Some Secrets You Keep: Reconsidering the Rockefeller Commission

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ABSTRACT

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Some Secrets You Keep: Reconsidering the Rockefeller Commission

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In 1975, allegations by journalist Seymour Hersh in the New York Times of CIA domestic spying program launched a year of investigations into the Central Intelligence Agency (CIA). The accusations led to the establishment of the Rockefeller Commission by President Gerald Ford, the Church committee by the Senate, and the Pike committee by the House. A great deal of scholarship has analyzed the impact of the congressional committees, however, the Rockefeller Commission has largely become a historical footnote to their investigations.

Utilizing research conducted at the Gerald R. Ford Presidential Library and the Rockefeller Family Archives, my work reconsiders the Rockefeller Commission and how the Ford administration utilized the Commission in an attempt to preempt the congressional investigations. Although the Commission, at first, failed to achieve Ford’s goals, by the end of 1975 Ford used the Commission’s work to legitimize his reforms to the U.S. intelligence community.
DEDICATION

To my mother, thank you for everything
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INTRODUCTION

If the Central Intelligence agency [sic] operated half as secretly as the Rockefeller investigation commission, there might never have been an investigation of the agency.


Nineteen seventy-five was the most explosive and controversial year in the history of the Central Intelligence Agency (CIA). It began with an article published in the New York Times on December 22, 1974. The story, “Huge CIA Operation Reported in U.S. Against Antiwar Forces, Other Dissidents in Nixon Years,” by journalist Seymour Hersh, alleged that the CIA had directly violated its charter during the Nixon administration by conducting a massive domestic intelligence operation. Hersh also accused the CIA of maintaining intelligence files on at least 10,000 Americans, conducting domestic break-ins and wiretaps, and inspecting U.S. mail.\(^1\) The article was particularly troublesome because the CIA’s legal mandate, included in the National Security Act of 1947, banned the agency from any “police, subpoena, law-enforcement powers, or internal-security functions.”\(^2\)

Hersh’s article started a media frenzy. In his memoir, Honorable Men, then Director of Central Intelligence (DCI) William Colby recalled, “What was to be called the Year of Intelligence in Washington began, a year in which the CIA came under the closest and harshest public scrutiny that any such service has ever experienced not only in

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this country but anywhere in the world."\(^3\) While the year would also include investigations of other organizations in the U.S. intelligence community, the CIA bore the brunt of the criticism. In response to Hersh’s accusations, the House, the Senate, and President Gerald R. Ford established investigations to determine the accuracy of the media’s reports and the severity of the CIA’s abuses. These inquiries – the Senate’s Church committee, the House’s Pike committee, and Ford’s Rockefeller Commission – uncovered CIA abuses such as assassination plots against foreign leaders, domestic spying operations, and mail interception programs in Hawaii, New York, and San Francisco.

More than just affecting the CIA, the Year of Intelligence also contributed to growing tensions between the executive and legislative branches. Over the course of the year, the Ford administration did its best to preempt the congressional investigations and to protect what it saw as a threat to established principles of U.S. Cold War foreign policy. Ford perceived the upsurge of congressional interest in CIA oversight as a direct threat to his authority over the national security apparatus.\(^4\) Since the CIA’s creation, it remained in the president’s realm of control, while Congress, usually without question, appropriated the requested funds. However, as the Cold War consensus began to disintegrate in the aftermath of the Vietnam War and Watergate scandal, a younger, newly elected, more liberally minded group of congressmen and–women began demanding a larger congressional role in CIA oversight.


President Ford quickly created the Rockefeller Commission as a response to Hersh’s article. By doing so, Ford was building on a legacy of executive domination in intelligence oversight. Furthermore, Ford hoped his actions would prevent the formation of an especially threatening, aggressive, and public congressional probe.\(^5\) From the agency’s creation in 1947 until 1974, due to legislative deference to the White House as well as intense executive protection of the agency, Congress largely stayed out of CIA affairs and left the responsibility for oversight to the president. While Congress maintained oversight subcommittees in the House and Senate, these members of Congress rarely challenged agency operations. When Hersh’s article reached the public in 1974, this period of congressional deference had ended. Congress was unwilling to stand idly by while President Ford attempted to quickly and quietly fix the problem.

Despite following typical protocol for administrations facing CIA controversy – i.e. establishing a presidential commission and preempting the necessity for congressional action – members of Congress remained determined to conduct their own investigation into Hersh’s allegations. Over the course of the year, as three separate inquiries delved into the agency’s secrets, the Ford administration attempted to maintain total control over the CIA and U.S. intelligence community and preempt Congress from issuing reforms that might disrupt that control.

While the Rockefeller Commission began its investigation right away, Congress remained undeterred and soon voted to establish select committees. As the Church and Pike committees hired staff and established agendas, the Rockefeller Commission started and finished its six-month investigation. The Commission emphasized that it was

\(^5\) Kitts, *Presidential Commissions*, 51.
conducting an autonomous and thorough investigation that it would leave “no stone left unturned.” However, the Commission soon found itself under immense White House pressure as it ventured into topics that the executive branch did not want covered, most notably assassination attempts on foreign leaders.

When the Rockefeller Commission finished its investigation in June 1975, Ford worried that the assassination findings might provoke greater congressional oversight of the agency due to fears the CIA was acting as a “rogue agency.” Rather than immediately addressing the issue himself, Ford decided to pass it to the Senate committee. Ford’s decision to give the assassination materials to the Church committee was a tactical move that eventually ended up protecting the White House from the sensationalism of the assassination topic. Nevertheless, as the Church and Pike committee investigations picked up momentum in the second half of 1975, Ford officials began to worry about leaks of classified information and the sensationalism surrounding the investigations. In September, the White House began a coordinated effort to address the congressional committees and to consider proper reforms to the U.S. intelligence community.

The Year of Intelligence ended with Ford regaining the upper hand in the intelligence debate. With the issuance of Executive Order 11905, Ford guided the reforms enacted on the U.S. intelligence community using the Rockefeller Commission’s work in order to gain legitimacy for his reforms. On Capitol Hill, the Year of Intelligence ended in conflict after the final report of the Pike committee was leaked to the press. Furthermore, controversy surrounding disrupted agency operations and the death of a
CIA official contributed to a change of public opinion regarding the congressional investigations.

Despite the plethora of existing scholarship on the Year of Intelligence, few scholars have given appropriate attention to the significance of the Rockefeller Commission. Instead, many of those who analyze the Year of Intelligence focus on the Church and Pike committees and the resurgence of congressional initiative in foreign policy and CIA oversight in 1975. Scholars fail to appropriately acknowledge the factors guiding the Ford administration’s response to the allegations against the CIA.

An in-depth analysis of the Rockefeller Commission offers perspective on some of the larger trends of the mid-1970s. Specifically, this study touches on trends such as the fall of the so-called imperial presidency, the end of congressional deference to the executive branch, changes to the congressional committee structure, the resurgence of investigative journalism in the post-Watergate years, and the breakdown of the Cold War consensus. After a lengthy, unfulfilling war in Vietnam and the near-impeachment of a president, trust in the executive branch was at an all time low when Gerald Ford entered the White House in 1974. Moreover, after decades of growing frustration with their meager role in CIA oversight, members of Congress were unwilling to allow the president to dominate the investigation.

As mentioned, an expansive scholarly record on the Year of Intelligence exists. These works present a variety of thematic emphases, from changes in congressional oversight to studies on the CIA’s role in American Democracy. Furthermore, personal accounts of the Year of Intelligence have been left in the memoirs of Ford administration
officials, committee staff workers, and various intelligence officials. For example, President Gerald Ford’s *A Time to Heal* (1980), Secretary of State Henry Kissinger’s *Years of Renewal* (1999), and Director of Central Intelligence William Colby’s *Honorable Men* (1978) all include discussions of the Year of Intelligence from the executive branch’s perspective. Former CIA official Ray S. Cline’s *The CIA under Reagan, Bush, and Casey* (1981), Scott Breckinridge’s *CIA and the Cold War* (1993), and Harry Rositzke’s *The CIA’s Secret Operations* (1977) offer the Agency’s stance on the harm done by the investigations. In addition, former Church committee staffers, Loch Johnson and Gregory Treverton, analyze the Year of Intelligence in the former’s *A Season of Inquiry* (1988) and the latter’s *Covert Action* (1987). Finally, David Belin, executive director of the Rockefeller Commission, offers his perspective in *Final Disclosure* (1988).

These recollections offer contradictory narratives of the Year of Intelligence and the significance of the congressional committees and the executive investigation. Ford, Kissinger, and Colby stress the damage done to U.S. foreign policy and agency operations due to the congressional inquiries. Kissinger argues that the investigations into the CIA represented an attack on the substance of U.S. foreign policy overall – specifically programs of which he was the architect, like the SALT negotiations and détente. In *A Time to Heal*, Ford argues he understood the necessity for the congressional investigations but feared unnecessary disclosures of classified information, leading him to establish the Rockefeller Commission to conduct a more responsible study. Finally, Colby highlights the changes already occurring in the CIA prior to the Year of
Intelligence and credits the investigations with providing public education of the CIA’s actual role in the world. Nevertheless, Colby maintains that the investigations put strain on agency operations during the year.

Recollections from those in the CIA and Congress further complicate the narrative. Cline, Breckinridge, and Rositzke argue strongly in favor of the agency. They credit the agency as an important line of defense in the fight against communism while maintaining that Congress should have little to no role in CIA oversight. Rositzke, in particular, stresses that the congressional investigations were little more than “expensive theater,” serving only to damage the agency’s reputation and morale. Johnson and Treverton, of the Church committee, note the importance of the CIA but also acknowledge the dangers of having a secret agency unrestrained by law. Finally, David Belin’s Final Disclosure stresses the autonomy of the Rockefeller Commission and the difficulty of its interactions with the Ford administration, the CIA, and Congress.

The Year of Intelligence has been popular among scholars of the Cold War, specifically those interested in Congress and the CIA. Three waves of secondary scholarship can be distinguished in publications of the last forty years, frequently following controversial events relating to the CIA or U.S. intelligence community. Tension between the executive and legislative branches remains an enduring theme of many of these works, yet opinion of the agency varies considerably. The most prevalent topics of the existing scholarship focus on the congressional role in CIA oversight and the dangers posed by the “Imperial Presidency” and on an unrestrained CIA.

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6 Not all former CIA employees held the agency in high regard; for example, Philip Agee’s Inside the Company (1975) and John Stockwell’s In Search of Enemies (1978) offer extreme criticisms of the CIA and its operations.
In the immediate aftermath of the Year of Intelligence, scholars lacked a consensus on where to place the blame for the CIA’s questionable activities. *The Lawless State* (1976) by Morton Halperin, et. al., portrays the CIA as a dangerous agency bent on promoting a tyrannical government in the United States. Thomas Powers’s biography of former DCI Richard Helms, *The Man who Kept the Secrets* (1979) asserts that the CIA’s abuses stemmed from presidential pressures. For example, Powers shows how President Lyndon Johnson’s insistence on infiltrating domestic anti-Vietnam War groups, despite the illegality of the action, forced the CIA to act against its mandate. Thomas Franck and Edward Weisband’s *Foreign Policy by Congress* (1979) describes the Year of Intelligence as a “war between the branches.” The authors assert that the Year of Intelligence brought a revolutionary change in the American political system, overturning the executive branch’s dominance in foreign policy.

From the mid-eighties through the nineties, scholarship addressing the Year of Intelligence came in response to the Iran-Contra scandal. Scholars attempted to understand the achievements and failures of the investigations of the Year of Intelligence in light of the Reagan administration’s ability to skirt congressional oversight to maintain weapons sales to the Contras in Nicaragua. John Ranelagh’s *The Agency* (1986) offers one of the best histories of the CIA to date. Ranelagh demonstrates how, throughout its history, the agency has been subservient to presidential desires. Rather than blame the agency for involvement in suspect activities, he asserts that various administrations pushed the CIA toward such actions, and as the “President’s Men,” the agency couldn’t say no. John Prados’s *President’s Secret Wars* (1996) offers a similar argument.
Furthermore, Prados argues that from 1947 until 1975, the White House worked hard to avoid intelligence reforms. This insistence on protecting the agency created built-up tension with Congress by 1975, making the Year of Intelligence all the more volatile.

A significant portion of the scholarship published in the 1990s describes both the importance of maintaining the CIA as well as of ensuring strong congressional oversight. James Lindsay’s *Congress and the Politics of U.S. Foreign Policy* (1994) and Frank Smist, Jr.’s *Congress Oversees the U.S. Intelligence Community* (1994) largely follow this narrative. Rhodri Jeffreys-Jones also advocates the necessity of a congressional role in CIA oversight in *The CIA and American Democracy* (1989). Jeffreys-Jones argues that the Year of Intelligence provided a new and necessary legitimacy for the agency. Finally, Kathryn Olmsted’s *Challenging the Secret Government* (1996) remains one of the only publications focused entirely on the Year of Intelligence. Olmsted strongly supports the congressional investigations and their reform efforts, describing them as the last major liberal crusade against the Cold War consensus.

Finally, the third wave of scholarship came in response to the September 11, 2001 terrorist attacks and President George W. Bush’s “War on Terror.” Recent biographies of William Colby contribute to this third wave. The first, *Lost Crusader* (2003) by John Prados, argues that America’s understanding of the CIA is vague and ill-informed; Prados asserts that this lack of understanding nearly destroyed the agency in 1975. However, Colby’s effort at educating the public, through the investigations, saved the agency and made it stronger. Randall Woods’s *Shadow Warrior* (2013) follows Prados’s
argument closely. Yet, Woods’s biography focuses more on Colby’s life in the CIA and his role in the Vietnam War.

Scholarship on the CIA has increasingly taken a negative view of the Agency. Tim Weiner’s *Legacy of Ashes* (2007) details the consistent failures of the CIA. According to Weiner, “*Legacy of Ashes* is a record of the first sixty years of the Central Intelligence Agency. It describes how the most powerful country in the history of Western civilization has failed to create a first-rate spy service.”⁷ A recent publication by John Prados, *The Family Jewels* (2013), compares CIA failures that came to light in 1975 with those committed under the George W. Bush administration. Prados emphasizes the importance of key figures, such as Donald Rumsfeld and Dick Cheney, in both eras of CIA controversy.

The Year of Intelligence is frequently used as an example of the benefits of congressional oversight. Scholars claim that the Church and Pike committees enacted important changes and altered the congressional role in foreign policy creation. Kathryn Olmsted’s *Challenging the Secret Government* provides an excellent example of this. Olmsted shows how Congress and the media reformed CIA oversight and credits the investigations with the final breakdown of the Cold War consensus. However, Olmsted gives scant attention to the Rockefeller Commission compared to her analysis of the Church and Pike committees. Kenneth Kitt’s *Presidential Commissions and National Security* (2006) offers an excellent, yet brief, analysis of the Rockefeller Commission and the Ford administration’s response to the Year of Intelligence. However, the Rockefeller

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Commission is only a case study in his larger argument on the importance of presidential commissions.

Recently new research and information on the autonomy of the Rockefeller Commission has come to light. Historian John Prados and political scientist Arturo Jimenez-Bacardi, working with the National Security Archive, released twenty-two new documents – most of which from the Gerald R. Ford Presidential Library – showing the role of then White House aide Richard Cheney in editing the Commission’s final report as well as White House pressure to suppress the Commission’s assassination report. As Prados and Jimenez-Bacardi argue, “the White House edit put words into Rockefeller Commissioners’ mouths and dispensed with concerns they had expressed.” These actions, according to Prados and Jimenez-Bacardi, “amounted to direct political interference with a presidential advisory panel.”

This work will be divided into three sections to best analyze the Ford administration’s response to the Year of Intelligence and the impact of the Rockefeller Commission. The first will focus on the precedent set by prior administrations on executive domination of CIA affairs from 1947 until 1974. By analyzing three case studies, namely the Doolittle Commission of 1954, the Taylor Commission of 1961, and the Katzenbach Commission of 1967, we can better understand both why Ford established the Rockefeller Commission as well as the growing congressional frustration with executive control of the CIA.

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The second chapter will offer an analysis of the Rockefeller Commission itself. Specifically, this chapter will look at the ways the Commission attempted to remain autonomous from the executive branch and attempted to conduct a thorough investigation with limited resources compared to that of the congressional committees. However, despite the Commission’s best efforts, most notably the efforts of its executive director David Belin, White House pressure eventually drastically influenced the Commission’s final report, resulting in the deletion of a particularly controversial chapter on assassinations.

Finally, the third chapter will analyze the second half of the Year of Intelligence as the congressional investigations began holding hearings. Instead of immediately issuing reforms following the Rockefeller Commission’s final report in June 1975, Ford decided to wait until the conclusion of the congressional committees’ work. This decision grew out of numerous factors including a fear of provoking Congress, a belief among some officials that Congress would not follow through on enacting reforms, as well as tensions between individuals within the Ford administration. Eventually leaks of information from the congressional committees and the White House’s insistence that the sensationalism of the inquiries was harming agency operations and agent safety, helped turn public opinion in the administration’s favor.

In the end, despite the initial failure of the Rockefeller Commission to preempt Congress or to enact substantial changes, Ford utilized the Commission’s work as the backbone of his Executive Order in February 1976. In Congress, the controversy surrounding leaks of classified information, as well as the leak of the Pike committee’s
final report, interrupted congressional follow-through on enacting change. Indeed, the only substantial change to come out of the congressional committees in the immediate aftermath of the Year of Intelligence was the creation of permanent oversight committees in the House and Senate.

While the Rockefeller Commission failed to act as an autonomous investigation or to preempt congressional inquiries, the Commission served to legitimize the Ford administration’s final response to the Year of Intelligence. As the congressional investigations lost public interest and support, Ford utilized the Rockefeller Commission’s work to strengthen his position. The Rockefeller Commission deserves reconsideration from scholars so we may better understand not only the Ford administration’s response to Hersh’s allegations but also the changing atmosphere of politics and foreign policy in the aftermath of Vietnam and Watergate in the 1970s as well as changing relations between the executive branch and Congress.
CHAPTER 1: DRAGGED FROM THE SHADOWS

To some extent, of course, the ground had been prepared for the crisis that followed. There had been Vietnam; there had been Watergate; there had been Chile… Each had dragged [the CIA] farther out of the shadows of anonymity and secrecy, where it had preferred to function.


Just after noon in the East Room of the White House on August 9, 1974, Gerald R. Ford made his first speech as President of the United States. It was a monumental moment in U.S. history. Former President Richard Nixon had resigned. The nation looked to President Ford to restore credibility and trust in Washington. A former, long-term member of the House of Representatives, Ford was nominated as Vice President in 1973 after Nixon’s Vice President Spiro Agnew was charged with bribery and tax fraud and forced to leave office. Ford’s nomination coincided with the growing controversy of Watergate. As threats of impeachment surrounded the Nixon White House, Nixon also chose to resign. Ford became the first unelected president in the nation’s history. After the turbulent years of Watergate and Vietnam, Ford declared, “My fellow Americans, our long national nightmare is over.”

Despite Ford’s sentiment, his presidency faced incredible difficulties. Although the Watergate investigations and U.S. involvement in Vietnam ended, the public suspicion, the media’s sensationalism, and the broken Cold War consensus continued to affect Ford’s policies. Historian Yanek Mieczkowski describes Ford as “a victim of the era.” Mieczkowski emphasizes that “governing during the 1970s was enormously

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difficult. The abuses of previous presidents led Congress to circumscribe presidential power and resist presidential initiatives. The media openly investigated and assailed presidents, and the public mood was often grim.\textsuperscript{10}

In order to understand the legislative and executive responses to the Year of Intelligence, one must consider the historical factors that led to presidential domination of the agency, congressional frustration with the executive branch, and lack of proper CIA oversight. This chapter will begin by briefly discussing the rise of the so-called Cold War consensus and the imperial presidency as well as the CIA’s role within these trends. It will also discuss the changes in congressional deference to the executive in regard to CIA oversight by analyzing three inquiries into CIA activity that altered congressional and public perception of the agency: the Doolittle Commission of 1954; the Taylor Commission of 1961; and the Katzenbach Commission of 1967. Finally, this chapter will consider the effects of Vietnam and Watergate on the CIA and executive-legislative relations. This discussion will show that while Ford’s decision to create a presidential commission had historical precedent, with each major CIA controversy, there was a growing legislative suspicion of the agency. By 1974, due to historical trends such as the breakdown of the Cold War consensus and fall of the imperial presidency, although Ford may have hoped to maintain dominance of the CIA, members of Congress would attempt to redefine their role in CIA oversight.

\textsuperscript{10} Yanek Mieczkowski, \textit{Gerald Ford and the Challenges of the 1970s} (Lexington: The University Press of Kentucky, 2005), 357.
World War II changed global power structures. After six years of intense fighting, the majority of Europe was left in ruins; major cities were destroyed and economies struggled to recover after the war. Comparatively, the United States and the Soviet Union were more powerful than ever. Yet, despite compromises made between the two nations during the war, the already fractured relationship did not last in the postwar years. The conflicting ideologies and the desire of both nations to promote their vastly different systems of government around the world led to a new type of war fought through battles of innovation, proxy wars, and realms of influence. By the late 1940s, both nations viewed the other as a threat to their way of life.

In *The Imperial Presidency*, historian Arthur Schlesinger, Jr. explains that the Cold War, “with its uncertain definitions and its shifting boundaries, appeared to create unprecedented problems for foreign policy. The menace of unexpected crisis hung over the world, demanding, it was supposed, the concentration within government of the means of instant decision and response.”11 In the United States, the threat of the communist menace led to a “Cold War consensus,” an era of unprecedented national agreement on the danger of communism and a media, public, and Congress largely supportive of executive foreign policy initiatives. Many believed that unless the United States stood strong against the Soviets, American democracy faced destruction.

From 1947 until the late 1960s, the executive branch dominated foreign policy formation while Congress, usually without question, appropriated the funds requested for

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national defense. The threat of Soviet influence led those who supported cuts to defense spending to be chastised for being soft on communism. Meanwhile, the opportunity to bring government weapons development contracts back to their home states and districts encouraged those on Capitol Hill to further support Cold War foreign policy. As historian Robert David Johnson argues, “The spreading of weapons contracts around the country transformed defense into an economic as well as national security matter.” By the mid-1960s members of Congress ceded most of their authority in foreign policy matters to the president.

Schlesinger argues, “The bipartisan foreign policy was not a good idea. It was only a necessity. At least it was a necessity for those who believed that the American national interest enjoyed resistance to the Stalinization of Western Europe. But it encouraged crisis diplomacy, and therefore escalated public emotion.” This Cold War mentality brought an “unprecedented centralization of decisions over war and peace in the Presidency.” While Americans prepared for the possibility of nuclear war by installing bomb shelters and practicing duck and cover drills, they also demanded their leaders stand strong against the Soviets. Although Congress frequently questioned the president’s domestic politics, the majority of foreign policy decisions were left to the executive branch.

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15 Schlesinger, *The Imperial Presidency*, 129.
16 Ibid, 208.
Historian Thomas Powers writes that, “The history of the CIA is the secret history of the Cold War.”\(^{17}\) While born as a response to the attack on Pearl Harbor, the CIA was shaped by the events of the Cold War. The National Security Act of 1947 established the CIA in hopes of preventing another attack similar to the one on Pearl Harbor on December 7, 1941. Although numerous agencies collected intelligence for their own purposes in 1941, no agency existed to synthesize the information collected. After Pearl Harbor, government officials realized that the fragmentation of the intelligence community prevented warning of the impending attack.\(^{18}\)

To remedy the fragmentation, President Harry Truman decided to push for the nation’s first peacetime intelligence agency. The National Security Act of 1947 placed the agency under the direction of the National Security Council (NSC) with broad, ill-defined responsibilities. Their duties included: advising the NSC on intelligence gathered; making recommendations to the NSC regarding intelligence; collecting and evaluating intelligence gathered from other government agencies; and performing “such other functions and duties related to intelligence by affecting national security as the National Security Council may from time to time direct.”\(^{19}\) By the fall of 1947, “such other functions” came to mean performing covert operations around the world.\(^{20}\) The National Security Act also banned the CIA from any police, subpoena, or internal security functions.

\(^{19}\) The National Security Act of 1947.
For nearly thirty years, the CIA and Congress maintained a very informal relationship. Historian John Ranelagh explains, “This worked because the agency was trusted, its directors were respected, and it was seen as being America’s principal defense against the subterranean machinations of world communism.”21 Most members of Congress preferred not to know the details of CIA operations, believing the CIA was in the president’s realm of control. Despite a minority on Capitol Hill that eyed the CIA warily, most chose to support the president and the agency.

A select number of senior members of the House and Senate Armed Services and Appropriations committees were responsible for congressional CIA oversight. However, these members preferred not to rock the boat, appreciating the fact they were in on some of the nation’s most important secrets.22 The senior members of these committees were some of the most powerful members of Congress, protected by a seniority system that kept them in positions of power as long as they continued to be elected.23 During his days in the House, Ford served for nine years on the intelligence oversight subcommittee of the House Appropriations Committee. Ford, like many other members of Congress on CIA oversight committees, took pride in his knowledge and support of CIA operations.24

When congressional oversight committees did hold meetings, they were unannounced to avoid media attention and the staff was kept to a minimum. Intelligence officers did not find out about the exact location of the meeting until an hour before it

22 Johnson, Congress and the Cold War, xx-xxi; Prados, Presidents’ Secret Wars, 328.
was scheduled to begin.25 One of the Senate committees earned the nickname BOGSAT for ‘bunch of guys sitting around a table,’ due to their lack of interest in learning about CIA activities during oversight meetings.26 As former Church committee staffer, Gregory Treverton writes, “With the cold war [sic] at its height, members of Congress shared the feeling that the United States had to act. They were prepared to give the president considerable discretion in conducting clandestine operations, including covert action.”27 Many members of Congress felt the same as Senator Leverett Saltonstall (R., Massachusetts) who said, “It is not a question of reluctance on the part of CIA officials to speak to us. Instead it is a question of our reluctance, if you will, to seek information and knowledge on subjects which I personally, as a member of Congress and as a citizen, would rather not have.”28

Despite over two hundred resolutions introduced from 1947 to 1974 meant to improve congressional oversight of the intelligence community, few made it out of committee and none were passed by Congress.29 Two major challenges by Senators Mike Mansfield (D., Montana) and Eugene McCarthy (D., Minnesota) in 1955 and 1961, respectively, failed due to the reluctance on Capitol Hill to endanger operations, the strong belief in congressional deference to the president, and because of the structure of the congressional committee system.30

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25 Smist, Congress Oversees, 4.
26 Johnson, Congress and the Cold War, 130.
Nevertheless, due to its secretive nature and a lack of public education on the functions of the agency, the CIA was easily susceptible to controversy. Furthermore, its vague charter led various administrations to use the agency for questionable operations while maintaining “plausible deniability,” wherein they could claim the administration was not involved in controversial operations. The CIA became the chosen tool to prevent the spread of communism around the world, sent on missions to influence other nation’s elections and to prevent the rise of communist governments.

Between 1949 and 1973, nearly twenty investigations of the intelligence community occurred. These studies varied in purpose, size, and significance. Three of these investigations are especially important to consider in reference to the Year of Intelligence. The first, the Doolittle Commission of 1954, was an attempt by the Eisenhower administration to maintain executive dominance of the agency and set the precedent for other administrations to follow. The next was the Taylor Commission of 1961, President Kennedy’s response to the Bay of Pigs fiasco. Despite a period of intense public criticism, the agency was able to maintain its lack of oversight and continue covert operations mostly uninterrupted. Finally, under the Johnson administration, the Katzenbach Commission of 1967 was a response to allegations of CIA support of domestic organizations, such as Michigan State University and the National Students Association. As the National Security Act of 1947 stipulates that the agency have no internal security functions, CIA involvement with domestic agencies caused considerable uproar. However, due to the war in Vietnam, Johnson was able to make minimal changes to oversight to protect the agency.
When analyzed together, these three inquiries demonstrate the growing tension surrounding executive-legislative relations and growing distrust of the CIA among the public and the media. Nevertheless, none of these inquiries led to major reform of the agency and congressional deference continued contributing to the assertive nature of Congress during the Year of Intelligence.

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In July 1954, President Dwight D. Eisenhower established the Doolittle Commission under Lieutenant General James H. Doolittle, a famous World War II aviator, to conduct an investigation of the efficiency of the CIA. Numerous factors influenced Eisenhower’s decision to create the Doolittle Commission, all related to an upsurge of congressional interest in the CIA in the early 1950s. In the summer of 1953, Senator Joseph McCarthy (R., Wisconsin) announced he had reason to believe that over one hundred communists had infiltrated the CIA. 31 In 1953, 1954, and 1955, Senator Mike Mansfield introduced three separate proposals in hopes of creating a new CIA oversight committee in the Senate. While McCarthy’s attacks on the agency gained little traction and Mansfield’s proposals failed, when the congressionally sponsored Commission on Organization of the Executive Branch of the Government (or Hoover Commission, after its chairman former President Herbert Hoover) decided to create a special task force to investigate the CIA’s organization, operations, and administration, Eisenhower decided to intervene. The task force, established in 1954 and chaired by retired Army General Mark W. Clark, was perceived as especially threatening since its final report, including any findings on the CIA, would go to all members of Congress.

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31 Ranelagh, The Agency, 238.
Eisenhower viewed the CIA as an important instrument to fight the Cold War and he was protective of it. Many scholars have described the Eisenhower administration as the CIA’s “Golden Age” after successful covert operations in Iran, Italy, the Philippines, and Guatemala. While historian Rhodri Jeffreys-Jones argues, “the CIA’s golden age invites a sober assessment,” because, “the era’s covert operations were excessive and stored up trouble for the future,” at the time, fears of Soviet espionage and the spread of communism protected the agency.

While congressional oversight of the CIA was minimal and largely favorable during the Eisenhower administration, Eisenhower was reluctant to stand idly by while the Clark Task Force combed through CIA’s operational records.

In response, Eisenhower established the Doolittle Commission, largely as a measure to prevent the Clark Task Force from examining CIA operations. To do this, Eisenhower persuaded the Clark Task Force not to duplicate the work of the Doolittle Commission, thus keeping Congress out of CIA’s clandestine operations. While the Doolittle Commission analyzed personnel, security, cost, and efficiency of covert operations, the Clark Task Force looked at organizational and administrative factors.

The public learned little about the Commission and its investigation; furthermore, no archival material was left because most of the Commission’s papers were destroyed.

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While the final report of the Doolittle Commission was critical in some areas, it largely emphasized that there were “no rules” in the global fight against communism. In a telling passage the Commission wrote:

It is now clear that we are facing an implacable enemy whose avowed objective is world domination by whatever means and at whatever cost. There are no rules in such a game. If the United States is to survive, long-standing American concepts of “fair play” must be reconsidered. We must develop effective espionage and counterespionage services and sophisticated and more effective methods than those used against us.  

The report argued that as long as the United States intended to stand strong against communism, “an aggressive covert psychological, political and paramilitary organization more effective, more unique and, if necessary, more ruthless than that employed by the enemy,” was needed. This mentality stuck for years to come and protected the agency through numerous controversies.

The Clark Task Force followed in supporting the agency, however, it warned, “The CIA operates without the customary legislative restraints and reins under which other departments must function. Its work is veiled in secrecy, and it is virtually a law unto itself.” The final report by the Hoover Commission also pushed for better legislative control of the agency, arguing:

Although the task force has discovered no indication of abuse of powers by the CIA or intelligence agencies, it nevertheless is firmly convinced, as a matter of future insurance, that some reliable, systematic review of the agencies and their

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36 Ibid.

operations should be provided by congressional action as a checkrein to assure both the Congress and the people that this hub of the Intelligence effort is functioning in an efficient, effective, and reasonably economical manner.  

Nevertheless, despite acknowledgements of a need for better congressional oversight, little changed on Capitol Hill, due in part to the consequences of the actions of Senator McCarthy.

Scholars have shown that McCarthy’s attacks on the CIA left a lasting scar on future congressional initiatives of CIA oversight. Historian Kathryn Olmsted argues that McCarthy’s “reckless and destructive investigations of the executive branch would haunt Congress for years.”

Presidents, beginning with Eisenhower, claimed any attempt of congressional intrusion into executive affairs was an example of McCarthyism reborn. This threat discredited proposals for congressional oversight and further buried the agency within the shadows, creating more ignorance about the agency’s nature and its work.

On January 6, 1975, William P. Pawley, former Vice Chairman of the Doolittle Commission, wrote to President Ford recommending, “that this present [Rockefeller] investigation be conducted in a manner similar to [the Doolittle] committee and that every effort be made to try to persuade Congressional [Church and Pike] committees to postpone their investigations and furnish them with the results of your committee’s

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39 Olmsted, Challenging the Secret, 43.
40 Ibid, 43.
41 Jeffreys-Jones, The CIA and American Democracy, 77.
findings.”42 However, the political climate in Washington was drastically different than what it was in 1954 and Congress was more suspicious of agency activity and unwilling to sit passively on the sidelines. Nevertheless, Eisenhower’s actions in 1954 set a precedent that would lead to a stronger reliance on CIA covert operations, greater presidential protection, and lack of necessary congressional oversight.

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According to former Church committee staffer, Gregory Treverton, “The Bay of Pigs marked the end of an era for the CIA.”43 In mid-April 1961, the CIA sponsored Operation Zapata in which over 1,500 Cuban exiles launched a nighttime sea invasion of Cuba hoping to oust Cuban leader Fidel Castro and form a new provisional government. However, the mission failed spectacularly. Within three days the exiles were defeated, with one hundred killed and the rest captured by Castro’s forces.44 President Kennedy established two inquiries in response to the failed invasion. The first, the Taylor Commission, and the second, the Kirkpatrick investigation, helped the executive branch once again prevent what might have been an in-depth congressional probe into the agency.45

Operation Zapata was developed after Fidel Castro and his Fidelistas ousted the pro-U.S. regime of Fulgencio Batista. Beginning in March 1959, only three months after

Castro’s ascendency, plans began to develop in the CIA and NSC to remove Castro from power. The Cuban operation was heavily influenced by the CIA’s many successes during the Eisenhower administration, especially Operation PBSUCCESS in Guatemala in 1954. Historian Piero Gleijeses notes there are “striking similarities” between the Guatemalan operation to overthrow President Jacobo Arbenz and the Cuban operation to overthrow President Fidel Castro.\(^\text{46}\) Specifically, many of the same individuals were involved in both operations, success in Guatemala led to a strong ‘can do’ sense in the CIA, as well as a lasting sense of American right to dominance in Latin America.\(^\text{47}\) CIA leadership and top Kennedy officials believed that, just like Guatemala, the use of propaganda, air support, and trained exiles would lead to victory in Cuba.\(^\text{48}\)

Nevertheless, where PBSUCCESS succeeded for the CIA, Zapata failed. Despite the support of the Joint Chiefs of Staff and the authorization of both President Eisenhower and Kennedy, last minute changes meant to increase the Kennedy administration’s ability to claim plausible deniability fractured the operation’s chances of success. Plans to provide air support for the Cuban exiles invading Cuba and the landing site were changed right before the operation took place. Furthermore, considerable miscommunication between the CIA and White House contributed to the operation’s failure.\(^\text{49}\) Furthermore, the media created problems for the CIA. On April 7, 1961, The New York Times ran a headline story describing the build-up of Cuban exile forces in

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\(^{47}\) Ibid, 41.

\(^{48}\) Dunne, “Perfect Failure,” 453.

\(^{49}\) Ibid, 455; Gleijeses, “Ships in the Night,” 2.
Florida and Guatemala, alerting Castro to the fact the United States was planning an operation.\textsuperscript{50}

Historian Simon Willmetts notes that the Bay of Pigs inspired an unprecedented amount of negative criticism with widespread media exposure and public attention to CIA covert action.\textsuperscript{51} Willmetts claims that the public’s unease with the CIA’s activities, culminating in the 1975 investigations, had its roots in the Bay of Pigs operation.\textsuperscript{52} Furthermore, he argues that the Bay of Pigs put the first cracks in the Cold War consensus. However he notes, “The consensus did not immediately collapse – it would take several more foreign policy disasters, and in particular the tragedy of Vietnam, before its edifice crumbled.”\textsuperscript{53}

Kennedy was furious with the CIA and the entire U.S. military establishment after the Bay of Pigs failure. Historian William Corson writes, “The ill-fated Bay of Pigs invasion was a tragedy of epic proportions. It resulted in needless loss of lives, damaged America’s international relations and standing in the United Nations… put America’s intelligence community members, especially the CIA, under a cloud, and caused President Kennedy to suffer personal embarrassment at a critical time in his administration.”\textsuperscript{54} In the immediate aftermath of the fiasco, Kennedy considered destroying the CIA, telling aides he wanted to “splinter” the agency “into a thousand

\textsuperscript{51} Willmetts, “The Burgeoning Fissures,” 169.
\textsuperscript{52} Ibid, 170.
\textsuperscript{53} Ibid, 187.
pieces and scatter [it] to the winds.” Nevertheless, few actual changes occurred, either in executive-CIA relations or in congressional oversight of the CIA.

Instead of destroying the agency, Kennedy transferred paramilitary activities to the Department of Defense, placed his brother, Robert Kennedy, informally in charge of the intelligence community, and reinstituted an executive board for intelligence oversight, renamed the Presidents Foreign Intelligence Advisory Board. Moreover, Kennedy established two inquiries to investigate the failure: the Taylor Commission and an in-house inquiry at CIA under Lyman Kirkpatrick.

The Taylor Commission included Army Chief of Staff General Maxwell Taylor, Director of Central Intelligence Allen Dulles, Chief of Naval Operations Arleigh Burke, and Attorney General Robert Kennedy. The Taylor Report focused on administrative rather than operational failures in the Bay of Pigs; however, it did not shy away from looking at the White House’s role in the fiasco. CIA Inspector General Lyman Kirkpatrick’s inquiry focused on the personalities responsible for the Bay of Pigs, also criticizing a variety of other agencies for their contributions to the failure. John Ranelagh explains that Kirkpatrick conducted his inquiry “with absolute ruthlessness.” But the report fell on deaf ears as the Kennedy administration was now utilizing the agency to induce change in Cuba through different measures – namely assassination plots on Castro.

55 Quoted in Prados, Presidents’ Secret Wars, 210; Weiner, Legacy of Ashes, 180.
56 Treverton, “Intelligence,” 74.
Once again, Congress was largely kept out of the investigations. Senior members of committees continued to use their influence and power to keep CIA oversight informal. After the Bay of Pigs, Senator Eugene McCarthy proposed a formal oversight committee for the CIA, yet, once again, the proposal failed. Furthermore, the CIA’s determination to meet the Kennedy administration’s demands for the termination of Castro’s presidency helped restore CIA-executive relations. Nonetheless, according to James Schlesinger in 1975, following the Bay of Pigs fiasco, the entire intelligence community began to “lie low.” The CIA and other intelligence agencies began relying on more technical means, such as satellites, to intercept intelligence information rather than clandestine means. The change in information collection caused a decrease in the number of agency personnel and, after the failure, an atmosphere of second and third-guessing operations.

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In early 1967, the CIA faced another period of controversy when a series of articles published in Ramparts magazine accused the CIA of infiltrating domestic organizations and universities. The Ramparts articles sparked further revelations in the New York Times of CIA involvement with U.S. corporations, research centers, and student groups. For years the CIA had been developing confidential relationships with

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61 Ibid, 479.
63 President’s Commission on CIA Activities, 13 January 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 13, Folder 332.2, The Rockefeller Archive Center, Sleepy Hollow, New York (hereafter RAC).
these groups to assist in preventing communist efforts at influencing U.S. organizations.\textsuperscript{65}
At the same time, dissatisfaction with growing U.S. involvement was spreading in the American public, making suspicions of the CIA more volatile. In response to the media frenzy, President Lyndon B. Johnson established the Katzenbach Commission, chaired by Undersecretary of State Nicholas Katzenbach to prevent a hostile congressional inquiry into the matter.\textsuperscript{66}

The \textit{Ramparts} staff took an immediate interest in the growing U.S. involvement in the Vietnam conflict. While conducting research for his first investigative piece on CIA involvement in Vietnam, Robert Scheer found connections between the CIA and Michigan State University (MSU). Upon meeting with former MSU professor Stanley Sheinbaum, who co-directed the University’s Vietnam Project in 1957, Scheer uncovered details of CIA funding and infiltration at MSU. Specifically, from 1955 to 1956 the CIA maintained a $25 million contract with MSU, conducting a police-training program for South Vietnamese students, hiring CIA agents as faculty, maintaining stocks of ammunition, and assisting in writing the South Vietnamese constitution.\textsuperscript{67}

However, an even more damaging story from \textit{Ramparts} was yet to come. In March 1967, \textit{Ramparts} reported that the CIA was funneling money into the National Students Association (NSA) and using it as a conduit to channel money to other foreign organizations. The article argued that, “So intimately was the CIA involved in NSA’s

\textsuperscript{65} Transcript of William Colby’s Testimony before the Commission on CIA Activities within the United States, 13 January 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 13, Folder 322, RAC.
\textsuperscript{66} Johnson, \textit{A Season of Inquiry}, 10.
\textsuperscript{67} Ranelagh, \textit{The Agency}, 332; Peter Richardson, \textit{A Bomb in Every Issue: How the Short, Unruly Life of Ramparts Magazine Changed America} (New York: The New Press, 2009), 50.
international program, that it treated NSA as an arm of U.S. foreign policy.\textsuperscript{68} The NSA story inspired other major media outlets, most notably the \textit{New York Times}, to publish their own exposes on questionable CIA relationships with labor organizations, nonprofit groups, and other domestic and foreign organizations. It became apparent that other universities, such as the Massachusetts Institute of Technology, and other organizations, such as the American Federation of Labor and Congress of Industrial Organizations, had similar contracts with the CIA.\textsuperscript{69}

Rhodri Jeffreys-Jones argues, “The Katzenbach inquiry was, it must be conceded, a turning point of sorts. Its report recognized the principle of restraint in one significant area of covert operations, in a way that promised better awareness of foreign and domestic opinion, yet retained the option of flexible response to foreign plots against U.S. national security.” Nonetheless, its impact remained “merely cosmetic” because Johnson underestimated the significance of the \textit{Ramparts} affair.\textsuperscript{70}

The Commission was made up of Katzenbach, who had also served as Attorney General under Johnson, CIA Director Richard Helms, and Secretary of Health, Education, and Welfare John Gardner. In its final report, the Commission recommended that U.S. federal agencies should refrain from providing financial assistance for U.S. academic and voluntary organizations.\textsuperscript{71} Johnson followed the Commission’s suggestion

\textsuperscript{70} Jeffreys-Jones, \textit{The CIA and American Democracy}, 163-164.  
and enacted a ban on CIA covert assistance to these groups, but he decided to avoid dealing with any more substantial reforms for the agency.

Furthermore, in 1967 the nation, the media, Congress, and Johnson himself, were all preoccupied with the ongoing situation in Vietnam. Therefore, while the *Ramparts* articles harmed the CIA’s public image and negatively impacted CIA-subsidized organizations such as the Congress for Cultural Freedom, the increasing public upheaval surrounding the Vietnam War became a greater concern for the public and the media. However, the *Ramparts* affair added to the already growing suspicion and distrust of the agency. In conjunction with the Bay of Pigs and the legacy of presidential protection of the agency, *Ramparts* was stored up trouble for later.

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The combined effects of Watergate and Vietnam had detrimental impacts on public and congressional opinion of the CIA. Historian Robert David Johnson explains, “Vietnam set the stage for the first wholehearted congressional challenge to executive authority since the revisionists’ efforts of the 1950s. When combined with the political and institutional effects of Watergate, Congress was situated to assume a degree of control over U.S. foreign policy unmatched since before World War II.”

As dissent, disillusionment, and distrust ran rampant amongst the American public, the Cold War consensus fell apart. In his memoir, *Honorable Men*, William Colby explains that the Year of Intelligence was a result of “All the tensions and suspicions and hostilities that had been building about the CIA since the Bay of Pigs and had risen to a

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72 Johnson, *Congress and the Cold War*, 143.
combustible level during the Vietnam and Watergate years.”

Furthermore, Thomas Powers argues, while the CIA “had been in unwelcome spotlights before, [Watergate] did what the Bay of Pigs had not: it undermined the consensus in trust in Washington which was a truer source of the agency’s strength than its legal charter… In addition, Watergate ended the long congressional acquiescence to the special intimacy between the CIA and the President… Watergate, in short, made the CIA fair game.”

The breakdown of the imperial presidency and the widening credibility gap that occurred under Johnson’s administration continued when Nixon further weakened the American public’s trust in government through Watergate. In the moment, Watergate provided a pivotal blow to the imperial presidency and created the necessary conditions for a renewed congressional challenge to the executive branch. Although, it can be argued the imperial presidency regained strength in the Reagan administration, the mid-1970s witnessed a low point for the executive branch. The CIA became caught up in the scandal as allegations of CIA involvement reached the public. Yanek Mieczkowski writes, “Watergate changed how Americans saw their government and their president more radically than any other event since the New Deal. But while the New Deal prompted Americans to view the federal government as a benevolent force and the president as their friend, Watergate convinced most Americans that their president was evil.”

Changes on Capitol Hill in response to Vietnam and Watergate further contributed to the timing and potency of the Year of Intelligence. The 1974 election

73 Colby, Honorable Men, 391.
74 Powers, The Man who kept the Secrets, 258.
75 Mieczkowski, Gerald Ford and the Challenges, 21.
brought in new members of Congress who were frustrated with the powers of the executive branch and who hoped to expand congressional assertiveness in foreign policy and oversight of the executive. The American public expressed their frustration with Watergate, Ford’s pardon of Nixon, double-digit inflation, rising unemployment, and an energy crisis by electing a class of young, liberal members of Congress. In the House, Democrats won an overwhelming majority of 291 to 144 over their Republican counterparts. Of the newly elected Democrats, seventy-five were freshmen members and thirty-five of the seventy-five were holding office for the first time.

This class, nicknamed the “Fighting Ninety-fourth” and the “Watergate Babies” for their assertive nature and continuation of the Watergate investigative mentality, focused on regaining congressional power. Furthermore, these young members were not willing to abide by traditional rules on Capitol Hill, namely that new members should be seen and not heard. As Mieczkowski describes, these young members of Congress “were fiercely independent, resistant to the traditional seniority concepts of Congress, and eager to defy authority.” These members began to change the seniority system and as many of the ranking members were leaving due to old age, younger more left-leaning members replaced them.

The Ford administration got their first taste of the Fighting Ninety-fourth in September 1974 when journalist Seymour Hersh published leaked testimony showing CIA involvement in the overthrow of Chilean President Salvador Allende. On September 8, 1974 Hersh published a statement from William Colby during a secret hearing before

76 Mieczkowski, Gerald Ford and the Challenges, 61.
77 Ibid 62.
78 Ibid, 62.
the House’s CIA oversight subcommittee showing that between 1970 and 1973 the Nixon administration authorized $8 million for covert operations to destabilize the Allende government.\footnote{Olmsted, \textit{Challenging the Secret}, 17.}

The news of U.S. interference in another country’s democratic process troubled many Americans. In response, Congress decided to pass the Hughes-Ryan Amendment, requiring that the president issue a “Presidential Finding” to Congress, providing justification for CIA involvement, prior to CIA a covert operation. Further, the act required the CIA to brief eight congressional committees about their activities in a timely manner. Congressional oversight went from only a few chairs of key committees to 57 senators, 143 representatives, and hundreds of subcommittee staff members.\footnote{Smist, \textit{Congress Oversees}, 119.}

Thus, President Ford faced a situation much different than that of Eisenhower, Kennedy, and Johnson when allegations of CIA abuses were publicized in late 1974. By 1967, considerable suspicion of the CIA already existed in Congress in the aftermath of the \textit{Ramparts} scandal. However, like the presidents before him, Johnson was able to maintain executive control of the inquiry and avoid any substantial reforms or changes to the agency. Shown in the cases of the Doolittle Commission, the Taylor Commission, and the Katzenbach Commission, presidents were able to limit the scope of the CIA inquiries and keep Congress out of the process. Nonetheless, throughout the period, the Cold War consensus was fraying and with every major abuse, some members of Congress grew frustrated with their lack of oversight control. Furthermore, the combined effects of Vietnam and Watergate and the American public’s distrust of the president created an
atmosphere that didn’t allow Ford to rely on the same measures as his predecessors to deal with allegations of CIA abuse.
CHAPTER 2: STONES LEFT UNTURNED

I can assure anybody who is a citizen of this country that we’re not [conducting a whitewash operation for the CIA]; that there will be no stone left unturned.
– Vice President Nelson Rockefeller, February 17, 1975

On Wednesday, May 9, 1973, a memo from newly appointed Director of Central Intelligence (DCI) James Schlesinger circulated within CIA headquarters in Langley, Virginia. In his memo, Schlesinger directed “all the senior operating officials of this Agency to report to me immediately on any activities now going on, or that have gone on in the past, which might be construed to be outside the legislative charter of this Agency.”

Schlesinger then extended this request to all current or former employed agency personnel.

The resulting 693-page document, briefly known as “Flap Potential” and “Questions of Legality of Propriety,” eventually earned a nickname that stuck: “The Family Jewels.”

Compilation of the document was left to Deputy Director William Colby, who became director soon thereafter when Schlesinger was appointed Secretary of Defense. The “Jewels” detailed CIA involvement in a variety of controversial activities, some of which were clearly outside of the CIA’s legal mandate. These activities included use of the mafia in Castro assassination attempts, telephone taps on Washington reporters, confining a Soviet KGB defector in a cell with only a cot for two years, a

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domestic mail interception program, monitoring anti-Vietnam War domestic dissident groups, among other questionable or illegal operations.\textsuperscript{83}

The Family Jewels remained a CIA secret for one and one-half years; in fact, Colby and Schlesinger failed to brief President Nixon, President Ford, or Secretary of State/National Security Advisor Henry Kissinger on the document’s existence. Although a few key senior members of congressional oversight committees were made aware of the Jewels, it became one of the CIA’s most closely guarded secrets. According to Henry Kissinger, Colby later told him, “I let the skeletons sit quietly in the closet, hoping they would stay there.”\textsuperscript{84}

However, on December 22, 1974 an article by Seymour Hersh published in the \textit{New York Times} started a media frenzy that brought the Jewels out of the closet. “Huge CIA Operation Reported in U.S. Against Antiwar Forces, Other Dissidents in Nixon Years” accused the CIA of “directly violating its charter, conducted a massive, illegal domestic spying operation during the Nixon Administration against the antiwar movement and other dissident groups in the United States.”\textsuperscript{85} Colby noted, “A press and political firestorm immediately erupted. The charge that the Agency had engaged in domestic spying, the inference that it had become a Gestapo, proved the final spark.”\textsuperscript{86} The secrecy surrounding the agency from 1947 until 1974 led to a lack of public

\textsuperscript{83} Memorandum for Executive Secretary, CIA Management Committee, 16 May 1973, The Family Jewels Collection, Freedom of Information Act Electronic Reading Room.
\textsuperscript{84} Henry Kissinger, \textit{Years of Renewal} (New York: Simon and Schuster, 1999), 1092.
\textsuperscript{86} Colby \textit{Honorable Men}, 391.
understanding of agency operations. Americans began to fear the CIA was running amok and violating the American people’s fundamental constitutional rights.\footnote{Colby, \textit{Honorable Men}, 12.}

Ford immediately requested a detailed report from Colby explaining the origins of Hersh’s allegations. Meanwhile, the White House began planning how best to address what officials perceived as an imminent congressional threat to the agency, the administration, and U.S. foreign policy. Many in the Ford administration realized Congress would not sit on the sidelines and allow the executive branch to dominate the CIA investigation. Nevertheless, Ford took immediate steps to gain the upper hand, only fifteen days after Hersh’s article, Ford established the Rockefeller Commission, hoping it might preempt the congressional investigations and buy the administration time to make its next move. Moreover, by giving the Commission only a three-month mandate (less than half the time normally allotted for a blue-ribbon investigation) Ford ensured that the Commission’s final report would be published in the spring, before the congressional investigations had the chance to begin holding hearings.\footnote{Kitts, \textit{Presidential Commissions}, 52.}

The Rockefeller Commission, as it became known after its chair, Vice President Nelson Rockefeller, held its first hearings on January 13, 1975 – even before its staff appointments were complete. Early on it became apparent that the Commission would need more time to complete its work and in late March President Ford extended the Commission’s deadline for reporting to June 6, 1975. Over the course of the Commission’s six-month investigation, working with a limited budget and limited staff,
the Commission heard from 51 witnesses and conducted a responsible inquiry, leaking no classified information to the public.

The Commission received mixed reviews upon the publication of its final report, the *Washington Post* declared, “far from being a ‘whitewash,’ the Rockefeller commission [sic] report is a clear summons to professionalism in intelligence and respect for Americans’ rights.”  

Many papers commended the Commission’s inclusion of criticism on the CIA’s program testing LSD on unsuspecting citizens. Yet, the Commission also received enormous criticism from the press and members of Congress on the exclusion of research conducted on CIA assassinations plots from the final report. Despite indications that the Commission would address the topic, instead the report included two brief paragraphs citing insufficient time to complete an adequate inquiry.

In the words of former commissioner Erwin Griswold, “Despite the thoroughness of the report, I do not believe that it made a major impact, and it is not widely remembered.” By June 1975, the Commission’s work was largely a failed effort, Congress was not preempted, and Ford did not act on the Commission’s recommendations until eight months later. However, it was not due to the Commission’s lack of trying. Executive Director David Belin, various commissioners, and the

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Commission’s staff did their best to conduct an in-depth, autonomous inquiry. However, the Ford administration’s meddling and indecision prevented the Commission from succeeding. Instead, the Church and Pike committees in Congress dominated the second half of the Year of Intelligence and the Rockefeller Commission became a footnote to their broader, more assertive, and sensational investigations.

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Reflecting on the Family Jewels, Kissinger commented, “Such a compilation was dynamite. There was no possibility that it would not leak; the only question was when. That the ‘Family Jewels’ did not become public for fifteen months is far more astonishing than that they finally did.” 93 Former Rockefeller Commission staff member, Timothy Hardy, considered the Jewels to be a “collection of dynamite materials.” Moreover, Hardy noted, “Rarely, if ever, had any government agency pulled together in one place such a damaging document.” 94

On December 18, 1974, Director of Central Intelligence William Colby received a phone call from journalist Seymour Hersh, a Pulitzer Prize winning investigative reporter who gained fame after reporting on the My Lai massacre in Vietnam. When Hersh boldly declared he had “a story bigger than My Lai,” Colby was all ears.95 Two days later Hersh and Colby met to discuss Hersh’s impending story. Colby recounts in Honorable Men that he immediately realized Hersh had come upon aspects of the Family Jewels. Despite

93 Kissinger, Years of Renewal, 312.
95 Colby, Honorable Men, 389.
Colby’s insistence that Hersh’s sources “had confused and exaggerated” material, Hersh took Colby’s response as confirmation of his story.96

Colby notes, in the Hersh story, “all the dreadful fears and suspicions about the CIA, which had been building for years, suddenly crystallized.”97 The investigative journalism that grew out of the Watergate scandal was reignited with Hersh’s story and “a press and political firestorm immediately erupted.”98 The Hersh article, according to historian William Corson, reinvigorated the congressional and public interest in exposure of government crimes that filled the press during the events of the Watergate scandal and Nixon’s impeachment proceedings. “Overnight, the operations of the intelligence community were transformed from a staff function in support of the presidency into a pressing domestic problem with some serious legal and foreign policy implications.”99

Colby immediately called Ford, realizing that the administration was not prepared for the upcoming controversy because Nixon, Ford, nor Kissinger had been briefed. Ford, on Air Force One en route to his winter vacation in Vail, Colorado, was blindsided.100 Ford immediately ordered a report from Colby detailing the accuracy of the allegations.101 Colby sent his report on December 24, writing it unclassified with attachments dealing with the classified aspects of Hersh’s allegations, in hopes that Ford would consider making it public to discredit Hersh’s claims. Colby emphasized “while the CIA has made certain errors, it is not accurate to characterize it as having engaged in

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96 Colby, Honorable Men, 391.
97 Ibid, 12.
98 Ibid, 391.
100 Kissinger, Years of Renewal, 310.
101 Ibid, 310.
‘massive domestic intelligence activity.’” Colby’s memo argued that Hersh misinterpreted aspects of the Family Jewels and assured the President “that the Agency is not conducting activities comparable to those alleged in the *New York Times* article.”

Colby also informed Ford of orders issued in August 1973 dealing with the various allegations outlined in the Family Jewels. In twenty-one memoranda, Colby addressed each of the aspects of the Family Jewels, “to take specific action in order that these not seem to be condoned or overlooked.” For example, Colby stipulated that mail interception programs should be terminated and that no surveillance or telephone taps on U.S. citizens not connected with the CIA would be conducted. He also set firmer guidelines on activities needing specific approval from the DCI.

The Ford administration realized that Congress and the media were not going to let up until a full-scale investigation was conducted. The Ford White House considered three possible options: (1) endorsing the Colby Report and releasing it to the public; (2) staying neutral on the Colby Report and turning it over to Congress; or (3) setting up an independent mechanism to investigate the Colby Report and recommend safeguards. The White House wanted to be sure their course of action ascertained the validity of

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102 Report to the President, 24 December 1974, Richard Cheney Files, Box 5, Folder “Intelligence – Colby Report,” GRFL.
103 Ibid.
104 Memorandum for Deputy Directors from William Colby, 29 August 1973, Richard Cheney Files, Box 5, Folder “Intelligence Subseries – Colby Report,” GRFL.
105 Memorandum for Deputy Directors, 29 August 1973, Richard Cheney Files, Box 5, Folder “Intelligence – Colby Report,” GRFL; Colby, *Honorable Men*, 349.
Hersh’s charges, ensured that Ford would not be tarnished by the controversy, established adequate safeguards at CIA, and protected the CIA from over-reaction by Congress.107

On Christmas Day, after meeting with Colby to look over the Family Jewels, Kissinger wrote to Ford, emphasizing that he found the information startling, finding “that some few of them clearly were illegal, while others – though not technically illegal – raise profound moral questions. A number, while neither illegal nor morally unsound, demonstrated very poor judgment.”108 Kissinger believed the accusations of CIA misconduct were “worse than in the days of McCarthy” and that the administration was “in for a nightmare.”109 He also thought foreign policy fell under the president’s control and he viewed the upsurge of congressional interest in the CIA and foreign policy overall as a direct threat to his dominance in foreign policy formation. Nevertheless, Kissinger also feared the situation escalating. After speaking with former DCI Richard Helms, Kissinger wrote to Ford stressing, “Helms said all these stories are just the tip of the iceberg. If they come out, blood will flow.”110

As the White House contemplated how to react to the Hersh story, other events perpetuated the sensationalism of the story in the media. First, on December 24, the press found out James Angleton, Chief of Counterintelligence during the alleged CIA domestic spying operation, had resigned. Next, Helms publicly denounced all of Hersh’s accusations, despite the fact the CIA and White House had remained silent in the press.

108 Memorandum to the President, 25 December 1974, Richard Cheney Files, Box 5, Folder “Intelligence – Colby Report,” GRFL.
109 Kissinger, Years of Renewal, 312.
110 Memorandum of Conversation, 4 January 1975, FRUS Volume XXXVIII.
Finally, the recently published *CIA and the Cult of Intelligence* from former CIA agent Victor Marchetti contributed to the potency of the Hersh story. Marchetti declared, “There exists in our nation a powerful and dangerous secret cult – the cult of intelligence.” Furthermore, Marchetti wrote the CIA penetrated and manipulated private institutions, bribes and blackmails foreign officials, and “does whatever is required to achieve its goals, without any consideration of the ethics involved or the moral consequences of its actions.”

The Ford administration determined that establishing an independent mechanism to investigate the details of the Colby Report and to issue corresponding recommendations was the best course of action. Only two days after the Hersh story appeared, White House counselors Jack Marsh and Phil Buchen, recommended Ford establish a presidential commission, Kissinger soon also joined in support for the idea. On January 4, 1975, Ford issued Executive Order 11828, establishing a Commission on CIA Activities within the United States. Ford stipulated that the Commission should: (1) evaluate whether the CIA conducted activities in violation of its charter – specifically relating to the provision that the CIA have no police or subpoena powers; (2) determine whether existing safeguards could adequately protect from future abuses; and (3) make recommendations as the Commission deems appropriate. From the beginning Ford stressed, “I hope they will stay within their charter, but in this climate, we can’t guarantee

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112 Ibid, 5.
113 Kitts, *Presidential Commissions*, 49.
it. It would be tragic if it went beyond it... It would be a shame if the public uproar forced us to go beyond and to damage the integrity of the CIA.”

115 Specifically, Ford feared the Commission investigating CIA covert operations around the world or addressing a part of the Family Jewels that had not yet been revealed to the public: attempted assassinations on foreign leaders.

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Ford appointed eight commissioners to Rockefeller Commission. Rockefeller had plenty of prior experience in government and intelligence, serving as the governor of New York from 1959 to 1973 and as a member of the President’s Foreign Intelligence Advisory Board (PFIAB) during the Nixon administration – a group organized to advise the president on the efficiency of the CIA. The other seven members included: former Secretary of Commerce John T. Connor; former Secretary of the Treasury C. Douglas Dillon; former Solicitor General Erwin Griswold; Secretary-Treasurer of the AFL-CIO Lane Kirkland; former chairman of the Joint Chiefs of Staff General Lyman Lemnitzer; former President of the University of Virginia Edgar Shannon; and finally, former Governor of California Ronald Reagan.

The average age of the eight men was sixty-three, all were white, and as historian Rhodri Jeffreys-Jones notes, they were considered pillars of the establishment. 116 Although the Ford White House hoped to appoint an African American to the commission – for example, attorney William Coleman, Jr. was strongly considered –

115 Memorandum of Conversation, 4 January 1975, FRUS Volume XXXVIII.
116 Jeffreys-Jones, The CIA and American Democracy, 199.
those considered were unable to participate.\textsuperscript{117} The National Women’s Political Caucus wrote to the administration commenting that they were “deeply disturbed that no women or minorities [were] represented on the commission.”\textsuperscript{118} Moreover, in an article in the \textit{New York Times} on January 6, 1975, Seymour Hersh noted public criticism about the political philosophy of the commissioners and many members’ lack of experience in intelligence.\textsuperscript{119} Most of the public assumed the Commission’s work would only be a whitewash, covering up the abuses of the executive branch.

Originally Ford hoped to nominate Erwin Griswold as chairman, however, Griswold’s close relationship with the Nixon administration and ongoing investigations into Griswold’s possible involvement in Watergate prevented his nomination.\textsuperscript{120} Nevertheless, Rockefeller’s appointment caused considerable media criticism as well, not only because of his position as vice president but also because of his close relationship with Henry Kissinger. Nevertheless, at times, Rockefeller’s close connections with the White House worked to the Commission’s advantage, especially when the Commission needed clarification or additional information. Rockefeller could easily reach Ford or other members of the executive branch to get information.\textsuperscript{121}

\textsuperscript{117} Harry Albright to David Belin, 4 February 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 15, Folder 345, RFA; Memorandum of Conversation, 3 January 1975, \textit{FRUS Volume XXXVIII}.
\textsuperscript{118} Frances Tarlton Farenthold to President Gerald Ford, 6 January 1975, David Belin Papers, Box 23, Folder C-12, GRFL.
\textsuperscript{120} Ron Nessen, \textit{It Sure Looks Different from the Inside} (Chicago: Playboy Press Book, 1978), 56; Note from Phil Areeda, 4 January 1975, Edward Schmults Files, Box 10, Folder “CIA Comm. (Rockefeller),” GRFL.
\textsuperscript{121} Kitts, \textit{Presidential Commissions}, 60-61.
In his memoir, *Years of Renewal*, Kissinger describes Rockefeller as “one of the seminal influences in my life.”

In fact, Rockefeller assisted in transforming Kissinger’s career from academia to government. The two first met in 1955, when Kissinger was a Harvard professor and Rockefeller was an assistant to Eisenhower on international affairs, during a meeting of academic experts to discuss national security policy. Rockefeller was so impressed with Kissinger that he recruited Kissinger to coordinate a project for the Rockefeller Brothers Fund. From there, Kissinger became Rockefeller’s principal foreign policy expert. Until the time Kissinger joined the Nixon administration in 1968 as National Security Advisor, Kissinger remained a part-time consultant for Rockefeller. While Kissinger also occasionally served as a consultant with the Kennedy and Johnson administrations, Rockefeller was by far his closest connection. In 1969, when Kissinger left Rockefeller’s team, Rockefeller provided him with a severance gift of $50,000.

While the Commission’s members were criticized for being too conservative and defense-oriented, the staff was considerably more independent. Ford nominated David Belin, a lawyer from Des Moines, Iowa as Executive Director. Belin and his staff were much younger than the commissioners, with an average age of only thirty-eight. Ford selected Belin after their work together in 1963-64 on the Warren Commission. Belin emphasized to reporters, “There’s no way on God’s green Earth anyone can get me to

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122 Kissinger, *Years of Renewal*, 184.
124 Ibid, 23.
126 Ibid, 93.
sign my name to a report I don’t agree with… Truth is my only goal. I am not beholden to the Government. I’m not going to lose any clients over this and I wouldn’t be worried if I did.” Furthermore, although Belin identified as a Republican, journalists noted his independent political nature, specifically his early opposition to the Vietnam War and his refusal to support the Nixon-Agnew ticket in 1972.

Nevertheless, Belin was hesitant to accept the position due to the controversial nature of Hersh’s accusations, he wrote to a friend, “I decided to go ahead because of what you and I both discussed: the obligation of one to serve the nation.” Belin stipulated two conditions to his appointment, first that they “leave no stone unturned to find the truth and we let the chips fall where they may,” and second, that the Commission hire a highly competent staff to assist in the investigation.

Rockefeller also worried about associating his name with the controversy surrounding the CIA. His advisors suggested attempting to get the CIA Commission called the “Belin Commission” instead of the “Rockefeller Commission” to “help somewhat to get you off a very dangerous hot seat.” Once the Commission’s staff was fully hired, in mid-February, Belin emphasized that “the Commission is not to be referred to as the Rockefeller Commission; it will be referred to as The Commission.”

The Commission began holding weekly hearings within eight days of its appointment, although it would take until February 17 for the Commission’s staff to be

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127 Night LD by Clay F. Richards, undated, David Belin Papers, Box 23, Folder C-8, GRFL.
129 David Belin to James T. Lynn, 10 January 1975, David Belin Papers, Box 28, Folder C-42, GRFL.
130 David Belin to Nelson Rockefeller, 10 January 1975, David Belin Papers, Box 26, Folder C-21, GRFL.
131 Lloyd Free to Nelson Rockefeller, 13 January 1975, David Belin Papers, Box 26, Folder C-26, GRFL.
132 Staff Meeting, 12 February 1975, David Belin Papers, Box 26, Folder C-26, GRFL.
hired and cleared.\textsuperscript{133} Meanwhile, the Commission faced its first major challenge with Congress, when it requested the power to issue subpoenas. The Ford administration and Commission realized quickly they would face trouble with Capitol Hill. As early as January 8, the Ford administration noted that Congress might delay for weeks or months on the subpoena issue. White House liaison with the House, Charles Leppert reported to White House Assistant for Congressional Records Max Friedersdorf, “Since Congress has traditionally exercised the power to conduct investigations and hold hearings to determine whether new legislation is needed, Congress could go as far as to take the position that a CIA investigation is legislative business and not an executive responsibility.”\textsuperscript{134} The administration’s fears were validated when Congress denied the Commission the power to issue subpoenas, Chairman of the House Judiciary Committee, Representative Peter Rodino (D., New Jersey), citing the lack of congressional input as a major issue.\textsuperscript{135}

Belin broke the Commission’s staff into three functional areas of study with two-person teams, while other staff members worked on areas of legislative history, internal and external controls, and background research. To avoid compartmentalization, the staff met weekly to discuss progress.\textsuperscript{136} The functional areas of study included: domestic operations and agency contact with other federal agencies and state and local governments; the second group looked at foreign intelligence gathered within the United

\textsuperscript{133} Commission on CIA Activities, \textit{Report to the President}, xi.  
\textsuperscript{134} Charlie Leppert to Max Friedersdorf, 21 January 1975, David Belin Papers, Box 23, Folder C-10, GRFL.  
\textsuperscript{135} Kitts, \textit{Presidential Commissions}, 53.  
\textsuperscript{136} David Belin to the Commission, 2 June 1975, David Belin Papers, Box 28, Folder C-43, GRFL.
States and activities related to Watergate; finally, the third group studied domestic programs conducted by the CIA.  

Staffers reported the emergence of two camps during the Commission’s investigation. Rockefeller, Dillon, and Lemnitzer were more pro-CIA and did not want to push too far into CIA secrets, believing a vigilant intelligence capability was essential for national security and stressing the need for secrecy. Meanwhile, Griswold, Shannon, Kirkland, and Connor worried about the effects of excessive secrecy in democracy and pushed for a more in-depth investigation. At first, Reagan made little contribution to the Commission’s work – due to prior engagements he only made it to eleven of the Commission’s twenty-five meetings – however, according to Kenneth Kitts, by the end of the Commission’s work Reagan provided a conciliatory role for the two positions in the drafting of the final report. Rockefeller emerged as one of the most conservative members, not wanting to address topics that would harm the executive branch and frequently bordering on inflexible in his position on topics, such as assassinations.

In a telling interview two weeks into the Commission’s investigation, Belin, a father of five, was asked if dealing with six commissioners or five children was harder. Belin responded, “there are a total of eight commissioners, and I can assure you that when one of those eight is Vice President, who in turn has surrounded himself with staff, based upon my limited experience of two weeks in Washington and my extensive

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137 David Belin to the Commission, 2 June 1975, David Belin Papers, Box 28, Folder C-43, GRFL.
138 Kenneth Kitts to David Belin, 21 February 1994, David Belin Papers, Box 26, Folder C-26, GRFL; Kitts, *Presidential Commissions*, 59.
140 Ibid, 60.
experience with five children, I will not be looking for another commission appointment after this one is completed.”141

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As mentioned, the Commission heard from fifty-one witnesses during its investigation, including all four of the living Directors of Central Intelligence, Director of the FBI Clarence Kelley, Secretary Kissinger, former Secretary of Defense Clark Clifford, and former National Security Assistant McGeorge Bundy. Moreover, the Commission’s investigation conducted its inquiry with a much more limited budget, staff, and time frame than the investigations in Congress. While the congressional committees organized their staff and did preliminary research, the Rockefeller Commission got a head start. However, it appears that despite the staff’s attempts at autonomy, the Commission remained heavily influenced by the Ford administration throughout its investigation.

The Commission heard briefings from Colby, Schlesinger, and Helms on the various charges against the agency during its first hearing. A few days before the meeting, a telephone conversation between Rockefeller and Kissinger shows Kissinger’s early input on the Commission’s proceedings. During the conversation, Rockefeller asks Kissinger, “In inviting these people in… how do you visualize the order? The Secretary of Defense, Colby, and Helms?” To which Kissinger responded, “Colby first, then Schlesinger, and then Helms.”142 Evidence also suggests that Rockefeller kept Kissinger abreast of most of the Commission’s activities. In a conversation between Kissinger and

141 David Belin to Daniel Belin, 29 January 1975, David Belin Papers, Box 28, Folder C-42, GRFL.
Ford on January 17, Ford asks Kissinger how Helms’s testimony before the Commission went, to which Kissinger stressed, “He was very aggressive.”

Meanwhile, tensions began to arise between the White House and Colby. As discussed, in the immediate aftermath of Hersh’s article, Ford asked Colby to write a report on the validity of Hersh’s allegations; this report became known as the Colby Report. Colby, seeing the report as an opportunity to dispel Hersh’s charges early on, wrote the report unclassified and hoped the administration would release it to the public. However, the Ford White House disagreed, and chose to create the Rockefeller Commission instead to investigate the items within the Colby Report.

Yet, Colby continued to believe his report could respond to the Hersh allegations and clear the CIA’s image. Thus, on January 15, when Colby appeared before a joint session of the Senate’s Armed Services and Appropriations Committees he decided to utilize his report as the basis for his testimony. When the senators asked Colby if they could release his testimony, which Colby continued to believe was not classified material, he agreed. But Colby realized he had not told the White House what he intended to testify, in *Honorable Men* he recalls, “The substance was well known to them, but the fact of its public release was a new bombshell.” The next day, Colby’s testimony made headlines. The *New York Times* devoted two full pages to Colby’s statement. Instead of quieting the storm, the testimony accentuated the controversy surrounding the Agency.

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143 Memorandum of Conversation, 17 January 1975, *FRUS Volume XXXVIII*.  
144 Colby, *Honorable Men*, 402.
Kissinger recollected that Colby’s story “was incitement to riot, severely limiting whatever restraint the Rockefeller Commission might have provided.” Following Colby’s testimony, on January 27 the Senate voted 84-4 to establish the Church committee and on February 19, the House established the Nedzi committee (later becoming the Pike committee) by a vote of 280-120. Afterwards, the White House became more actively involved in what Colby would testify, both to the congressional committees and the Commission. In a conversation between Kissinger and Ford on February 23, Kissinger reports, “Colby is shellshocked – he wanted to testify on Azorian because it was a domestic operation. He said he would work it out with the VP – I said it was none of the VP’s business.” The White House hoped to keep the Azorian mission, referred to as “Project Jennifer,” classified. The ongoing mission was an attempt to resurrect a sunken Soviet submarine in hopes of recovering information about Soviet technology and nuclear capabilities. The Ford administration remained fearful that leaks of information might alert the Soviets to the operation. While Colby wanted to clear the CIA’s image and educate the public, Kissinger believed every time Colby, a Roman Catholic, went to Capitol Hill, he was going to “confession,” telling unnecessary information.

In his memoir, Colby puts considerable emphasis on his time before the Rockefeller Commission, suggesting that Rockefeller hoped to limit the Commission’s investigation and ignore particularly controversial matters. According to Colby, after his second or third appearance before the Commission, Rockefeller pulled him aside and

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145 Kissinger, *Years of Renewal*, 322.
146 Memorandum of Conversation, 23 January 1975, *FRUS Volume XXXVIII*.
147 Colby, *Honorable Men*, 437.
said, “Bill, do you really have to present all this material to us? We realize that there are 
secrets that you fellows need to keep and so nobody here is going to take it amiss if you 
feel there are some questions you can’t answer quite as frankly as you seem to feel you 
have to.”

Tensions also rose between the Commission and the executive branch regarding 
the Commission’s jurisdiction. On January 16, during a White House luncheon for 
publisher Arthur Sulzberger and other editors of the New York Times, Ford accidentally 
spilled one of the Jewels’ biggest secrets. When an editor asked Ford why he had 
nominated so many conservative, defense-oriented members to the Commission, Ford 
responded by emphasizing the need for a trustworthy and responsible investigation since 
it might come upon matters that could damage U.S. foreign policy and the nation’s 
image. When pressed further on what he meant, Ford exclaimed, “like assassinations!” 
Although he tried to add that his comment was off the record, the news spread through 
Washington like wildfire, eventually broadcast on the CBS evening news by Daniel 
Schorr on February 26.

The Commission struggled to decide whether it should take on the assassination 
topic. While the Commission’s mandate restricted it to domestic abuses, Belin and some 
members of the staff argued that since the CIA recruited people in organized crime to 
assassinate Castro, the Commission had jurisdiction. Ernest Gellhorn, senior counsel to 
the Commission, argued, “Contacts were initiated, plans were formulated, payments were

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148 Colby, Honorable Men, 400.  
149 Daniel Schorr, Clearing the Air (Boston, MA: Houghton Mifflin Company, 1977), 143-144; David 
Belin, Final Disclosure: The Full Truth about the Assassination of President Kennedy (New York: Charles 
Scribner’s Sons, 1988), 98.
made, etc., all within the United States. Each step was a domestic activity.” Moreover, as some conspiracy theorists began suggesting that Kennedy’s assassination might relate to CIA attempts to kill Castro, Belin took personal interest in dispelling the rumors. On his own accord, Belin began to investigate assassination plots; meeting individually with the commissioners he believed would be most open to his argument.

Still, some staff and commissioners questioned the practicality of the Rockefeller Commission focusing on assassinations. Marvin Gray, counsel to the Commission, argued to Belin, “I feel that once the Commission gets into the aspect of assassination allegations… it will have to travel the whole road.” On March 10, Belin wrote to the members of the Commission analyzing the jurisdiction of the Commission on the topic. Belin stressed that if an investigation discovered the CIA contacted organized crime groups to recruit them in assassination plots, the Commissions had jurisdiction. After considerable discussion, due to the Mafia connection, the staff recommended the Commission investigate. Although, the staff also noted “The allegations, if true, will prove seriously embarrassing to the U.S. and will affect the conduct of the nation’s foreign policy.” The staff also worried that the investigation might distract attention and resources from the rest of the Commission’s investigation.

Rockefeller was against conducting an investigation into assassination plots, something historian Randall Woods attributes to his close relationship with Kissinger and

150 Ernest Gellhorn to David W. Belin, 8 March 1975, National Security Archive Briefing Book No. 543.
151 Belin, Final Disclosure, 97.
152 Marvin L. Gray, Jr. to David Belin, 14 March 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 13, Folder 325, RAC.
153 Memorandum to Members of the Commission from David W. Belin, 10 March 1975, National Security Archive Briefing Book No. 543.
154 Memorandum for the Commission, 10 March 1975, National Security Archive Briefing Book No. 543.
other government figures. However, Woods notes “others with presidential ambitions… insisted on pursing the matter.”\textsuperscript{155} Ronald Reagan, who would later challenge Ford for the 1976 Republican Party nomination, maintained a leading interest in pursuing the assassination topic.\textsuperscript{156}

Throughout April and May, Belin and his staff interviewed CIA personnel and government officials to investigate CIA assassination plots, such as McGeorge Bundy and former Secretary of Defense Robert McNamara. In the drafted chapter on assassinations, Belin concluded that agents of the CIA were involved in trying to assassinate Cuban leader Fidel Castro and that arms were sent to the Dominican Republic to help rebels in their plans to assassinate President Rafael Trujillo. The report noted that no evidence existed to prove the CIA participated in the killing of President Patrice Lumumba of the Congo, despite conversations discussing the possibility among CIA officials. Despite their best efforts, Belin and his staff were unable to determine where orders for assassinations originated and if presidents, such as Kennedy or Eisenhower, knew what the CIA was doing.

Belin also decided he wanted to reopen the Kennedy assassination case in order to finally dispel any claims that the CIA had been involved in the murder. Belin’s interest in the topic stemmed from his time on the Warren Commission and his strong belief in the lone gunman theory. Nevertheless, when the Commission found out Belin was spending time and resources to investigate the Kennedy assassination a majority of the commissioners disapproved of his actions and instructed him to gain permission from


\textsuperscript{156} Belin, \textit{Final Disclosure}, 162.
Rockefeller or a majority of commissioners before doing any further research on the subject.\textsuperscript{157}

While the Commission continued its investigation into assassination plots, Counsel to the President Phil Buchen, acting on Ford’s orders, instructed Belin to send the Commission’s research to Ford when it was finished so he could determine whether to publish the material in the final report.\textsuperscript{158} Thus, the White House maintained the power to determine whether the assassination topic would be included in the final report from the beginning. Despite the fact that, according to Griswold, the Commission voted in favor of including the assassination chapter in the final report and that Dillon announced to the press the inclusion of the assassination research in the Commission’s final report, the White House overruled that decision. Two weeks later Dillon redacted his statement.\textsuperscript{159} Instead, the Commission’s final report only devotes two brief paragraphs to the topic, explaining “The Commission’s staff began the required inquiry, but time did not permit a full investigation before the report was due.”\textsuperscript{160} While a chapter on the Kennedy assassination was included, it was only to dispel rumors of CIA involvement in Kennedy’s death.\textsuperscript{161}

The Rockefeller Commission’s Director of Public Affairs, Pete Clapper, argued in favor of including the assassination chapter in the Commission’s final report. Clapper stressed that the president and the Commission would face heavy criticism from the press.

\textsuperscript{157} Minutes, 21 April 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 17, Folder 388, RAC.
\textsuperscript{158} Philip W. Buchen to David Belin, 31 March 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 13, Folder 325, RAC.
\textsuperscript{160} Commission on CIA, Report to the President, xi.
\textsuperscript{161} Ibid, 251.
and the public if the Commission’s findings on assassination plots were not included. He argued, “The contention that the Commission has not had time to complete the investigation of the allegations is weak,” and that it was “far better to publish partial findings with the expressed hope that a subsequent investigation can be based upon them.”\textsuperscript{162} However, despite Clapper’s advice, the Ford administration decided the assassination topic was too controversial to be released to the public and the chapter was dropped. On June 9, 1975, Ford announced to the press that the Commission had concluded its work. He stressed, “Because the investigation of political assassination allegations is incomplete and because the allegations involve extremely sensitive matters, I have decided that it is not in the national interest to make public materials relating to these allegations at this time.” Instead he promised to make the papers available to the Senate and House committees.\textsuperscript{163}

Belin believed Henry Kissinger exerted great pressure on people within the White House to have the chapter removed.\textsuperscript{164} The archival material available does show that Kissinger was a leading opponent of the Commission’s assassination investigation. He stressed to Ford that criticizing former presidents set bad precedent.\textsuperscript{165} Further evidence exists to show that Kissinger and the National Security Council impeded the Commission’s assassination investigation by procrastinating on releasing documents related to assassination plots and not issuing all related material when they did respond to

\textsuperscript{162} Pete Clapper to David Belin, 29 May 1975, David Belin Papers, Box 23, Folder C-12, GRFL.
\textsuperscript{164} Kenn Kitts to David Belin, 21 February 1994, David Belin Papers, Box 26, Folder C-26, GRFL.
\textsuperscript{165} Meeting with Gerald Ford, Memorandum of Conversation, 18 June 1975, DNSA Collection: Kissinger Transcripts.
the Commission’s document requests. The CIA also attempted to persuade the Commission to avoid the assassination topic. Colby argued that the CIA had never actually successfully killed anyone and that prohibitions were already in place to prevent the agency from attempting such action in the future, so the investigations were unnecessary. Years later, Rockefeller expressed his belief that the decision to suppress the assassination chapter “got the president off the hook… and got it [the assassination issue] right where it belonged in the Congress.”

In the end, the White House’s pressure led to the removal of the Commission’s chapter on assassination plots from the final report. Instead, its research was delivered to President Ford and subsequently passed to the Church committee. Church committee staffer, Loch Johnson, realized by passing on the assassination topic, the Ford administration was avoiding “all the dangers it held for further antagonizing the intelligence community and the conservative wing of the Republican Party” and leaving the task to Congress. The Church committee used these documents as the basis for their full-scale investigation into assassinations. Meanwhile, the President directed the Commission to include a brief statement in the report citing that shortness of time prevented a proper inquiry. Political scientist Kenneth Kitts notes that Ford may have also put pressure on the Commission to remove the assassination chapter due to fears that it would lead to greater congressional oversight of executive branch intelligence actions.

166 Belin, Final Disclosure, xii; Belin, Final Disclosure, 159.
167 Colby, Honorable Men, 410.
168 Quoted in Kitts, Presidential Commissions, 61.
169 Johnson, A Season of Inquiry, 48; Quoted in Johnson, A Season of Inquiry, 31.
170 Susan Herter to Hugh Morrow, 23 May 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 13, Folder 324, RAC.
Kitts argues, “by influencing the report’s contents, Ford was able to assure that the president’s authority over the intelligence apparatus would not be challenged by the Commission’s findings.”

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While the Commission’s mandate originally stipulated it finish its inquiry in three months, Ford decided in late March to extend its deadline to June 6, 1975. The decision caused considerable criticism from the Church committee who hoped the Commission would quickly finish and pass on their documents to Congress. Church argued, “It would be very unfortunate if any kind of rivalry developed between our inquiry and the Administration’s own investigation.” In the end, rather than competing with the Rockefeller Commission, the Church and Pike committees’ investigations overshadowed the work done by the Rockefeller Commission (a point that will be described further in chapter three).

When the Ford administration received the Commission’s final report, they were alarmed. In a memorandum to Henry Kissinger, William Hyland, Director of the Bureau of Intelligence and Research at the State Department, stressed, “A first reading of the full text suggests that the impact on the CIA is going to be very bad; the defenders of the agency are not going to find much ammunition, and the critics are going to have a field day, citing chapter and verse of various wrong doings.” The report stressed that over

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173 Memorandum from the Director of the Bureau of Intelligence and Research (Hyland) to Secretary of State Kissinger, 6 June 1975, *FRUS Volume XXXVIII*. 
the CIA’s twenty-eight-year history, some activities were conducted that should not have occurred. However, the report, as a whole, treated the agency favorably. In total, the Commission issued thirty recommendations for reforms, some minor and focusing on specific abuses while others recommended major restructuring. The Ford administration broke the recommendations into two categories: (1) recommendations to be implemented at the agency level; and (2) recommendations dealing with structure, functions, and direct presidential command and control.  

Church publicly stated, “I have been concerned about the apparent attempt of certain members of the Rockefeller Commission… to lead the public to believe that any misdeeds of the CIA have been minor and that the agency has been relatively without guilt.” Other congressional leaders, such as Rep. James Stanton (D., Ohio) and Sen. Dick Clark (D., Iowa) criticized the Commission and the Ford administration for suppressing the Commission’s work on assassinations.

At first, some newspapers worried that Ford might attempt to suppress the entire report, others criticized the president for not revealing what the Commission discovered about assassinations. John Osborne considered Ford’s decision to be a “fantastic screw-up,” while the New York Times criticized the Ford administration for claiming to adhere to principles of openness while maintaining secrets from the American public. However, when the press finally received the Commission’s final report, many switched

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174 Memorandum to the President, August 9, 1975, FRUS XXXVIII.
175 Lawrence L. Knutson, “CIA Developed Murders, Church Claims ‘Evidence,’” Roswell Daily Record, Roswell, NM, 4 June 1975.
178 Olmsted, Challenging the Secret, 84.
from criticism to praise. The editorial board of the New York Times considered the report to be “a trenchant, factual and plain-spoken document.”\textsuperscript{179}

Most of the praise for the Commission’s report stemmed from its vindication of some of Hersh’s allegations as well as its discussion of CIA testing of behavior-influencing drugs, such as LSD, on human subjects.\textsuperscript{180} Most importantly, the Commission reported the death of Frank Olson, an employee of the Department of the Army. In 1953, the CIA administered Olson LSD and neglected to tell him until twenty minutes later. Days later, Olson jumped from a window in his tenth floor apartment and died as a result.\textsuperscript{181} The story gave the Commission a boost in validity due to its candor on such a sensitive topic.

A conversation between Kissinger and William Hyland on June 9 suggests Kissinger had not seen the final report prior to its publication. During the conversation Kissinger asks Hyland to reread the report because, “Somebody from the White House called Joe Kraft and told him that CIA report contains a number of cracks about me. I didn’t read it that closely.”\textsuperscript{182} However, despite Kissinger’s lack of knowledge on the report, it appears the White House considerably edited the Commission’s work.

Archival documents show that White House Chief of Staff Richard Cheney extensively edited the Commission’s final report, eliminating some passages of the text and moving around others. While many of the changes were editing grammar and fixing mistakes, some changes watered down the document and altered the Commission’s

\textsuperscript{179} Olmsted, Challenging the Secret, 84.
\textsuperscript{180} Ibid; Commission on CIA, Report to the President, 226-228.
\textsuperscript{181} Commission on CIA, Report to the President, 227.
\textsuperscript{182} Central Intelligence Agency Activities, Memorandum of Telephone Conversation, 9 June 1975, DNSA collection: Kissinger Telephone Conversations.
intensions. For example, Cheney altered a Commission recommendation on reporting of improper operations, deleting the Commission’s recommendation that the CIA Inspector General should be made aware of questionable activities. Furthermore, Cheney altered word choice in some areas, changing the wording on certain cases from “unlawful” to “exceeded the CIA’s authority.”

Nevertheless, the Ford administration did not act right away on the Rockefeller Commission’s recommendations. While some in the administration, such as Press Secretary Ron Nessen believed Ford should take the initiative away from Congress, others believed Congress would not follow through on issuing restrictions on the CIA so action by the Ford administration would be unnecessary. Furthermore, some officials believed implementing the Commission’s recommendations before the congressional inquiries finished might provoke the members of Congress and especially the Republicans as congressional investigations were well underway.

Most departments viewed the Rockefeller Commission’s report favorably. Ford asked departments that were part of the intelligence community for their opinions on the Rockefeller recommendations. The Department of Defense reported that they thought most of the recommendations were “thoughtful and constructive.” The Department of State believed that the report was thorough and that its recommendations would “create a sound base for the continuation of the CIA’s responsibilities.” The Treasury

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183 Extracts of Handwritten Comments on a Draft of the Report to the President on the Commission on CIA Activities within the United States, c. June 1975, National Security Archive Briefing Book No. 543.
184 Hardy, “From the Inside,” 6; Nessen, It Sure Looks Different, 68
185 Memorandum for the Vice President from Peter J. Wallison, 23 July 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 16, Folder 384, RFA.
recommended Ford implement many recommendations immediately by Executive Order.\textsuperscript{186}

However, little came of the Commission’s work until Ford issued Executive Order 11905 in February 1976. Instead, for the later half of 1975, the investigations of Congress grabbed hold of the public’s attention. With sweeping mandates, covering every aspect of the U.S. intelligence community, and budgets and staff far greater than that of the Rockefeller Commission, the Church and Pike committees investigations could cover much more than the Commission was able to do. The Church committee’s assassination report would be remembered as a seminal work from its investigation, much of its research based off the work done by the Rockefeller Commission.

In the end, the Rockefeller Commission failed to have the effect both President Ford and Executive Director David Belin hoped. Although the press was impressed with the fact that the final report was far from the ‘whitewash’ originally expected, it was soon overshadowed by the Church and Pike committees. Congress was not preempted and the time bought by creating the Commission did not lead to any substantial reforms before Congress began their own investigations. For Belin, despite his best efforts to conduct an independent, autonomous investigation, the influence of the Ford administration was too great. While the Commission’s report was praised for its candor, the suppression of the assassination chapter and the decision to give the materials to the Church committee led

\textsuperscript{186} Memorandum for the President from Secretary Schlesinger, 25 June 1975, National Security Advisor, Staff Assistant Robert McFarlane Files, Box 1, Folder “Rockefeller Commission – Agency Comments on the Report, June 1975 (2),” GRFL; Memorandum for the President from Robert S. Ingersoll, 1 July 1975, National Security Advisor Staff Assistant Robert McFarlane Files, Box 1, Folder “Rockefeller Commission – Agency Comments on the Report, June 1975 (3),” GRFL; Memorandum for the President from William E. Simon, 1 July 1975, National Security Advisor, Staff Assistant Robert McFarlane Files, Box 1, Folder “Rockefeller Commission – Agency Comments on the Report, June 1975 (3),” GRFL.
to problems for the administration down the road. Furthermore, although Ford entered the
White House promising to demonstrate transparency with the American public, the White
House editing and pressure to remove the assassination chapter show the Ford
administration’s limits of honesty with the public.
CHAPTER 3: THEY SEEM TO HAVE FORGOTTEN

In my discussions with the White House staff who are handling intelligence matters, I think I was able to stimulate a new interest in the Executive Order imposing restrictions on intelligence community agencies similar to those proposed by the Rockefeller Commission for the CIA. It is almost unbelievable but they seem to have just forgotten about it.

– Peter Wallison to Vice President Nelson Rockefeller, 10 December 1975

With the conclusion of the Rockefeller Commission, the congressional intelligence investigations became the primary focus of the public’s and the media’s attention for the later half of 1975. However, Ford administration officials differed in their opinion of what the White House’s next steps should be. In August, three of Ford’s key advisors wrote to him stressing, “Under these circumstances, you must decide whether to proceed with the prompt implementation of the Commission’s policy recommendations now, or await developments in the congressional committees over the coming months.”

Although Ford quietly enacted some of the Rockefeller Commission’s recommendations in August 1975, the president decided to wait on developments on Capitol Hill before issuing any public reforms.

Despite the fact that the Rockefeller Commission issued its final report in June 1975, the Ford administration’s Executive Order addressing intelligence reforms didn’t come until February 1976. In the meantime, the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities under the chairmanship Senator Frank Church (D., Idaho) and the House Select Committee on Intelligence under the chairmanship of Representative Otis Pike (D., New York) began far-reaching,

187 Memorandum From Secretary of State Kissinger, the President’s Counselor (Buchen), and the Director of the Office of Management and Budget (Lynn) to President Ford, 9 August 1975, FRUS Volume XXXVIII.
intensive, and at times sensational investigations into the U.S. intelligence community. Scholars continue to differ in their opinion of the congressional inquiries, most notably the legacy of the Pike committee after its final report was leaked to reporters after the House voted to keep it classified. Nevertheless, it is important to note the important work done by both committees. The Senate’s inquiry produced one of the most searching investigations ever conducted of the U.S. intelligence community and the House’s investigation called into question the principle of executive privilege. Former Church committee staffer Loch Johnson, argues, “The intelligence investigation of 1975 succeeded. Though flawed, the inquiry satisfied the primary standard by which a legislature must be judged in a democracy: it enhanced the freedom and well-being of the citizens.”

In the Senate, the Church committee’s investigation lasted fifteen months, held 126 formal hearings including twenty-one days of public hearings, conducted over 800 interviews, and released fourteen volumes of hearings and reports. In the House, the Pike committee conducted twenty-eight days of public hearings and led an inquiry into many ongoing covert operations as well as the efficiency of the CIA and CIA’s budget. But by the end of the congressional investigations the public interest in intelligence abuses had diminished. In fact, despite ninety-seven recommendations by the Church committee and thirty-one by the Pike committee to restructure the U.S. intelligence community, the only substantial change from Congress directly following the Year of Intelligence was the creation of permanent oversight committees in each chamber.

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Historian Kathryn Olmsted argues, “The secret agencies clearly emerged the winners of their long battle with the investigators.” As the public interest in the congressional investigations cooled, President Ford stepped in and issued his own intelligence reforms, many of which were based on of the recommendations of the Rockefeller Commission. Thus, in many ways, the Ford administration came out as the winner of the Year of Intelligence; reforms to the intelligence community were minimal and the president largely succeeded in limiting or discrediting the congressional committees’ investigations. Despite internal disagreements between senior officials, the Ford White House was able to develop a united front to address congressional initiatives at gaining a larger role in CIA oversight.

This chapter seeks to explain the second half of the Year of Intelligence and the factors that convinced the White House to wait on publicly issuing reforms while the House and Senate began tumultuous inquiries into the U.S. intelligence community. This chapter begins with a discussion of the events on the Church and Pike committees and the Ford administration’s response to the perceived threat the congressional inquiries posed, followed by a discussion of the tensions within the executive branch that Ford dealt with in the later half of 1975. The Ford administration faced tensions between senior White House officials, leading to differing opinions on how the congressional inquiries should be addressed by the executive branch while also complicating Ford’s preparations for the 1976 presidential election. Nevertheless, using the Rockefeller Commission’s report and recommendations to legitimize his response, Ford successfully reduced a major expansion of congressional CIA oversight.

190 Olmsted, Challenging the Secret, 169.
On January 27, 1975, by a vote of eighty-two to four the Senate established the Select Committee to Study Government Operations with Respect to Intelligence Activities under the leadership of Senator Frank Church. The committee was given a nine-month, sweeping mandate to study all areas of the U.S. intelligence community as well as a $750,000 budget. The committee hired 135 staffers to complete its far-reaching investigation. (By Comparison, the Rockefeller Commission worked with a total budget of $245,000 and only eight staffers.) Many of the Church committee staff were attorneys with some experience in government or intelligence. In addition, former ambassadors, military people, CIA personnel, and historians were also brought on as staff. On January 21, only a few days before the vote, Senator John Pastore (D., Rhode Island) stressed, “It would be an awful day if this became a television spectacular. It would be an awful day if we did this merely for publicity propaganda. What we want is… to clean up these agencies in a fashion that will at least restore public confidence.”

Despite Pastore’s sentiment, the Church committee’s investigation eventually was caught up in some of the sensationalism of the later half of the Year of Intelligence. The committee held public hearings on illegal poison caches held by the CIA and issued an interim report on assassination plots, despite heavy pressure by President Ford to keep it classified. Moreover, Church made no secret of his hopes to run against Ford as the Democratic nominee in the 1976 presidential election. This fact particularly bothered

191 Eventually the Church committee’s mandate would be expanded to fifteen-months overall.
192 Johnson, Season of Inquiry, 25; Smist, Jr., Congress Oversees, 47.
193 Congressional Record, 94th Cong., 1st sess., 21 January 1975, 842.
Ford, who believed Church was using the committee as a publicity stunt and saw Church’s committee as “sensational and irresponsible.”\textsuperscript{194}

The Church committee never formally convened during the first half of 1975, instead taking time to hire staff, do preliminary research, and establish an agenda.\textsuperscript{195} Nevertheless, throughout the Rockefeller Commission’s investigation, Church remained a skeptical observer, arguing, “The executive branch cannot, with sufficient credibility, investigate itself.”\textsuperscript{196} As the Rockefeller Commission began to publicly suggest it would be asking the President for an extension of its mandate, Church publicly argued that the Commission should quickly wrap up their investigation and make any records available for the congressional investigations, which he believed would be conducting more important and comprehensive investigations.\textsuperscript{197}

In late April and early May, as the Rockefeller Commission was reaching the end of its mandate and finishing its final report, the Church committee began pressing for the Commission’s documents. In early May, Church and vice-chairman of the committee, Senator John Tower (R., Texas) met with Rockefeller and Belin to request the Commission’s documents. Church argued that he helped dislodge some information that had been tied up in the Rules Committee for the Commission and that because of the Church committee’s much broader mandate and their deadline at the end of the year, the Commission’s documents could be incredibly helpful.\textsuperscript{198} However, Rockefeller stressed

\textsuperscript{195} Johnson, \textit{Season of Inquiry}, 36.
\textsuperscript{196} Quoted in Johnson, \textit{Season of Inquiry}, 31.
\textsuperscript{197} Ibid.
\textsuperscript{198} Memorandum to the Vice President from David Belin, 8 May 1975, David Belin Papers, Box 28, Folder C-43, GRFL.
that the ultimate decision for passing on the Commission’s research would fall with the president.199

Meanwhile, during the first half of 1975, the Church committee struggled in obtaining other documents from the White House as well. When the full committee met for their second meeting on April 23, Church committee staffer Loch Johnson recalled, “The joking and feeling of assurance had given way to a mood of concern and seriousness. Church speculated that the Rockefeller Commission, wishing to avoid being upstaged by the senator, were [sic] delaying our requests for documents.”200 Ultimately, the Ford White House decided to agree to the Church committee’s requests, and as the Commission closed shop, all the Commission’s materials were passed, unsanitized, to the Church committee.

As the Rockefeller Commission’s work wrapped up and its report was made public, with the exception of its chapter on assassinations, Church proclaimed that the Commission’s work was just the tip of the iceberg.201 While many, such as former Rockefeller Commission staffer Timothy Hardy, emphasize that the Church committee revealed little that wasn’t mentioned in the Commission’s final report on CIA domestic abuses, the Church committee accomplished one thing the Rockefeller Commission couldn’t: an exhaustive investigation of CIA assassination plots.202 Colby insisted that the White House should not provide the Church committee with unsanitized copies of the

199 Memorandum to the Vice President from David Belin, 8 May 1975, David Belin Papers, Box 28, Folder C-43, GRFL.
200 Johnson, Season of Inquiry, 39.
201 Schorr, Clearing the Air, 151.
202 Hardy, “From the Inside,” 3.
Rockefeller Commission’s documents. William Hyland advised Kissinger “The best position is to negotiate ad hoc and case by case, rather than take the political heat of opposing such a request outright, or granting them total access.” Realizing the public frustration due to the suppression of the Rockefeller Commission’s research on assassinations, the administration worked out a deal with the Church committee on access to the documents. Assassination materials from the Rockefeller Commission were “put on loan to the Committee” and could not be used for any other purpose or released.

When the Church committee received the Commission’s documents regarding assassinations, Johnson recalled, “Access to these documents was equivalent to finding the Rosetta stone… These specifics were our lifeblood: the key to new vaults, new files, new memoranda hidden somewhere in the bowels of the CIA.” The committee began a six-month investigation into assassination plots, receiving sworn testimony from over one hundred witnesses that amounted to 8,000 pages of transcripts. In Season of Inquiry, Johnson notes that the assassination investigation led to a significant delay in the committee’s work. The investigation became especially problematic as the committee tried to come to terms with one of the same problems the Rockefeller Commission faced, the extent of presidential knowledge and involvement in assassination plots.

203 Colby, Honorable Men, 411.
204 Memorandum from the Director of the Bureau of Intelligence and Research (Hyland) to Secretary of State Kissinger, 6 June 1975, FRUS Volume XXXVIII.
205 Memorandum for the Record, 30 June 1975, FRUS Volume XXXVIII.
206 Johnson, Season of Inquiry, 48.
207 Senator Frank Church, “An Imperative for the CIA: Professionalism Free of Politics and Partisanship,” 11 November 1975, Leo Cherne Papers, Box 2, Folder “Church Committee (1),” GRFL.
208 Johnson, Season of Inquiry, 53.
recalls the staff’s frustration with the topic, one colleague joking, “The only successful CIA assassination plot has been against the Church committee itself.”

Historian Kathryn Olmsted argues that the investigation of assassinations diverted the committee’s attention from completing more systemic analysis on the intelligence community. Furthermore, assassinations were a complicated and politically dangerous issue for Democrats on the committee, especially Church as he prepared for his presidential campaign, since assassination plots had been conducted under both Democratic and Republican administrations. Nevertheless, the committee pushed on with its investigation and decided to write an interim report discussing their findings.

On October 9 and 31, President Ford sent the Church committee letters stressing the danger of publication of the committee’s assassination report. Ford believed publicizing the U.S. role in assassinations would harm U.S. foreign policy and give the Soviet Union unprecedented material for anti-American propaganda. Moreover, the administration feared “that it will expose specific individuals who have been associated with these activities to serious risk of harm.” Ford stressed that he had not expected the committee to publish a detailed account of CIA murder plots. He argued that the committee should instead focus on offering recommendations to prevent such abuses in the future rather than discussing the abuses of the past.

209 Johnson, Season of Inquiry, 54.
210 Olmsted, Challenging the Secret, 85.
211 Johnson, Season of Inquiry, 108.
212 Memorandum from the President’s Counselor (Marsh) to President Ford, 29 October 1975, FRUS Volume XXXVIII.
213 Olmsted, Challenging the Secret, 105-106.
Nonetheless, on November 4, 1975, Church responded to Ford, informing the president that the committee unanimously approved of the report and planned to move forward on publication. Church wrote, “We believe that foreign people will, upon sober reflection, admire our nation more for keeping faith with our democratic ideals than they will condemn us for the misconduct itself.” Finally, Church noted that the public record, including Ford’s role in originally publicizing the assassination topic, “renders it unrealistic, in my judgment, even to contemplate suppressing the facts.”

In late November, the interim report, *Alleged Assassination Plots Involving Foreign Leaders*, was released to the public. Loch Johnson notes, “The release of the Interim Assassination Report provided a feast for the nation’s editorial writers. Opinion ran from sharp condemnation of the CIA for engaging in murder plots to equally vociferous criticism of the Church committee for laundering the nation’s dirty linen in public.” The report discussed the CIA’s role, or lack thereof, in assassination plots against Cuban leader Fidel Castro, Dominican Republican leader Rafael Trujillo, Congolese leader Patrice Lumumba, South Vietnamese president Ngo Dinh Diem, and General Rene Schneider of Chile. Despite the administration’s fears prior to the report’s publication Press Secretary Ron Nessen later emphasized, “The sky didn’t fall. No country broke off diplomatic relations, although Russia publicly scolded the United States. America was not hauled before the United Nations. In fact, the Senate’s investigators’ report seemed a disappointing anti-climax to the cornucopia of rumors,

\footnote{214 Senator Frank Church to President Gerald Ford, 4 November 1975, Presidential Handwriting File, Box 31, Folder “National Security – Intelligence (7), GRFL.}
\footnote{215 Ibid.}
\footnote{216 Johnson, *Season of Inquiry*, 136.}
gossip, revelations, leaks, allegations and scoops that had filled the headlines and TV news for a year.”

The administration’s fears that recognition of assassination plots might harm foreign policy initiatives turned out to be unwarranted and the release had a less dramatic result than the administration expected.

The report began by emphasizing, “The committee regards the unfortunate events dealt with in this Interim Report as an aberration, explainable at least in part, but not justified, by the pressures of the time.” While the Church committee analyzed more cases than the Rockefeller Commission, the conclusions were not much different. The Church committee noted CIA plots to assassinate Castro and that the U.S. furnished weapons to the dissidents who killed Trujillo. Meanwhile, the committee also concluded that the U.S. was not involved in the killing of Lumumba. Additionally, while the U.S. supported the coup of Ngo Dinh Diem, no evidence of involvement in his assassination existed and while plans to assassinate Lumumba were formulated they were not carried out. Finally, no evidence of U.S. involvement in the death of Schneider existed. Similar to the Rockefeller Commission, the Church committee was forced to concede, “we are unable to draw firm conclusions concerning who authorized the assassination plots.”

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While the Church committee focused on the Family Jewels and sensational charges against the U.S. intelligence community, the Pike committee would start a troublesome, controversial investigation of their own. On February 4, 1975, eight days

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217 Nessen, *From the Inside*, 71.
219 Ibid, 261.
after the Senate passed legislation to create the Church committee, Representative Robert Giaimo (D., Connecticut) introduced a similar resolution in the House to create the House Select Intelligence Committee. On February 19, after a vote of 280 to 120, the House established the Select Committee on Intelligence under the chairmanship of Lucien Nedzi (D., Michigan).

From its inception, many questioned the necessity of a House committee on intelligence due to the already existing Church committee and Rockefeller Commission. Just prior to the Nedzi committee’s creation, the Republican Policy Committee stressed that a single, bipartisan inquiry should be created rather than two separate congressional inquiries. The committee argued, “We fear that the growing number of investigative committees will favor partisan political publicity contests rather than the extremely serious fact-finding and remedy-seeking effort needed in response to the important and troubling questions raised about government intelligence activities.”

Problems for the House committee grew in early June 1975. On June 5, the New York Times reported that Nedzi, who served as chairman of the House Armed Services Subcommittee on Intelligence since 1971, had been briefed on the Family Jewels when the document was first compiled, but had not alerted the House nor acted in any way on the information. The revelation caused considerable uproar in the House. Nedzi attempted to resign as chairman on June 12, but four days later the House voted by a vote of 290 to 64 to keep him on. Following the vote, Nedzi refused to continue as chairman.

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220 Republican Policy Committee, Rep. Barber B. Constable, Jr., “Congressional Oversight of Intelligence Activities,” 17 February 1975, David Belin Papers, Box 23, Folder C-13, GRFL.
and on July 17, the House abolished the Nedzi committee and created a new committee under Representative Otis Pike.

As the events unfolded, some, like Rep. Jimmy Quillen (R., Tennessee), argued that the House should not have an investigative committee at all. On July 16, the House discussed the decision to establish a new Select Committee on Intelligence. Quillen argued it was not logical for the House to establish a committee given that the Rockefeller Commission had already completed a thorough investigation and the Church committee was already four months into their investigation. Quillen argued, “I think it is important that this committee be abolished because the American people have lost confidence in that particular committee’s going forward with any meaningful investigation.”

Despite Quillen’s objections, the Pike committee began its investigation, largely because of fear that abandoning the investigation would hurt the House’s public image. Due to its late start, the Pike committee decided to follow a different route than that of the Church committee or Rockefeller Commission. Originally, Nedzi planned to focus on the Family Jewels allegations, however, Pike switched the committee’s attention to the efficiency of the agency. In the House, Pike had proven himself as an “effective and aggressive” investigator who launched a major investigation into CIA covert operations, the US intelligence community’s performance overall, and the intelligence budget.

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222 “Establishing a Select Committee on Intelligence,” Congressional Record, 94th Cong., 1st Sess., 16 July 1975, Vernon C. Loen and Charles Lepert Files, Box 14, Folder “Intelligence – House Select Committee: Establishment of (1),” GRFL.
223 Ibid.
224 Olmsted, Challenging, 116.
225 Smist, Congress Oversees, 154; Haines, “Looking for a Rogue,” 82-83.
226 Smist, Congress Oversees, 153.
Similar to the original Nedzi committee, the Pike committee maintained a solid Democratic majority among its thirteen members, reflecting the Democratic majority in the House overall. The Pike committee’s staff was very young with little experience in intelligence or government.\textsuperscript{227} Furthermore, Pike’s refusal to force his staff to sign CIA secrecy agreements – similar to the ones signed by the Church committee – or to follow the protocol for classified documents that the CIA requested, frustrated Colby and the White House.\textsuperscript{228} Mitchell Rogovin, Special Counsel to Colby, noted that every encounter between the CIA and Pike “turned into a head-on confrontation.”\textsuperscript{229} Rogovin believed that the reason for Pike’s attitude toward the agency stemmed from fears “that his committee would be viewed as having been co-opted by the CIA, a charge that had been made with respect to his predecessor [Nedzi] and he took an extremely hard line in his dealings at the very outset.”\textsuperscript{230} Pike wanted to exert the congressional prerogatives of the legislative branch and by refusing to sign secrecy agreements or follow protocol established by the CIA, he demonstrated his belief that Congress should have access to CIA records on its own terms.

Tensions between the White House and Pike committee continued to mount in early September. Pike notified the CIA that his committee would begin holding open sessions on the Mideast war of 1973 and the Cyprus crisis of July 1974. Then on September 11, the Pike committee decided to release part of a classified CIA summary of the situation in the Middle East from October 1973. Despite the administration’s

\textsuperscript{227} Haines, “Looking for a Rogue,” 83.
\textsuperscript{228} John Prados, \textit{Lost Crusader: The Secret Wars of CIA Director William Colby} (New York: Oxford University Press, 2003), 319.
\textsuperscript{229} Quoted in Smist, \textit{Congress Oversees}, 175.
\textsuperscript{230} Ibid, 176.
insistence that the document should not be released because the summary hinted at CIA’s ability to intercept Egyptian communications, Pike believed Congress should have the same ability to release documents as the executive branch.

In response, Ford ordered the Pike committee to be cut off from all access to classified documents and forbade government officials from testifying before the committee.231 Eventually, the Pike committee, the House, and the Ford administration were able to reach a compromise, wherein Ford would be able to review any document twenty-four hours before the committee published it. Furthermore, the Pike committee agreed to allow President Ford to make the final decision in any future disputes on the publication of classified material.232

In December, the relationship between the Pike committee and the White House reached a new low point after the Pike committee decided to file a House report citing Henry Kissinger in contempt of Congress for his failure to release subpoenaed documents on the Cyprus conflict.233 The White House noted in response, “In the 200 years of our Nation’s existence, no cabinet officer has ever been cited for contempt of Congress.”234 In the end, although the White House considered taking the matter to court, citing executive privilege to withhold the documents, the Ford administration and the Pike committee reached a compromise on the documents in question after doubts mounted in the administration that courts would rule in their favor.235

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232 Ibid.
233 Otis Pike to Members of the House of Representatives, 5 December 1975, Vernon C. Loen and Charles Leppert Files, Box 14, Folder “Intelligence – House Select Committee: Subpoenas – Kissinger (3),” GRFL.
234 “The ‘Kissinger’ Subpoena,” undated, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 8, Folder 213, RAC.
235 Olmsted, Challenging the Secret, 141.
On September 18, 1975, Ford’s advisors wrote to the president emphasizing, “Since the congressional inquiries began almost nine months ago, the Administration has consistently been placed in the position of reacting to initiatives on the Hill... there has been no coordinated political strategy to protect the intelligence community from continued disruption.” The memorandum stressed, “The situation promises to become even worse” in the coming election year. Ford’s advisors believed they had “a real fight” on their hands, and that steps needed to be taken to resist the encroachment of the two congressional committees. Former Rockefeller Commission staffer Timothy Hardy believed a real opportunity to issue the Rockefeller Commission’s reforms and take the initiative away from Congress presented itself around Labor Day 1975, but the Ford administration chose not to act.

Ford decided in August to implement twenty of the Rockefeller Commission’s recommendations, all of which were minor, not needing legislation or executive order. However, the administration decided to withhold public announcement of the action so that Ford could consider other options on the implementation of the Commission’s recommendations. In the meantime, the administration decided to wait to see how the congressional inquiries would play out. As the Church and Pike committees became more assertive, Ford decided to begin a more coordinated effort to deal with Congress and the

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236 Memorandum to the President from Rockefeller, Kissinger, Schlesinger, Buchen, and Lynn, 18 September 1975, Richard Cheney Files, Box 6, Folder “Intelligence Subseries – Option Paper,” GRFL.
237 Ibid.
238 “Congressional Recommendations,” undated, National Security Advisor, Staff Assistant John K. Matheny Files, Box 9, Folder “President’s Meetings on Intelligence Decisions (1),” GRFL.
239 Hardy, “From the Inside,” 5.
240 Ibid.
media, establishing the Intelligence Coordinating Group (ICG) on September 19, to act as “board of directors” to address the activities of the congressional committees. Although the administration tried to put together a united front to protect the executive branch, inner tensions between strong personalities and political pressures impeded the administration’s ability to act together. Specifically, conflicts within the White House between senior officials, as well as between the White House, State Department, Department of Defense, and CIA impacted the administration’s response to Congress.

Activities on both the Church and Pike committees convinced the Ford administration of the necessity of creating the ICG. On the Church committee, as the assassination investigation wrapped up, its members turned toward other points of inquiry. Loch Johnson notes that the committee had difficulty in deciding where to turn next since, “ten months after its creation, the Senate Intelligence Committee was still in search of an agenda.”²⁴¹ After devoting so much time and energy to assassinations, little time or research was put into determining what to cover when the committee began public hearings. However, after a briefing by Colby in late August, the committee decided to focus its public hearings on the recent discovery of a hidden cache of deadly poisons in the CIA’s possession.

Five years earlier, President Nixon ordered the poisons to be destroyed. When Colby was informed of the cache he immediately launched an internal investigation of why the poisons were kept and informed the Church committee of the discovery.²⁴² Many on the Church committee saw the poison cache as the perfect way to begin public

²⁴¹ Johnson, Season of Inquiry, 89.
²⁴² Ibid, 72.
hearings since they would be a fresh topic to the American public as it was not reported on by the Rockefeller Commission. During the televised hearings, Church and other committee members posed for photos with poison dart guns and publicly questioned Colby, Helms, and several CIA scientists.\textsuperscript{243} The scientists revealed that over the past eighteen years the agency spent three million dollars to develop poisons and biochemical weapons for possible use. The cache of poisons included shellfish toxin and cobra venom in quantities large enough to destroy the population of a small city.\textsuperscript{244}

The committee’s hearings caused a new round of controversy with the executive branch. Many in the Ford administration became suspicious of the Church committee and accused it of leading a sensational and irresponsible inquiry. Moreover, as previously mentioned, on the other side of Capitol Hill, the Pike committee’s decision to release a classified document showing the U.S. intercepted Egyptian communications despite CIA and White House pressure to keep the document classified, further frustrated the White House.

The members of the newly created ICG included Secretary Kissinger, Secretary Schlesinger, Attorney General Edward Levi, Director of the Office of Management and Budget James Lynn, and presidential counsels Philip Buchen and Jack Marsh. Marsh was chairman of the ICG and White House aide Michael Duval was executive director. Every morning the group met in the White House Situation Room to consider new allegations and review congressional requests for documents.\textsuperscript{245} Ford instructed the group to “meet

\textsuperscript{243} Johnson, \textit{Season of Inquiry}, 75-76.  
\textsuperscript{244} Ibid, 73-75.  
\textsuperscript{245} Nessen, \textit{From the Inside}, 62.
daily to review problems, discuss strategy, agree on assignments and prepare issues for my decision.”

In late October, the ICG decided the White House needed to address the congressional committees in a united front. Duval wrote to Marsh arguing, “I think we should immediately seek to tighten the reins on the Executive Branch and regain control. We should not view this simply as a ‘damage control’ operation but, rather, we should seize the initiative and attempt to make something positive of this.” In his memo, Duval also noted, “Events and personalities appear to be affecting the pace of activity more than our planning.” In *Honorable Men*, Colby notes the differing personalities of those on the ICG, with Kissinger and Schlesinger pushing for a tough attitude with Congress and a hardliner mentality while Buchen, reflecting his legal background, and Marsh, drawing on his experiences with Congress, realized stonewalling the committees on access to documents wouldn’t work and compromise would be necessary.

Conflicting personalities were a large problem for the Ford presidency overall. This problem derived largely from Ford’s unusual ascension to the presidency. Although personal rivalries are common in most administrations, Ford decided to keep some of the leading figures of the Nixon White House, while also bringing on some of his own staff. This decision led to strong tensions between many members of the Ford administration.

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246 Memorandum from President Ford, 19 September 1975, *FRUS Volume XXXVIII*.
248 Ibid.
249 Colby, *Honorable Men*, 436.
Nessen recalls that he was “appalled by the amount of time Ford’s men devoted to fighting with, plotting against and leaking bad stories about each other.”

Much of this criticism and controversy surrounded Henry Kissinger. The strongest of this criticism focused on Kissinger’s role as both National Security Advisor and as Secretary of State. Although Vice President Nelson Rockefeller and Kissinger maintained a strong friendship, Kissinger’s dominance in foreign policy decisions created considerable tension with other advisors. Specifically, the relationship between White House Chief of Staff Donald Rumsfeld and Kissinger was toxic. In his memoir *It Sure Looks Different from the Inside*, Nessen describes Rumsfeld’s attempts in the spring and summer of 1975 to weaken Kissinger’s dominance in foreign policy creation.

Furthermore, Nessen also faced a difficult relationship with Kissinger. In *It Sure Looks Different from the Inside*, Nessen recalls, “As the White House official responsible for disseminating factual information to the press and public, I frequently had run-ins with Kissinger because he believed that the truth should be shaded or withheld if that would advance his foreign-policy objectives.” Kissinger preferred to conduct foreign policy through secrecy and back channels, however in the aftermath of Vietnam and Watergate this behavior sowed suspicion of the Ford administration.

Kissinger became a greater liability when Ford decided to run in the 1976 presidential election. As public opinion of détente – Kissinger and Nixon’s strategy of easing tensions with the Soviet Union and the People’s Republic of China – soured

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251 Ibid, 132-134.  
252 Ibid, 132.  
among liberals as well as conservatives, Kissinger received tough criticism. This criticism became further pronounced when Republican Party challenger in the 1976 election, Ronald Reagan, began blaming the secretary of state for weakness in the Ford administration’s foreign policy.\textsuperscript{254} Reagan denounced the principles of détente, accusing Ford and Kissinger of giving up American military superiority in a naive attempt to ease tensions with the Soviet Union.\textsuperscript{255} Eventually, in the spring of 1976, Ford would drop the use of the term détente and instead begin using the policy of “peace through strength” in an attempt to appeal to conservatives.\textsuperscript{256}

Ford also began to worry about criticism from the far right concerning Vice President Rockefeller. Soon after Ford nominated Rockefeller, many conservatives began complaining that his views were too liberal for their liking. Moreover, Rockefeller had his own issues with Rumsfeld. In his memoir, \textit{Known and Unknown}, Rumsfeld wrote that his relationship with Rockefeller “turned out to be the most difficult personal relationship I experienced in all my years in the executive branch of the federal government.”\textsuperscript{257} Furthermore, according to Nessen, Rockefeller believed that Rumsfeld attempted to drive a wedge between him and the president.\textsuperscript{258}

Problems also began emerging between DCI William Colby and the White House. Colby took a different stance on how the Year of Intelligence ought to be dealt with compared to President Ford and Secretary Kissinger. Specifically, Colby saw the investigations as an opportunity to educate the public on the evolution of the U.S.

\textsuperscript{254} Mieczkowski, \textit{Gerald Ford and the Challenges}, 280-281.
\textsuperscript{255} Schulzinger, \textit{Henry Kissinger}, 215.
\textsuperscript{256} Leffler, \textit{For the Soul}, 253.
\textsuperscript{258} Nessen, \textit{From the Inside}, 154.
intelligence community, which now more frequently relied on technical means to collect intelligence rather than clandestine operations. Scott Breckinridge, CIA deputy inspector general, believed “that the dubious things produced by inexperience and the pressures of the Cold War were essentially gone from the everyday life of the agency.”

Kissinger and Ford staunchly opposed Colby’s position, believing Congress did not need as much material or information as he was providing. Following Colby’s appearance before a joint session of Congress in January 1975, when he presented information from his report to President Ford on the validity of Hersh’s accusations, Ford and Kissinger believed Colby was consistently presenting too much information to the congressional committees. This was further accentuated after Colby briefed the Church committee on the discovered poison cache leading to the sensational public hearings.

As early as January 23, 1975, Kissinger was already stressing to the president, “Colby is a disaster and should be replaced.” In May, Pete Clapper wrote to David Belin arguing, “The present leadership of the CIA should be discreetly dismissed. Mr. Colby has demonstrated imagination in proposing improvements in the CIA and revamping its image. However, more than any other person in the Agency, he personifies the darker side of its work.” Colby, himself, emphasizes in Honorable Men, “I believe I was fired because of the way I went about dealing with the CIA’s crisis.”

259 Colby, Honorable Men, 295.
260 Breckinridge, CIA and the Cold War, 203.
261 Memorandum of Conversation, 23 January 1975, FRUS Volume XXXVIII.
262 Pete Clapper (Director of Public Affairs) to David Belin, “Public Affairs Considerations in Report,” 2 May 1975, David Belin Papers, Box 23, Folder C-12, GRFL.
263 Colby, Honorable Men, 14.
In one swift move in late October 1975, Ford attempted to address some of the problems posed by Kissinger, Rockefeller, and Colby. Kissinger was stripped of his role as National Security Advisor, Rockefeller was asked to remove himself from the ticket for the 1976 election, and Colby was fired as Director of Central Intelligence, replaced by Liaison to China George H.W. Bush. The events became known as the “Halloween Massacre.” Ford also fired James Schlesinger, someone he reportedly never felt comfortable around, and made Donald Rumsfeld Secretary of Defense.264 By late 1975, Ford had taken a more direct role in controlling his foreign policy team and his coordinated effort, through the ICG, to address the congressional inquiries began to gain traction. Furthermore, events on Capitol Hill and changing perception of the CIA in the public would turn the tide even more in the administration’s favor. Throughout this period, while the Ford administration reacted to the activities of the congressional committees and the media’s sensationalism, the Rockefeller Commission’s work was relied upon as Ford’s advisors contemplated possible reform plans for the intelligence community.

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During the Year of Intelligence, Colby and the Ford administration complained about the damage being done to U.S. intelligence operations as well as U.S. foreign policy because of the sensationalism of the congressional investigations. In early April, Colby argued, “While I think our country has developed the best intelligence service in the world, I must warn you that it is in danger today. Intelligence by its very nature needs some secrets if its agents are to survive, if its officers are to do their work, and if its

264 Nessen, It Sure Looks Different, 157.
technology is not to be turned off by a flick of a switch.”

Colby worried that agency morale was weakening with every revelation published by the congressional investigations.

Throughout the year, the administration pointed to various missions that officials believed were interrupted because of the allegations against and investigations into the CIA. Although these activities were not directly related to the congressional investigations, the Ford White House used the events as proof that the investigations were harming the CIA’s ability to function overall. Schlesinger publicly blamed the congressional committees for contributing to a dramatic reduction in CIA sources abroad because of fears of leaks. Furthermore, Ford claimed the CIA investigations and the limitations placed on the intelligence community prevented the United States from conducting successful covert operations.

As previously mentioned, a mission to raise part of a sunken Soviet submarine from the Pacific Ocean was one of these interrupted operations. In 1974, the Navy recruited the CIA to assist in the recovery of the submarine. With the use of the *Glomar Explorer*, owned by recluse millionaire Howard Hughes, half the submarine was recovered. Yet, when the mission continued in early 1975, the *Los Angeles Times* caught wind of the operation and printed a front-page article. Despite Colby’s attempts to squelch the story, it eventually headlined multiple news outlets, such as the *New York Times*. Many, including Church, began to publicly question the necessity of spending

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265 “Intelligence and the Press,” Address to the Associated Press Annual Meeting by William E. Colby on 7 April 1975, David Belin Papers, Box 24, Folder C-15-5, GRFL.
266 Johnson, *Season of Inquiry*, 70.
$350 million to raise the submarine while the country was facing an economic recession. \(^{268}\) When the mission failed due to media exposure, the Ford administration used it as an example of the sensationalism caused by the congressional investigations, even if the real problem was the inability of the Ford administration to justify the expenditure.

Nevertheless, the congressional attempt in the fall of 1975 to cut funding for an ongoing CIA operation in Angola became the most serious threat the administration faced. After a coup against the Portuguese government in April 1974, the African colony Angola gained independence. However, three rival factions began fighting for control over the country: the MPLA, FNLA, and UNITA. At first the CIA recognized few differences between the three groups. Yet when the CIA discovered that the Soviet Union was providing aid to the MPLA, officials in the Ford administration believed U.S. intervention was necessary in response. \(^{269}\) Yet due to legislation passed in late 1974, in the aftermath of the congressional investigations into the role of the CIA in the assassination of Chilean leader Salvador Allende, the CIA was required to brief eight congressional committees on the operation and Ford was required to submit a presidential finding justifying why CIA action in Angola was necessary.

The briefings led to hearings by Senator Dick Clark (D., Iowa) on the ongoing situation in Angola. Some members of Congress believed interference in Angola might

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\(^{268}\) Johnson, *Season of Inquiry*, 32.

trap the U.S. in another proxy war so soon after Vietnam. His efforts, along with those of Senator John Tunney (D., California), led to the Tunney-Clark amendment which cut funding for the CIA program in Angola. Already frustrated from the investigations of the Church and Pike committees, the Ford administration came out strongly against the amendment. Kissinger stressed to President Ford that it was time for the executive branch “to take on the Congress,” arguing, “We have little to lose… We would have had Angola settled by January if these bastards [in Congress] had not been in town.”

Despite the Ford administration’s frustration, it was forced to accede to the congressional amendment as it was tied to funding for other programs, and end CIA involvement in Angola. The Ford administration considered the interruption of the operation in Angola and the *Glomar Explorer* mission as proof of the sensationalism the congressional investigations were causing.

The warnings of the executive branch about the dangers of the congressional interference were exemplified on December 23, 1975, when CIA station chief in Athens, Greece Richard Welch was killed in front of his home. Loch Johnson notes that immediately following Welch’s death rumors that the congressional investigations were to blame arose in the media. After the funeral, the Church committee became inundated with hostility and hate mail. While, eventually, it would be revealed that the blame for Welch’s death was more attributed to an underground newspaper called *Counterspy*, which published names of CIA officers abroad, Ford’s decision to bury

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271 Ibid, 161.
272 Ibid, 162.
Welch at Arlington National Cemetery turned the funeral into a national media event that drew support away from the congressional investigations. The Chicago Tribune reported that a high-ranking officer in Greece said Congress shared a responsibility in the blame for Welch’s murder. The article quoted former CIA case officer, Mike Ackerman, saying, “I’m upset that Congress has not gotten down to reforming the agency… They’ve spent all their time in publicizing the results of internal CIA investigations. There’s been a lot of political posturing, but they haven’t gotten to the guts of reorganizing.” The committees received blame for encouraging the sensationalism that put CIA agents in danger and destroyed CIA missions around the world.

A September 1975 Harris poll reported a rating of the CIA investigations, respondents were asked to consider the three investigations and rate them as “fair and just”, “too harsh,” “whitewash,” or they could select “not sure.” Thirty-three percent of the public viewed the Rockefeller Commission’s investigation as “fair and just” while twenty-eight percent believed it was a “whitewash.” However, when considering the congressional committees, twenty-eight percent believed the Church committee was “fair and just” but the majority (fifty-three percent) was “not sure.” Similarly, twenty-six percent viewed the Pike committee as “fair and just,” while fifty-five percent were “not sure.” By December 1975, another Harris poll – taken prior to the murder of Richard Welch – also reported only minor differences in how Americans perceived the congressional investigations. Thirty-eight percent of Americans viewed the job being done by the Church committee positively and forty percent negatively, with twenty-two

273 Johnson, Season of Inquiry, 161.
275 Louis Harris, “Make the CIA Accountable,” The Harris Survey, 1 September 1975.
percent unsure, while thirty-six percent viewed the Pike committee’s work positively and forty percent negatively, with twenty-four percent unsure.276

In January, the lack of public distinction between the Church and Pike committees caused considerable problems for both investigations when the Pike committee’s final report was leaked. After going to the Rules Committee to request a two-week extension to complete its final report, the Pike committee instead found itself before the entire House, voting to determine whether the final report should be released at all. In a vote of 246 to 124, the House decided to suppress the committee’s final report until the Ford administration could review it. Two weeks later, the entire report was leaked and it appeared in the Village Voice, a newspaper published in New York City.277 Instead of focusing on the recommendations of the report itself, the House Rules Committee began an investigation into who leaked the report to the Village Voice. Eventually the committee discovered Daniel Schorr leaked the copy, yet Schorr remained adamant that he could not expose who provided him with a copy of the report. In the end, the Rules Committee was forced to end their investigation, never discovering where the leak originated.

The drama and sensationalism hurt both committees. Although the Church committee would release many volumes of research in late April 1976, the only substantial recommendation approved was the creation of a permanent oversight committee in the Senate. The Pike committee, too, recommended the creation of a

276 Louis Harris, “Make the CIA Accountable,” 185.
permanent oversight committee in the House, however, after the controversy surrounding its leaked report, it would take until July 1977 for the House to create the committee.

According to a memo to the president on April 24, 1976, the White House also exerted pressure on the Church committee to delete particularly harmful passages from the committee’s report. John Matheny of the National Security Council Staff wrote to National Security Assistant Scowcroft that quotations from Kissinger that were harmful were eliminated as well as political swipes against White House officials. Matheny stressed, “As bad as the initial impression of thumbing through the report might be, it was at least twice as damaging prior to the interagency review process.” Still Matheny also emphasized that many details of the report might threaten national security or foreign relations with other nations.278

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As the congressional investigations dealt with the controversy from the Pike committee leak, the Ford administration finally decided it was time to act on intelligence reform. On February 18, 1976, Ford issued Executive Order 11905. The order set out guidelines to deal with responsibility for intelligence community leadership, restrictions on intelligence activities, oversight of intelligence agencies, and secrecy agreement provisions.279

278 Memorandum from John K. Matheny of the National Security Council Staff to the President’s Assistant for National Security Affairs (Scowcroft), 24 April 1976, FRUS Volume XXXVIII.
279 “Executive Order 11905,” David Belin Papers, Box 24, Folder C-16, GRFL; “Meeting on Intelligence Community,” 30 January 1976, Presidential Handwriting File, Box 31, Folder “National Security – Intelligence (9),” GRFL.
The order came after many months of planning; drafts of the executive order were prepared as early as September 1975. Nevertheless, even in late January 1976, some of Ford’s advisors maintained that presidential action would be unnecessary. On January 12, Rockefeller wrote to Ford arguing, “the political situation in Congress does not require you to go so far as to create administrative charters in order to forestall legislative action. In my view, the recent Hose vote on the Pike Committee Report demonstrates the reluctance in Congress to go too deeply into areas which historically have been the President’s province.”

The Ford administration considered many possible options from September 1975 until February 1976 on how best to respond to the congressional investigations. Furthermore, the administration relied on recommendations outside of the Rockefeller Commission’s report, specifically, the Murphy Commission Report of 1975 and the Schlesinger Report of 1971. The Murphy Commission, a joint executive-legislative commission, began its investigation in 1972 under President Nixon. The Commission’s mandate was to “study and investigate the organization, methods of operation, and powers of all departments, agencies, independent establishments and instrumentalities… participating in the formulation and implementation of United States foreign policy.”

Schlesinger prepared his report in 1971, while at the Bureau of the Budget. His study

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280 Memorandum from the President’s Counselor (Buchen), the Director of the Office of Management and Budget (Lynn), and Secretary of State Kissinger to President Ford, 5 September 1975, *FRUS XXXVIII*; “Reorganization of Intelligence,” undated, Richard Cheney Files, Box 6, Folder “Reorganization,” GRFL.
281 Memorandum for the President, 4 February 1976, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 16, Folder 383.1, RAC.
282 Memorandum for the President from Buchen, Lynn, and Kissinger, 5 September 1975, Robert K. Wolthuis Files, Box 4, Folder “Completed draft of Executive Order by 8/25/75,” GRFL.
focused on making national intelligence activities more effective and less costly. Ford’s key advisors on the intelligence community considered the recommendations of all three reports on possible reforms to the intelligence community and offered options for the president in September 1975 on reforms. The use of these reports, especially the Rockefeller Commission’s work, which a third of the public viewed as “fair and just,” helped legitimize Ford’s reforms.

In December, using the recommendations from the three reports, Ford’s advisors submitted a report setting forth alternatives for changes in the intelligence community structure and possible modifications for changes in the National Security Council and executive office structures. The administration considered creating new agencies, isolating the DCI from management and resource control, and creating new deputy positions in the CIA structure to assist the DCI with control of the intelligence community.

By January 9, 1976 the administration had not decided if major structural reorganizations would be a part of Ford’s reforms. Many officials continued to disagree on whether Ford should act at all. On February 16, Wallison reported to Rockefeller that Rumsfeld and Deputy Secretary of Defense Robert Ellsworth still

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284 Memorandum for the Vice President from Peter Wallison, 13 August 1975, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 13, Folder 332.2, RAC.
285 “Summary of the Draft Report to the President on Organization and Management of the Foreign Intelligence Community,” undated, National Security Advisor, Staff Assistant John K. Matheny Files, Box 9, Folder “President’s Meetings on Intelligence Decisions (1),” GRFL.
286 Memorandum for Brent Scowcroft from William Hyland, 9 January 1976, Staff Assistant John K. Matheny Files, Box 9, Folder “President’s Meetings on Intelligence Decisions (1),” GRFL; Memorandum from the President’s Assistant for National Security Affairs (Scowcroft) to Secretary of State Kissinger, 30 January 1976, FRUS Volume XXXVIII.
disagreed with Ford’s decision to issue an Executive Order. Rockefeller’s counsel, Pete Wallison, wrote to the Vice President saying, “In my view, there are no benefits for the President in this package - - other than the fact that it represents action - - and there are a lot of political and substantive liabilities.”

Nevertheless, on February 18, Ford announced the details of his Executive Order. He argued his actions would “eliminate abuses and questionable activities on the part of the foreign intelligence agencies,” while helping “to restore public confidence.” Ford’s order included the creation of three new oversight committees: the committee on Foreign Intelligence, the Operations Advisory Group, and the Intelligence Oversight Board. Ford expanded on the National Security Act of 1947, adding “foreign intelligence” to the CIA’s mandate and issuing guidelines on the role of the Director of Central Intelligence, each department of the intelligence community, and the National Security Council. Furthermore, the order included a secrecy provision to prevent the unauthorized disclosure of classified information and set stipulations for physical surveillance of U.S. citizens. Frank Church believed that the Executive order, “gave the CIA a bigger shield and a longer sword with which to stab about.”

287 Memorandum for the Vice President from Peter Wallison, 17 February 1976, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 7, Folder 193, RAC.
288 Memorandum for the Vice President from Peter J. Wallison, 16 February 1976, Nelson A. Rockefeller Vice Presidential Papers, Record Group 26, Series 19, Box 7, Folder 193, RAC.
291 Quoted in Kitts, Presidential Commissions, 65.
The order followed many of the recommendations outlined by the Rockefeller Commission report. Specifically, Ford followed the Commission’s recommendations to amend the National Security Act, explicitly stating foreign intelligence, and including secrecy provisions. Ford addressed the Commission’s recommendation to issue an executive order to prevent the collection of domestic abuses, recommended the creation of a joint oversight committee in Congress, set guidelines on permitted activities in each intelligence agency, and banned domestic mail opening.

As Congress dealt with the fallout from the Pike leak, Ford took the initiative in bringing change to the intelligence community. While it may have appeared that the administration forgot about the Rockefeller Commission’s work, it remained on the minds of officials, such as Kissinger, Schlesinger, Buchen, and Marsh, even as personal rivalries, politics, and Congress distracted them. As the Pike committee collapsed in controversy and the Church committee was caught in the fallout, Ford stepped in utilizing the underlying themes of the Rockefeller Commission’s final report and recommendations, finally succeeding in utilizing the Commission to preempt congressional action.
CONCLUSION

And ye shall know the truth and the truth shall make you free.

— John 8:32

Buried in the pages of the New York Times on June 12, 1975, an article by Seymour Hersh addressed the publication of the Rockefeller Commission’s final report. In the article, Hersh reported that the source for his original story on CIA wrongdoing in December 1974, believed the Commission’s report was “exhaustive” and “was kind of shocked by the details.” Hersh’s anonymous source also criticized the Commission for issuing weak recommendations and not providing “explicit statutory prohibitions” for future wrongdoings.

Former Rockefeller Commission staff member Timothy Hardy argues that, “Hersh may not even merit a historical footnote, perhaps, because the balls he started rolling never really knocked down all, or even any, of the pins.” Hardy emphasizes that Hersh’s story did little harm to the CIA, “still thriving in Langley” and that the U.S. intelligence community continued operations well past the Year of Intelligence. Nevertheless, Hardy does credit Hersh with setting “in motion events that led to trumpeted ‘reforms’ of the foreign intelligence community.” These reforms provided the agency with a renewed legitimacy in the eyes of the American public.

On February 17, 1976, when President Ford announced Executive Order 11905, he stressed, “We have learned many lessons from this experience, but we must not

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292 Etched into a wall in the main lobby at CIA headquarters in Langley, Virginia.
294 Hardy, “From the Inside,” 1.
become obsessed with the deeds of the past. We must act for the future.”295 At the end of
the Year of Intelligence, Congress did reclaim a role in intelligence oversight. With the
creation of permanent CIA oversight committees in addition to the Hughes-Ryan
Amendment of 1974, Congress became a greater participant in intelligence decisions.
Nevertheless, with Executive Order 11905, the executive branch continued to dominate
intelligence community decisions and oversight. The three new committees created to
help regulate CIA activities and the stricter guidelines set by the administration showed
that the president was still the leading force in intelligence oversight.

Following the 1976 presidential election, the future of the agency resided with
President Jimmy Carter. A New York Times article on December 13, 1976 reported that
intelligence officials “who say they have largely recovered from the demoralizing shocks
of past misdeeds are facing the accession of President-elect Jimmy Carter with
apprehension about the possibility of new organizational shakeups.”296 Carter utilized
executive orders to enact stricter controls on the U.S. intelligence community and
followed in Ford’s footsteps outlawing any use of assassinations during peacetime
(something each administration after Ford would also do). However, while the Senate and
House spent years considering alterations to charters for the U.S. intelligence community,
plans were abandoned after strong opposition from the intelligence community and a lack
of enthusiasm from the Carter administration.297 Four years later, when Ronald Reagan

295 Statement by the President, 17 February 1976, Nelson A. Rockefeller Vice Presidential Papers, Record
Group 26, Series 19, Box 16, Folder 377, RAC.
297 Olmsted, Challenging the Secret, 177.
entered the White House, he quickly reversed many of the strict controls on the agency.298

Ronald Reagan ran on the platform that the U.S. needed to take a more forceful role in world politics, promising to unleash the CIA from the chains placed upon it during the Year of Intelligence. When Reagan entered the White House in 1981 he quickly loosened some of the regulations of the Carter administration, such as permitting surveillance of Americans abroad.299 Political scientist Frank Smist, Jr., argues that Reagan “actively sought to both undermine and destroy the accountability standards built up so carefully and painstakingly by congressional overseers since 1976.”300 Yet, in November 1986, the Iran-Contra scandal brought the U.S. intelligence community back under the media spotlight and criticism.

During the Iran-Contra affair, in response to a congressional cut in funding for the contras in Nicaragua, the Reagan administration decided to trade arms for hostages held in Lebanon by groups with close ties to Iran, using the profits from the deal to aid the contra rebels. Political scientist Stephen Weissman argues the Iran-Contra affair “was a foreign policy disaster from almost any political perspective.”301 Mirroring the events of 1975, Ronald Reagan established the Tower Commission to conduct a brief investigation of the scandal. Just over a month later, the Senate and House also decided to establish a joint investigative committee to look into the events.302

298 Olmsted, *Challenging the Secret*, 177.
299 Ibid, 177.
300 Smist, *Congress Oversees*, 263.
302 Smist, *Congress Oversees*, 259.
However, Smist notes, “Ironically like the Pike committee in 1976 the congressional Iran-Contra investigators found themselves forced to justify their investigation.”303 Due to the many dimensions of the affair and the congressional committee’s inability to find facts on whether Reagan knew of the diversion of funds from the Iranian arms deals to the Contras, Smist argues, “the congressional investigators lost an opportunity to educate the American people about the real significance of the Iran-Contra Affair.”304 Following the Iran-Contra affair, scholars began to question the legacy of the Year of Intelligence, attempting to understand how the reforms enacting between 1974 and 1977 had not prevented the scandal.

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Historian Yanek Mieczkowski argues, “The 1970s was no ordinary era. Ford led a country that trembled on the cusp of ominous changes. Cynicism and distrust permeated politics.”305 To many scholars of the Year of Intelligence, the Rockefeller Commission is only a footnote, an unsuccessful attempt by President Ford to preempt congressional involvement in CIA oversight. While there might be truth to that position, the Rockefeller Commission deserves to be reconsidered by scholars. An analysis of the Rockefeller Commission reveals many of the larger themes of the Ford presidency and tells scholars a great deal about how the Ford administration dealt with the problems it faced.

With his ascendency to the presidency, Gerald Ford faced a nation that distrusted the executive branch and questioned the principles behind Cold War foreign policy. Due to the changing public attitudes following the Vietnam War and the Watergate scandal,

303 Smist, Congress Oversees, 262.
304 Ibid, 262.
305 Mieczkowski, Gerald Ford and the Challenges, 358.
Ford also faced newly elected members of Congress that were willing to challenge the presidency on foreign policy. As the Cold War consensus that had guided U.S. foreign policy for two decades frayed, Ford was forced to take an aggressive stance to protect his interests.

Although Ford attempted to follow the steps taken by previous administrations following revelations of CIA abuse, the newly elected “Fighting Ninety-fourth” and changed structures of committee structures on Capitol Hill contributed to considerable legislative initiative. In cases such as the Doolittle Commission of 1954, the Taylor Commission of 1961, and the Katzenbach Commission of 1967, the White House was able to limit the scope of the inquiry and avoid major changes or reforms from Congress. However, with each controversy, congressional suspicion of the CIA grew. By 1967, this suspicion was reaching a tipping point. The start of the Vietnam War diverted attention from the CIA to the White House overall. By 1974, after Vietnam and Watergate, public distrust of the executive branch reached an all-time high. The timing of Hersh’s article on December 22, 1974 built upon the fear, suspicion, and frustration surrounding the agency for years.

In response to the article, Ford decided to create the Rockefeller Commission, hoping it might preempt the congressional investigations. Yet, after testimony from Colby on the details of the Family Jewels, and criticism among the public that the Rockefeller Commission would only be a whitewash operation, both the House and Senate created their own inquiries. The Rockefeller Commission got the head start in its
investigation, while the Church and Nedzi (later Pike) committees organized and hired staff.

However, while the Commission emphasized that they would leave “no stone left unturned,” in the end the Commission did not go as far as it could – and should – have to uncover CIA abuses. Although the Commission began an investigation of CIA assassination plots against foreign leaders after President Ford accidentally leaked the information to a group of reporters, White House reluctance to address the topic led to the suppression of a chapter from the Commission’s final report. Furthermore, despite the Commission’s claims of autonomy from the White House, then White House aide Dick Cheney considerably edited the Commission’s final report before publication.

As the Commission finished its work in June 1975, the congressional committees were just getting started. The Church and Pike committees dominated the second half of the Year of Intelligence. In response to the perceived threat of congressional interference in White House foreign policy decisions, the Ford administration began a coordinated effort to deal with the Church and Pike committees. Despite internal disagreements between many officials, such as Kissinger and Rumsfeld, the White House was able to regain the upper hand in the Year of Intelligence, parrying most of the significant changes coming from the Church and Pike committees.

With Executive Order 11905 in February 1976, Ford ended the Year of Intelligence. Although it would take the Church committee until April to finish its reports, the Year of Intelligence faded from public interest. The persistent leaks from the Pike committee, culminating with the massive leak of its final report, paired with the
Ford administration’s insistence that the intelligence investigations were harming CIA morale and operations, demonstrated with the death of Richard Welch in December 1975, helped discredit the congressional investigations. Members of the House were alarmed by the leak and focused their attention on finding the source. The lack of distinction between the congressional investigations among the American public meant that the Senate was caught up in the sensationalism caused by the House. Ford then returned to the Rockefeller Commission’s work to legitimize his reforms and control of intelligence oversight.

The CIA and U.S. intelligence community, by their very nature, will always be prone to eras of controversy. Despite recent public outcry following the revelations of abuses by the U.S. intelligence community during Bush’s “War on Terror” and NSA spying on U.S. citizens, there has been nothing like a replay of the events of the Year of Intelligence. The Year of Intelligence was unique for many reasons. It was the first time the president faced a Congress unwilling to defer to the executive in an investigation into the CIA. It was the first time an investigation into the CIA of that magnitude with such publicity ever occurred. While the effects of the congressional investigations are important to consider, the lack of scholarly attention to the Rockefeller Commission and its place in the Year of Intelligence misses an important part of the story.
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