

Agency Information

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MAHEU, ROBERT
OPERATION MONGOOSE
ORGANIZED CRIME
PROUTY, FLETCHER
ROSELLI, JOHN
STURGIS, FRANK
TRAFFICANTE, SAM
WARREN COMMISSION, INFORMATION WITHHELD FROM
ZRRIFLE
CUBAN EXILES
CONSPIRACY THEORIES, THREE TRAMPS
COLBY, WILLIAM E.
CLANDESTINE OPERATIONS
CIA
CHURCH COMMITTEE
BRECKINRIDGE, SCOTT
BISSELL, RICHARD
ASSASSINATIONS, FOREIGN LEADERS

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The United States Senate

5 of 5

Copy 5 of 8

Report of Proceedings

Hearing held before

Select Committee to Study Governmental

Operations with Respect to Intelligence Activities

TESTIMONY OF WILLIAM E. COBBE,

DIRECTOR, CENTRAL INTELLIGENCE AGENCY

178-10004-10213

178-10004-10112

Friday, May 27, 1975

Washington, D. C.

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

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C O N T E N T S

2 TESTIMONY OF:

PAGE

3 William E. Colby,
4 Director, CIA,
5 -- accompanied by --
6 Scott S. Breckinridge, Jr.,
7 Deputy Inspector General,
8 Enno Knoche,
9 Assistant to the Director,
10 George L. Cary,
11 Legislative Counsel

3

10 E X H I B I T S

11 NUMBER

PAGE

12 Colby Exhibit Nos. 1, 2, and 3, cardboard-backed
13 photographs, deemed marked in an off the record
14 discussion early in the transcript.

14 Colby No. 4

31

15 Colby No. 5

50

16 Colby No. 6

110

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TESTIMONY OF WILLIAM E. COLBY,
DIRECTOR, CENTRAL INTELLIGENCE AGENCY

- - -

Friday, May 23, 1975

- - -

United States Senate,
Select Committee to Study Governmental
Operations with Respect to
Intelligence Activities,
Washington, D. C.

The Committee met, pursuant to notice at 9:15 o'clock
a.m., in Room 407, The Capitol Building, Senator Frank
Church (Chairman) presiding.

Present: Senators Church (presiding), Hart of Michigan,
Mondale, Huddleston, Morgan, Hart of Colorado, Mathias and
Schweiker.

Also present: William Miller, Staff Director, F.A.O.
Schwarz, III, Chief Counsel; Curtis R. Smothers, Minority
Counsel; William Bader, Professional Staff Member.

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Chairman Church. The hearing will come to order.

Mr. Scott Breckinridge is accompanying the Director this morning and may be called upon from time to time to testify.

For that purpose, Mr. Breckinridge, will you please stand and be sworn?

Do you swear that all the testimony you may give in this proceeding will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. Breckinridge. I do.

Chairman Church. Mr. Schwarz will commence the questioning this morning.

Mr. Schwarz. Mr. Colby, did you have some things you wanted to supply to the Committee?

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2 ACCOMPANIED BY SCOTT S. BRECKINRIDGE, JR., DEPUTY
3 INSPECTOR GENERAL, ENNO KNOCHE, ASSISTANT TO THE
4 DIRECTOR, AND GEORGE L. CARY, LEGISLATIVE COUNSEL

5 Mr. Colby. I have an answer to a few of the questions
6 that were raised at the meeting the other day and there are a
7 couple of clarifications I would like to make.

8 One, with respect to the security investigations in the
9 United States. The question was asked whether we ever used
10 private investigators, and I said we normally used our own
11 investigators. We have some relationships with private
12 investigatory firms which provide cover for our investigators
13 and, secondly, we have a few firms which we own which are
14 proprietary, if you will, whereby our investigators appear to
15 be private.

16 I said that in the past it is clear that on occasion we
17 did ask for private investigator firms to help us to some
18 degree. It was usually the one that was giving us cover, and
19 for reasons of overload we asked them to have their own people
20 to do a few of the investigations.

21 My General Counsel says that this is illegal. I have a
22 strong question about its propriety, if not legality, and I
23 am undertaking to review this matter to see whether we can not
24 just eliminate that practice entirely, continuing the proprie-
25 tary and continuing the use of private investigators as cover

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2 But I did want to clarify that. I think I mentioned it
3 last time that there have been occasions on which this was
4 done.

5 Chairman Church. Mr. Colby, would you in connection with
6 your review of this matter supply the Committee with the spe-
7 cifics in those cases where the Agency has in fact engaged
8 private investigators to do Agency work?

9 Mr. Colby. I will certainly try to, Mr. Chairman. I
10 confess this may be a tough job to locate every case but I
11 certainly will do my best.

12 Chairman Church. Will you provide the Committee with the
13 opinion of your Counsel with respect to the legality of such?

14 Mr. Colby. I will.

15 Chairman Church. Such use of private investigators?

16 Mr. Colby. Yes.

17 Chairman Church. And then I would ask the staff also
18 furnish the Committee with a brief on that question so that we
19 are fully advised with respect to the law.

20 Mr. Colby. Right.

21 The second subject, Mr. Chairman. Senator Mondale asked
22 for our command and control regulations for the approval of
23 covert action projects. These were supplied to the staff on
24 the first of May and are available to the staff.

25 Thirdly, I was asked if Mr. William Harvey was removed

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1 from the Agency because of his involvement in the assassination
2 plans against Prime Minister Castro.

3 The facts are that in June 1963 he was assigned as our
4 Chief of Station in Rome and in February of '67 he was
5 reassigned to CIA Headquarters. He retired voluntarily under
6 our retirement system on 31 of December 1967.

7 If I may, there is a reason why he was taken out and if I
8 could go off the record and mention that to the Committee. It
9 is a matter of his privacy.

10 Chairman Church. Very well, off the record.

11 (Off the record discussion)

12 Mr. Colby. Back on the record.

13 Senator Schweiker asked me whether Howard Hunt or James
14 McCord were in charge of Mexican operations at the time of
15 President Kennedy's assassination on 22nd of November '63.
16 Howard Hunt from July '62 to August '64 was assigned as a
17 Section Chief in the Division of Plans Directorate, which is
18 now the Operations Directorate at CIA Headquarters, which had
19 no responsibility whatsoever for Mexican operations.

20 Senator Schweiker. What were those dates again?

21 Mr. Colby. July '62 to August '64.

22 Senator Schweiker. Wasn't he at some point in Mexico
23 City and in charge of that office?

24 Mr. Knoche. Way back in the '50's he served in Mexico
25 City. Way back. He was not in charge.

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Mr. Colby. He was a case officer then.

Senator Schweiker. So that is the period you are saying he had no jurisdiction in any way with Latin America or Mexican Affairs.

Mr. Colby. No, he was in what we call, and we have since changed the name, to Domestic Operations Division at that time, our operations here in this country, and that is a whole different subject I would have to explain some day.

Mr. McCord from June '62 to June '64 was assigned as a CIA Security Officer in ~~the CIA station at Frankfurt, Germany~~ and he had no responsibilities for Mexican operations at that point.

Senator Morgan last time asked what information was given to the Warren Commission concerning Agency assassination plans concerning Castro, and I have been advised our records do not indicate that the Warren Commission was provided with information on this subject.

Allen Dulles, of course, I would note, who was the CIA Director until the fall of '61, was a member of the Warren Commission, but beyond that fact I have nothing I could offer.

And then who made the decision not to provide it, if none was given? Our records do not indicate that there was a CIA decision on this matter not to tell the Warren Commission.

I could add that I believe the relationship with the Warren Commission was handled by one of our staffs which

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2 I cannot say that for sure, but I know the compartmentation
3 system was such.

4 Chairman Church. What was the name of the CIA agent who
5 was given the responsibility for liaison between the CIA and
6 the Warren Commission?

7 Mr. Colby. To my knowledge it is Mr. Raymond Rocca.

8 Chairman Church. Where is it now?

9 Mr. Colby. He retired at the end of December of last year.
10 He remained working for us for a few months. I think he is
11 retired. I think he is retired. I believe he is still in
12 the Washington area.

13 Mr. Knoche. Yes, he is still working with us.

14 Mr. Colby. Still working with us to help on the transi-
15 tion of the whole counter-intelligence program.

16 Chairman Church. Why did he retire?

17 Mr. Colby. That was the Angleton case, Mr. Chairman, and
18 the facts of that case were that I had had some professional
19 differences in the organization with Mr. Angleton as to the
20 way the counterintelligence business was run and the way the
21 Israeli account was handled. I believed that it required a
22 higher degree of coordination of the other elements of the
23 Directorate and of the Agency. We had debated this on various
24 occasions in the past. I did reorganize that staff in 1973 and
25 took a number of functions away from it. The liaison with the

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2 endeavored to open up the Israeli account to a better relation-
3 ship with our other Near Eastern activities. We debated this
4 over many months and on several occasions. We could never
5 really agree to it because he insisted on the importance of
6 retaining it where it was.

7 Mr. Angleton had done a very good job of establishing that
8 liaison years ago and knew a lot of the senior Israeli who
9 were involved in it.

10 I believed there was inadequate coordination in the Arab
11 areas.

12 Also, I believed that there was a undue degree of compart-
13 mentation of that staff, that it needed more interchange with
14 our other divisions. We debated this and discussed it and I
15 set as my time limit for this discussion the end of December
16 because there were some very substantial retirement benefits
17 that people would loose if they stayed after that point. Then
18 unfortunately the Seymour Hirsh article of December 22nd came
19 to our attention before it was actually published, and so I
20 brought Mr. Angleton up and said that I was going to make two
21 basic decisions. I was going to move the Israeli account from
22 his control and I was going to put some sucessor leadership
23 into the Head of the Counterintelligence Staff. I said I would
24 offer him a post of tying together some counterintelligence
25 doctrine, he could stay working with us. He did not have to

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1 retire. If he wished to retire the opportunity was there. He
2 chose to retire. I insisted that I talk to him before the
3 Seymour Hirs- article appeared. I knew it was coming. I
4 didn't know what it was going to say. I wanted to make clear
5 between him and me that the decision was based upon our long-
6 standing discussion of how to run that particular activity.

7 The question then came up who would be his successor and
8 Mr. Rocca was his Deputy. There were two other officers who
9 were possibilities. One of the officers, Mr. Hood, had said
10 in early December that he planned to retire at the end of
11 December. The other two, Mr. Rocca and Mr. Miler, were informed
12 that they would not be the successor Chief of that staff. They
13 were offered a chance to stay on in their then current jobs.
14 They chose to retire. All four of them agreed to stay with
15 us on a consultant basis over the next several months to help
16 us on the transition of new leadership into that job, and they
17 have done so.

18 Chairman Church. Well, without getting off the track, I
19 just have one further question here in connection with Mr.
20 Angleton himself.

21 Is it true that he is still being paid as a consultant?

22 Mr. Colby. I believe it has dropped off, Mr. Chairman.
23 He did help us for three or four months but I believe that it
24 is terminated. It is about time to terminate it, I know, and
25 whether it is on this particular date has been terminated.

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1 we set ourselves about six month period where we would have
2 to --

3 Chairman Church. There is no plan to retain him indefi-
4 nitely?

5 Mr. Colby. Absolutely not. It was to help us get over
6 this transition and phase him out.

7 Chairman Church. Very well.

8 Senator Mondale: I asked for vouchers on payments with
9 respect to assassinations?

10 Mr. Colby. I am looking for that. I don't have an answer
11 for you yet, Senator.

12 The request was also made whether we had any information
13 concerning plots to assassinate Chou En Lai. We have reports
14 of two such examples, incidents, both conducted by the Chinese
15 Nationalists without our prior knowledge and without our
16 participation.

17 One in April 1955, an Air India aircraft crashed at
18 sea off Indochina after departing from Hong Kong. Several
19 Chinese Communist delegates for the Bandung Conference were
20 on board and it had been rumored that Chou En Lai would be on
21 the aircraft.

22 On the 11th of January 1956, the British Colonial Office
23 in London issued an official statement reporting they had
24 evidence that the Chinese Nationalists had bribed a Hong Kong
25 airport employee to place a time bomb on the airplane. The

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2 and the US for sabotaging the aircraft. The aircraft employee
3 had fled to Taiwan. We had nothing to do with that incident
4 and frankly heard about it after it occurred.

5 In the fall of 1956, a senior Chinese Nationalist official
6 informed an officer of CIA that a Chinese National planned to
7 assassinate Chou En Lai during his visit to Cambodia in
8 November '56 and had been thwarted by the Cambodian arrest of
9 the Chinese Nationalist officer sent to Phnom Penh to supervise
10 the attempt. We learned of this after it had happened and we
11 had nothing to do with it.

12 We had a relationship with the Chinese Nationalists
13 Intelligence Service over the years and they clearly have done
14 things without our knowledge or involvement, and in a number
15 of areas, but we have also worked together on some areas.

16 These are two that were separate.

17 Also I was asked to look at the photographs of Howard Hunt
18 and Sturgis that appeared in Newsweek some years ago. We
19 obtained this photograph from the FBI last night about 5 o'clock.
20 We had not had it before. We had a copy of the Newsweek
21 edition.

22 These are photographs of Howard Hunt in 1949, 1950 and
23 1961. This is the only photograph we have of Mr. Sturgis.
24 It is taken out of the Newsweek.

25 We have had no connection with Mr. Sturgis and so we have

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1 the Hunt photographs, so it is subject to the problems of it.

2 We had our photographic experts and analysts and so forth
3 look at these two individuals here who were picked up. We
4 examined them in considerable detail, and talking about the
5 '61 Hunt photograph, comparing it with this, and this is the
6 photograph, Newsweek photograph. You will see that there is a
7 lot of sort of fundamental differences in the kinds of
8 appearances they have, different characteristics of the
9 individuals.

10 With respect to Sturgis, of course, we are not as confi-
11 dent because we don't have as good a base to work from in our
12 comparison but at the same time we see differences there also.

13 Now, we further looked, had one of our disguise people --
14 we obviously have people who can disguise you -- the red wig
15 episode. It wasn't red, they insist, it wasn't ill fitting.
16 That is the thing that they get upset about. But they say that
17 it would not be feasible to have them actually in a disguise,
18 have these individuals actually in this disguise, that it is
19 too big a jump, it differs.

20 Senator Huddleston. How about the size of the individual,
21 are they pretty close?

22 Mr. Colby. These two are. He looks like a shorter man
23 from the surroundings. And Hunt is about medium height, rather
24 than this short.

25 Mr. Knoche. Hunt is five feet ten and a half inches.

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1 ... as the kind of analysis and they really
2 were able to do a pretty good job on Hunt and, what they do is
3 identify certain key points, make measurements and put adjust-
4 ments, the same thing we do for the satellite photography in
5 terms of these measurements, and things like that, and compare
6 it in that sense, and their conclusion is that clearly this is
7 not Hunt. They are absolutely confident that this photograph
8 is not Hunt. They are less confident that it is not Sturgis
9 because of the base on which they are operating, but they think
10 it is not.

11 I point out that this analysis was done overnight, about
12 3 o'clock in the morning. This is Sturgis.

13 Mr. Schwarz. And to the right?

14 Mr. Colby. This is a newspaper photograph of Hunt; a
15 recent one. These are sort of Agency photographs of him when
16 he was an employee.

17 Senator Hart Of Colorado. Were those men ever identified
18 by the Dallas Police?

19 Mr. Colby. They must have booked them or something if
20 they carried them in. I really don't know. If they took them
21 in I would assume they would have had to book them.

22 Senator Hart of Colorado. What are these pictures on the
23 lower right and left?

24 Mr. Colby. These are the blowups of the particular
25 photographs.

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1 Senator Hart of Colorado. Not the one you had earlier?
2 Mr. Colby. They are different.
3 Senator Hart Of Colorado. They are different angles?
4 Mr. Colby. This is reversed.
5 Senator Hart of Colorado. They are different photographs?
6 Mr. Colby. It is reversed.
7 Senator Hart Of Colorado. No. They are not A and B even
8 reversed.
9 Mr. Colby. They can do that kind of a turn through the --
10 Senator Hart of Colorado. They can twist the photographs
11 around?
12 Mr. Colby. They can make it appear at a different angle.
13 Senator Hart of Colorado. B at least is a totally dif-
14 ferent pose. They turned his mouth down. His eyes are closed.
15 They have really done a job if they changed B to that lower
16 right.
17 Mr. Colby. They can change them, honest.
18 Let me get my brief on that and I will answer that
19 question.
20 They magnified them to the same scale using the eyes and
21 mouth. The contrast and texture differences were minimized,
22 continuous tone photographs employed and angular compensations
23 were made to offset errors incident to the different heads.
24 They can mix them around in that kind of fashion.
25 Senator Schweiker. Were these men detained? If they were

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1 detained maybe there are photographs from their detention.

2 Were these men arrested?

3 Mr. Colby. At the time we have had to work on this we have
4 just looked at the photographs.

5 Senator Schweiker. I assume that is where they are going
6 to be detained.

7 Mr. Schwarz. Wasn't the same analysis done for the
8 Rockefeller Commission about two months ago? In other words,
9 there has been an analysis at least once before last night,
10 hasn't there?

11 Mr. Knoche. Not by us.

12 Mr. Colby. Perhaps by someone else.

13 Chairman Church. Mr. Director, that is a different
14 photograph.

15 Mr. Colby. It does look like it.

16 I will answer that question next time I come up.

17 Chairman Church. All right. How can we follow up on the
18 identity of these two people in connection with the Dallas
19 Police? Would that be done through the FBI?

20 Mr. Colby. FBI. I could ask or you could ask, it might
21 be better if you ask.

22 Chairman Church. Well, I think we should. I think these
23 should be marked as Committee Exhibits and staff should be
24 instructed to follow through with the FBI to get what further
25 information there may be about the photographs and these two

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2 Senator Schweiker. Did you get the other photograph, the
3 supposed Oswald photograph leaving the Embassy?

4 Mr. Colby. I don't have that with me. It is in the
5 Warren Commission published report. It is in there.

6 Senator Schweiker. It is in there?

7 Mr. Colby. Yes. It was cropped slightly in order to
8 conceal where it was taken but it was --

9 Senator Schweiker. It is in the Warren Commission?

10 Mr. Colby. Yes, it is in the Warren Commission.

11 Just one additional matter.

12 Chairman Church. Just one thing I would like to say to
13 you, Mr. Colby, before I forget it. You have made reference
14 to the Israeli account and the special way that it had been
15 handled under Mr. Angleton. Before we finish our review with
16 you of covert operations we would like to have a more detailed
17 statement of that matter.

18 Mr. Colby. Right.

19 Chairman Church. And I think you should prepare to
20 discuss it with us and we will have further questions to ask
21 you in connection with it.

22 I just wanted to give you notice.

23 Mr. Colby. Right. In our lexicon it doesn't count as a
24 covert action but that is all right, no problem, I will cover
25 it.

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1 Chairman Church. All right. At some point then in our
2 investigation?

3 Mr. Colby. Sure, no problem.

4 The only other one thing I would like to suggest for the
5 record, Mr. Chairman, with respect to the discussion of the
6 attempts made against Mr. Castro, in no way justifying them.
7 My position on this is quite clear. I do think it important
8 to put that exercise in the context of the times, which was
9 the times of the Bay of Pigs, which was a decision made by
10 the Government. The Cuban missile crisis, and following that,
11 a program approved by our normal covert action approval mecha-
12 nism to try to generate an overthrow of Mr. Castro from within
13 Cuba by assisting various groups to go in with sabotage and
14 by putting economic pressure on the country, and so forth.
15 That went on for a number of years after the 1961-62 episodes
16 and I think it does put a cover of policy attitude toward Cuba
17 and toward Mr. Castro that is an important factor in evaluat-
18 ing the thing, without in any way justifying the particular
19 attempts to assassinate him.

20 Senator Hart of Michigan. But was there any evaluation
21 done at or about the time of that Cuban missile crisis?

22 Mr. Colby. There was an evaluation done after the Bay
23 of Pigs, a rather intensive Investigation Internal Security
24 Branch Review of the activity and then the Cuban missile
25 crisis came along shortly thereafter before anything very much

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1 get going. Thereafter, however, a number of programs were
2 conducted, which I am sure the Committee might want a general
3 summary of. I am just giving you one sort of a paragraph
4 summary of it, which were aimed at putting economic pressure
5 on Cuba in the hopes that this would put pressure against him
6 and lead to its disorder and problems there and, secondly, to
7 encourage revolutions, sabotage and so forth, from within
8 Cuba through a variety of programs of propaganda, support of
9 exile movements, landing of teams on the coast, things of this
10 nature.

11 Chairman Church. The difficult with this is, as I see it
12 although what you say is true, once an agency begins to engage
13 in assassination attempts the disease spreads. Your own
14 testimony shows it spread at least as far as the Dominican
15 Republic and we are going to get into closer questions on
16 other matters such as Lumumba and Chile.

17 So that I don't think this issue can be confined really
18 to the emergency that did in fact exist between the US and
19 Cuba and the seriousness of that emergency at the time.

20 Mr. Colby. I agree with you, Mr. Chairman. I am against
21 it and have been against it for a long time, but nonetheless
22 I think in fairness to the people involved at that period I
23 think it is important to give total context.

24 Chairman Church. Yes.

25 Mr. Schwarz.

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2 to determine, assuming internally the CIA might have contemplated
3 additional efforts to assassinate Castro after the Bay of Pigs,
4 after the missile crisis, it would not have acted unless directed
5 by the very highest authority, would it?

6 Mr. Colby. That is not that clear, Senator Hart. I think
7 the evidence we have is that the then Director was not aware
8 of some of these activities and, therefore, one would have a
9 very difficult time saying that it was pursuant to a specific
10 authorization. It was consistent with an overall policy which
11 was the point I was saying, but nonetheless I think the spe-
12 cific action we cannot say was approved even within the Agency
13 at the Director level.

14 Senator Hart of Michigan. Is there any indication that
15 the Director, who did know of at least an earlier attempt --
16 is there any indication that following the Bay of Pigs, or
17 following the missile crisis, he explicitly brought the sub-
18 ject up for review?

19 Mr. Colby. There is one documentary evidence that Mr.
20 McCone dictated in 1967, I believe it was, in which he recounted
21 being informed of a meeting, of an inter-Agency meeting at
22 which the subject of assassination was raised, and he made a
23 particular point of indicating after the meeting -- he was
24 not at the meeting; I believe, but he heard of the meeting and
25 he made a particular point of saying he disapproved of this

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1 and did not agree with it, to the other members.

2 Senator Hart of Michigan. Who was at that meeting McCone
3 heard about?

4 Mr. Colby. That was the meeting we were talking about at
5 the last session.

6 Mr. Schwarz. You brought up a new document which was Mr.
7 McCone's dictation of recollection of '67.

8 Mr. Colby. Yes; I think you have that.

9 Mr. Schwarz. That I have not seen. I know we do not
10 have that.

11 Mr. Colby. I am sorry, I thought you did.

12 Mr. Schwarz. Could that be supplied?

13 Mr. Colby. No problems, yes. This is our document and --
14 Chairman Church. Will you supply the Committee with the
15 document?

16 Mr. Colby. Yes.

17 Excuse me, I beg your pardon. He states in '67, at one
18 of these meetings, about this time, I recall a suggestion made
19 being made to liquidate top people in the Castro regime,
20 including Castro. I took immediate exception to this suggestion
21 stating that the subject was completely out of bounds as far as
22 the US Government and CIA were concerned. The idea should not
23 be discussed nor should not be discussed nor should it appear
24 in any papers.

25 Senator Mondale. Mr. Colby, the other day when you



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1 testified there was a memorandum that you gave us from I think
2 Mr. Osborn, which objected to a memorandum by General Landsdale
3 which referred to assassinations of political leaders, in a
4 memorandum regarding Operation Mongoose, which was Cuba. And
5 it referred to an attached memorandum which I think you said
6 was the property of the FBI.

7 Mr. Colby. Of the National Security Council.

8 Senator Mondale. NSC.

9 I gather you have a copy of that, but you don't feel
10 authorized to let us see it?

11 Mr. Colby. I do have a copy of it. The understanding
12 we have had with the other agencies is that each of us gives
13 our own material but we refer to the other agency for any
14 documents belonging to the other agency.

15 Chairman Church. Well, it is very difficult for the
16 Committee to operate that way. I think that since the Committee
17 is entitled to this information, that when it is pertinent
18 and as we proceed in our hearings from one subject to another,
19 we ought to be able to secure the information without having
20 to go back through executive channels.

21 Mr. Colby. May I undertake to get the permission to give
22 it to you? I will undertake to do this today.

23 Chairman Church. Any observations that the Committee
24 wishes to make on this kind of a problem?

25 It is the first time it has come up.



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1 Senator Hart of Colorado. Is this the understanding we
2 have had or not?

3 Mr. Schwarz. It has been a total frustration to the staff
4 and I am very happy it has come up here because we get chased
5 around the corner by one agency to another. It is called the
6 "third agency rule." It was intended to have nothing to do
7 with Congressional hearings. Obviously, it had to do with
8 declassification to the public, and it has happened to completely
9 delay our ability to get information because we go at one agency
10 and then they determine that it really isn't their document
11 or it mentioned some other agency, and then we have to go to
12 the other agency.

13 This is an example of how frustrating it is.

14 Senator Mondale. Have we tried to get this document from
15 the NSA?

16 Mr. Colby. No; this particular document had just come up
17 on Wednesday --

18 Senator Schweiker. Does the counsel have any suggestions
19 as to what he feels the Committee position should be in this
20 area to enable him and staff to do an effective job?

21 Mr. Schwarz. I think the Committee's position ought to be
22 that pertinent information should be produced by any agency
23 that possesses it, and if they wish to inform another agency
24 that they are doing it, then that is their business. But I
25 think they should have to produce it if they possess it.

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1 Senator Mondale. Apparently this memo from McCone refers
2 back to the meeting about which Osborne memorandum and the
3 Lansdale --

4 Mr. Colby. The series of two or three meetings at that
5 time, yes.

6 Senator Mondale. I think this is very important because
7 apparently this was a meeting at which McNamara and Rusk were
8 present, and apparently McCone was present, so we had all of
9 the top principals.

10 Mr. Colby. At least one of them.

11 Senator Mondale. And they discussed assassinations at
12 that meeting. And then Osborne came back with a memo which is
13 now part of the record.

14 Mr. Colby. I think it is Edwards in that case. Harvey,
15 excuse me.

16 Senator Mondale. Harvey. He came back with a memo which
17 the Director supplied, objecting not to the assassination but
18 to putting it in writing.

19 Chairman Church. Of course what we don't know is whether
20 the assassination or subject of assassination that came up at
21 this meeting was conjecture or whether it had to do with a
22 revelation of actual attempts that had involved the CIA or
23 that it had to do with an ongoing assassination effort by the
24 CIA.

25 Senator Mondale. Yes.

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1 Chairman Church. All we know is the subject of assassina-
2 tions apparently came up in the course of the meeting.

3 Mr. Colby. Mr. Chairman, as one of the agencies involved,
4 if I could offer one explanation for the Third Agency Rule
5 even in this circumstance. And I am particularly interested in
6 this because sometimes our documents have material whose
7 sensitivity is not apparent on the face and we assume that this
8 will be handled in certain compartmented channels, and if it
9 gets out of the compartment it might give problems that the
10 individual at the other end wasn't aware of. That is the
11 basis for the rule. The thought being go back and ask the
12 originator, and he has a feeling for that and could make the
13 particular case if something particularly sensitive is involved.

14 Chairman Church. I would suggest, Mr. Colby, without
15 binding the Committee to a precedent, with respect to dealing
16 with the Third Party Rule, that in this case you undertake
17 to secure from the NSA --

18 Mr. Colby. I will.

19 Chairman Church. -- its permission to turn this particular
20 document over to the Committee so it may be made a part of these
21 hearings.

22 Mr. Colby. I will endeavor to do that today, Mr. Chairman.

23 Senator Morgan. I am going to inquire from Senator
24 Mondale what memorandum were you reading about McCone and the
25 group being present?

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1 Senator Mondale. We have a memorandum, it is right here,
2 from Mr. Harvey. Do I have the wrong one?

3 Yes, it is dated, I will show it to you, in which he
4 objects to --

5 Chairman Church. What is the date of it?

6 Senator Mondale. 14 August 1962.

7 Senator Morgan. Do we have that?

8 Mr. Schwarz. It was shown to us on Wednesday, marked
9 or deemed marked as part of the record, and returned to the CIA
10 who returned it to us today.

11 Mr. Colby. I have another copy of it.

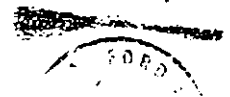
12 Senator Mondale. It refers to a meeting in Mr. Rusk's
13 office at which presumably McNamara and Rusk, I gather from the
14 later memo, and McCone were present, and it says this.

15 "I called Lansdale's office and in his absence pointed out
16 to Frank Head the inadmissibility and stupidity of putting this
17 type of comment in writing in a document. The words he objected
18 to were including liquidation of leaders. I advised him as
19 far as CIA was concerned we would write no document pertaining
20 to this and would participate in no open meeting to discuss
21 it."

22 I read that to mean we will go ahead and do it but we don't
23 want anything in writing and don't want to be in a meeting where
24 it is going to leak. That makes a lot of sense. No living
25 politician wants to be associated with an assassination, ever.

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1 if he wants someone assassinated. I think that is common sense.

2 That is why I think these documents are so crucial.

3 Chairman Church. Of course they are crucial and we must
4 have them.

5 The ambiguity, however, that we have yet to clear up is
6 in the third paragraph, Senator Mondale, where the memorandum
7 reads the question of assassination, particularly of Fidel
8 Castro, was brought up by Secretary McNamara at a meeting of
9 the special group augmented in Secretary Rusk's office in
10 August. It was the obvious consensus at that meeting, in
11 answer to a comment by Mr. Ed Murrow, that this is not a subject
12 which has been made a matter of official record, the subject
13 being the question of assassination.

14 Now, that leaves us still without any documentary proof
15 that it was revealed at this meeting that the CIA was in fact
16 engaged in an effort to assassinate.

17 Senator Mondale. Was Lansdale working for the CIA at
18 this time?

19 Mr. Colby. Pardon?

20 Senator Mondale. Was General Lansdale working for the
21 CIA at this time?

22 Mr. Colby. General Lansdale was Assistant to the Secretary
23 of Defense, not CIA, at that time.

24 Senator Mondale. Had Lansdale been with the CIA?

25 Mr. Colby. He was with CIA in about 1952 to about 1955,

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1 more or less.

2 Senator Mondale. During the Philippines---

3 Mr. Colby. During the Philippines and in Vietnam at that
4 time. Then he left CIA. He was a regular Air Force officer
5 all this time but he was assigned to CIA for the time he was
6 in the Philippines and the time he was in Vietnam. He then
7 reverted to the Air Force and was an Assistant to the Secretary
8 of Defense until about 1964 or 1965. Then he went out to
9 Vietnam where he was an Assistant to the Ambassador, not
10 working for CIA. We were associated with him but he was not
11 a CIA officer at that time.

12 Senator Mondale. Do we know what his job at the Pentagon
13 was?

14 Mr. Colby. It was Assistant to the Secretary of Defense.
15 I can't tell you exactly what the job was entitled but
16 he was active in the Secretary of Defense's participation in
17 a variety, you might call it a 40 Committee type of operation.
18 I think he probably was most cognizant of the various 40
19 Committee --

20 Senator Mondale. If he were involved with that, he
21 would have close liaison with all members of the 40 Committee,
22 including the CIA?

23 Mr. Colby. Yes, sir.

24 Chairman Church. I would like to call your attention also
25 to this sentence.



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1 I took careful notes on the comments at this meeting on
2 this point and the special group augmented in not expecting
3 any written comments or study on this point.

4 There, again, the ambiguity.

5 It is within the range of the possible that one of the
6 ongoing efforts of the CIA was in fact raised and discussed.

7 It is also possible that the question of assassinating
8 Fidel Castro --

9 Senator Mondale. Do we have those notes?

10 Chairman Church. I was going to ask that.

11 And that it was agreed that no study or review of this
12 should be submitted as an abstract matter, should be submitted
13 in written form.

14 So we are left without an answer to this question.

15 However, with respect to the notes that are referred to
16 here, can you tell us whether those notes exist?

17 Mr. Colby. I don't know of any, Mr. Chairman.

18 Chairman Church. He said he took careful notes.

19 Mr. Colby. I don't know of any but I certainly will look.

20 Mr. Breckinridge. When we reviewed this problem in 1967
21 we found no such notes.

22 Senator Huddleston. Let me inject a thought or two along
23 this line.

24 It seems to me like one of the things we are going to have
25 to determine as we go along is as to what extent there was or

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1 there is a standard operating procedure of your Agency an
2 effort not to make notes, an effort for certain individuals
3 not to have certain knowledge by design.

4 For instance, I was reading your memorandum here dated
5 1 June 1973 in which you are reporting on a meeting that occurred
6 You make a point to say that you briefed someone orally. The
7 word "orally" is in there -- assuming that for the purpose
8 someone should know that you did not put anything in writing
9 or you did not give him a written report.

10 You also say that I personally managed to avoid gaining
11 any knowledge of what precise actions were taken.

12 I think a reasonable inference there is that there is a
13 deliberate on your part here -- and maybe this is standard
14 operating procedure -- for you not to get specific information
15 so that you always will be in the position of not knowing some-
16 thing.

17 Mr. Colby. I don't recognize the reference. Certainly,
18 I think in past years there were situations we did not want
19 to commit to writing.

20 There is a great deal of effort made by us to what we
21 call compartment information so that it is known only to certain
22 people and not known to others. The compartment is still to
23 be open at the top, however.

24 There are things that I purposely try not to know. I don't
25 want to know the name of an agent in the Soviet Union. I have

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1 absolutely no desire to learn his name because I don't need
2 to know that information.

3 Senator Huddleston. Here we are referring to action in
4 this case and not individuals.

5 Mr. Colby. I don't recognize that. I could perhaps put
6 it in context if I could see the memorandum.

7 Mr. Schwarz. Perhaps we ought to mark that memorandum.

8 Senator Huddleston. Memorandum for Mr. William E. Colby.
9 I thought it was by Mr. Colby.

10 Mr. Colby. I am sorry.

11 Senator Huddleston. Someone within the Agency apparently
12 is informing you about something and the subject is special
13 activities. I don't see a name on it.

14 It has information in it about both the President and
15 Attorney General being involved in briefings.

16 Mr. Schwarz. I think for convenience of reference we
17 ought to mark it as an exhibit.

18 Let's number as today's number, and we have put in the
19 three charts so far, and we will call this, which is the 1
20 June 1973 memorandum for Mr. William E. Colby, subject special
21 activities, from stamped pages 00457, 00458, and 00459, of
22 the so-called 694 pages.

23 (The document above referred to was
24 marked Colby Exhibit No. 4.)

25 Mr. Colby. I recognize what that is, Senator Huddleston.

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1 The reason it was addressed to William E. Colby is we
2 were going through that period in the middle of 1973 where I
3 was technically, I guess, Director of Operations but had been
4 nominated to become Director. This was the kind of thing that
5 normally would be addressed to the Director but we had an
6 Acting Director, General Walters, but it was pretty clear I
7 was responsible for making the machinery run and we had a lot
8 of things around the Agency addressed to me and signed by me.

9 I believe this follows a conversation I had with a Mr.
10 Walter Elder, who was an Assistant to Mr. John McCone -- he
11 was Executive Assistant when he was Director -- I think Mr.
12 Elder told me that there were certain things that he knew of
13 in the background that related to this effort of identifying
14 various questionable activities of the Agency, and I asked
15 him to go write them down so we could get them into the
16 Inspector General's report.

17 Senator Huddleston. The only question I raise, I don't
18 want to get off into the contents of a particular memorandum,
19 but the context with the area you were pursuing, just whether
20 or not standard operating procedure would require at times
21 there be a deliberate avoidance by certain people in the
22 Agency of facts and whether or not there is a great body of
23 decisions that are made and implemented without anything written
24 down, so that there would never be any documentary evidence
25 of it?

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1 Mr. Colby. Well, I think that you certainly can say that
2 there is an avoidance by a lot of people of learning things
3 that they are not authorized to know. I mean the more loyal
4 in a sense of our employees, say that they have authority to
5 know what is going on in, say, Cuba, they don't have a right
6 to know what is going on in, say, China, and they rather
7 carefully keep themselves from learning what is going on in
8 China. I think that is a prevalence.

9 I think the question you are asking, however, is whether
10 we are trying to keep activities off of paper and it is pretty
11 clear that the assassination story was essentially kept off
12 the paper.

13 And I would think that is about the only one. No, the
14 drug thing. I assume some of that was kept off of paper?

15 Mr. Breckinridge. Yes.

16 Mr. Colby. The lesson that I have frequently given to
17 my colleagues in the bureaucracy is that however hard you try
18 to keep it off of paper, you will not succeed in a bureaucracy,
19 somebody will write it down and, therefore, it is a totally
20 feckless exercise to pretend that you can keep it secret by
21 not writing it down. But the fact is there were situations
22 in which a conscious effort was made in the past to keep things
23 off the record.

24 Senator Huddleston. To sum up, you, as Director, with the
25 exception of individual names for which there would be no

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1 particular value to you and no advantage to you knowing, except
2 for that you make no deliberate effort not to know about
3 operations?

4 Mr. Colby. No. As a matter of fact, I take the opposite
5 position, Senator. I say that to my subordinates and have
6 reiterated a number of times, I cannot be subjected to surprise.
7 You have got to let me know the things I ought to know. And
8 I have undertaken the same obligations to my oversight committees
9 for example, that I am responsible getting to them before
10 they hear about it some place else.

11 Senator Huddleston. The other is in this inquiry. Can
12 the Committee expect that every effort will be made to supply
13 to us information about various things, even though they may
14 not be written down?

15 Mr. Colby. You have my commitment to that effect.

16 Senator Huddleston. Going further and looking through
17 the files for notes and documents?

18 Mr. Colby. It is my hope, Senator, that I can help you
19 on this investigation rather than defending myself against you.

20 Senator Huddleston. That is all.

21 Mr. Colby. That is what I would like to have the relation-
22 ship, that I am trying to help you do this investigation.

23 Chairman Church. We want such a relationship and we
24 are trying to work it out.

25 Mr. Colby. I know you do. You have said it a number of

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