

# Is CIA a Culprit or a Fall Guy?

## Now Accused of Subverting a Free Society, Agency Admittedly Gets The Government's Dirty Jobs

CPYRGHT

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ONCE AGAIN THE COUNTRY is shocked, and divided, by revelations about the Central Intelligence Agency.

Most of the earlier paroxysms were caused by a conspicuous foreign flop by the CIA, but this one arose from its "successful" involvement with a domestic organization, the National Student Association.

Ramparts magazine revealed that for 15 years the CIA had secretly subsidized the supposedly independent and unofficial youth organization so it could enter cold war competition with well-funded official Communist groups in the international youth movement.

The outcry was instant. Congressional investigations were called for and President Johnson ordered an executive "review" with two aims: to keep the CIA and other official agencies from endangering the "integrity and independence" of American educational institutions, and to assure that "America's private organizations" play their "proper and vital role" in world affairs.

Whether both these aims can be served—whether a private institution can play a world role without endangering its independence—was the central question raised by the Ramparts disclosure.

### Critics and Defenders

CRITICS OF THE CIA-NSA tie questioned whether official American participation in the world youth propaganda circuses would have been as damaging and whether playing the Communist youth game could win permanent or valuable friends.

They deplored the embarrassment of a democratic society acting in the manner expected of a Communist society—and being caught in the deception—with the attendant inroads on Americans' faith in their Government's integrity. They doubted that the subsidizers had adequately weighed that risk.

Defenders of the CIA-NSA link declared that the worldwide youth combat had been vigorous, effective and necessary; that the political and moral toll was no more than hand-wringers would make it, and that anyway, there was the cold war. Regardless of today's prospects for detente, was it not so that 15 years ago the Soviet menace, or a sense of it, loomed large? Did not the CIA help guide the country into the relative calm in which it can—safely—pick over the CIA?

In a larger sense, could not the CIA be the fall guy for problems too tough and dirty for other Government departments? The lightning rod for the unconfessed neuroses of the nuclear age? The scapegoat for the unavoidable sacrifices of the cold war?

Philosophy aside, NSA is not just one isolated case but the latest in a considerable series in which the CIA's interaction with domestic elements pitted the demands of national security against the demands of a free society.

The central feature of the cases is that the CIA was involved in activities far distant from the citizens' view of it as an intelligence agency engaged in foreign operations related to security.

The law setting up the CIA, the National Security Act of 1947, assigned its functions but did not specify the terrain—at home or abroad—where it would carry them out. In all the cases cited here, the CIA evidently was dealing on home soil to carry out functions interpreted as allowed by the 1947 act.

That act was quite general. It told the CIA to coordinate, evaluate and disseminate intelligence and also to perform "additional services" and "other functions" as directed by the National Security Council, the President's personal advisory group.

These services and functions were assigned by the NSA over the years in supersecret directives known to very few people, even in Government, to act in the cases discussed here.

The 1947 Act said the CIA "should have no police, subpoena or law enforcement powers or internal security functions." These are the FBI's. But the CIA was made "responsible for protecting intelligence sources and methods from unauthorized disclosure." Since anything the agency touches anywhere in the world might be deemed to relate to "intelligence sources and methods," its mandate for secrecy is virtually unlimited. The Central Intelligence Act of 1949 made that mandate explicit.

### The Control Problem

NEITHER THE NSA CASE nor any of the others illustrates the notorious "control" problem as it is usually defined: the CIA getting out of hand, taking a course of its own beyond the ken or grasp of the policy-makers and perhaps even subverting the policy-makers.

There was control in the sense that the White House, if not the President personally, authorized or was informed of these projects. The CIA's congressional overseers were apparently kept posted, too.

But it seems obvious that the control was maintained by men representing the security interests of the United States and not by men representing the more abstract interests of a free society.

The NSA case, the 15-year CIA link with the Massachusetts Institute of Technology and the bizarre slander suit brought by Erik Heine against a CIA operative had a common origin—the cold war, which perhaps all three situations outlived.

Just as the CIA enlisted the student group for cold war competition in 1952, it enlisted MIT in 1951 to procure expert national security research that was deemed imperative and that was available nowhere else. The cold war had caught the United States short.

### The MIT Case

IT WAS THE LATE 1940s. The cold war was in full swing. The Commu-

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East Europe were  
 State Department  
 It turned out a likely  
 expert technical advice for  
 jamming: the  
 Institute of Technology  
 Cambridge, Mass.  
 solution was successful enough  
 the question of what audiences  
 for and what to say to them,  
 problems that had never been partic-  
 ularly urgent when the broadcasts  
 weren't getting through. It was not  
 long before the active policy-hungry  
 minds at MIT thought to set up a body  
 to do research for the intelligence  
 community.

Only the CIA had the quick money,  
 discretely proffered to set the "Center  
 of International Studies" on its feet.  
 The idea was to get private founda-  
 tions to sustain it, and foundation  
 money did arrive, but CIA contracts  
 kept coming, too. A former OSS man,  
 Walt W. Rostow, helped the Center  
 set up, and an assistant director of  
 CIA, Max Millikan, became its director  
 in 1952.

Center officials concede no qualms  
 about accepting money secretly from  
 the CIA. They deemed CIA money  
 no more compromising or corrupt than  
 money from another branch of Gov-  
 ernment. In fact, they found the CIA  
 did less interfering and nitpicking  
 than other Government agencies with  
 which they dealt.

And so Millikan "reluctantly" de-  
 cided in 1965, after the Center's CIA  
 association became widely known, that  
 the Center would let its CIA contracts  
 run out and accept no more. As he  
 announced in 1966, it was "for prac-  
 tical and not moral reasons . . . be-  
 cause the contracts were subject to  
 misinterpretation, particularly abroad,  
 though also in this country . . . Our  
 research always resulted in publica-  
 tions by the researchers."

The readers of those publications  
 presumably believed they were getting  
 not a study ordered by an intelligence  
 agency concerned with the cold war  
 but the scholarly product of a univer-  
 sity concerned with the truth. This is  
 just what they were getting, the Center  
 still believes.

The CIA came to MIT somewhat  
 accidentally, but naturally enough in  
 view of the presence there of men like  
 Walt Rostow and Max Millikan.  
 Thoughtful men ask not, whether MIT  
 was drawn into a trap but whether it  
 retained a CIA affiliation beyond ur-  
 gent national need. And did a kind of  
 imperial momentum overtake the CIA,  
 so that it made an expedient into a  
 permanent institutional tie?

elsewhere in Government, re-  
 sent the suggestion that to work for  
 the CIA is to be corrupted, or to be-  
 come a cold war slave. Should the  
 CIA, as a branch of Government, be  
 denied access to universities? Should  
 academics be denied the chance to  
 contribute to the CIA?

Many outraged Americans, to be  
 sure, want the CIA isolated from the  
 academy, believing that the CIA's  
 methods and missions run counter to  
 the academy's commitment to truth.

At the bottom of the protest is a  
 belief that a thing should be what it  
 says it is—a belief violated by sub-  
 terranean CIA dealings with universi-  
 ties, the supposed founts of open in-  
 quiry.

**The MSU Case**

FROM 1955 TO 1959, five undercover  
 agents of the CIA took part in a  
 Michigan State University project to  
 help develop a police and civil admin-  
 istration in South Vietnam. In 1962,  
 the MSU project ended. In April,  
 1966, Ramparts magazine revealed a  
 CIA link, saying the agency had used  
 MSU as a "cover" to support the Ngo  
 Dinh Diem dictatorship by training  
 his militia and by buying guns and  
 ammunition for his civil guard and  
 personal police.

Thus Americans learned that a uni-  
 versity service project had somehow  
 become involved in the secret support  
 of a police state.

In statements which have all been  
 contested, MSU has claimed that it did  
 not know it had hired CIA agents, that  
 it fired them and dropped the whole  
 Vietnam project after discovering  
 them and that its project was not an  
 instrument of Diem's police rule.

Two things apparently happened:

- MSU accepted a contract to pro-  
 vide police training of a sort not  
 taught in American universities; and  
 when it had to turn afieid for person-  
 nel, the CIA slipped in. MSU found  
 itself in an unwanted and unforeseen  
 involvement with Diem's police rule.

- Diem's rule changed color consid-  
 erably during the MSU contract. It  
 started out looking effective and re-  
 sponsible, and ended as ugly and re-  
 pressive.

The question is how a university  
 ought to approach outside service-pro-  
 viding agreements under conditions it  
 can't control.

**Raus vs. Heine**

THE SPROUTING OF THE cold  
 war after World War II gave  
 what American and Soviet intelligence  
 people saw as real importance to  
 which came under Communist rule.

American intelligence could use their  
 knowledge and contacts through  
 their interest in the old country and  
 relatives there, they could also be put  
 to use by Soviet intelligence.

And so it was that a Washington  
 highway engineer of Estonian back-  
 ground, Juri Raus, on three occasions  
 in 1963 and 1964 made charges against  
 Erik Heine, a former Estonian—now  
 a Canadian citizen—who was a rising  
 star in Estonian emigre affairs in North  
 America.

Raus said Heine was an agent of  
 the Soviet secret police who had been  
 sent to penetrate emigre ranks. Heine  
 sued Raus for slander.

In his defense, Raus admitted he  
 was a paid CIA operative who, in  
 commenting on Heine, did what the  
 CIA had instructed him to do. He  
 refused to say more and balked Heine's  
 attempts at cross examination on  
 grounds that further disclosure would  
 be illegal and compromise American  
 security.

Those who had thought of the CIA  
 as an agency which ferreted out for-  
 eign intelligence and conducted opera-  
 tions on foreign soil were taken a-  
 back to discover its hand in an Ameri-  
 can organization composed of Ameri-  
 can citizens acting on American soil.

Heine said this was an "internal  
 security function" specifically prohib-  
 ited to the CIA by law. But, said Raus,  
 that same law orders the CIA to pro-  
 tect its "intelligence sources," of which  
 he was one. Said Chief Judge Roszel  
 C. Thomsen in Federal Court in Balti-  
 more: "That the immediate intelli-  
 gence source is located in the U.S. does  
 not make it an 'internal security func-  
 tion,' over which the CIA has no  
 authority."

Judge Thomsen had said during the  
 trial, when Raus claimed immunity and  
 clammed up: "You are not going to  
 persuade this court that there is any-  
 body in this country who does not  
 have some rights."

But he ruled for Raus and dismissed  
 the slander suit against him.

That the CIA early in the cold war  
 infiltrated the ranks of emigres from  
 Communist countries is common knowl-  
 edge, and although the value of intelli-  
 gence gained by emigre contacts can-  
 not be judged by an outsider, it  
 seems logical to assume that however  
 great the value may once have been,  
 it declines as time goes by. And the  
 chances of embarrassment grow as the  
 rising line of detente crosses the es-  
 sentially cold war orientation of most  
 CIA-emigre types.

In the gray light through which an  
 outsider must peer, one can ask what  
 part is played in emigre circles by per-  
 sonal animus; whether individuals can  
 manipulate intelligence agencies in-  
 stead of the other way around, and  
 whether one intelligence agency can

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question must also be asked whether CIA membership is an appropriate price to pay for the intelligence value of its emigre operations.

Another question is raised by the bombing of six Yugoslav missions in the United States and Canada last month (two Americans died, six Yugoslavs were injured): Did the CIA have any association with the anti-Communist Yugoslav emigres in the United States? The FBI is currently looking among them for suspects in the bombing.

Another case touching the CIA's relation to American law arose last July.

when CIA officers entered a home in Georgetown without a warrant and removed papers which had been left there by Hans Tofte, then a CIA official, who said he had been doing work at home.

The CIA said that an agency employe inspecting a basement apartment happened upon a pile of classified CIA documents on the third floor and returned the next day with a colleague in order to remove them for safe-keeping.

The CIA entered the house, said Tofte, who soon was fired from his \$25,000 post, "illegally, minus a warrant and without due process of law." He has sued the director of CIA and three others for \$25,000 in damages.

### Surprising Estimate

THE CASES OF THE CIA's briefing on the Soviet economy and the "Department of Disinformation" touched issues of the CIA's relationship to American public opinion.

On Jan. 9, 1964, the CIA broke a long-standing policy of official silence to hold a press conference. Several specialists reported on the Soviet economy. Their evident purposes were:

1. To give the CIA's estimates of the state of the Soviet economy (2.5 per cent growth in 1961-62).
2. To puncture Soviet "boasts of overtaking and surpassing" United States production, as a press release said.
3. To promote the viewpoint that the West should not ease the Soviet economic pinch by granting long-term credits.

To face down the surprise with which academic economists had greeted its low estimates of Soviet growth, the CIA said it had "more information" and the "best techniques" on analysis and that "only we" estimate the current Soviet gross product.

On what authority was the CIA

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addressing the American public? The 1947 National Security Act ordered it to "provide for the appropriate dissemination of (such) intelligence within the Government."

### Department D

ON SEPT. 28, 1965, Rep. Melvin Price (D-Ill.) put into the Congressional Record a 5000-word "paper," "The Soviet and Communist Bloc Defamation Campaign—Synopsis." Its apparent, but undeclared, purpose was to label all criticism of the CIA, whether from domestic or foreign sources, as the product of a Soviet "Department of Disinformation."

Price, a member of one of the congressional committees which oversee the CIA, did not identify the authorship or origin of the document.

The document described a "department D (for disinformation)" of the Soviet secret police, saying its first purpose was to "destroy the confidence of the Congress and the American public in U.S. personnel and agencies engaged in anti-Communist and cold war activity."

"CIA, in its intelligence role," said the document, "is feared by the Soviets for its responsibility and ability to penetrate and unmask Communist conspiracies against democratic institutions."

The account was never identified as a CIA document but it is hard to believe that it was not. It was an allegation with no person or organization to take responsibility for it.

In its effort to show that criticism of the CIA arises from the machinations of communism, it directly branded one CIA critic as a Communist, using a record of Hitler's secret police as authority.

If the document was a CIA product, the CIA was making damaging alle-



Hans V. Tofte accused the CIA of pilfering.

gations against its critics in a libel-proof forum where they could not reply.

The agency has published a pamphlet, "The Central Intelligence Agency," which says: "The CIA does not confirm or deny published reports, whether true or false, favorable or unfavorable to the Agency or its personnel."

But as the NSA case has again made clear, so much about the CIA is not apparent—and what seems to be least apparent is how to fit its contribution to national security to the principles of the free society it seeks to defend.