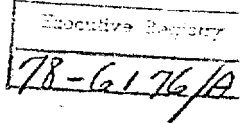


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Approved For Release 2005/11/23 : CIA-RDP80B01554R003400070035-4

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Approved For Release 2005/11/23 : CIA-RDP80B01554R003400070035-4



1 September 1978

Dear Mr. Mitchell:

Thank you for your invitation to participate in the William O. Douglas Inquiry Into the State of Individual Freedom. Although I would be pleased to participate, I am uncertain as to whether I am the person best suited to your needs.

First, the title gives me no small problem. "Freedom and the Investigative Agencies" not only specifies investigation but connotes investigation of Americans. The Central Intelligence Agency is not an investigative agency, and any connection that we have with the investigation of American citizens is a carefully controlled incidental by-product of collecting foreign intelligence. If the names and activities of Americans appear in the course of our collecting foreign intelligence, stringent rules prescribe how this information is to be handled and require that it be made available to the proper investigative authorities of the government. Consequently, the Attorney General's office or the FBI are more appropriate to address the topic that you have outlined.

Noting that you have asked two other people with basically intelligence backgrounds to participate, Mitchell Rogovin and Bill Colby, I wonder if a more appropriate and still germane title might be "The Individual and the Intelligence Function." I would have no objection to participating in a forum on that topic. I would be reluctant to do so on one titled "Investigation Functions" since that would imply that my duties involved investigations of Americans. Alternatively, perhaps a broader rubric such as "The Individual and Governmental Intrusion" might be satisfactory. This would allow for consideration of alleged and real intrusions into the rights of American citizens by intelligence agencies in the past.

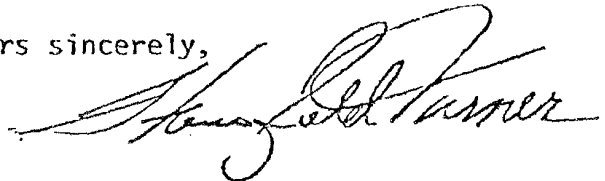
Secondly, I am somewhat concerned at the composition of the panel. As I have noted, two of the panelists are associated with intelligence, not investigative functions. I assume that the former Attorney General, as moderator, will not actively participate in the discussion. Therefore, it seems to me that if you intend to cover the broader question of governmental intrusion, including the investigative function, we need someone on the panel who can speak with authority for the Department of Justice or the FBI.

Finally, I have some concern as to the ultimate balance of the panel. I had the privilege of participating as a panelist in Pacem in Terris II in 1973. Both speakers and all panel members, save myself and one other (who was almost totally silent), represented one viewpoint - the opposite extreme from that which I was called upon to represent. I am sure this was a matter of who did or did not accept your invitation to participate. Nonetheless, the imbalance was extreme and made the serious examination of all relevant sides of the issue very difficult. I am anxious, therefore, for assurance that you will persevere and obtain a balanced representation on this panel.

I know you will understand my raising these several issues of detail. There is a risk of intrusion into the privacy of American citizens by nearly all agencies of government, the CIA probably no less than others. I would be pleased to have the opportunity to explore that risk publicly and explain how it is being handled today to the net benefit of the citizen. However, the error of fact conveyed by the panel's present title biases, I believe, any reasoned discussion of the issue.

I am most interested in the purpose and scope of your meeting and hope that it will be possible for me to accept.

Yours sincerely,



STANSFIELD TURNER

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