I do not propose to discuss the details of our operations. I do not want to get in a situation where I say, no, no, no to a series of questions and then have to say no comment because the answer is pretty obvious at that point. I think it much more useful if I just say no to the whole run of such questions.

Chairman: Daniel Ellsberg.

Ellsberg: I have two brief questions that do not relate to your operations, Mr. Colby, and then if I may comment. The first is that you

have testified publicly that the Central Intelligence Agency did have information about the imminent overthrow of constitutional government in Chile which the U.S. government failed to pass on to the constituted government of Chile?

Colby: I doubt that I testified to that publicly.

Ellsberg: Would that be correct?

Colby: What leaked I'm not quite sure right now. It's hard to keep up with them. (audience laughter)

Ellsberg: Would you tell us that now, if that's the case, sir?

Colby: What I will tell you is that since so much has leaked I don't have much problem saying it, we had a general appreciation of the deterioration of the economy and political situation in Chile running throughout 1973. The situation was getting worse and worse, in a variety of ways -- politically, economically, socially and all the rest, and that at varying times during that year, we had information which indicated that a coup might take place. One did take place as you remember in about the end of June, I think it was, which was an aborted effort and which was put down right away. We had a series of other reports indicating various steps toward such a coup. We were not involved with the people who were leading any of those efforts, but we did have information about them.

Ellsberg: Did you pass that information, sir, to the elected government of Chile the constitutional government might be about to be destroyed by the methods you had information on?

Colby: It's my responsibility to report such information to the authorities of my country.

Ellsberg: Was it passed on to your knowledge?

Colby: It is a political action whether to pass that on to another country or not. That is a policy decision for the policy leaders of our country.

Ellsberg: To your knowledge was that policy decision made -- was it passed on?

Colby: I do not think so, but I cannot say for sure.

Ellsberg: My next question, sir, is -- this should rely on open information in your capacity as director of intelligence, I'm sure -- what is your best estimate of the number of people who have been killed by the present regime which replaced constitutional government over the last year? Your estimate of the number that have been imprisoned, and of the number that have been tortured in that period?

Colby: I would rather not use exact numbers, because I'm not sure of them. Our estimate at the time was that in the fighting that took place at the time of the coup there was somewhere between 3,000 and 5,000 people killed. It is also our impression that there were very few what you might call executions -- very few. There were some, I admit that. It is not my responsibility, but that is a fact that happened. It's the military government that brought it about. How many I cannot tell you for sure. As for the number tortured, I have no idea.

Ellsberg: No idea?

Colby: I do not have an idea of the number that were tortured.

Ellsberg: Have you read estimates, for example by "Amnesty International."

Colby: I have read various papers on this subject.

Ellsberg: But your agency has not given you an estimate?

Colby: There may well be one but I just can't recall it here at this moment.

Ellsberg: Finally, on this train, have you asked for such an estimate?

Colby: I asked for estimates about the other two matters; I have not asked

for that particularly. I don't ask for a lot of questions that come up in our intelligence business. We have a rather large and efficient group of analysts who serve up the answers to the obvious questions around the world. They may well have made an estimate that I am not familiar with right here, as I said.

Ellsberg: I'm sorry, sir, that this was not regarded as an obvious question in the government. If I can make my comment, referring directly to your remarks in the light of this last information, we now know at least some of the people around the world who put faith in the secrecy of our government and whose survival politically in their own country depends on it. They are the present leaders of Chile, and they are not alone. That follows immediately from both of your answers. I do not take satisfaction in that particular result of our secrecy.

If we went around the world to find the other leaders mainly of closed societies who rely on our kind of secrecy, I don't think there would be much satisfaction anywhere. But perhaps that does relate again to your remark that you regard the leaks of that information to the American people a revelation of Representative Harrington's extremely responsible letter, which was initially confidential, you regard that as unfortunate. I hope you are the only person in the room who sincerely believes that. Certainly, I regard it not only as a fortunate and essential piece of information, I personally have never seen a report and none was ever presented in my trial, interestingly, or any of the other trials, of a single leak in the past twenty years that did in fact injure the interests of the people of the United States. I know of none of the violations of this secrecy that has come to the American people that was not either neutral or beneficial to the constitutional government in this country, and attempts to describe leaks such as perhaps leaked by Henry Kissinger on Salt or whatever as terribly serious are simple cover stories, but that is a matter

of opinion and you may know a counter example. I happen to have been very influenced in my life by an intelligence success of CIA for which I am happy to give you credit. That's not hard to do on the intelligence side. Your paper tried to direct attention, very understandably, to the intelligence side of CIA, but if you had followed the accounts here you would not have heard a critical comment in this conference on the intelligence side although, obviously, critical comments could be made.

There are many secret, closed societies in the world and I can't think of a case where the secrecy in most people's opinion serves those interests of the people of those countries or ours. This conference has not yet produced criticism of attempts to penetrate the secrecy of those countries. One was very spectacular. The Khrushchev secret speech in 1956 which, since it was to the credit of CIA they did herald and let it be known that CIA has played a role in the acquisition and publishing of that speech. It was very beneficial in its effect.

There came a time in my life when my wife asked me what I hoped to achieve by leaking, by revealing, information to the citizens of this country. She happened to believe throughout that I was exposing myself to possible attempts to kill me by members of the government or attempts to beat me up, which she didn't want to see. I thought those were not dangers. From my experience in the government with gentlemen like yourself, I did not in fact believe that was the way we operated. Parenthetically, she was correct. The nine or so people who came to beat me up on the steps of the capitol in this city on April 3, 1972, who failed because they were the same people who had been sent to the Bay of Pigs, they didn't beat me up, but the ones who were sent to beat me up were in every case former, experienced, contract employees of the Central Intelligence Agency paid for by campaign funds. One of them, Mr. Martinez, as you know sir, was at that time on a \$100 a month retainer from the CIA which he

remained on until he was later caught in the Watergate a month later, being paid from the same funds. So she wasn't wrong. A judgment of competence is another thing but intent she was correct. However, my answer to her as to why -- she said, what is the most you hope to achieve by doing this in the face of these risks? I said, well, in my own mind I hope over a long period of time that this might have a variety of effects in our society comparable to the release of the Khrushchev secret speech about Stalin's crimes had on various communist parties around the world after 1956.

Mr. Colby has told us, you have told us, sir, that you, to this day, find it a strange anomaly that we need a Central Intelligence Agency and its intelligence side primarily to get things like this Khrushchev speech in Russia whereas most presidential speeches in this country are free and, indeed, where the pentagon papers could be acquired for ten cents a day. I think that is extremely ominous that you find that a strange anomaly. You told us you understand your oath to uphold the Constitution; you have also told us by that statement that you have no conception of the Constitution which you are sworn to uphold. The fact is that the governmental secrecy which threatens the continuation of American democratic institution, the survival of this country; it's not Russia and it's not Chile, it is the secrecy of the United States government of which you are a part. (applause)

The law, I'm going to comment on a very specific proposal that you have -- are currently -- making. The law to which you allude, which you have currently drafted and are proposing, very reasonably it would appear, is designed to reduce that anomalous difference between our society and the government of the Soviet Union, which I deplore and will resist.

You mentioned is it not reasonable that officials who have signed an oath of

secrecy, as you have and as I did and others here have, be punished when they violate that oath. I look back on those papers that I and you have signed and recall, and I did this a while ago, I recall that there was nothing in them that said explicitly you will keep secret any information you receive no matter what evidence it provides of illegality, criminality, aggressive war, violation of the Constitution. Under no circumstances will you reveal it even to courts or even to Congress under penalty of firing. If that was implicit, and I think your law would make that legal, your law would establish --

Colby: No, it would not.

Ellsberg: Well, it would establish a statute for classification under circumstances or -- let me put it to you, may I suggest drafting for your law -- that any such agreement, even referring to contractual things such as Mr. Marquetti entered into, should alert every citizen of this country that he is in no way being called on to conceal illegality or criminal activity. Certainly officials do not understand that now, which is why, to my knowledge, no member of your agency under your control, provided information to any law authority of the illegal activity in which your agency and its officials was going along with; and I'm sure that in doing that they felt that they had no right to do so as contracts that they must keep secret these illegalities and crimes. Any future agreement on secrecy of any sort, even contractual providing for firing, if you break it, and I certainly could have been fired, there was no question of that, should make it clear in the future that it does not protect illegalities. You may find it possible to reflect that in your drafting, but a final point along one, I'm afraid. Since your law -- your law -- let me put it positively, your law would make illegal what I did. Your law would make illegal what Mr. Marquetti

did and what a number of other people here have done. The question is do we want that or not. What would the effects be? It would make us more like countries like Russia. There are also other countries in the world, even like England, that are -- that have -- such requirements. The country from which we fought a revolution to get away from that sort of law. We have a first amendment. England does not and certainly Russia does not. Since we don't have such a law, there was, in fact, no way to get a conviction of me in a court of law, as government lawyers understood. Therefore, they set out, in their words, to destroy me in public and to try me in public.

Now those words were said not by -- not two retired employees of CIA, they were said by then active officials of CIA, as part of the effort to get me. Poor Mr. Hunt was hired by the Plumbers and a request was made by Mr. Young citing the authority of Erlichmann and Kissinger to do a psychological profile by CIA. The request was made for Mr. Helms then head of CIA while you, I think, were head of Operations, made directly to Helms. Helms agreed to do this, and I'm quoting now from a document which I read for the first time three days ago, which I find extremely enlightening, Senator Baker's Minority Report to the Watergate Committee. This is the Bantam edition of the Watergate report with the addendum of Mr. Baker's report and I want to quote a couple of paragraphs from that. He has a list of further investigations in this, and I wish to propose precisely that those investigations be carried on with your cooperation, Mr. Colby, under subpoena and with contempt proceedings without your cooperation.

Mr. Helms then, not a retired employee, agreed to this but said that it was extremely important that CIA involvement not be told. A profile was provided. I'm going to make this factual thing brief. I'm going to ask for about three or four minutes here. A profile was provided and did not do the job. It was regarded by Mr. Young as unsatisfactory. It took the CIA and Mr. Berg acted

out of patriotic motives," which did not serve the purposes and another meeting was sent back to CIA." As many people know, later the retired employee, Mr. Hunt, went in to Dr. Fielding's office, my former psychiatrist with the help of a great deal of CIA material provided him and with several operatives, one of whom was on the current payroll of CIA, Mr. Martinez, currently reporting to his case officer. We are told by CIA officials that he did not tell his case officer what he was doing but the actual transcripts of those conversations has been refused by CIA to Senator Baker."

Frankly, I had accepted the statements by Mr. Helms and Mr. Cushman that they did not know what the retired employee was doing with that equipment. Senator Baker's report shows this very strong conflict between their testimony and the documents and sworn testimony of other CIA officials. Someone has committed perjury. It is not clear why no perjury indictment has come out or why no CIA person is currently in the current cover-up trial under process, but the paragraph I wish to quote is this -- until I read this paragraph on Sunday, I answered people who asked me did Helms, Cushman, and CIA know what Hunt was doing with their cooperation, I said no, there was no indication that they knew who Dr. Fielding was although they had photographs with Fielding's name on them, but they didn't make that connection as far as I knew and I had read that testimony. Then I read this:

"The testimony -- the film was developed for Hunt in CIA. It was of Fielding's office. It was reviewed not only," this is new to me, "not only was the film developed but it was reviewed by CIA supervisory officials before it was returned to Hunt. One CIA official, seems to be the head of the Deputy Chief of the Technical Services Division, who reviewed the film, admitted that he found the photographs intriguing and recognized them to be of southern California." Palm trees in them. "He then

ordered one of the photographs to be blown up. The blow up revealed Dr. Fielding's name in the parking lot next to his office. Another CIA official, the head of Technical Services, testified he speculated they were casing photographs. This was on August 27. Recent testimony has shown the CIA official who reviewed these photographs, immediately reported their content to Cushman and his assistant in the office of the Deputy Director of CIA."

Again as I said, one more quote here, I would have still said that CIA did not know who the Fielding was in that photograph that they were providing for Hunt until I read this paragraph on Sunday.

Chairman: Dan, excuse me.

Ellsberg: I have one more paragraph Senator.

Chairman: I wonder if you could make your point, because we want to get to the audience yet and allow them -- we have several more panelists who want to ask questions and the audience has indicated a desire to do so.

Ellsberg: The point is here. "There was a meeting on August 12th" -- this is one paragraph -- "1971." It is page 751 of this book. ". . . in which both Howard Hunt and Gordon Liddy participated. They told the CIA psychiatrist that Ellsberg had been undergoing psychiatric analysis. Hunt and Liddy discussed with him their desire to 'try Ellsberg in public,' 'render him the object of pity as a broken man,' and be able to refer to Ellsberg's 'Oedipal complex.' The CIA psychiatrist was given the name of Dr. Fielding as Ellsberg's psychiatrist. At the close of the meeting" that's jumping ahead. "The psychiatrist has testified that he was extremely concerned about Hunt's presence and remarks, he so reported this to his CIA superiors, both in memoranda and a meeting on August 20, 1971, prior to the casing operation. He got the word back from ~~Approved For Release 2004/11/01 : CIA-RDP88-01315R000200010008-7~~ were aware."

I think it can only be inferred from this, Mr. Colby, that whether or not Mr. Helms and Mr. Cushman knew of the uses of those materials from the moment they handed it over, from the moment of the casing operation, and before it. They knew that, in the words of Howard Osborne of your agency, a man who is a U.S. citizen and who is currently under indictment, thus violating both your statute and the laws of the United States otherwise, had been subject to at least a casing operation using your equipment which you did not take back, and was probably about to be broken into for reasons your agency knew very well because it was to provide data for a defaming effort, in which your agency was providing a full effort, Mr. Hunt merely a liaison from the White House. Your statement in this paper, summarizing those events with this statement, "The fact that a retired CIA employee becomes involved in some illegal activity in the United States should no more eliminate a function," etc. is a deliberately deceptive statement for which your presence here today is, I suppose, in part that is the purpose of it, to continue that cover story, at least that is the effect of your statement.

The clear implication, legislative, that follows from that is that the Watergate investigation is not over despite efforts by the current President to continue it. The proposals in this document for the continuation of investigation of CIA involvement by Watergate Committee and other committees which are very precise, is -- should follow immediately. Obviously that is not because of the damage done to one citizen, and I was not indeed damaged. The attempts to make me a broken man, as you can see, failed like the Bay of Pigs and like the attempt on the steps of the Capitol.

However and indeed, it would be obscene to regard as criminal only a break in to an American citizen's office and take no criminal action against the break in by bombardment of an enemy country, of a neutral country, Cambodia, with 100,000 tons

of bombs. But for a very practical step, we can start with your cooperation in this matter, since as I see here on page 751, "The CIA psychiatrist so purported it to his CIA superiors, both in memoranda and a meeting on August 20, 1971. Access to the memoranda of both the psychiatrist and his superiors has been refused to this Committee." The Watergate committee. Footnote 31 -- See also Colby letter refusing access.

I believe sir that you have a lot to answer for. Not very much to me, very little, but if what the Central Intelligence Agency officially was involved in knowingly after a certain point, can result in investigations and prosecutions which will enlighten the American public and reduce the difference between this society or preserve the difference between -- that you find so anomalous -- this society and the ones you operate against abroad, I'll be very happy to be party to that.

Colby: Mr. Ellsberg, I pointed that anomaly out as a fact. I also stated that --

Ellsberg: Describe it as an anomaly. That is what I was drawing attention to.

Colby: It is a fact of life. It is an anomaly that the world can have secrets of those that can destroy us, and it is necessary for us to penetrate those secrets to protect ourselves. I do think that the existence of this anomaly does not, in no way, will I permit it to be used as an accusation that I do not support this Constitution nor that I do not understand it. I think I understand it and I think I understand my loyalty to it as well as you.

Ellsberg: We disagree, sir. We have a different understanding of it that is very clear.

Colby: Fine. With respect to Senator Baker's investigation, as the letter I wrote to him which was distributed later, indicated, the agency did its best to

cooperate with that investigation. We had twenty four of our agency witnesses testify on a voluntary basis and answered questions under oath. We provided seven hundred CIA documents, 2,000 pages of testimony. I am prepared, at any time, to go further with that investigation if the Senate decides that it wishes to do so

Unidentified voice: Why did you destroy the tapes?

Colby: I did not destroy the tapes. The tapes were destroyed as a part of a periodic process going back to 1970, and they were finally destroyed in 1972 when Mr. Helms left, he destroyed the rest of them.

Ellsberg: The falsity of that statement, sir, is revealed in this statement but I wish to point out one more sentence including your name in Senator Baker's report.

Colby: May I answer the other question that you raised? You referred to the presence of ex-CIA contract employees and so forth in the various kinds of incidents that have come up over the Watergate.

Ellsberg: Pardon me, a current one, sir, Mr. Martinez.

Colby: Let me finish my phrase, if I may, Mr. Ellsberg. And the presence of one individual, Mr. Martinez, who had worked for us on a full-time basis for a long time during the sixties, and in 1967 we terminated that relationship and established a retainer relationship of \$100 a month with Mr. Martinez so that he could continue to report on certain things in the Miami area among the Cuban exiles there.

Mr. Martinez obviously did not live on a \$100 a month. Nor, did we expect him to. We expected him to do other things and he apparently did so and some of them were bad. And apparently some of them were bad.

With respect to CIA's knowledge of the events surrounding the break in to Dr. Fielding's office, it is true that some of our equipment was used in that regard,

and it is true that we had some photographs of that office, but because of the way it was handled, and one can criticize this now, it's easy with hindsight, the fact is that the various individual pieces of information were put in different compartments in the agency and they were not put together until, I believe it was some time in January or February, when Dr. Fieldings name came out and -- as your psychiatrist and then the break in and all the rest of it. The whole thing was put together at that stage, and when it was put together we reported what we had -- we had already offered to provide all that information to the appropriate authorities prior to that time.

With respect to the question you raised about the law I recommended, I would like to point out that that law would not apply to you, Dr. Ellsberg, because that law says that it applies only to information relating to intelligence sources and methods. It does not apply broadly to classified material which is what you are accused of leaking.

Ellsberg: Are you aware that officials of the U.S. government used the words, "intelligence, intelligence sources and materials," repeatedly during my trial?

Colby: I am aware of that, and I say that this law is carefully designed so that it will not apply to a third party but only to those of us who take the obligation to retain a secret of some importance to our country and secondly that it is -- before any prosecution or injunction can be obtained -- that the government must go before a judge and justify that that classification is reasonable. Now, I contest that any judge would issue such an authorization, injunction, or go on with a prosecution, if the matter leaked were the fact of a crime or the fact of some illegality. And it is precisely for that reason that that particular provision is written into the law because I agree with you that there are a lot of things that

I would not send people to jail for just because they have a stamp on them. I do think that there are some secrets, some good secrets, as I said in my statement, that deserve protection in the interest of our country.

Ellsberg: Sir, the purpose of that, I think there has to be, as I say, one more sentence quoted from this report with your name in it, to test the honesty with which you are reporting at this date in our history the involvement of your agency in this affair. Senator Baker says, "Our investigation in this area also produced the fact that contrary to previous CIA assertions, the CIA conducted a vigorous in-house investigation of the Watergate matter starting almost immediately after the break in. (Executive session testimony of personnel security officer No. 1) As one member of the security research staff stated, they were in a state of panic. In November and December of 1972 the executive officer to the Director of Security was specially assigned to then Executive Director Comptroller Colby, to conduct a very secretive investigation of several Watergate related matters. The Executive Officer to the Director of Security was instructed to keep no copies of his findings and to make no records." An interesting footnote to your assertion of all the documents that CIA turned over.

Colby: I did not give that instruction.

Ellsberg: "He did his own typing and utilized no secretary." (Executive session testimony of the Executive Officer to the Director of Security.) Did such a person work in your office for this purpose, sir?

Colby: There was a security officer assigned to help me to gather together the information about this incident, and he's the gentleman you are referring to.

Ellsberg: And were his findings turned over to Senator Baker or the Committee?

Colby: The findings and the question became -- the question between Senator Baker and myself with respect to additional papers refers to certain papers which we did not make available to Senator Baker but we did make available to our oversight committees. And, in the line that I have talked to you about earlier today, the difference between matters which get into the details of our legitimate operational activities, and I mean legitimate ones, were not turned over outside the proper oversight committees.

CHAIRMAN: Excuse me. I really have to move on. Dick Barnett is next.

Barnett: Mr. Colby, I'd like to ask you a general principle question. In general, do you see any national security threat that would justify any covert operations at this time in any third world country, which I define roughly as poor countries in Asia, Africa, and Latin America, with no conceivable capacity to endanger the American people here in the United States. Are there any legitimate covert operations in those areas that you see at this time?

Colby: There are some, yes. I would not like to go further into detail about it, but there are some, yes.

Barnett: Could I follow up on that and --

Colby: And by security of the United States, I do not mean that the capitol will fall tomorrow as a result. I mean the position of the United States in the world today and in the world ahead.

Barnett: Could I ask you to be a little bit more specific about that?

Colby: I'm really not trying to play games with you. What I'm trying to say here is that there are certain things which today are not an immediate danger to the United States but if allowed to grow can become a serious problem and consequently a problem to the security of the United States.

Barnett: And you cannot give a general example of those threats?

Colby: Well, in line with my disinclination, to put it mildly, to talk about our operations, I would rather not do that in this forum. I do this regularly in the proper forum that I want to -- that I am authorized to. (audience outburst)

Chairman: Mr. Slatterman:

Slatterman: I have a question that does not concern details but does concern a matter of general policy. I recall a statement, phrased really by Dean Rusk some years back, in which he refers to a nasty struggle of the back alleys of the world, and there was a more explicit statement in the "New York Times" some years ago. They quoted a person who was referred to as one of the best informed men on the subject in Washington, I don't know who it was, as stating that when we catch one of them, meaning a Soviet or other foreign agent, it becomes necessary to get everything out of them and we do it with no holds barred. Now, I'd like to ask you in the light of those statements, if you can conceive of or know of any situation in which torture is justified. Also, if you were aware that torture was being practiced in the Phoenix program, and if so, or if not but merely suspected it, what you did?

Colby: I believe that if you'll look at that 1971 testimony with respect to the use of torture, I said, and I still believe, that it is wrong; it is, secondly, ineffectual, because if you want to get bad intelligence you use bad interrogation methods and you will learn what you want to hear rather than what is the truth. And that unless you use sensible interrogation matters, and that does not include torture, you are being foolish on a professional way aside from being immoral on a higher level.

Slatterman: Thirdly, did we do anything?

Colby: Yes. You may recall in that particular set of records that there was a directive issued by MACV headquarters, which I drafted, which called upon any advisor of the MACV, and this was thousands of Americans, and particularly the Phoenix advisors, that if they found any impropriety of torture, assassination, or so forth, they were not just to turn away and walk away and pretend it wasn't theirs. They were required to do three things. They were required not to have anything to do with it; they were required to go to the officials who were involved in it and object to it; and they were required to report it. And I did see such reports and I took them up with the government of Vietnam, and I am aware of occasions when punishment was given to the Vietnamese officials involved.

Slatterman: Was it a policy -- and I want to emphasize that I'm not stating it for a fact, I'm just earnestly interested in your views here and answer. Was it a policy to use torture in the National (I forget what you call it) Detention Center or you know that building in Saigon. Was it a policy to use third degree methods, torture, what have you, to get valuable information?

Colby: No.

Unidentified voice from audience. I think he is lying. (applause)

Colby: The gentleman asked me what the policy was, and I say that was not the policy, in fact the policy was against it.

Unidentified voice from audience: If I could just state a personal experience. I was in the State Department during this time and we didn't get any reports -- official reports of torture. We did read the newspapers, and there were efforts

to get out very specific telegrams about that and attempts to make it very clear that none of those things should happen, and I can tell you that it was immensely difficult to get out those programs. Some went greatly watered down in terms of what we should do about it and how it will be taken up, and there were reports that justice was meant for the General, too, by Ambassador Bunker at times, but that was sort of my impression however.

Colby: That may be your impression. I'm speaking of my own knowledge of what things I did. I did issue such directives, and I did follow them up with the government, and I do know that punishments were given.

Scoville: Mr. Colby, just one quick question, the time is late, but the agency on the whole, I think, has had many kudos and most people have thought that their work in the intelligence collection and analysis field has been very useful and worthwhile and one which the U.S. government really needs. On the other hand, I think it is obvious, not only from what's going on here today but other things, that the agency has come into a great deal of criticism because of its covert operations and activities, and you, yourself, have said that you don't think stopping them would have any major effect on national security or the operations of the agency as a whole at this time. I would like to ask whether, in view of that, since I think really one can make a case that these covert operations are interfering in a way with the legitimate intelligence collection and analysis operation by the effect they are having on the attitude toward the agency, wouldn't it be a good idea for the agency now, once and for all, to divorce itself from these covert operations? If covert operations must be continued, and I think there is a real question on whether they should, let's put them in some other agency or put them in some other place, but let's get on and have CIA do the job that it really ought to be doing

and can do in the intelligence collection and analysis area.

Colby: What I said, Dr. Scoville, was that these days, in view of the world situation and our national policy, we are not spending much of our effort on this kind of a problem. We are keeping our musket and our powder dry in the closet, and this does not divert us from the major functions we have today. As to the future, I think that there can become a legitimate need for this kind of operation. I don't have any bureaucratic feeling about whether it should or should not be in CIA, but I know that various considerations have been given over the years as to whether it could be run somewhere else, and it has been generally believed that it is impractical to do them anywhere else.

Scoville: I can't believe you couldn't put those people in a separate agency --

Colby: Well, I do know that there was an attempt when it first started in the early 1950's to run it as a separate institution within CIA and this led to enormous operational difficulties in a number of countries because of a conflict of connection between the intelligence people and the action people.

Scoville: I am familiar with that but on the other hand times have changed; and, as you pointed out, the value and the usefulness of these operations has now dropped way off and essentially what one is doing is keeping a standby capability and, in view of its interference -- and not interference because it doesn't occupy much of your time -- because it does occupy a lot of your time. You are having to answer questions like the kind of thing you are having to do today, and its interfering with the integrity of the agency and how it's looked at in terms of the information it produces, and I think it is doing a real harm to the agency, and I wonder whether one shouldn't take a new look at that.

Colby: Well, I respectfully disagree with you on that.

Chairman: Neil Sheehan.

Sheehan: Mr. Colby, one question on your statement that some of the things we do overseas would be illegal in this country. In view of that statement, would it hamper the activities overseas if CIA officers were made subject to federal laws of this country for their activities overseas as, for example, military officers to remain subject to the UCMJ no matter where they serve? Or could CIA find a way to operate overseas within the limits of federal law as it's told it must operate within the limits of the UCMJ?

Colby: You are in a very complicated legal question. The fact is that if the CIA officer overseas commits a crime against the United States government, he will probably be punished in some fashion or other, and I think there is a certain legal responsibility that he bears to United States' laws even while he is serving overseas. This is a very murky legal problem, but I think that an American CIA agent is not totally free of United States law once he leaves these shores.

Chairman: John Marks.

Marks: Mr. Colby, I believe you would agree with the definition of covert action as secret intervention into another country's internal affairs. The techniques of covert action include blackmail, burglary, subversion, and assassination. My question is with the approval of competent authority in the Forty Committee and the National Security Council, you feel those techniques are justified in the name of national security?

Colby: I think, Mr. Marks, the use of an atomic bomb is justified in the interest of national security, and I think going down from there is quite a realm of things you can do in the reasonable defense of the country. The whole question of the morality of self defense is one of making the action relate reasonably to the need for some kind of action. And an exaggeration of action when there is a severe need is not immoral. CIA-RDP88-01315R000200010008-7

situations in which a severe need can arise and consequently it

is moral to conduct actions in self defense in such regard.

Marks: But in peace time -- a time such as now?

Colby: There are lots of fine points in this argument that I frankly would think that this is not the forum to discuss the finer philosophical points. I think I have basically answered your question.

Chairman: Congressman Michael Harrington.

Harrington: I had two very specific questions to go back to. On the question of the congressional oversight function which you regularly find yourself retreating to when it comes to carrying out your responsibilities, until yesterday afternoon was Senator Stennis given the substantial kind of briefing of the kind that was given Congressman Nedzi that you are aware of during your tenure of head of the CIA on the question of our operations in that country on the covert side?

Colby: Senator Stennis, as you know, was out for almost a year after the attack on him, and during that time he did miss a couple of briefings that I think might have covered that problem. I frankly would rather let Senator Stennis speak to the problem, but he was out of action as a result of the attack on him.

Harrington: And again in the same time frame of your tenure as Director of CIA, did you, prior to April 22, inform or brief Congressman Nedzi in the same or with the same degree of specificity that characterized your briefing to him on that day with respect to the covert operations of the CIA in Chile?

Colby: I tried to keep Congressman Nedzi fully advised. I think that we obviously go into greater detail on any particular problem as it comes -- becomes -- more and more of a problem. We did brief that Committee; I can't say right now when and in what depth at any one time but I have tried to keep the committees informed of

our operation. I have responded to any questions that they have as to further information, and I think I really ought to let them decide whether they have been adequately informed by me or not.

Chairman: David Wise.

Wise: Mr. Colby, back around 1958, President Eisenhower denied that the CIA was engaged in activities against the government of Indonesia, and earlier than that Secretary of State Dulles said that during the time of the uprising in Guatemala that the situation was being cured by the Guatemalans themselves. At the time of the U-2 in 1960, we were told by the government that it was a weather plane that drifted over the border. At the time of the Bay of Pigs, Adlai Stevenson, who was twice a presidential candidate, had to lie to the whole world by reading a cover story into the record of the United Nations, which I think he always regretted. More recently we have statement by high officials of the government that there was no intervention in Chile.

Now, as a citizen, I resent being lied to by the government, and I wonder if -- and I'm sure many other citizens do -- and I wonder if this lying doesn't make the cost of covert operations too high; and did I understand you to say earlier that there will be no more lying about CIA operations?

Colby: I think, Mr. Wise, talking about what happened in 1950, 1960, and so forth, I have tried to indicate that times have changed. We are aware they have changed, and we are trying to adjust to the new world that we have here and that we are trying to respond to the American people and to the American Constitution in the form that is expected of us at this time. We are endeavoring to do that, and, as I did say, I believe that I cannot tell the American people an untruth. I may, on occasion, have to keep some matters secret and not mention it, but I believe that it is not feasible

in the current world to -- and frankly I don't like it either -- to tell the American people or his representatives an untruth either in open or in secret.

Wise: Then doesn't that mean logically an end to covert operations? How can you have them if you don't lie about them?

Colby: Because you don't have to talk about them. And you don't have to leak about them.

Chairman: Mark Raskin.

Raskin: I just have some short questions. Are you in line with attempting to readjust your policy? Are you prepared to have the budget of the CIA stated, both the intelligence and the covert side publicly in the federal budget; and secondly, are you prepared to send other people who represent the agency and the agency points of view to go out and indeed debate in town meetings in different districts of the United States on the utility or the efficacy of having covert operations so that indeed you find out what, as Congress should, the new mood of the American people is? In my view you will find that what you have been doing is utterly insulated. That you have been operating in the context of a political and cultural hegemony of a, if you like, a political and economic oligarchy that has nothing at all to do with the peoples wishes and needs at this time. (audience applause)

Colby: With respect to the budget, Mr. Raskin, I have been asked this question about a total figure for the budget, and I have said that the release of a single figure one year at a time would not be a serious security problem. But that, if you continued it over a few years, you could draw trend lines. You would immediately arouse the question, why did it go up, why did it go down, what is it made up of, and you very quickly would be into the detail of it. This matter was debated in the Senate on the fourth of June of this year, and it was turned down -- the idea of a single figure was turned down -- by a vote of 55 to 33.

With respect to your second question of appearing around the country, I have appeared in a number of places. Various of our other officers have appeared in a number of places; a number of our officers have attended association conferences; I have spoken in Los Angeles, Chicago, and New York and a variety of places, and the answer is yes within the limits of the time available we are prepared to go out and talk to the American people and that's what I think I am trying to do right here.

Chairman: Okay. We have two more panelists' questions -- Fred Branfmann and Mort Halperin. At that time unless somebody is really insistent on the panel, we will go to the audience for a while to get some questions from there.

Fred Branfmann, first.

Branfmann: Tell me, while you were Vietnam, was it the frequent practice of the South Vietnamese National Police to carryout torture? Were many people or some people shackled in tiger cages on Kan San Island? And, again, I understand -- you don't have a monopoly, nobody has a monopoly on morality, but I think we would like to know what your morality is. What is the distinction, are there any things that you have done in Vietnam that you would not do elsewhere and would not do here at home, from a moral point. I understand the legal problems. What is your morality?

Colby: My morality is to try to help produce a better world and not to insist on a perfect one, Mr. Branfmann.

Branfmann: Was it the practice of the national police to torture --

Colby: The second answer to that question is that it was not the common practice. We had a lot of advisors around and throughout the police and throughout the other structures in Vietnam. There were exceptional cases as I said in my prepared statement. They were few, exceptional, and against policy, but they did occur, and

I've said that. And the answer to your question, were there tiger cages on Kan San Island, the answer is yes. Were there shackles in the tiger cages? Yes. Those tiger cages were built during the French time and have been used ever since.

Branfmann: Mr. Colby, you have just violated what you just said a little while ago that you weren't going to lie as Director of the CIA and I think that this can now be perfectly well demonstrated to your or anybody else's satisfaction that it was common practice to be tortured in Vietnam, and more that you know it and you have just lied after saying just a minute ago that you wouldn't. I think it's disgraceful. (audience applause)

Colby: I respectfully disagree.

Chairman: Before we go to Mort Halperin, Congressman Harrington has asked permission to be excused. He has to catch an airplane to his district. I want to thank him very much for his appearance here. (audience applause)

Chairman: Mort Halperin.

Halperin: Mr. Colby, I wonder if you could explain to us by what authority and by what criteria you decide what a properly constituted body of the United States Congress is to which you have to answer questions. The Senate Watergate Committee was established by an overwhelming if not unanimous vote of the Senate of the United States and directed to investigate Watergate and related matters. As a member of that committee, a member of that committee asked your agency for information, and yet you have told us that you gave him what you wanted to give him and drew the line at information that you would only provide to duly constituted and authorized committees of the United States Senate. Now, as far as I can tell, that was a duly authorized committee authorized to receive that information. As far as I am aware, the Senate of the United States has never voted that the Armed Services Committee or the

Appropriations Committee are the only committees which should get that information,

and I wonder if you could explain what it is that gives you the right to say that this committee is authorized and that the Watergate Committee is not.

Colby: I am merely following the precedent established by the House and Senate over some 25 years.

Halperin: But if you'll excuse me, the Senate Watergate Committee was never established before.

Colby: You are correct that there is no specific resolution of either the House or the Senate that sets up those particular committees, but in the early 1950's those subcommittees of the Appropriations Committee and the Armed Services Committee of the House and of the Senate were established as our proper oversight and review committees. And the practice grew up, over those 25 years, that we would only speak to those and not to the others. There were a series of recommendations presented to the Senate and to the House over those years recommending a change in that procedure. Each of those suggestions was turned down, so that the standing arrangement then continued.

Halperin: But, with all respect, that's for the general policy of what you have to tell them generally about your operations, but I don't understand why that isn't superseded in a particular area by an overwhelming vote of the Senate requiring them to answer. By your logic, the FBI and every other agency of the government -- in many cases only answering to their appropriations committee or their authorizations committee -- would have said to the Watergate Committee, we're sorry, we're the FBI and we only answer to our standing committees. These other groups understood that this is an extraordinary situation; that the Senate had overwhelmingly authorized this extraordinary investigation, and that seems to me to supersede twenty five years of practices without a vote of the United States Senate, in requiring the agency to

respond to the questions of that committee.

Colby: Excuse me. It is 25 years with a number of votes recommending change which were never got.

Halperin: But never authorizing the practice, simply failing to change it.

Colby: That's right. The fact is, however, that I am prepared at any time to change this process. At any time the Senate and the House direct me to do so. I'm not giving anything away; I'm merely reflecting the Constitution.

Halperin: But the Senate directed every member -- every part of the executive branch -- to answer the questions of the Watergate Committee. And now you are saying, no, you want a specific resolution telling you to answer them.

Colby: I am merely saying that I will comply to the way the Senate wants to arrange the oversight of the operational aspects of the intelligence business. There is special legislation which indicates that the intelligence business is a very special business. I am charged in statute with the protection of intelligence sources and methods against unauthorized disclosure, and I am prepared to change my procedure at any time the Senate and the House determine to do it. Until that time, I think I have to follow both the tradition of the House and the Senate and the specific directives of the statute itself.

Chairman: One more -- Dick Barnet -- on the panel.

Barnet: Mr. Colby, do you consider the covert operations in Chile to have been a success?

Colby: I think that that falls into the category of not talking about our operations. It is hard (audience laughter) to say whether it is successful or unsuccessful without talking about what they were. If they were one thing, they were successful. If they were another thing, they were not.

Barnett: I'm not asking you to comment on the operations. I'm asking you to comment on the results. Let me put to you what I think based on information that I have the results were, and then I would like your evaluation as to whether that was a success.

Colby: I would perhaps save you the time, Mr. Barnett, by saying that I reiterate that our policy at that time was to look forward to a victory in 1976 of the democratic forces through elections.

Barnett: Well, as a result of the activities --

Colby: No, not as a result of our activities. The coup had nothing to do with our agency.

Barnett: The failure to withhold information which you had from the constitutionally elected government, we have a military dictatorship which has repealed two generations of reforms in Chile, has obliterated a system of reform which has evolved under conservative and christian democrat government. We have a situation today in Chile where large parts of the middle class are considerably worse off than under the regime that succeeded it. We have a regime so incompetent that we have tens of thousands of people literally that are on the brink of starvation, for which I think the United States and your agency in particular, must bear some responsibility.

Colby: With due respect, I disagree with you because our appreciation of the situation in Chile and the analysis of the situation in Chile was that the coup in Chile, the military coup in Chile, was brought about by the policies of the Allende government, which so mixed up the situation in Chile that the military decided to act against the government. Now, we did not have anything to do with the military

coup in Chile, and therefore I do not think that you can say that the result today is the result of either CIA or the United States.

Halperin: Are you really saying, in line with the policy of candor that you say that the agency is attempting to follow, to tell us that the activities of the agency in support of hostile press, in support of strikes, in support of direct support of armed nationalist groups in Chile, did not have a direct effect on the atmosphere which produced the coup?

Colby: I said that our policy was to encourage the democratic forces in Chile to sustain themselves in looking toward a victory in the elections of 1976. That is what our policy was and that was what our activities were aimed at.

Halperin: Have you, as a result of what happened in Chile, ordered a review of that part of the agency that develops plans for encouraging democracy in foreign countries?

Colby: We have not given any assistance to Chile since the coup.

Chairman: Mr. Peck.

Colby: Other than certain funds -- let me correct that (audience laughter) -- other than very limited items that were commitments made prior to the coup and have nothing to do with the period after the coup and will have nothing to do with the period after the coup.

Peck: Mr. Colby, your statement was the CIA was not directly involved in the coup, however, you have admitted that there were activities before that, but isn't it true that the Central Intelligence Agency is not the only agency of our government involved in covert activities? Isn't it true that agents of the Defense Intelligence Agency were directly involved in the overthrow of that government? Isn't it true that military officers of the United States government held a party several weeks before the coup at an Air Force base in Argentina, just across the mountains, in

which they did toast to the success of the coup? Isn't it true that agents of the Defense Intelligence Agency were acting in the Port of Valparaiso during the coup, helping to direct the police and military operations and rounding up suspects for internment during that period? And isn't it true that these same agents of the Defense Intelligence Agency, undercover as Defense attaches in Santiago throughout the period of destabilization in Chile, were actively working for the Central Intelligence agency?

Colby: Our attaches of any foreign country are known as attaches. They, by reason of the structure of the Defense Department, they report to the DIA, the Defense Intelligence Agency. That doesn't make them agents. It makes them officers in the United States Army or Navy or whatever it is.

Peck: Just the same as agents of the Central Intelligence Agency?

Colby: I think they are officers or enlisted men in their respective services. That's what they are. There are some civilian employees of the Department of the Army, Defense, the Navy and so forth. They are overtly known as that, and that the answer to your basic question is that the other agencies do not conduct covert actions.

Chairman: Now, from the audience. I'd like to ask if you would ask one question. Please be brief because there are a great many people who want to ask but state your name before you ask the question and go ahead and ask it.

Paul Sacklow, go ahead.

Sacklow: My name is Paul Sacklow, and I'm sort of unique here, I think, because Bill Colby and I are from the DEP in the clandestine services. It used to be called DEP. There were a couple of gentlemen here yesterday from the DEP area, my old friend Bob Meyers and Tom McCoy. Bob used to be in charge of operations in Vietnam,

Cambodia, and Laos, years ago. Tom McCoy was out in Vietnam with Colby with Phoenix and other programs, both were very brilliant guys, and the conference has invited them in and I think very politely and usefully to present the CIA attitude on what we are trying to do here, to clarify this. But, in looking over the record, I did not identify any other person from CIA and the clandestine services who had a opposing position on Vietnam and what went on in Indochina. I happen to represent that, and I oppose Mr. Colby, and I respectfully ask him again to please declassify all of the documents I've asked him to declassify including five of my own memos to Richard Bissell, Jr., the Deputy Director for the clandestine services and about forty other documents, intelligence disseminations, in which you, Bill, are deeply involved and sent in yourself. I want those unclassified. You have desanitized them. You have butchered them. You have destroyed them, and you have made me look like a fool. I will not permit that, sir. And I think this conference has made an unfair evaluation in the kind of invitee that it has made. You have not -- I have not been invited -- I came here. I found out about it by accident. Colby has been invited; Tom McCoy has been invited; Bill Meyers has been invited. Some other spooks have walked in here --

Chairman: Paul, please. If you have a question, go ahead and ask it. If you want to make a speech, do it somewhere else. We've got many people who want to ask questions here. It is unfair to all of these other people. Seriously, I don't think that you ought to be unfair to them.

Sacklow: All right, sir. Do you want me to stop now?

Chairman: Would you please ask your question or stop, one or the other.

Sacklow: I want, under the Nuremburg thing that has been worked out by the judicial system, international and U.S., I wonder how Mr. Colby uses moral actions,

how you respond, not just according to the Constitution and not just according to the laws that have been passed, but as a moral human being under the Nuremburg thing, how does he as a human being respond to the tremendous butchering and murder and destruction in Vietnam, South Vietnam, Cambodia, and Laos. How does he as a human being respond to that? I'd like to know. That's my question, sir.

Colby: I respond as I indicated at one point with great concern for the human life sacrificed in southeast Asia and which I believe was started by the attempt of the North Vietnamese and their Communist Allies to take over South Vietnam.

Chairman: Next.

Porter: I'm Gary Porter. Mr. Colby, you addressed yourself early on to the question of American CIA involvement in Laos and justified it by referring to the allegation that the North Vietnamese refused to have the troops leave Laos after the country ^{was established} / in 1962. This would imply that the United States CIA was not ^{secret army} / involved with supplying with guns and other equipment and material to Arme'e Clandestine Laos before. Now, I'd like to lay out these facts and have you either confirm or deny them. First of all, is it not true that the CIA forces were already supplying (inaudible) at the time of the cease fire in Laos at the time of the Geneva meetings in 1962? And in that period following the same, the Pathet Lao as a member of the tri-partide coalition government demanded it as was their right under the arrangement and that the United States ceased its military and economic aid through the (inaudible) who were ensconced in bases within the classified (inaudible). That under the agreement the Pathet Lao had a right to be ^{consulted on} / all major questions of defense and foreign policy. And that, in fact the U.S. continued those supply

supply operations against the demands of the ^{Parthet Lao} / that they end them. This took place over 90 days and that the U.S. in continuing that supply operation had a plane shot down by the ^{Parthet Lao} / . That the Chinese government, itself, made it clear that they would personally help the Vietnamese to maintain their troops in Laos until the U.S. withdrew . Now, do you confirm or deny these facts?

Colby: I will say that CIA did begin a program of assistance to the tribesmen in Laos in, I believe, 1960. This was a program which was run by CIA and was also participated in by the U.S. military. At the time of the Geneva Accords in 1962, CIA ceased its supply and withdrew its people. The military withdrew its people. We did leave some people in Laos for intelligence purposes but not for paramilitary purposes. After -- when we were through -- I've forgotten the number but it was in the neighborhood of 1,000 people who checked out through the international control checkpoint. The North Vietnamese withdrew, if I remember, it was something on the order of 40 or 50 people, leaving some 5,000 behind. That in itself did not change things until they began to attack some of the people of the Maos up in the country. At that point, in order to respond to the attacks made by those forces illegally in Laos, CIA was asked to and did begin a program of covert supply to those forces to protect themselves against the North Vietnamese incursion.

Porter: Are you saying that the United States did not supply ^{L'Armee Clandestine} / 90 days after the Geneva meeting?

Colby: I deny that CIA did anything before they were provoked to it and requested by the people in Laos to help defend themselves against the North Vietnamese incursions against them.

Porter: It is on the record admitted by US officials that the US did, in fact, supply the Pathet Lao / military aid with / 90 days after the Geneva meeting.

Colby: We respected the Geneva agreement provisions. I'm not sure what the 90 days is right at the moment. We respected the Geneva Accords agreement at that time and were only led to a violation of them by a greater violation by the North Vietnamese.

Porter: Can you answer yes or no. Was the CIA carrying on the supply operation against the Pathet Lao?

Colby: Yes. Against the demands of the Pathet Lao, certainly, and their North Vietnamese allies because they were North Vietnamese allies and they were attacking the Mao tribesmen.

Porter: Did you say we did carry on the operation?

Colby: As a defensive measure against violations of the Geneva Accords by the Pathet Lao and the North Vietnamese.

Cantor: I'm Susan Cantor. Mr. Colby, you said that the CIA was not involved in the military coup that took place in Chile.