

Preface

President Gerald R. Ford created the Commission on CIA Activities within the United States on January 4, 1975. He directed the Commission to determine whether any domestic CIA activities exceeded the Agency's statutory authority and to make appropriate recommendations. The findings, conclusions and recommendations of the Commission are summarized in Chapter 3 and detailed with full background in subsequent chapters.

A. Charges on CIA Domestic Activities

Charges that the CIA has conducted illegal activities within the United States violating the rights of private citizens have aroused concern:

—Because of the number and seriousness of alleged violations of law; and

—Because many of the Agency's activities are necessarily secret and therefore are not well understood by the American people.

At the same time, many persons have voiced alarm that public controversy and exposure would seriously impair the CIA's ability to function—which in turn could seriously undermine the national security. Therefore, the President took steps designed to ensure that the charges would be fully and impartially investigated and that necessary corrective actions would be taken.

B. The President's Order

The President requested a report on many of the charges from the Director of Central Intelligence and received it in late December 1974. On January 4, 1975, he issued Executive Order No. 11828 establishing a Commission on CIA Activities within the United States.¹ He assigned this Commission three tasks:

¹ The Order is reprinted in full in Appendix I.

(1) Ascertain and evaluate any facts relating to activities conducted within the United States by the Central Intelligence Agency which give rise to questions of compliance with the provisions of 50 U.S.C. 403;²

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

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

President Ford appointed the members of the Commission and designated Nelson A. Rockefeller, the Vice President of the United States and former Governor of New York, who has held various posts in the Federal Government since 1940, as Chairman. The other members, all from private life, brought widely varied experience to the Commission:

John T. Connor, Chairman of the Board and Chief Executive Officer of Allied Chemical Corporation and former Secretary of Commerce (under President Johnson);

C. Douglas Dillon, a Managing Director of Dillon, Read & Co., Inc., an investment banking firm, former Secretary of the Treasury (under Presidents Kennedy and Johnson) and former Ambassador to France and Undersecretary of State (under President Eisenhower);

Erwin N. Griswold, lawyer, former Solicitor General (under Presidents Johnson and Nixon) and former Dean of the Harvard Law School;

Lane Kirkland, Secretary-Treasurer of the AFL-CIO;

Lyman L. Lemnitzer, General, U.S. Army (Retired) and former Chairman of the Joint Chiefs of Staff;

Ronald Reagan, political commentator, former President of the Screen Actors' Guild, and former Governor of California;

Edgar F. Shannon, Jr., Commonwealth Professor of English and former President of the University of Virginia.

The President named David W. Belin, a lawyer from Des Moines, Iowa, as the Commission's Executive Director. A staff of eleven lawyers was recruited, primarily from the private practice of law and with substantial investigative experience.

C. Conduct of the Investigation

The Commission has been determined from its inception to make a thorough and vigorous investigation. Because of the sensitivity of the CIA's intelligence and counterintelligence activities, and their

² This statute established the CIA in 1947. It is reprinted in full in Appendix III.

critical relationship to national security, the Commission recognized that it must close its sessions to the public. But as a consequence it has felt all the more an obligation to conduct a diligent investigation, assuring the American people that all serious questions of legality and propriety within the area of responsibility assigned to the Commission have been carefully investigated and analyzed.

The CIA and other agencies were directed by the President to cooperate with the Commission. Much of the evidence the Commission examined has come from CIA files and personnel. But the Commission has sought wherever possible to verify the evidence independently, using available outside sources rather than relying solely on summaries or analyses of materials supplied by the CIA or other divisions of the federal government.

The Commission began weekly hearings within eight days after its appointment and even before a full staff was available.

The Commission recognizes that no investigation of any governmental intelligence agency can be certain of uncovering every relevant fact. Nevertheless, the Commission believes that its investigation has disclosed the principal categories of CIA activities within the United States which might exceed its statutory authority or might adversely affect the rights of American citizens.

D. Alleged Plans to Assassinate Certain Foreign Leaders

Allegations that the CIA had been involved in plans to assassinate certain leaders of foreign countries came to the Commission's attention shortly after its inquiry was under way. Although it was unclear whether or not those allegations fell within the scope of the Commission's authority, the Commission directed that an inquiry be undertaken. The President concurred in this approach.

The Commission's staff began the required inquiry, but time did not permit a full investigation before this report was due. The President therefore requested that the materials in the possession of the Commission which bear on these allegations be turned over to him. This has been done.