HUGE C.I.A. OPERATION REPORTED IN U.S. AGAINST ANTIWAR FORCES, OTHER DISSIDENTS IN NIXON YEARS

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WASHINGTON, Dec. 21—The Central Intelligence Agency, directly violating its charter, conducted a massive, illegal domestic intelligence operation during the Nixon Administration against the antiwar movement and other dissident groups in the United States, according to well-placed Government sources.

An extensive investigation by The New York Times has established that intelligence files on at least 10,000 American citizens were maintained by a special unit of the C.I.A. that was reporting directly to Richard Helms, then the Director of Central Intelligence and now the Ambassador to Iran.

In addition, the sources said, a check of the C.I.A.'s domestic files ordered last year by Mr. Helms's successor, James R. Schlesinger, produced evidence of dozens of other illegal activities by members of the C.I.A. inside the United States, beginning in the nineteen-fifties, including break-ins, wiretapping and the surreptitious inspection of mail.

A Different Category

Mr. Schlesinger was succeeded at the C.I.A. by William E. Colby in September, 1973.

Those other alleged operations, in the fifties, while also prohibited by law, were not targeted at dissident American citizens, the sources said, but were a different category of domestic activities that were secretly carried out as part of operations aimed at suspected foreign intelligence agents operating in, the United States.

Under the 1947 act setting up the C.I.A., the agency was forbidden to have “police, subpoena, law enforcement powers or internal security functions” inside the United States. Those responsibilities fall to the F.B.I., which maintains a special internal security unit to deal with foreign intelligence threats.

Helms Unavailable

Mr. Helms, who became head of the C.I.A. in 1966 and left the agency in February, 1973, for his new post in Teheran, could not be reached despite telephone calls there yesterday and today.

Charles Cline, a duty officer at the American Embassy in Teheran, said today that a note informing Mr. Helms of the request by The Times for comment had been delivered to Mr. Helms's quarters this morning. By late evening Mr. Helms had not returned the call.

The information about the C.I.A. came as the Senate Armed Services Committee issued a report today condemning the Pentagon for spying on the White House National Security Council. But the report said the Pentagon spying incidents in 1970 and 1971 were isolated and presented no to

civilian control of the military.

The disclosure of alleged illegal, C.I.A. activities is the first, possible connection to rumers that have been circulating in Washington for some time. A number of mysterious burglaries and incidents have come to light since the breakin at Democratic party headquarters in the Watergate complex on June 17, 1972.

Duping Charged

Thoughout the public hearings and courtroom testimony on Watergate, Mr. Helms and other high-level officials said that the C.I.A. had been “duped” into its Watergate involvement by the White House.

As part of its alleged effort against dissident Americans in the late nineteen-sixties had early nineteen-seventies, The Time's sources said, the C.I.A. authorized agents, to follow and photograph participants in antiwar and other demonstrations. The C.I.A. also set up a network of informants who were ordered to penetrate antiwar groups, the sources said.

At least one avowedly antiwar member of Congress was among those placed under surveillance by the C.I.A., the sources said. Other members of Congress were said to be in-, cluded in the C.I.A.'s dossier on dissident Americans.

The names of the various Congressmen could not be gained, nor could any specific information about domestic I.A. break-ins and wiretappings be obtained.

It also could not be determined whether Mr. Helms had had specific authority from the President or any of his top officials to initiate the alleged domestic surveillance, or whether Mr. Helms had informed the President of the fruits, if any, of the alleged operations.

Distress Reported

These alleged activities are known to have distressed both Mr. Schlesinger, now the SecreMr.-Colby has reportedly told associates that he is considering the possibility of asking the Attorney General to institute legal action against some of those who had been involved in the alleged domestic activities.

One official, who was directinvolved in the initial C.I.A. inquiry last year into the alleged domestic spying, laid that Mr. Schlesinger and his assotates were unable to learn what. Mr. Nixon knew, if anything.

Mr. Colby refused comment on the domestic spying issue. But one clue to the depth of his feelings emerged during an off-the-record talk he gave Monday night at the Council on Foreign Relations in New York.

The C.I.A. chief, who had been informed the previous week of the inquiry by The Times, said at the meeting that be had ordered a complete investigation of the agency's domestic activities and had found some improprieties.

But he is known to have added, “I think family skeletons are best left where they are—in the closet.”

He then said that the “good thing about all of this was the red flag” was raised by a group of junior employes inside the agency.

It was because of the prodding from below, some sources have reported, that Mr. Colby decided last year to inform the chairmen of the House and Senate Intelligence Oversight Committees of the domestic activities.

Mr. Schlesinger, who became Secretary of Defense after serving less than six months at the C.I.A., similarly refused to discuss the domestic spying activities.

Anguish Reported

But he was'described by an associate as extremely concerned and disturbed by what he discovered at the C.I.A. upon replacing Mr. Helms.

“He found himself in a cesspool,” the associate said. “He was having a grenade blowing up in his face every time he turned around.”

Mr. Schlesinger was at the C.I.A. when the first word of the agency's involvement in the September, 1971, burglary of the office of Dr. Daniel Ellsberg's former psychiatrist by the White House security force known as the “plumbers” became known.

It was Mr. Schlesinger who also discovered and turned over to the Justice Department a series of letters written to a Mr. Helms by James W. McCord Jr., one of the original Watergate defendants and a former C.I.A. security official. The letters, which told of White House involvement in the Watergate burglary, had been deposited in an agency office.

The associate said one result of Mr. Schlesinger's inquiries into Watergate and the domestic of the C.I.A. operations was his executive edict ordering a halt to all questionable counterintelligence operations inside the United States.

During his short stay at the C.I.A., Mr. Schlesinger also initiated a 10 per cent employe cutback. Because of his actions, the associate said, security officials at the agency decided to increase the number of his personal bodyguards. It could not be learned whether that action was taken after a threat.

Many past and present C.I.A. men acknowledged that Mr. Schlesinger's reforms were harder to bear because he was an outsider.

Mr. Colby, these men said, while continuing the same basic programs initiated by his predecessor, was viewed by some as “the saving force” at the agency because as a former high-ranking official himself in the C.I.A.'s clandestine services, he had the respect and power. to ensure that the alleged illegal domestic programs would cease.

Some sources also reported that there was widespread paper shredding at the agency shortly after Mr. Schlesinger began to crack down on the C.I.A.'s operations.

Asked about that, however, Government officials said that they could “guarantee” that the domestic intelligence files were still intact.

“There's certainly been no order to destroy them,” one official said:

When confronted with the Times's Information about the C.I.A.'s domestic operations earlier this week, high-ranking American intelligence officials confirmed its basic accuracy, but cautioned against drawing “unwarranted conclusions.”

Espionage Feared

Those officials, who insisted on not being quoted by name, contended that all of the C.I.A.'s domestic activities against American citizens were initiated in the belief that foreign governments and foreign espionage may have been involved.

“Anything that we did was In the context of foreign counterintelligence and it was focused at foreign intelligence and foreign intelligence problems,” one official said.

The official also said that the requirement to maintain files on American citizens emanated, in part, from the so-called Huston plan. That plan, named for its author, Tom Charles Huston, a Presidential aide, was a White House project in 1970 calling for the use of such, illegal activities as burglaries and wiretapping to combat antiwait activities, and student turmoil that the White House believed was being “fomented” —as the Huston plan stated—by black extremists.

Former President Richard M. Nixon and his top aides have repeatedly said that the proposal, which had been adamantly opposed by J. Edgar Hoover, then the director of the Federal Bureau of Investigation, was never implemented.

Government intelligence officials did not dispute that assertion, but explained that, none-theless, the C.I.A.'s, decision to maintain domestic files „on American citizens “obviously got a push at that time.”

“Yes, you can say that the C.I.A. contribution to the Huston plan was in the foreign counterintelligence field,” one official said.

‘A Spooky Way’

“The problem is that it was handled in a very spooky way.”

“If you're an agent sitting in Paris and you're asked to find out whether Jane Fonda is being manipulated by foreign intelligence services, you've got to ask yourself who is the real target,” the official said. “Is it the foreign intelligence services or Jane Fonda?”

However, this official and others insisted that all alleged domestic C. I. A. operations against American citizens had now ceased and that instructions had been issued to insure that they could not occur again.

A number of well-informed official sources, in attempting to minimize the extent of alleged wrongdoing posed by the C.I.A.'s domestic actions, suggested that the laws were fuzzy in connection with the so-called “gray” area of CLA.-F.B.I. operations — that is, when an American citizen is approached inside the United States by suspected foreign intelligence agent.

The legislation setting up the C.I.A. makes the director “responsible for protecting intelligence sources and methods from unauthorized disclosure.”

One official with close access to Mr. Colby contended at length in an interview yesterday that the C.I.A.'s domestic actions were not illegal because of the agency's legal right to prevent the possible revelation of secrets.

‘Gray Areas’

“Look, you do run into gray areas,” the official said, “and, unquestionably, some of this fell into the gray area. But the director does have an obligation to guard his sources and methods. You get some foreigner snooping around and you have to keep track.”

“Let's suppose as an academic exercise, hypothetically,” the official said, “that a foreigner believed to be an intelligence agent goes to Washington newspaper office to see a reporter. What do you [the C.I.A.] do? Because it's a Washington newspaper office and a reporter, do you scratch that from the C.1.A.'s record?

“Sure, the C.I.A. was following the guy, but he wasn't an American.”

A number of other intelligence experts, told of that example, described it as a violation of the 1947 statute and clear example of an activity, even if involving a foreigner, from which the C.I.A. is barred.

Prof. Harry Howe Ransom of Vanderbilt University, considered a leading expert on the C.T.A. and its legal and Congressional authority, said in telephone interview that in his opinion the 1947 statute included “a clear prohibition against any internal security functions under any circumstances.”

Professor Ransom said that his research of the Congressional debate at, the time the C.I.A. was set up makes clear that Congress expressed concern over any police state tacics and intended to avoid the possibility. Professor Ransom quoted one member as having Said during floor debate, “We don't want a Gestapo.”

Similar reservations about the C.I.A.'s role in domestic affairs were articulated by Mr. Colby during his confirmation hearings before the Senate Armed Services Committee in September, 1973.

Asked, by Senator Stuart Symington, Democrat of Missouri, about the “gray” area in the 1947 legislation, Mr. Colby said:

“My interpretation of that particular provision is that it gives me a charge but does not give me authority. It gives me the job of identifying any problem of protecting sources and methods, but in the event I identify one it gives me the responsibility to go to the appropriate authorities with that information and it does not give me any authority to act on my own.

‘No Authority’

“So I really see less of gray area [than Mr. Helms] in that regard. I believe that there is really no authority under that act that can be used.”

Beyond his briefings for Senator John C. Stennis, Democrat of Mississippi, and Representative Lucien N. Nedzi, Democrat of Michigan, the respective chairmen of the Senate and House Intelligence subcommittees of the Armed Services Committees, Mr. Colby apparently had not informed other Ford Administration officials as of yesterday of the C.I.A. problems.

“Counterintelligence!” one high-level Justice Department official exclaimed upon being given some details of the C.I.A.'s alleged domestic operations. “They're not supposed to have any counterintelligence in this country.”

“Oh, my God,” he said, “oh my God.”

A former high-level F.B.I. official who operated in domestic counterintelligence areas since World War I, expressed astonishment and then anger upon being told of the C.I.A.'s alleged domestic activities.

“We had an agreement with them that they weren't to do anything unless they checked with us,” he said. “They double-crossed me all along.”

He said he had never been told by his C.I.A. counterintelligence colleagues of any of the alleged domestic operations that took place.

Mr. Huston, now an Indianapolis attorney, said in a telephone conversation yesterday that he had not learned of any clandestine domestic C.I.A. activities while he worked in the White House.

Huston Disagrees

Mr. Huston took vigorous exception to a suggestion by intelligence officials that his proposed White House domestic intelligence plan resulted in increased pressure on the C.I.A. to collect domestic intelligence.

“There was nothing in that program that directed the C.I.A. to do anything in this country,” Mr. Huston said. “There was nothing that they could rely on to justify anything like this. The only thing we ever asked them for related to activities outside the United States.”

Two months ago, Rolling Stone magazine published a lengthy list of more than a dozen unsolved break-ins and burglaries and suggested that they might be linked to as yet undisclosed C.I.A. or F.B.I. activities.

Senator Howard H. Baker Jr., Republican of Tennessee, who was vice chairman of the Senate Watergate committee, has publicly spoken of mysterious C.I.A. links to Watergate, The White House transcripts of June 23, 1972, show President Nixon saying to H. R.-Haldeman, his chief of staff, “Well, we protected Helms from one hell of a lot of things.”

The remark, commented upon by many officials during recent interviews, could indicate Presidential knowledge about the C.I.A.'s alleged domestic activities.

The possible Watergate link is but one of many questions posed by the disclosures about the C.I,A. that the Times sources say they believe can be unraveled only by extensive Congressional hearings.

The, C.I.A. domestic activities during the Nixon Administration were directed, the source said, by James Angleton, who is still in charge of the Counterintelligence Department, the agency's most powerful and Mysterious unit.

As head of counterintelligence, Mr. Angleton is in charge of maintaining the C.I.A.'s “sources and methods of intelligence,” which means that he and his men must ensure that foreign intelligence agents do not penetrate the C.I.A.

The Times's sources, who included men with access to first-hand knowledge of the C.I.A.'s alleged domestic activities, took, sharp exception to the official suggestion that such activities were the result of legitimate counterintelligence needs.

“Look, that's how it started,”one man said. “They were looking for evidence of foreign involvement in the antiwar movement. But that's not how it ended up. This just grew and mushroomed internally.”

“Maybe they began with a Check on Fonda,” tile source said, speaking hypothetically. “But then they began to check on her friends. They'd see her at an antiwar rally and take photographs. I think this was going on even before the Huston plan.

‘Highly Coordinated’

“This wasn't a series of isolated events. It was highly coordinated. People were targeted, information was collected on them, and it was all put on [computer] tape, just like the agency does with information about K.G.B. [Soviet] agents.

“Every one of these acts was blatantly illegal.”

Another official with access to details of C.I.A. operations said that the alleged illegal activities uncovered by Mr. Schlesinger last year included break-ins and electronic surveillances that had been undertaken during the fifties and sixties.

“During the fifties, this was routine stuff,” the official said. “The agency did things that would amaze both of us, but some of this also went on in the late sixties, when the country and atmosphere had changed.”

The official suggested that what he called the “Nixon antiwar hysteria” may hive been a major factor in the C.I.A.'s decision to begin maintaining domestic files on American citizens.

One public clue about alleged White House pressure for.C.I.A: involvement in the intelligence efforts against antiwar activists came during Mr. Helms's testimony before the Senate Watergate committee in August, 1973.

Mr. Helms told how the President's Foreign Intelligence Advisory Board had once suggested that the agency could “make a contribution” in domestic intelligence operations.

‘No Way’

“I pointed out to them very quickly it could not, there was no way,” Mt. Helms said. “But this was a matter that kept coming up in the context of feelers: Isn't there somebody else that can take on some of these things if the F.B.I. isn't doing them as well as they should, as there are no other facilities?”

The Times's sources, reflecting the thinking of some of the junior C.I.A. officials who began waving “the red flag” inside the agency, were harshly critical of the leadership of Mr. Helms.

These junior officials are known to believe that the alleged domestic spying on antiwar activists originated as an ostensibly legitimate counterintelligence operation to determine whether the antiwar movement had been penetrated by foreign agents.

In 1969 and 1970, the C.I.A. was asked by the White House to determine whether foreign governments were supplying undercover agents and funds to antiwar radicals and Black Panther groups in the United States. Those studies, conducted by C.I.A. officials who reportedly did not know of the alleged secret domestic intelligence activities, concluded that there was no evidence of foreign support.

“It started as a foreign intelligence operation and it bureaucratically grew,” one source said. “That's really the answer.”

The source added that Mr. Angleton's counterintelligence department “simply began using the same techniques for foreigners against new targets here.”

Along with assembling the domestic intelligence dossiers, the source said, Mr. Angleton's department began recruiting informants to infiltrate some of the more militant dissident groups.

“They recruited plants, informers and doublers [double agents],” the source said. “They were collecting information and when counterintelligence collects information, you use all of those techniques.

“It was like a little F.B.I. operation.”

This source and others knowledgeable about he C.I.A. believe that Mr. Angleton was permitted to continue his alleged domestic operations because of the great power he wields inside the agency as director of counterintelligence.

It is this group that is charged with investigating allegations against C.I.A. personnel made by foreign agents who defect; in other words, it must determine whether a C.I.A. man named by a defector is, in fact, a double agent.

Marchetti Book

Victor Marchetti, a former C.I.A. official, said in a book published this year that the “counterintelligence staff operates on the assumption that the, agency— as well as other elements of the United States Government—is, penetrated by the K.G.B.

“The chief of the C.I.A. staff [Mr. Marchetti did not identify Mr. Angleton] is said to keep list of the 50 or so key positions in the C.I.A. which are most likely to have been infiltrated by the opposition, and he reportedly keeps the persons in those positions under constant surveillance,” he wrote.

Dozens of other former C.I.A. men talked in recent interviews with similar expressions of fear and awe about Mr. Angleton, an accomplished botanist and Yale graduate who once edited a poetry magazine there.

He was repeatedly described by former C.I.A. officials as an unrelenting cold warrior who was convinced that the Soviet Union was playing a major role in the antiwar activities.

One former high-level C.I.A. official accused Mr. Angleton of a “spook mentality” who saw conspiracies everywhere. The official said that Mr. Angleton was convinced that many members of the press had ties to the Soviet Union and was suspicious of anyone who wrote anything friendly about the Soviet Union.

Another former official characterized counterintelligence as “an independent power in the C.I.A. Even people in the agency aren't allowed to deal directly with the C.I. [counterintelligence] people.

“Once in it,” he said, “you're in it for life.”

Most of the domestic surveillance and the collection of domestic intelligence was conducted, the sources said, by one of the most clandestine units in the United States intelligence community, the special operations branch of counterintelligence. It is these men who perform the foreign wiretaps and break-ins authorized by higher intelligence officials.

‘Deep Snow Section’

“That's really the deep snow section,” one high-level intelligence expert said of the unit, whose liaison with Mr. Helms was conducted by Richard Ober, a long-time counterintelligence official who has served in New Delhi for the C.I.A.

Despite intensive interviews, little could be learned about the procedures involved in the alleged doinestic activities except for the fact that the operation was kept carefully shielded from other units inside the C.I.A.

One former high-level aide who worked closely with Mr. Helms in the executive offices of the agency recalled that Mr. Ober held frequent private meetings with Mr. Helms in the late sixties and early seventies.

“Ober had unique and very confidential access to Helms,” the former C.I.A. man said. “I always assumed he was mucking about with Americans who were abroad and then would come back, people like the Black Panthers.”

‘Nothing I Can Say’

The official said he had learned that Mr. Ober had quickly assembled “a large staff of people who acquired enormous amounts of data, more than I thought was justified.”

After the unveiling of the domestic operations by Mr. Schlesinger last year, sources said, Mr. Ober was abruptly transferred from the C.I.A. to a staff position with the National Security Council.

“They didn't fire him,” one well-informed source said; “but they didn't want him around. The C.I.A. had to get rid of him, he was too embarrassing, too hot.”

The source added that Mr. Ober had vehemently defended his actions as justified by national security.

A. Government intelligence official, subsequently asked about Mr. Ober, denied that his transfer to the National Security Council was a rebuke in any way.

Reached by telephone at his office this week, Mr. Ober refused to discuss the issue.

“There's nothing I can say about this,” he said.

Mr. Angleton, also reached by telephone this week at his suburban Washington home, denied that his Counterintelligence Department operated domestically.

“We know our jurisdiction,” he said.

Mr. Angleton told of a report from a United States agent in Moscow who was relaying information to the C.I.A. on the underground and radical bombings in the United States during the height of the antiwar activity.

A Source In Moscow

“The intelligence was not acquired in the United States,” Mr. Angleton declared, “it came from Moscow. Our source there is still active and still productive; the opposition. still doesn't know.”

Mr. Angleton then described how the C.I.A. had obtained information from Communist sources about the alleged demolition training of black militants by the North Koreans. He also told of recent intelligence efforts involving the K.G.B. and Yasir Arafat, chairman of the Palestine Liberation Organization.

A number of former important F.B.I. domestic intelligence sources took issue with Mr. Angelton's apparent suggestion that the domestic antiwar activity was linked to the Soviet Union.

“There was a lot of stuff [on radicals in the United States] that came in from the C.T.A. overseas,” one former official recalled, but he said a lot of it was worthless.

Amazement and Dismay

Other officials closely involved with United States intelligence expressed amazement and dismay that the head of counterintelligence would make such random suggestions during a telephone conversation with a newsman.

“You know,” said one member of Congress who is involved with the monitoring of C.I.A. activities, “that's even a better story than the domestic spying.”

One former C.I.A. official who participated in the 1969 and 1970 White House-directed studies of alleged foreign involvement in the antiwar movement said that Mr. Angleton “undoubtedly believes that foreign agents were behind the student movement, but he doesn't know what he's talking about.”

The official also raised question about the bureaucratic procedures of the C.I.A. under Mr. Helms and suggested that his penchant for secrecy apparently kept the most complete intelligence information from being forwarded to the White House.

“We dealt with Ober and we dealt with Angleton on these studies, went over them point by point,” the official said, “and Angleton, while Pot exactly enthusiastic, sign off” —that is, he initialed the study indicating that it represented the views of the Counterintelligence Department.

The former C.I.A. official said that he could not reconcile Mr. Angleton's decision to permit the studies, which reported no evidence of foreign involvement, while being involved in an elaborate and secret dornestic security operation to root out alleged foreign activities in the antiwar movement—The results of the studies were forwarded to Henry A. Kissinger, then President Nixon's national security adviser.

A number of former F.B.I. officials said in interviews' that the C.LA.'s alleged decisid, to mount domestic brew sins, wiretaps and similarly illigal counterintelligence operations undoubtedly reflected, in pert, the long-standing mistrust between the two agencies.

In 1970, Mr. Hoover reportettly ordered his bureau to break off all but formal liaison contact with the C.I.A, forcing lower level C.I.A. and F.B.I, officials to make clandestine, arrangements to exchange information.

By the late sixties, one former F.B.I. official said, all but token cooperation between the, two agencies on counterintelligence and counterespionage had ended.

“The C.I.A. was never satisfied with the F.B.I. and, can't blame them,” the former official said. “We did hit or miss jobs.

‘Cutting Throals’

“We were constantly cutting the throats of the C.I.A. in our dealing with them. It the White House knew about it, they were too afraid of Hoover to do anything about it.”

The former aide cited a case in the late sixties in wich Mr. Angleton turned to F.B.I. for a domestic investigation because he “believed four or five guys were agents, including two guys still in the agency [C.I.A.] and three or four who had been high-level.”

“They were suspected of having dealings with foreign intelligence agents,” the former official said.

“We just went through the motions on our investigation. It was just a brushoff.”

Before Mr. Hoover's decision to cut off the working relationship, the former official, added the F.B.I.—as the agency, responsible for domestic counterintelligence—would, as a matter of policy, conduct a major clandestine inquiry into the past and present C.I.A. men.

Despite Mr. Hoover's provocative actions, the former, tILL man said, the C.I.A. stilt, not justified in taking domestic action.

“If they did any surreptitious bag jobs [break-ins],” he said, “they'd better not have in me about it.