

Agency from such funds an annual compensation at a rate equal to the amount by which the compensation established for such position exceeds the amount of his annual military pay and allowances.

(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member.

(c) Notwithstanding the provisions of section 652 [now 7501] of Title 5, or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

A. Origins of Operation CHAOS—August 1967

In the wake of racial violence and civil disturbances, President Johnson on July 2, 1967, formed the National Commission on Civil Disorders (the Kerner Commission) and directed it to investigate and make recommendations with respect to the origins of the disorders. At the same time, the President instructed all other departments and agencies of government to assist the Kerner Commission by supplying information to it.

On August 15, 1967, Thomas Karamessines, Deputy Director for Plans, issued a directive to the Chief of the Counterintelligence Staff instructing him to establish an operation for overseas coverage of subversive student activities and related matters. This memorandum relayed instructions from Director Richard Helms, who, according to Helms' testimony, acted in response to continuing, substantial pressure from the President to determine the extent of any foreign connections with domestic dissident events. Helms' testimony is corroborated by a contemporaneous FBI memorandum which states:

The White House recently informed Richard Helms, Director, CIA, that the Agency should exert every possible effort to collect information concerning U.S. racial agitators who might travel abroad * * * because of the pressure placed upon Helms, a new desk has been created at the Agency for the explicit purpose of collecting information coming into the Agency and having any significant bearing on possible racial disturbances in the U.S.

The question of foreign involvement in domestic dissidence combined matters over which the FBI had jurisdiction (domestic disorder) and matters which were the concern of the CIA (possible foreign connection). The FBI, unlike the CIA, generally did not produce finished, evaluated intelligence. Apparently for these reasons, the President looked to the Director of Central Intelligence to produce a coordinated evaluation of intelligence bearing upon the question of dissidence.

When the Kerner Commission's Executive Director wrote to Helms on August 29, 1967, requesting CIA information on civil disorders, Helms offered to supply only information on foreign connections with domestic disorder. Ultimately, the CIA furnished 26 reports to the Kerner Commission, some of which related largely to domestic dissident activities.

B. Evolution of Operation CHAOS—The November 1967 Study

The officer selected to head what became the Special Operations Group was a person already involved in a counterintelligence effort

gence pertinent to the CHAOS mission as defined in the basic cable instructions. Second, the stations were asked to respond to specific inquiries. Such requests from Ober might relate to an upcoming international conference or the activities of particular foreign person suspected of being involved in efforts to influence American unrest. Frequently these special inquiries were triggered by travel of particular Americans to the area and a CHAOS request for coverage of their activities and contacts.³⁸

2. Processing, Storage and Control of CHAOS Information

As the material flowed into CHAOS from stations, domestic CIA components, and the FBI, it was analyzed, indexed and filed. Every name of individuals and organizations was extracted and referenced in the central CHAOS computer system known as "HYDRA." This system served as the reference index to all of the office's holdings.³⁹

If a report on one individual referred to others, their names would be indexed also. Any information which was received about an individual for whom CHAOS maintained a file, went into his file.⁴⁰ There was no winnowing of the material before its entry into the permanent record system of CHAOS.⁴¹

Once the information was indexed and filed, the HYDRA computer system permitted its prompt retrieval. By checking a name in HYDRA, one could find all the cables, memoranda or other documents referring to that individual, whether he was the subject of the material or merely mentioned in passing.⁴² It should be emphasized, however, that CHAOS did not maintain a separate file on every American whose name was indexed in the computer. In many instances the computer would refer a searcher to the file of another person, or some other CHAOS holdings in which the subject individual was mentioned, but there was not enough material to open a file. Thus, there were an estimated 300,000 Americans indexed in HYDRA, but only an estimated 7,500 Americans for whom actual files were maintained.⁴³

The tight control maintained over communication of CHAOS information from the CIA's stations was continued at Headquarters. The special reporting channel and restricted handling assured that the cable traffic would be seen only by a few high-level officials in

³⁸ Staff review of CHAOS files.

³⁹ Testimony of Chief, International Terrorism Group, CIA, Rockefeller Commission, 3/10/75, pp. 1484-1489.

⁴⁰ Chief, International Terrorism Group, CIA, Rockefeller Commission, 3/10/75, pp. 1488-1489.

⁴¹ EATINGER testimony, 10/14/75, pp. 11-12.

⁴² Chief, International Terrorism Group, CIA, Rockefeller Commission, 3/10/75, pp. 1485-1489.

⁴³ Chief, International Terrorism Group, CIA, Rockefeller Commission, 3/10/75, pp. 1488-90.

In addition to the distinction between files and names indexed, the varying figures as to the number of CHAOS files reflect other ambiguities. For example, the "file" on many individuals and groups ran several volumes, sometimes ten or more for the active leaders and organizations. Thus the Rockefeller Commission cites 1,000 "files" on private organizations, while the CIA notes that these multiple files actually were maintained on only 107 groups. (Letter from Director William Colby to Vice President Rockefeller with attachment of CIA comments on the Rockefeller Commission Report, 6/25/75, attachment, p. 8.)

radical underground press; antiwar groups; and deserter/draft resister movements. The directive advised that:

CI's interest is primarily to ascertain the details, if any, of any foreign involvement/support/guidance/training/funding/or exploitation of above groups and movements, particularly through coverage of foreign travel, contacts and activities of the Americans involved.⁷⁴

Over 200 reports and other items were supplied by DCS to CHAOS between 1969 and 1973. Much of the material included information relating to foreign contacts of Americans; some contained "operational leads" to potential sources who might be willing to collect information when they went overseas. Other items consisted largely of information about domestic organization and activity.⁷⁵

DCS officials thought they were expected to supply domestic information about dissidents for use as background data, as well as any leads to foreign connections.⁷⁶

There was no express reference to a domestic information collection requirement in the directive sent to DCS field offices in December 1969. But the Deputy Chief of CHAOS testified that his office had indicated their appreciation to DCS for such material, which helped build the CHAOS data base.⁷⁷

Moreover, whatever the formal written requirements, CHAOS made specific requests for domestic materials and, in other instances, made follow up requests based on items which DCS field offices had sent in.

For example, CHAOS asked the Chicago Field Office for information on the "28 co-conspirators" of 12 SDS members who had been locally indicted for the Weathermen riots in Chicago the previous fall. This was supplied, as well as subsequent coverage of the legal proceedings.⁷⁸

Another CHAOS request resulted in a DCS field office obtaining from confidential sources a large report prepared by a state investigating commission on radical demonstrations in that state.⁷⁹

The CHAOS office thanked DCS for one early report on the domestic political activities of a black leader and asked for any additional information available.⁸⁰

In the beginning of 1971, however, after expressions of uncertainty about the program from the field, DCS officials sought a revised written requirement stating both a primary interest in foreign-related information and a secondary CHAOS interest in background information of a domestic nature.

DCS claimed this was merely intended to confirm the prior practice based on oral requests from CHAOS.⁸¹

⁷⁴ DCS Memorandum to Field Offices: Case 52722, 12/19/64, p. 1.

⁷⁵ Deputy Chief, Operational Support Branch, DCS, Deposition, Rockefeller Commission, 4/11/75, pp. 47, 43-44.

⁷⁶ Chief Support Branch, DCS, Deposition, Rockefeller Commission, 4/11/75, pp. 56, 61.

⁷⁷ Eatinger, 10/14/75, pp. 36-37.

⁷⁸ Field Office Reports to DCS, 4/16/70, 6/1/70.

⁷⁹ Field Office Report to DCS, 5/14/70.

⁸⁰ Undated memorandum from Richard Ober to DCS: re DCS Field Report LA-654-69 of 9/14/69.

⁸¹ Chief Support Branch, DCS, Rockefeller Commission, 4/11/75, pp. 53-56.

briefed on the Operation. A considerable number of CIA officers had to know of the Operation in order to handle its cable traffic abroad.

Enough information concerning CHAOS was known within the CIA so that a middle level management group of 14 officers (organized to discuss and develop possible solutions to various CIA problems) was in a position to write two memoranda in 1971 raising questions as to the propriety of the project. Although only one of the authors had been briefed on CHAOS activities, several others in the group apparently had enough knowledge of it to concur in the preparation of the memoranda.

Opposition to, or at least skepticism about, the CHAOS activities was also expressed by senior officers in the field and at headquarters. Some area division chiefs were unwilling to share the authority for collection of intelligence from their areas with the Operation and were reluctant to turn over the information for exclusive handling and processing by the Operation. When CHAOS undertook the placement of agents in the field, some operations people resented this intrusion by a staff organization into their jurisdiction.

In addition, some of the negativism toward CHAOS was expressed on philosophic grounds. One witness, for example, described the attitude of his division toward the Operation as "total negativeness." A May 1971 memorandum confirms that this division wanted "nothing to do" with CHAOS. This was principally because the division personnel thought that the domestic activities of the Operation were more properly the function of the FBI. As a result, this division supplied the Operation with only a single lead to a potential agent, and its personnel has little to do with the on-going CHAOS activities.

Apparently the feelings against Operation CHAOS were strong enough that Director Helms' September 6, 1969 memorandum was required to support the Operation. That memorandum, sent to all deputy directors in the CIA, assured them that the Operation was within the statutory authority of the Agency, and directed their support.

Director Helms' attitude toward the views of some CIA officers toward Operation CHAOS was further summarized in a memorandum for the record on December 5, 1972, which stated:

CHAOS is a legitimate counterintelligence function of the Agency and cannot be stopped simply because some members of the organization do not like this activity.

J. Winding Down Operation CHAOS

By 1972, with the ending of the American involvement in the Vietnam War and the subsequent lower level of protest activities at



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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

9 May 1973

MEMORANDUM FOR ALL CIA EMPLOYEES

1. Recent press reports outline in detail certain alleged CIA activities with respect to Mr. Howard Hunt and other parties. The presently known facts behind these stories are those stated in the attached draft of a statement I will be making to the Senate Committee on Appropriations on 9 May. As can be seen, the Agency provided limited assistance in response to a request by senior officials. The Agency has cooperated with and made available to the appropriate law enforcement bodies information about these activities and will continue to do so.

2. All CIA employees should understand my attitude on this type of issue. I shall do everything in my power to confine CIA activities to those which fall within a strict interpretation of its legislative charter. I take this position because I am determined that the law shall be respected and because this is the best way to foster the legitimate and necessary contributions we in CIA can make to the national security of the United States.

3. I am taking several actions to implement this objective:

- I have ordered all the senior operating officials of this Agency to report to me immediately on any activities now going on, or that have gone on in the past, which might be construed to be outside the legislative charter of this Agency.
- I hereby direct every person presently employed by CIA to report to me on any such activities of which he has knowledge. I invite all ex-employees to do the same. Anyone who has such information should call my secretary (extension 6363) and say that he wishes to talk to me about "activities outside CIA's charter."

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According to the CHAOS termination cable, no unilateral action against the suspect was to be taken by the CIA without the specific direction of the Deputy Director for Operations and only after receipt of a written request from the FBI and with the knowledge of the Director of Central Intelligence.

The files and computerized index are still intact and are being held by the Agency pending completion of the current investigations. According to the group chief who is custodian of the files, many of the files have little, if any, value to ongoing intelligence operations. The CIA has made an examination of each of the CHAOS personality files and has categorized those portions which should be eliminated. Final disposition of those files, as noted, awaits the completion of the current investigations.

Conclusions

Some domestic activities of Operation CHAOS unlawfully exceeded the CIA's statutory authority, even though the declared mission of gathering intelligence abroad as to foreign influence on domestic dissident activities was proper.

Most significantly, the Operation became a repository for large quantities of information on the domestic activities of American citizens. This information was derived principally from FBI reports or from overt sources and not from clandestine collection by the CIA. Much of the information was not directly related to the question of the existence of foreign connections with domestic dissidence.

It was probably necessary for the CIA to accumulate an information base on domestic dissident activities in order to assess fairly whether the activities had foreign connections. The FBI would collect information but would not evaluate it. But the accumulation of domestic data in the Operation exceeded what was reasonably required to make such an assessment and was thus improper.

The use of agents of the Operation on three occasions to gather information within the United States on strictly domestic matters was beyond the CIA's authority. In addition the intelligence disseminations and those portions of a major study prepared by the Agency which dealt with purely domestic matters were improper.

The isolation of Operation CHAOS within the CIA and its independence from supervision by the regular chain of command within the clandestine service made it possible for the activities of the Operation to stray over the bounds of the Agency's authority without the knowledge of senior officials. The absence of any regular review of these activities prevented timely correction of such missteps as did occur.