

SUBJECT: Analysis of Second Pyle Article 7/1/70

The following excerpts/summaries with appropriate comments from the second Pyle article (TAB A) are keyed to the respective pages and numbered bracketed/underscored paragraphs in the July 1970 Washington Monthly magazine.

(pg. 4) ITEM 1: "For the past four years, the U.S. Army has been closely watching civilian political activity within the United States."

COMMENT: In addition to conducting personal security investigations, the Intelligence Command is tasked by Department of the Army to collect Civil Disturbance information (as contrasted to information on "political activity within the U.S.") in accordance with requirements of the DA Civil Disturbance mission. ~~In addition to these missions, Resources of the Command are~~ <sup>also</sup> utilized in the collection of information in situations wherein a threat to the internal security of the Army is evidenced. ~~Second, in~~ the collection of information in those situations where the mission accomplishment capabilities of the Army are threatened. This legitimate activity can in no way be considered as "watching civilian political activity."

(pg. 4) ITEM 2: "Nearly 1,000 plainclothes investigators, working out of some 300 offices from coast to coast, keep track of political protests...."

COMMENT: The overall mission of USAINTC concerns itself primarily with the conduct of personnel security investigations and related Intelligence support activities. In this overall area of the conduct of Investigations and Investigative support activities in fiscal year 1969 (the last year for which full-year statistics are available), a total of 2,105.67 operational manyears were utilized by the Intelligence Command in the conduct of these activities which are in no way related to CONUS intelligence activities. A total of 125 man years was expended in the collection of CONUS Intelligence information in the same period. The 125 man years represented only 5.9 per cent of the total operational mission effort of the Intelligence Command. These figures more than anything else indicate the true nature of this CONUS Intelligence effort within the overall operational effort of the Intelligence Command.

(pg. 5) ITEM 3: "When this program began in the summer of 1965"....

COMMENT: In fact no new program of Civil Disturbance collection was implemented in 1965. The collection of so called Domestic Intelligence within the continental U.S., on situations having a direct impact on the Army mission, has existed since prior to W.W.II and was recognized in the Delimitations Agreement first promulgated in 1939.

(pg. 5) ITEM 4: "In the summer of 1967, however, its scope widened to include the political beliefs and actions of individuals and organizations."

COMMENT: No facet of the CONUS Intelligence activities of the Intelligence Command target themselves against the political beliefs of individuals.

The actual fact, as mentioned in Comment 1, is that CONUS collection activities confine themselves to the actions of individuals and organizations within the criteria of interest to the Army described in that comment.

(pg. 5) ITEM 5: "Today the Army maintains files on the membership, ideology, programs, and practices of virtually every activist political group in the country."

COMMENT: Organizational and membership files are definitely not maintained per se. Organizational files are comprised only of those organizations which have come to the attention of the Army within the collection criteria established in Comment 1.

(pg. 5) ITEM 6: "The Army obtains...."

COMMENT: The Army estimates that approximately 85 per cent of the information it obtains comes from the FBI. The remainder is obtained primarily through liaison with municipal and state agencies. Use of military intelligence agents to obtain information through on-the-scene observation is not done until one or more of three situations are involved. These situations are: a.) When a condition poses a threat to the internal security of an Army element; b.) When a situation adversely affects the Army's capability to perform its mission; and/or c.) When circumstances exist which may require the employment of military resources.

The Army does subscribe to many newspapers, magazines and other similar periodicals because sources of this nature provide the Army, but more importantly the National Guard, with early warning information.

Covert operations to obtain civil disturbance information are not conducted unless the Army has concluded that the information is not obtainable through any other means and they are approved in advance in each case by Department of the Army at the Secretariat level. Prior to requesting such approval all such operations are coordinated at the National level with the FBI and other Federal civilian agencies concerned.

Besides checks of civilian agencies are done by Army intelligence agents only in support of conducting background investigations on persons in the Army or under consideration for employment by the Army who will acquire access to classified defense information, and then only with the approval of the civilian agency concerned.

(pg. 5) ITEM 7: "monitors police and FBI broadcast...."

COMMENT: No monitoring of FBI broadcasts has ever been undertaken by the U.S. Army Intelligence Command. With respect to monitoring police

broadcasts, this is done with the knowledge and complete cooperation of police agencies involved and only under those circumstances directly related to the Army's civil disturbance mission.

(pg. 5) ITEM 8: "...on occasion, conduct their own undercover operations."

COMMENT: The implication of this statement and the explanation which follows is that undercover, more correctly covert, operations are conducted in an uncontrolled and independent fashion and are directed against legal and illegal activities. As a matter of fact, covert intelligence operations targeted against civil disturbance situations are very carefully controlled, planned in detail, coordinated with the Federal Bureau of Investigation at National level, and for some time now, <sup>have</sup> required the approval on a case by case basis by the Under Secretary of the Army.

(pg. 5) ITEM 9: "...when Columbia University...."

COMMENT: In this specific instance, the agent seeking access to academic records was in no way connected with the collection of so-called CONUS Intelligence information; rather, it was a normal and routine attempt to secure that information which is an integral part of the routine, standard personnel security investigations.

(pg. 5) ITEM 10: "Typical of the hundreds...."

COMMENT: This particular summary is two years old and is illustrative of the need to refine our reporting. Looking at the individual items, civil disturbance applicability is possible to the meeting on the topic of Black unity and the problems of the ghetto; the demonstration by the Veterans for Peace is of Army interest since this organization actively propagandizes among soldiers. The first item in actuality has no direct Army interest per se.

(pg. 6) ITEM 11: "To assure prompt communication..."

COMMENT: The U.S. Army Intelligence Command does have a dedicated autovon teletype system which includes as addressees all military intelligence groups and the headquarters of selected task forces who have been designated certain areas of responsibility in the United States should a civil disorder beyond the capabilities of local and state officials occur. Information passed over this system concerns activities of dissident groups which appear to be building up to a situation that might dictate Army involvement

even if such involvement is limited to supplying materiel to assist local authorities and/or the National Guard.

(pg. 6) ITEM 12: "...all political protest occurring anywhere in the nation."

COMMENT: It is reemphasized that the command is in no way concerned with political protest per se. Rather, as has been stated, such collection is confined to those situations falling within the purview of criteria established in Comment 1.

(pg. 6) ITEM 13: "The Army also periodically publishes an eight-by-ten-inch, glossy-cover paperback booklet known within intelligence circles as the 'blacklist.'"

COMMENT: No publication of the U.S. Army Intelligence Command has ever been officially or unofficially identified within Intelligence circles as the "blacklist." This term, in the context of the USAINTC CONUS intelligence operations, is completely unused. The U.S. Army Intelligence Command has compiled a listing of individuals who have been active in civil disturbances occurring throughout the United States. The list contains a picture, identifying data and a notation as to what organization(s) the individual belongs or supports. It contains no comments as to political views or affiliations. The contents have been collected from various federal, state and local law enforcement agencies. It is used by USAINTC units for identifying persons engaging in, organizing or leading civil disturbances which could lead to employment of federal forces. The last of such publications was published by USAINTC in March of 1969.

(pg. 6) ITEM 14: "Sometime in the near future...."

COMMENT: There is not, nor was there planned, a teletype system linked with a computerized data bank installed at the IRR. Headquarters USAINTC does have a dedicated autovon teletype system to and from its field elements. Information transmitted on incidents, by type and geographical location, are placed in a data bank at Headquarters USAINTC from keypunch cards for analysis of trends, and location and identification of potential trouble spots where Federal troops could be required. It is incident information only and does not contain individual biographical or personality data. The data bank will not generate new files on political activities of individuals unassociated with the military.

(pg. 6) ITEM 15: "...to generate new files on the political activities of civilians wholly unassociated with the military."

COMMENT: The statement is untrue. Information gathered and filed concerns itself only with that collected within that criteria established in Comment 1.

(pg. 6) ITEM 16: "In this respect, the Army's data bank promises to be unique...."

COMMENT: The USAINTC data bank will not contain case histories of personnel. It will not contain information on political activity. As mentioned in the paragraph above, it contains only incident information.

(pg. 6) ITEM 17: "Because the Investigative Records Repository...."

COMMENT: The personnel security files of the IRR contain information resulting from investigative activity in security clearance actions. They do not contain political or civil disturbance information as alleged by the author and refuted in paragraphs 7 and 8 above.

The IRR files are available on request to government agencies certified as authorized requesters by AR 381-45, which governs the operating procedures of the IRR. Release of information is subject to the limits of the "Third Agency Rule" as established by Executive Order 10450 and Chapters 2 and 3, AR 381-45.

(pg. 7) ITEM 18: "Headquarters for...."

COMMENT: Headquarters USAINTC, which includes an office for the analysis of the incident reports received, is located in what was a large gray warehouse at Fort Holabird. The branch concerned with the collection of incident reports and analysis of same is known as the CONUS Intelligence Branch. However, it is in the Directorate of Investigations, not Operations IV. Nor is it located in a cage.

The USAINTC was established in 1965 and assumed command of the seven intelligence groups assigned to the six U.S. Army areas, CONUS and the MDW. The function of the command is to protect the Army from espionage, sabotage and subversion. Personnel, and physical security of documents and control procedures are tasks of that function.

(pg. 7) ITEM 19: "Its principal function is not to collect...."

COMMENT: In describing the Army's CI function subsequent to quoted words, the author chooses to ignore the fact that the primary tool utilized in

performing these functions is the collection of pertinent information related thereto. Thus, without the ability to collect information, the functions described and recognized by the author simply could not be accomplished.

(pg. 7) ITEM 20: "CONUS Intelligence Branch..."

COMMENT: CONUS Intelligence Branch is not known as Ops IV. In 1968, when the writer was released from active duty, there was an Ops IV Division in the USAINTC at an echelon one step higher than the CONUS Intelligence Branch.

The CONUS Intelligence Branch is run by a Major with a civilian assistant, however they do not run the teletype consoles. Their function is to review the incoming incident reports, edit them for retransmission and ensure material is fed into the data bank. They do perform limited analysis work.

(pg. 7) ITEM 21: "Ops Four rarely has the time to verify, edit, or interpret the reports before passing them on to 'user organizations.'"

COMMENT: Verification of information acquired is accomplished in the field by the reporting unit prior to the reporting of information. In addition, an evaluation as to the accuracy of information and credibility of sources is also provided by the field reporting element. Initial editing is performed by the field reporting unit. Additional editing takes place within the CONUS Intelligence Branch. The interpretation of reports is a function of the specific user organization in connection with its own individual mission requirements. Provisions for follow-up of interim reports are made by field collection agencies and by the CONUS Intelligence Branch to user organizations. With respect to this comment, it is pertinent to note that user organizations are relatively few in number and confined to those with a legitimate mission responsibility in this area.

(pg. 7) ITEM 22: "Daily recipients of this raw...."

COMMENT: The U.S. Army Intelligence Command does have a dedicated autovon teletype system which includes as addresses all its military intelligence groups, headquarters of selected task forces which have been designated certain areas of responsibility should a civil disorder beyond the capabilities of local and state officials occur, and the Army Operations Center at Department of the Army. Need for such a system is obvious (e.g. early warning and preparedness for possible deployment). Authority for such a system is derived from the unclassified mission assigned to the Army which states "When directed by the President, the Secretary of the Army, the DOD Executive Agent, through appropriate military commanders, will employ

Federal forces to assist local authorities in the restoration and maintenance of law and order in the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and US possessions and territories or any political subdivision thereof."

(pg. 7) ITEM 23: "What is perhaps most remarkable...."

COMMENT: The organizational mission, manning level, and budget of USAINTC is thoroughly reviewed by the Army Staff to assure accomplishment of specifically authorized missions and functions. Additionally, the stringent constraint and controls, by both DOD agencies and the annual Congressional appropriations hearings, makes it highly improbable that the Command could divert funds for unauthorized expenditures. This is dramatically illustrated by the fact that the Command's budget has been slashed by some 30 per cent for the impending fiscal year (FY 71).

(pg. 7) ITEM 24: "...the Army has gone far beyond...."

COMMENT: The Army has not gone far beyond its needs and responsibilities. To fulfill its mission within the areas of civil disturbance, threats to Army morale and discipline, and Army internal security, it becomes necessary to maintain files and records pertaining to organizations or individuals who may become involved in any of the three areas of interest. Information, the bulk of which comes from liaison with FBI, state, and local authorities, frequently deals with individuals whose beliefs range over the entire political spectrum, from extreme left to extreme right. However, the storage and dissemination of information is keyed to mission accomplishment; proclivity to violence as pertains to civil disturbance; propagandizing the servicemen as pertains to the overall threat to the Army's effectiveness, and loyalty and suitability as pertains to Army personnel.

(pg. 8) ITEM 25: "The Army needs this kind of information so that it can...."

COMMENT: The statements contained in these paragraphs concerning the types of information stored and distributed by the Army reflects a misconception of the Army's capabilities in this area. There are no computers in the Army used to gather domestic intelligence, but there are two "data banks" which store civil disturbance information. One is located at Fort Holabird; the other is in the Office of the Assistant Chief of Staff for Intelligence, Department of the Army (OACSI, DA). In both cases, the major contributor of the information is the FBI. The data bank at Fort Holabird consists of city and area maps, directories of various types, names of law enforcement personnel, characterizations of various violent



groups, and information on stolen weapons and ammunition. Suitable information in this data bank is coded and placed on IBM cards to permit rapid retrieval and facilitate use as a reference file for verification of facts collected in on-going operations.

The OACSI, DA, data bank contains urban area studies, crime statistics, FBI characterization sheets, background data on weapons thefts and use of explosives by militants. This data bank has been micro-filmed and indexed on punch cards. It is used to support the DOD Executive Agents and the DA Staff. It should be emphasized that both data banks were established to support normal USAINTC operations in CONUS. Both were in existence prior to the advent of the civil disturbance problem, and their use for civil disturbance support is marginal and ancillary to their primary mission.

The former Under Secretary of the Army (USofA) in a memorandum for the Vice Chief of Staff, Army, dated 5 February 1969, recognized a need for certain basic civil disturbance intelligence for planning purposes -- to alert or preposition troops and to provide committed task force commanders sufficient information on personalities, organizations, and movements in a community which may have a bearing on the nature, intensity, and duration of a disturbance. The USofA approved the gathering of such information primarily through liaison with local, state, and Federal civil police and law enforcement authorities and the National Guard. The USofA recognized that such overt collection activities may not fulfill all requirements; and to some extent, it might be necessary to supplement this information with on-site Army intelligence teams to assess the possibility that the resources available to the state may not be adequate. To insure that such activity did not get out of hand, the USofA directed that a quarterly report on information obtained by agent-on-the-scene observation be submitted to his office. To date, four such reports have been submitted and there have been no indications at the Secretariat level that such activities have been excessive to the needs of the Army.

In respect to Mr. Pyle's reference to a "domestic war room" at the height of the Detroit riots in 1967 -- here again is another example of a misconception. There was no such war room in existence at this time. In fact, no such war room existed at the time of the April 1968 disorders that followed the assassination of Dr. Martin Luther King, Jr. The existing Army Operations Center, designed primarily to cope with an overseas war situation was utilized to handle the disorders that occurred in April 1968 simply because it was the only facility available. Only after the April 1968 disorders was a new Army Operations Center constructed and a Directorate for Civil Disturbance Planning and Operations (DCDPO) established with the mission to plan for, coordinate and direct the employment of Federal forces in civil disturbance operations. The construction of the new AOC and the establishment of DCDPO were both at the direction of the former Under Secretary of the Army.

The Army does not and has never attempted to predict civil disturbances. OACSI does produce a civil disturbance estimate, updated three times a year,

which assesses the probabilities of civil disturbances occurring in urban areas considering such factors as population of the "core city" of the urban area, presence of poor economic and sociological conditions, and their reflections in crime rates, and history of civil disturbances in the area, among others.

(pg. 8) ITEM 26: "But even if there were grounds for making such a prediction...."

COMMENT: The Army maintains no "blacklists." The real purpose of Army domestic intelligence incident files is to apprise the concerned task force troop commander on the occasion of Federal force deployment during serious civil disturbances of the specific nature of the violence. The commander must know what the nature of threat is in order to accomplish his mission. With such "order of battle" information available therefore, the Army can assure the application of minimum force to the situation.

The Army's role involves the application of whatever measures are necessary to suppress violent activity. Of secondary importance is the fact that the Army should know the nature of threat posed by individual militants to military installations to allow for protection of those facilities commensurate with the threat.

Throughout troop deployment, the commander maintains the closest, most timely liaison possible with local law enforcement agencies. However, in this connection, it is emphasized that no other federal agency collects information with the Army's needs and mission primarily in mind. Consequently, what is collected by others will not necessarily meet the Army's needs as directed by individual mission responsibilities. Thus, the accuracy of the Army's assigned mission requires the development and maintenance of informational files not available to the Army elsewhere.

(pg. 9) ITEM 27: "The Army's need to keep its own dossiers on the politics of law-abiding citizens...."

COMMENT: In reference to its civil disturbance mission, the fact that the Army maintains its own files does not reflect unfavorably on other agencies or on degree and quality of liaison and cooperation with them. Because of its relatively limited legitimate scope of interest in domestic affairs, the Army needs to know only about violence-prone activists likely to promote serious civil disorder exceeding the capabilities of local law enforcement agencies. Thus, the Army does not collect data or maintain dossiers "on the politics of law abiding citizens." The Army assembles, in the particular form that is most efficient and useful for its purposes, the information it specifically needs. The Army, with a view to deploying its own forces, cannot rely on intelligence estimates prepared by local authorities which, though possibly valid for local police, would not be geared to support the

deployment of regular military forces. It should be remembered that when deployed, Federal forces cannot be under the command of local authority. The Army, by maintaining its own files, is not duplicating other agencies' work, but rather performing an essential, legitimate mission requirement.

(pg. 9) ITEM 28: "Perhaps the best answer to all of...."

COMMENT: As has been previously noted, the Army's authority to collect information in support of its legitimate civil disturbance mission has been clearly delineated by the Under Secretary of the Army.

(pg. 9) ITEM 29: "The Army's Authority...."

COMMENT: The author's entire thrust of these paragraphs on Army's authority is that the authority by which the Army engages in CONUS Intelligence collection activities is loose or ill-defined. Further, he implies that the Army CONUS collection activities are essentially covert and perhaps illegal in nature. In this respect every facet of the Army's CONUS Intelligence collection activities are carefully controlled, as has been pointed out in prior comments, by law and regulation. Further, the application of covert techniques in the CONUS Intelligence program is clearly an exception to established procedures. It is subject to national level scrutiny, FBI coordination and specific approval by the Under Secretary of the Army. At this time no covert operations are being conducted by USAINTC.

(pg. 11) ITEM 30: "Like the freedom from inhibitory surveillances, the job rights threatened are rights in the making."

COMMENT: It is true that no body, legal or administrative has established that an individual has a "legal right" to a job that requires a security clearance or vice versa. However, in recognition of the fact that any case wherein an employee is to be denied a clearance or stripped of a clearance essential to his job presents a potential for civil litigation, the Department of the Army carefully considers the probative and legal aspects of each case and assures that any adverse action attendant thereto is subject to judicial review. Thus, in every case where adverse action is taken, a sound basis for such action must be present and the individual offered the right to be heard. Even if it were the intent for an impending marriage of the CONUS intelligence wire service to a computer, this would in no way nullify this protection since any unsupported or unverified information, is not now, nor will it be used in the future as a basis for denial or removal of a security clearance.

There are no plans in existence which would "marry" the CONUS intelligence wire service to the computer. Prior comments stressed the fact that security

clearance dossiers are maintained as part of the overall personnel security investigation program which, as has been demonstrated, represents the vast bulk of the activity of this command. The implication that collection reports from the CONUS Intelligence Collection Program could find their way into security clearance dossiers in an unverified, erroneous, and irrelevant state is simply an expression of ignorance by the author of the manner in which security clearance dossiers are created and maintained. As an intricate part of the preparation and maintenance of such a dossier, no unverified or irrelevant information is permitted to be filed in these dossiers. Personnel security dossiers are constantly screened to insure that irrelevant information is removed therefrom.

(pg. 11) ITEM 31: "These reports would then be used to determine who should, and who should not, receive security clearances."

COMMENT: With this statement, the author takes his paper within the area of the entire adjudicative process and displays a complete lack of information on how the adjudicative process works within the security clearance program. Thus, a brief review of the adjudicative process is in order. It has been pointed out that reports contained in dossiers are verified and relevant; thus, the dossiers which are provided to adjudicators form but one of the bases upon which the adjudicator will make his recommendation to the commander who makes the final determination in the granting or not granting of the clearances. It is important to understand that the adjudicative process is one that is completely separated and removed from the investigative process and the process of storage of information. The entire review and adjudicative process is clearly detailed by regulation. Unfavorable determinations at any level successively pass to higher levels of command and competency in the adjudicative process. It is emphasized that the entire adjudicative process is in consonance with the constitutional and legal guarantees afforded every citizen under the Constitution. These include the notification to the individual of the intent to remove or deny clearance, the basis on which the action is taken, right of review and confrontation, and the right of a hearing.

(p. 11) ITEM 32: "If the men and women who adjudicate security clearances  
...."

COMMENT: As pointed out in paragraph 32, no adjudicator is permitted to use unverified information in considering or evaluating an individual's eligibility for a security clearance. The implication that the Army's most highly trained adjudicators gain this skill through the receipt of "only nine days of job instruction on loyalty determinations" is fallacious in that no credit is given to their maturity, experience, and judgment. The great majority of these adjudicators have many years experience in the field of military and/or civil service, and have served as investigative

agents or as case control officers. Many have adjudicated complex and difficult loyalty cases. Others have participated in the formulation of policy directives at departmental level. It is seriously doubted that any adjudicator, regardless of his training, would recommend that an individual should be ineligible for a clearance solely because of his arrest in connection with a political protest.

(pg. 11) ITEM 33: "The adjudicator's lack of training is compounded by security...."

COMMENT: Clearance denial actions are only taken on the basis of factual information which reflects adversely on the individual's trustworthiness. However, standards for access to specially sensitive information are established by the United States Intelligence Board (ISIB) and are thus binding on all departments and agencies of the Executive Branch of the Government. Therefore, comment as to the validity of the use of marriage to a foreign-born spouse as being a criterion for denial to especially sensitive intelligence should be deferred to the USIB. In any event, adjudicators do not make clearance determinations or "decisions." They only recommend to the commander having clearance authority. Moreover, Army regulations do not permit the denial of a security clearance without first the individual being apprised of the information held in derogation against him and affording the latter with opportunity to explain, mitigate or rebut the information with or without legal counsel.

(pg. 11) ITEM 34: "Given the tenuousness of the right to due process under these conditions...."

COMMENT: There has been no marriage, and none is planned between CONUS intelligence reports and that information developed from face-to-face interviews or through the medium of questionnaires sent such references by mail as part of our personnel security program. The war in Vietnam had no bearing on the Department of the Army decision to permit interviews of listed character references by mail. This was done in the interest of speeding up the time required to complete investigations because experience showed that listed character references would respond promptly to questionnaires thus permitting the agent to pursue other time consuming facets of the investigation. In the event that the listed character reference gives derogatory information on the questionnaire he is automatically interviewed face-to-face.

(pg. 12) ITEM 35: "The Army's domestic-intelligence program also imperils...."

COMMENT: The Army accomplishment of its civil disturbance mission nor the monitoring of threats to Army morale and discipline involve invasion of

privacy or abridgement of individual rights. In the area of the third major Intelligence Command mission, it is pertinent at this point to emphasize that regulations governing the conduct of personnel security investigations specifically preclude questioning a person's religious beliefs, political affiliations, racial or ethnic background, and labor affiliations, etc. unless directly pertinent to a specific allegation.

(pg. 12) ITEM 36: "The privacy of politically active citizens is especially...."

COMMENT: Coverage of public events with a potential for civil disturbance or events conducted by organizations whose history shows involvement in such activity falls within the purview of the Army's Civil Disturbance mission. The Army does not monitor nor keep records on lawful political activity per se. Examination of such activity would only result from reason to believe that civil disturbance was a factor serious enough to warrant the possible deployment of federal troops.

(pg. 12) ITEM 37: "The cumulative impact of such...."

COMMENT: The Army's intelligence activities are open to scrutiny both through internal and external controls. Internally, this is accomplished through staff and command supervision by the Army Staff, the Inspector General, and the examination of chartered activities through the Defense Intelligence Agency including stringent budgetary constraints. Externally, the Army is subject to interagency delimitations with other investigative agencies such as the Navy, Air Force, the FBI, and other federal agencies. Furthermore, it is emphasized that the Army is constantly responsive to inquiries by Congress and the General Accounting Office.

(pg. 12) ITEM 38: "The unregulated growth of CONUS...."

COMMENT: The organization and development of the United States Army Intelligence Command (USAINTC) does not "threaten the country's political health."

USAINTC is a separate major Army command. As such, it operates under the Chief of Staff as well as the supervision of the entire Army Staff. In this connection, it is noted that its organizations, manning level, and budget has been carefully and thoroughly developed and is periodically reviewed by the Army Staff to assure the economical and effective use of resources of men and money within its specifically authorized missions and functions. It is noted that in line with DOD-directed budget cuts, the Command incurred a reduction of almost 30 per cent for FY 71.

The source of personnel for USAINTC is no different than that of any other command. There is a mixture of draftees and regular enlisted men. The officer corps of the Command consists largely of reserve officers like CPT Pyle and regular officers reinforced by career civilian employees. Thus, there is no elite which could conceivably be used to abridge or abuse the political and civil rights of either soldiers and civilians. As was noted previously, the investigative and intelligence collection jurisdiction of the Command is explicitly limited. Thus, the Intelligence Command does not control the intelligence resources of the overseas command, nor does it command the investigative activities of criminal investigations detachments. The latter are under the staff cognizance of the Provost Marshal General (TPMG). It is readily apparent that the activities of the USAINTC do not represent an unwarranted concentration of authority.

(pg. 12) ITEM 39: "The most immediate risk posed of...."

COMMENT: This contention is based on the false premise that government agencies misuse information concerning individual's participation in political activities, controversial community projects or organizations and are concerned about their reading habits. Again, unless such activity is illegal in nature or it can be proved that the individual reads, believes, and supports doctrine published by organizations which have subversive aims, no action could be or would be taken against the individual concerned.

(pg. 13) ITEM 40: "Inhibitions generated by awareness...."

COMMENT: There is no "extensive domestic surveillance" system or program in effect. Direct intervention of the Army into the civilian community is strictly and specifically limited to that authorized by appropriate civilian and military authorities and cannot be initiated until the President of the United States issues a Directive or Executive Order directing the Secretary of Defense to restore law and order in a specific state or locality. Restraints imposed by the former Under Secretary of the Army (USofA, Mr. McGiffert) and reaffirmed by the current USofA (Mr. Beal) limits Army collection of civil disturbance intelligence to that which can be obtained through liaison with local, state, and federal civil police and law enforcement authorities and the National Guard. Collection activities from sources other than the liaison referred to above will be limited to those situations in which there is a clear need for intelligence information which cannot be filled through liaison. Such collection activities must be reported to the USofA on a quarterly basis.

(pg. 13) ITEM 41: "A less immediate but no less serious danger lies in...."

COMMENT: It has previously been pointed out that the Army does not maintain files on individuals and groups of the type referred to here.

The fear that a catastrophe could occur if a demagogue were to gain access to Army files, is based on the premise that the files are of a type described by the author. This premise has already been shown to be false.

There is no so-called "blacklist."

The U.S. Army has built-in systems of control and safeguards to prevent any single individual from misusing his authority. The Commanding General of USAINTC must answer for his actions to the Chief of Staff of the Army, who in turn is responsible to his superiors, to the President, and to Congress.

(pg. 13) ITEM 42: "Such speculation assumes, of...."

COMMENT: The Army, of course, cannot guarantee the absolute inviolability of its files. Pertinent and appropriate regulations provide for every prudent measure to control access to personnel security files. Thus, the Army does require each and every individual, including representatives of other federal agencies, to have TOP SECRET security clearances based on a background investigation together with the need to know prior to granting access to its personnel security files. Mr. Pyle's contention that the information leaked to the Press concerning New Orleans District Attorney Jim Garrison was derived from the records maintained by the USAIRR is without foundation.

(pg. 13) ITEM 43: "Finally, the unregulated growth of domestic...."

COMMENT: The activities of the Intelligence Command are stringently controlled in all phases of its functions as noted previously. Through a series of checks and closely monitored policies clearly delimiting its authority, it is believed that Mr. Pyle's fears of unregulated growth on the one hand, and extremists driven underground on the other, will prove groundless.

(pg. 14) ITEM 44: "What Can Be Done?"

COMMENT: First of all, to dispense with a false premise -- the Army maintains no blacklists. With regards to a law suit filed to challenge the Army's authority to collect or possess information it believes necessary to properly perform as directed by the President, it is, of course, the prerogative under our form of government for any citizen to legally challenge governmental policies with which he disagrees. It is then the function of the judicial branch, as an independent entity, to weigh the merits of the dispute. While it is impossible to comment on the possible outcome of a purely hypothetical lawsuit, it is doubtful that any court



would ever attempt to seriously impair the capability of the Army to fulfill its lawful responsibilities in the domestic peacekeeping field through restrictions on intelligence gathering functions.

(pg. 14) ITEM 45: "Ideally, legislative and executive...."

COMMENT: The Army has been given a civil disturbance mission under DOD Directive 3025.12. It derives its authority for its actions basically from this directive. The Army's needs to perform that mission have evolved with the Army's experience in fulfilling it. Under the existing system of controls and checks, it seems highly improbable that the Army, in pursuance of its civil disturbance mission, poses a threat to the liberty of any group, organization, or individual.

(pg. 14) ITEM 46: "The analysis should begin by demanding...."

COMMENT: The Executive Branch of the government has the authority and the means to determine the intelligence needs of not only the Army, but the Department of Defense. Our Government has built within it a system of checks and balances through the courts and the Congress. Each year the courts hear many cases in which citizens have sought relief from abuses within the system, and each year Congressional committees scrupulously examine requested funds in search of the needs of those who request them.

(pg. 15) ITEM 47: "The Congressional power of inquiry should be exercised first."

COMMENT: With regards to the Congressional power of inquiry, should it choose, the Congress could, naturally, review the limited effort the Army has found it necessary to make in the domestic intelligence field. It is hoped, however, that the Army is already making a sufficient effort to adequately inform not only members of the Congress, but the general public as well, of the nature of this effort and its carefully restricted character.

The Army, operating under the traditional overriding principle of ultimate civilian control and obedience to law, has never spied nor does claim the prerogative to spy on domestic civilian political activities.

Any theoretical conflict between DOD and Congress is not the responsibility of the Army nor is it immediately germane to the role of military intelligence in civil disturbance-related material. Should a change in national policy be effected by executive order or Congressional action, DA would necessarily comply with such direction.

(pg. 15) ITEM 48: "Congress should also exercise its appropriations power...."

COMMENT: It was previously explained that the computer data bank does not contain files on political activities of individuals unassociated with the military.

CONUS intelligence data reported under the civil disturbance mission does not include individual or organizational political attitudes. Incident type information only is reported and maintained in the data bank at Headquarters, USAINTC. It is repeated that there are no black-lists written or published by USAINTC. The only personality files maintained are on those individuals under the investigative jurisdiction of the Army. These files are at the Investigative Records Repository (IRR) and not at the USAINTC data bank.

(pg. 15) ITEM 49: "Establish effective technological, legal, and administrative...."

COMMENT: The Army believes that the current technological, legal, and administrative safeguards regulating the collection, reporting, storing, and dissemination of domestic intelligence or personal security information are more than adequate to protect against the abuse of individual rights. Should the Congress ever come to a different conclusion, the Army would naturally be ready to comply with any Congressional mandate which might issue. At the present time, on the specific point of infiltration of organizations, the Army has explicitly forbidden such activity without the specific approval of the Under Secretary of the Army -- whose approval has not been either requested or granted.

(pg. 15) ITEM 50: "Establish separate headquarters, preferably in separate cities, for the...."

COMMENT: CONUS intelligence and personnel security staffs are physically separated from each other, and there is no danger of leakage of CONUS intelligence to adjudicators. Control of all personnel security investigations conducted by the Intelligence Command is handled by the Personnel Security Investigations Division (ICD-PS) under the Office of the Director of Investigations. This office has no adjudicative function. Completed PSI are forwarded to the requestors concerned who are responsible for this action. While the United States Army Personnel Security Group (USAPSG), which was recently transferred to the Intelligence Command, does perform an adjudicative function in connection with military and civilian loyalty cases, they are completely separated from and are independent of the CONUS intelligence and investigative staffs. Moreover, USAPSG adjudication does not take place until such time as the major commander

or head of the agency concerned has made his evaluation of the case at hand and made his recommendation.

(pg. 16) ITEM 51: "Improve the professional quality of Intelligence Command personnel and security-clearance adjudicators."

COMMENT: The Department of the Army constantly strives to improve the professional quality of its Intelligence Command personnel and its security clearance. This is done by constant revision of its school curriculum; guidance letters emanating from the Intelligence Command and the Department of the Army wherein particular emphasis is placed on civil private rights. Over crowding and understaffing in the Intelligence School can be overcome only if budgetary and manpower ceilings are raised. The Intelligence community must operate within the resources allocated and authorized. The role of the adjudicator most certainly is not dependent upon his knowledge of specialized legal subjects which may be offered at accredited law schools or the Practicing Law Institute. His is a matter of judgment as to whether or not the information involved in an individual case does or does not fall within the criteria set forth by the Department of Defense for the granting or denial of a security clearance. Any legal judgment required in connection with such cases is referred to local representatives of the Judge Advocate General for resolution or comment.

CONCLUSIONS: The activities of the Army Intelligence Command are under constant review and scrutiny as previously noted. As deficiencies are noted, they are corrected. Constant improvement in procedures are sought and adopted when proven to be consistent with national policy.

Nevertheless, a study stimulated by this article has been initiated to examine and assess the merits of Mr. Pyle's proposals and conclusions.

(Page 49) Item 1: "The Army still watches civilian politics. . . More than 1,000 soldier-agents continue to monitor the political activities of law-abiding citizens."

COMMENT: These allegations are false. The Army does not specifically watch civilian politics. Present DA policy precludes this (paras 3e & 10, HQ DA letter, 9 June 1970, subject: Collection, Reporting, and Storage of Civil Disturbance Information) (TAB B). The Army does utilize personnel to accomplish the primary USAINTC mission, that of conducting personnel security investigations as well as counterintelligence collection operations related to direct threats to Army personnel, installations, or materiel.

(Page 49) Item 2: Article alleges that some reforms have occurred, and that the CONUS intelligence program has been cut back. Army has promised to destroy two widely circulated "blacklists on dissenters," and to scrap its computerized data banks on political activists.

COMMENT: CONUS intelligence program has most definitely been cut back.

The so-called "blacklist on dissenters" was ordered destroyed by ACSI letter to CG, USAINTC, dtd 18 Feb 70 (TAB C). ACSI letter, dtd 31 Mar 70 directed destruction of the Counterintelligence Research Project, ("Compendium"). By HQ DA letter to major commands dated 1 Apr 70, destruction or justification of computerized data banks related to civil disturbance or other activities involving civilians not affiliated with Department of Defense was ordered (TAB E).

(Page 49) Item 3: "From its headquarters at Fort Holabird in Baltimore, the Army Intelligence Command flashed orders to each of its intelligence groups limiting the collection of domestic intelligence to only the most 'essential elements of information'. Agents were forbidden to discuss any aspect of the program with newsmen and were warned that any who did would be prosecuted for breach of national security."

COMMENT: Essentially true. ACSI directed CG, USAINTC, to curtail collection of civil disturbance information (ACSI ltr, dtd 18 Feb 70), who in turn directed his CONUS MI groups to collect information only on incidents which may be beyond the capability of local and State authorities to control, and require the deployment of US Army troops to assist in restoration of stability.

In reference to agents being forbidden to discuss the program with newsmen, this is partially true. Modus operandi in information gathering operations is normally classified, and therefore, its public disclosure forbidden in accordance with Title 18, US Code, and AR 380-5, Safeguarding Defense Information.

(Page 50) Item 4: Army General Counsel suspended all replies to Congressional inquiries. The Army violated its own regulations by not acknowledging receipt of Congressional inquiries.

COMMENT: As far as is known, all Congressional inquiries were replied to. There was a delay in responding to Congressional inquiries when the ACLU files its suit in Federal District Court in WDC. Delay was due to concern over the type of reply that could be sent, in view of pending litigation against Department of Defense.

(Page 50) Item 6: The Army continued to avoid inquiries during the month of February, and stalled for time.

COMMENT: Army did not avoid inquiries, nor did it stall for time. Any delay was to allow sufficient time to assess the situation in order to prepare correct and proper responses.



(Page 50) Item 7: "Unable to learn more from the Assistant Chief of Staff for Intelligence, who greatly downplayed the CONUS system's capabilities, the civilians resolved to conduct their own inquiry."

COMMENT: Incorrect statement. The ACSI did not downplay the CONUS system's capabilities (ref: ACSI ltr, dtd 18 Feb 70, subject: Collection, Reporting, and Recording of Civil Disturbance Information (U), which directed the withdrawal and destruction of the six volumes comprising the list of individuals identified as participating in civil disturbances.). This letter also directed USAINTC to halt input into the 1401 computer, and greatly curtailed incident spot reporting. The ACSI also directed revision of the USAINTC Mission Statement (TAB C).

(Page 51) Item 8: "... Army General Counsel Jordan went to Fort  
Holabird and watched as the computer bank on dissidents  
disgorged a lengthy print-out on Mrs. Martin Luther  
King, Jr."

(Page 51) Item 9: Army General Counsel's letter to more than 30 Congressional critics was a standard letter.. "Each (Congressman) received the same letter, regardless of the questions he had asked."

COMMENT: OACSI and OGC collaborated in the preparation of a standard response to Congressmen who asked basic and general questions about Pyle's allegations (TAB G). This standard letter was dispatched to many Congressmen, but always and only to those whose inquiries would be satisfied by the response of that letters. Individual letters were prepared to reply to Congressmen who had asked questions more in-depth than the normal inquiries.

All of Mr. Pyle's quotes from the ACSI-OGC letters are accurate. In addition, the letter, sometimes signed by Mr. Jordan, and sometimes signed off by the OCLL, "assured members of Congress that both the identification list and the data bank had been ordered destroyed."

(Page 51) Item 10: Article stated that Mr. Jordan assured members of Congress that the Intelligence Command's identification list and data bank had been destroyed.

COMMENT: True. Reference Army General Counsel standard response to Congressional inquiries (TAB G).

(Page 51) Item 11: "In addition to the Fort Holabird computer . . . and the Intelligence Command's identification list . . . the Army also maintained over 375 copies of . . . 'the Compendium'."

COMMENT: True. However, the two-volume "Compendium" was ordered destroyed by the ACSI in his letter to all recipients, dated 31 March 1970 (TAB D). The letter ordered all existing copies to be destroyed with all changes (6 were published and disseminated), and destruction certificates for them were to be forwarded to OACSI, ATTN: ACSI-CI. This letter ordering destruction was preceded by a DA message to all Compendium recipients, dated 20 March 1970, carrying the same instructions.

(Page 51) Item 12: The Army also maintained "a computer-indexed micro-film archive . . . at CIAD."

COMMENT: True. The microfilm "archive" still exists at CIAD. However, the HQ, DA, policy letter of 9 June 1970 limits non-computerized files on civilian activities to information concerning actual or potential threats to Army personnel, materiel, installations, or the accomplishment of the Army mission.

(Page 51) Item 13: The Army also maintained "a computerized data bank on civil disturbances, political protests, and resistance in the Army (RITA)" at the Continental Army Command headquarters, Fort Monroe, Virginia."

COMMENT:

(Page 51) Item 14: The Army also maintained "non-computerized data banks at each stateside Army command and at many military installations."

COMMENT: True. These non-computerized files still remain at Army commands and installations, but they are limited by the DA policy letter of 9 June 1970, and by proposed changes in AR 340-18-5, Maintenance and Disposition of Intelligence, Security, Military Police, and Mapping Functional Files (file number 503-05) which will limit file content to documents relating to intelligence, CI, and security activities pertaining to local individuals, criminals, incidents, and organs which are of interest only to local area commands because their activities are an actual or distinct potential threat to the security of the command, its personnel, materiel, or installations, or to the successful accomplishment of the command's mission.



(Page 51) Item 15: The Army maintained "non-computerized files at most of the Intelligence Command's 300 stateside intelligence group offices."

COMMENT: True. These non-computerized files remain at subordinate offices of the USAINTIC, but are limited as in Item 14 above.

(Page 52) Item 16: Pyle quotes contents of a letter received by Congressman Gallagher, which made certain allegations concerning activities of the 116th MI Group.

COMMENT: False. On 16 Mar 70, Morton Kondracke, Washington correspondent for Chicago Sun-Times, queried COL Utegaard, OCINFO, concerning these allegations. ACSI, given the action, tasked USAINTC for a response with which to reply to Mr. Kondracke.

USAINTC denied the allegations in Mr. Kondracke's press query in a letter to ACSI, 23 Mar 70 (TAB H). OACSI recommended, and OGC concurred, that a reply not be made to Kondracke due to his previously published misleading articles on the same subject area. Regardless of the fact that he received no answer from the Army regarding this line of questioning, Kondracke went ahead and published the article in the Washington Evening Star, 28 Mar 70, alleging the essence of this quotation.

Consequently, the Office of the AGC prepared a Fact Sheet, using OACSI's information as supplied by USAINTC, to be used in response to Congressman Gallagher concerning the allegations about the 116th MI Group (TAB I).

(Page 53) Item 17: "Higher up the chain of command, officials at Fort Holabird also balked at carrying out the new policy. Questioned by Joseph Hanlon of Computer-world on March 10, an Intelligence Command spokesman refused to say whether the computer tapes there had actually been erased or merely placed in storage. He admitted, however, that the 'input' to the data bank (presumably the keypunch cards) had not been destroyed."

COMMENT:

(Page 53) Item 18: "Higher still, the civilians supposedly in charge of the Army struggled to find out what their military subordinates were doing. Robert Jordan, surprised by the Washington Monthly article and by his pilgrimage to the Fort Holabird computer, was taken aback once more on February 27 during a conference with Congressman Gallagher. Asked why his letter made no mention of the microfilm archives at CIAD, he replied: 'I'll have to check into that'."

COMMENT:

(Page 53) Item 19: ". . . Secretary Resor wrote to the Army Chief of Staff, General William C. Westmoreland, on March 5: 'I would appreciate your asking all commanders in CONUS, Alaska, and Hawaii down to the installation level to report whether their command has any form of computerized data bank relating to civilians or civilian activities, other than data banks dealing with routine administrative matters. . . .'"

COMMENT: This is true. Reference Secretary of the Army memorandum to Chief of Staff, dtd 6 Mar 70, subject: Restrictions on Intelligence Operations Involving Civilians (TAB J).

(Page 53) Item 20: Article states that on 20 Mar 70, the Under Secretary of the Army wrote to Senator Ervin and Representative Gallagher claiming that the only other "intelligence files" concerning civilians were maintained by CIAD. Article alleges that neither letter mentioned CONARC's computerized files at Fort Monroe, regional data banks at 300 offices of the Army Intelligence Command, and files maintained by G2's at many Army posts.

COMMENT: The letter in mention was to Representative Gallagher only. The Under Secretary of the Army did write that the only other "intelligence files" concerning civilians maintained by the Army were those at CIAD.

In reference to files still maintained by CONARC, offices subordinate to the Army Intelligence Command, and by G2's at many Army posts, a review is presently under way as to what may be contained within these files. Proposed changes in AR 340-18-5, Maintenance and Disposition of Intelligence, Security, Military Police, and Mapping Functional Files (file number 503-05) will limit file content to:

"Documents relating to intelligence, counterintelligence, and security activities pertaining to local individuals, criminals, incidents, and organs which are of interest only to local area commands because their activities are an actual or distinct potential threat to the security of the command, its personnel, materiel, or installations, or to the successful accomplishment of the command's mission."

(Page 54)

Item 21:

Pyle alleged that CIAD microfilm files take up over 100 rolls of microfilm, at 500 frames a roll; domestic intelligence section is larger than any of its foreign intelligence sections, and maintains detailed card files on dissident individuals and groups; and these files "are in addition to mounds of current FBI and Army reports and newspaper clippings which are coded on key-punch cards (for the computerized index) and recorded on microfilm."

COMMENT:

(Page 54) Item 22: ". . . One of the principal uses of this file -- if not the main reason for its existence -- has been to satisfy the curiosity of the Pentagon's brass."

COMMENT: CIAD's microfilm file is used to support OACSI with a ready reference of persons and organizations whose activities pose a distinct potential threat to Army's mission, and its personnel, installations, and materiel. Its use is not to "satisfy the curiosity of the Pentagon's brass," as alleged by Mr. Pyle.



(Page 54) Item 23: "CIAD had compiled 'an identification list . . . (which) is available to a limited number of Department of the Army organizations with civil disturbance responsibilities' (false)."

COMMENT: Mr. Pyle's allegation that this is false is correct. The "Compendium," as Mr. Pyle states, was actually distributed to 108 agencies, many of which were outside Department of the Army, and even outside the United States.

(Page 54) Item 24: "Army would . . . limit its curiosity to incidents . . . beyond the capability of State and local police and National Guard, and destroy all existing computerized data banks on civilian politics."

COMMENT: These are confirmed in Mr. Beal's 8 May 70 memo to Vice Chief of Staff limiting use of Army intelligence resources to periods when it has been determined that there is a distinct threat of civil disturbance beyond the capabilities of local and State authorities to control (TAB K), and HQ, DA, letter, 1 April 1970, subject: Restrictions on Computerized Data Bank Operations Involving Civilian Activities, directs destruction of computerized data banks related to civil disturbance or other activities involving civilians not affiliated with the Department of Defense.

(Page 54) Item 25: "No new computerized data banks would be established without the approval of both the Secretary of the Army and the Chief of Staff after consultations with concerned committees of Congress".

COMMENT: This is the present Army policy as stated in HQ, DA ltrs, dated 1 Apr 70 and 9 Jun 70.

(Page 55) Item 26: "An IBM card prepared for (Arlo Tatum's) computer file at Fort Holabird showed only that he had once delivered a speech at the University of Oklahoma on the legal rights of conscientious objectors."

COMMENT:

(Page 56) Item 27: Oliver Pierce, former agent of 5th MID at Fort Carson, infiltrated Young Adult Project (YAP).

COMMENT: Pierce, a former agent of the 5th MID, had volunteered to join the YAP and attend its meetings. His CI section chief at the time requested that Pierce keep him informed of what was going on. Pierce also was a member of the Young Democrats. At no time was Pierce ordered to penetrate either organization, nor was he ordered to report what had transpired at their meetings.

(Page 56) Item 28: Pyle claims Pierce also alleged that 5th MID:  
-- Sent an informant to 1968 SDS National Convention.  
-- Assigned five undercover agents to monitor anti-war vigil at Colorado State College.  
-- Maintained two full-time infiltrators within a local peace movement.  
-- Sent others to observe meetings of Colorado Springs Poverty Board.

COMMENT: We possess no information to corroborate these allegations, but present DA policy forbids activities of this nature ( HQ DA ltr, dtd 9 Jun 70).

(Page 56) Item 29: "The likelihood that the CONUS intelligence program will be cut back soon is low."

COMMENT: In fact, the "CONUS intelligence program" has been "cut back" more than Mr. Pyle realizes. Evidence of this is in the revised USAINTC Mission, the change to the intelligence annex of the DA Civil Disturbance Plan, and the 9 June 1970 Department of the Army policy letter. All of these, in addition to the 1 April 1970 DA letter concerning restrictions on computerized data bank operations, the 8 May 1970 Under Secretary of the Army policy memo to the Vice Chief of Staff, and the DA letters directing destruction of USAINTC's and OACSI's identification publications, indicate a sharp "cut back" of counterintelligence activities involving civilians.

(Page 56) Item 30: "The Army's civilian leaders have said nothing since Beal's letters of March 20, while Pentagon press officers continue to evade inquiries with the excuse that to answer them would prejudice the ACLU lawsuit."

COMMENT: Statements and policy have continued to come from the Army's "civilian leaders" all along. The Secretary of the Army's 6 March 1970 memo to the Chief of Staff concerned restrictions on intelligence operations involving civilians, and directed a survey of computerized data banks concerning civilians.

Mr. Beal's 8 May 1970 memo to the Vice Chief of Staff directed the use of liaison for collecting civil disturbance information, a strict constraint on the types of persons and organizations the Army could maintain information on, and a ban on the use of covert agent operations to obtain civil disturbance information without approval of the Under Secretary of the Army.

In addition, the Army General Counsel, also a civilian, continued to reply to Congressional inquiries on this subject.

It is true that the Army delayed replying to some press queries when the ACLU suit was filed. The delay was caused by caution in making statements to the press during litigation involving the Department of Defense concerning the same subject area. However, all inquiries, including those from the press\*, citizens, and Congressmen, were replied to in due course.

\* With the exception of late inquiries from Morton Kondracke, Washington correspondent for the Chicago Sun-Times, who was declared persona non grata after he published deliberately misleading and irresponsible articles concerning alleged activities of the 116th MI Group.



(Page 57) Item 31: ". . . The Army's civilian leaders are not likely to . . . admit the full scope of the program, or reconsider its needs or consequences."

COMMENT: Clearly, the Army has considered the needs and consequences of the program. This is reflected in the many policy statements and revisions over the past year, referenced in the former statements in this paper. After thorough study, the Army determined that certain changes were required in its counterintelligence program related to civil disturbances and to civilians. These changes have been implemented.

(Page 57) Item 32: "During the 1968 Democratic National Convention in Chicago . . . Army agents posed as TV camera crews . . . and two plainclothesmen from the staff of the Army Assistant Chief of Staff for Intelligence occupied assigned seats within the convention hall."

COMMENT:

(Page 58) Item 33: The CONUS Intelligence Program Today.

- 1, 2) "The Blanket surveillance of civilian political activity by the Army, cut back in January, has resumed. This surveillance is a part-time activity for more than 1,000 agents ... 300 offices ..., and for hundreds of agents and informants associated with troop units and installations of Continental Army Command."

COMMENT: The Army has never carried out a blanket surveillance of civilian political activity. The 1,000 agents and 300 offices are concerned primarily with conducting personnel security investigations for Department of the Army. Agents and so-called "informants" associated with troop units and CONARC installations do not surveill civilian political activity.

- 3) "Sources of CONUS intelligence continue to include local and state police, the FBI, newspapers, and Army undercover operations. . . Army plainclothesmen have been spotted recently on the Milwaukee and Madison campuses and at the University of Oklahoma."

COMMENT: The Army does receive information from State and local police, the FBI, and open sources such as newspapers. The information retained is limited to information on organizations and personnel who pose a distinct potential threat to the Army's mission its personnel, installations, and materiel, or who pose a distinct threat of civil disturbance exceeding the law enforcement capabilities of local and State authorities. In reference to Army undercover operations, the Under Secretary of the Army, in his 8 May 70 memo to the Vice Chief of Staff, Army, prohibited any form of covert agent operations in the US to obtain civil disturbance information on civilian organizations or individuals without specific approval by the Under Secretary.

- 4) "Non-computerized regional data banks on dissenters remain at most field, region, and headquarters offices of the Army Intelligence Command and within the G-2 (intelligence) offices of many troop units and installations of the Continental Army Command."

COMMENT: Non-computerized data banks remain at headquarters throughout CONUS, but they do not contain files on dissenters. The 9 June 1970 policy letter limits files to persons and organizations that pose a threat to personnel, installations, materiel, or mission accomplishment of the Army.

- 5) "One computerized data bank may continue to exist at Continental Army Command headquarters, Fort Monroe, Virginia."

COMMENT: A computerized data bank exists at CONARC, but its contents are limited by HQ, DA, ltr, dtd 1 Apr 70 (TAB E).

- 6) "The Army has said that it intends to keep domestic political information in its microfilm archive at the Counterintelligence Analysis Division. It has given no assurances that these records will be purged of information about persons or groups posing no threat to the armed forces or to public order."

COMMENT:

- 7) "Both the Intelligence Command's 'identification list' and CIAD's 'Compendium' have been ordered destroyed. Chances are excellent, however, that copies of both remain in circulation, along with another blacklist published by the Alabama state police and distributed by the Intelligence Command to the headquarters and region offices of each M.I. Group."

COMMENT: The Intelligence Command's "identification list" and the "Compendium" have been ordered destroyed. Every effort is being made by OACSI to assure that these directives are being carried out. Representatives of OACSI will be dispatched to field elements in the near future to check on compliance with these directives.

- 8) "It is also likely that copies of the magnetic tapes which made up the memory core of the Fort Holabird computer have been hidden away or transferred to other governmental agencies."

COMMENTS: USAINTC was directed to destroy the computerized civil disturbance data bank and printouts. Every effort is being made by OACSI to assure compliance.

- 9) "The Army's intelligence reports continue to go to the FBI and to the Justice Department's interdivisional intelligence unit, where they are stored in a computer larger than the one abandoned at Fort Holabird.

COMMENT: Liaison is maintained between the Army and the FBI and DOJ, and non-civil disturbance intelligence reports are passed to these agencies.

- 10) "The Army's domestic intelligence operations appear to have been cut back because the locus of civil disturbance decision-making has shifted from the Pentagon to the Justice Department. In fact, however, the Army's operations have not decreased; only the spotlight has shifted."

COMMENT: The Army's domestic intelligence operations have in fact been cut back as stated in previous discussions. The locus of civil disturbance decision-making was not "shifted" from the Pentagon to the DOJ; it was at DOJ previously. The Attorney General is the Executive Branch officer responsible for coordination of all Federal government activities related to civil disturbances.

- 11) "Meanwhile, new security measures make public scrutiny of the Intelligence Command more difficult. Aspects of its domestic intelligence effort have been classified (although they can hardly be of interest to foreign spies), the job of collecting political information has reassigned to career agents wherever possible, and all agents have been threatened with prosecution if they talk."

COMMENT: There have been no new security measures implemented. The Army does not specifically collect political information on individuals or organizations whose activities do not pose a distinct potential threat to its personnel, installations, materiel, or the successful accomplishment of the Army's mission. There have been no significant changes as concerns security classification and no agents have been threatened with prosecution as stated in Item 3.