

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

Discover the Truth at: **<http://www.theblackvault.com>**

JFK Assassination System
Identification Form

Date: 2/23/201

Agency Information

AGENCY : SSCIA
RECORD NUMBER : 157-10008-10252

RECORD SERIES : REPORT W/COVER MEMORANDUM

AGENCY FILE NUMBER :

Document Information

ORIGINATOR : SSCIA
FROM : MILLER, WILLIAM
TO : MEMBERS OF THE COMMITTEE

TITLE : STAFF REPORT ON ASSASSINATIONS: AUTHORITY AND CONTROL

DATE : 07/09/1975
PAGES : 73

SUBJECTS :

CIA AUTHORITY
INDERFURTH, RICK
LEGAL AUTHORITY
MILLER, WILLIAM
PRELIMINARY STAFF PAPER
"ASSASSINATIONS:AUTHORITY & CONTROL"
SPECIAL GROUPDOCUMENT TYPE : PAPER, TEXTUAL DOCUMENT
CLASSIFICATION : Unclassified
RESTRICTIONS :
CURRENT STATUS : Redact
DATE OF LAST REVIEW : 08/08/1994

OPENING CRITERIA :

COMMENTS : BOX 439-2

TOP SECRET

Castro's life. The following exchange with Richard Helms makes this point:

Senator Hart of Michigan. You tell us that it is your impression that nothing done with respect to Castro by the Agency was done without authority.

Do I understand that correctly?

Mr. Helms. It was done within the guidelines of appropriate authority. In other words, we felt that we were operating as we were supposed to operate, that these things if not specifically authorized at least were authorized in general terms. (Helms testimony, p. 61)

Senator Baker. Was it in your view the general policy of the government of the United States as proposed to be implemented by the CIA to kill Fidel Castro?

Mr. Helms. I believe it was the policy at the time to get rid of Castro and if killing him was one of the things that was to be done in this connection, that was within what was expected.

Another witness, Samuel Halpern, related to the Committee a discussion he had had with Richard Bissell, who was then Deputy Director Plans, concerning a meeting Bissell had attended in the Cabinet Room of the White House:

Mr. Halpern. Mr. Bissell said he had recently--and he didn't specify the date or the time--he had recently been chewed out in the Cabinet Room of the White House by both the President and the Attorney General for, as he put it, sitting on his ass and not doing anything about getting rid of Castro and the Castro regime. His orders to both [redacted] and to me were to plan for an operation to accomplish that end.

Mr. Schwarz. Was any content put into the term "get rid of," or was that the term that was used, and only that term?

Mr. Halpern. To the best of my recollection, that was it. There was no limitation of any kind. Nothing was forbidden, and nothing was withheld. And the objective was to remove Castro and his regime. (Halpern testimony, p. 8)

It is clear that the U.S. Government wanted to see the removal of the Castro regime from Cuba and that the CIA took steps, including

TOP SECRET

Chairman Church. Deputy Director for Plans.

Your record shows that Helms had knowledge of the ZRRIFLE operation, which, among other things, was to develop an executive capability--whatever that means. Presumably that means a capability to conduct an assassination if and when authorized by proper authority?

Mr. Breckinridge. That is my understanding.

Chairman Church. Is that your understanding?

Mr. Breckinridge. Yes, sir.

Chairman Church. Do your records show that, or is that based upon what has been revealed through your interrogation?

Mr. Breckinridge. First, let me go back and clarify, then I will answer this question, if I may.

Mr. Helms approved ZRRIFLE, which the record shows has the responsibility essentially.

My understanding, from my interviews, is that ZRRIFLE had also the responsibility for executive action capability. That is a difficult phrase.

The record does not show that Mr. Helms knew when he approved the project that it had this dual role.
(Colby testimony, pp. 66-67, 69-70)

William Harvey confirmed the fact that he had been given the responsibility of developing the ZRRIFLE project by Mr. Bissell.

Mr. Schwarz. Now, did you have a conversation with Mr. Bissell at some point in which Mr. Bissell asked you to investigate a capability for Executive Action?

Mr. Harvey. Yes.

Mr. Schwarz. In any event, some time in early '61?

Mr. Harvey. Yes.

Mr. Schwarz. What did Mr. Bissell ask you to do?

Mr. Harvey. He brought up the question of Executive Action. He said he was concerned about it--about not only our capabilities, if any, to perform it, but the basic questions of protections, methods, techniques, decisions, judgment as to its advisability in any given case, and this whole sort of panoply of--again, pardon

TOP SECRET

Lumumba

The Select Committee has not been able to determine any direct link between the CIA and the death of Patrice Lumumba. It has, however, heard testimony to the effect that an official within the CIA directed a subordinate to investigate the possibility of assassinating Lumumba; that a lethal virus was transferred to the Congo (now Zaire) apparently for the purpose of killing Lumumba; that a foreigner was recruited for a mission in the Congo, with assassination being originally part of this mission; and that President Eisenhower may have ordered, at least indirectly, an attempt to be made on the life of Lumumba.

Investigating the Possibility

The CIA official directly involved in investigating the possibility of assassinating Lumumba was Richard Bissell, who was, at that time, Deputy Director Plans. The following exchange refers to a discussion Mr. Bissell had with Justin O'Donnell, then Deputy Chief of Staff in the DDP.

Mr. Schwarz. Did you ask him in words or substance to kill Mr. Lumumba?

Mr. Bissell. I asked him to investigate the possibility and to make explanation for so doing.

Mr. Schwarz. When did you do that?

Mr. Bissell. I don't remember the date of that. I may have it on a chronology here, but I image that is a matter of record, or that he has testified to that date. I don't remember the date.

Mr. Schwarz. Did you tell him this connection with making plans to go see the passer of the poison, Mr. Gottlieb?

Mr. Bissell. I think I probably did.

TOP SECRET

Mr. Schwarz. Did he tell you he wouldn't do it?

Mr. Bissell. Later he told me that he didn't want to do it. But he also said that he thought it was an inappropriate action, and that the desired object could be accomplished better in other ways.

Mr. Schwarz. Who authorized you to tell Mr. O'Donnell to take steps to move toward assassinating Mr. Lumumba?

Mr. Bissell. Nobody.

Mr. Schwarz. Did you inform the White House of that?

Mr. Bissell. No.

Mr. Schwarz. To the best of your knowledge, did anybody inform the White House of that?

Mr. Bissell. To the best of my knowledge, no.

Mr. Schwarz. Why did you seek to assassinate Mr. Lumumba?

Mr. Bissell. I didn't seek to assassinate him. I told a member of the clandestine service to make plans and develop the capability to do so if it were approved and ordered.

Senator Goldwater. Approved by whom?

Mr. Bissell. It would have then had to have approval at the highest level of government.

The Chairman. Where did the idea come from?

Mr. Bissell. I don't remember Mr. Chairman. It could possibly have been mine.

The Chairman. It could possibly have been yours?

Mr. Schwarz. Did you tell Roslow that was your initiative?

Mr. Bissell. I told him that the instruction as to O'Donnell was my initiative.

Senator Baker. How many others did you plan on, just as a contingency?

How many other people did you instruct to draw up plans to assassinate?

Mr. Bissell. I don't believe there were any others which went to the point of instructing that a man be prepared.
(Bissell testimony, June 11, pp. 54-55)

TOP SECRET

In his testimony before the Select Committee, Mr. O'Donnell confirmed Mr. Bissell's account.

Mr. O'Donnell. And so he called me in and he told me he wanted me to go down to the Belgian Congo, the former Belgian Congo, and to eliminate Lumumba. I would also like to add the caution that any remarks I may make about Mr. Bissell or anybody else that it is all indirect discourse. When I say, Mr. Bissell said go to the Congo, please do not include quotation marks, go to the Congo. It's all Mr. Bissell said, that he wanted me to go to the Congo.

Mr. Wides. What did you understand him to mean by eliminate?

Mr. O'Donnell. To kill him and thereby eliminate his influence.

Mr. Wides. What did you say to him?

Mr. O'Donnell. I told him that I would absolutely not have any part of killing Lumumba. He said, I want you to go over and talk to Sidney Gottlieb-- And I went over--he was Dr. Bottlieb at the time and since--and he told me, I told him I had been sent by Mr. Bissell, and he told me that there were four or five--and I use the word four or five advisedly, I'm not just saying three or four, as I recall one of the methods was a virus and the others included poison.

And I just felt at the time that with Gottlieb, don't argue with him.

Mr. Wides. He told you there were four or five what? What did he say to you?

Mr. O'Donnell. Let me say lethal means of disposing of Lumumba. I then left his office and I went back to Mr. Bissell's office and I told him in no way would I have any part in the assassination of Lumumba.

Mr. Wides. Before you go on any further, did you or he mention whether there was any higher authority than Mr. Bissell for this operation either Mr. Dulles or outside of the CIA at the Presidential level?

Mr. O'Donnell. No, sir, in no way. I felt--again, this has to be tenuous--but I certainly would not have done it if I thought Mr. Dulles was opposed to it.

TOP SECRET

Mr. Wides. You assumed--

Mr. O'Donnell. I assumed that he had authority from Mr. Dulles in such an important issue, but it was not discussed, nor did he purport to have higher authority to do it.

Mr. Wides. Did you then, after speaking to Mr. Bissell, speak to anyone else that evening about this request and your reactions?

Mr. O'Donnell. Yes, sir. And I went into Mr. Helms' office, and I said, Dick, here is what Mr. Bissell proposed to me, and I told him that I would under no conditions do it, and Helms said you're absolutely right.

Now, again, indirect discourse. He told me that I was absolutely right. And I felt that then I had a senior man who was on record as far as my position was concerned. (O'Donnell testimony, June 9 pp. 11-16)

The Lethal Virus

Shortly after his conversation with Mr. Bissell, Mr. O'Donnell went to the Congo. Upon his arrival, he discovered that a virus had, in fact, arrived in the Congo and was in the possession of the CIA Station Chief.

Mr. Wides. Shortly after that did you, in fact, go to the Congo?

Mr. O'Donnell. I went, I would guess, within 48 hours.

Mr. Wides. You were there for about three months, the last quarter of 1960, approximately?

Mr. O'Donnell. Yes, that is correct.

Mr. Wides. The Station Chief was who at that time?

Mr. O'Donnell. Mr. Larry Devlin, a very fine, dedicated person. Mr. Devlin indicated to me that there was a virus in the safe.

Mr. Wides. Did he indicate it was a lethal virus?

Mr. O'Donnell. He did not, but I knew it wasn't for somebody to get his polio shot up to date. (O'Donnell testimony, June 9, p. 16)

TOP SECRET

The Select Committee has been unable to determine how the virus found its way to the Congo and for what use it was intended. The Committee has reason to believe the virus was ultimately returned to Agency headquarters in Washington.

A Clue to Presidential Involvement

The discussion between Mr. Bissell and Mr. O'Donnell, as well as the arrival of the lethal virus in the Congo, occurred during the fall of 1960. The Select Committee has heard the testimony of one witness who remembered a National Security Council meeting in the summer of 1960 in which President Eisenhower made reference to his desire to see Lumumba eliminated. This witness, Robert Johnson, made it clear to the Committee that what he had heard at this meeting should be considered "a clue, rather than precise evidence of Presidential involvement."

Mr. Johnson. What I am going to tell you should be understood clearly for what it is--a clue, rather than precise evidence of Presidential involvement in decision making with respect to assassinations. I would be extremely concerned if I felt that this information were to be the basis in itself for conclusions by this committee or if it were otherwise to be made public.

As a member of the NSC staff during the Eisenhower Administration, I sometimes attended meetings of the National Security Council to take notes on the discussion.

I attended one such NSC meeting in the summer of 1960. I should note parenthetically that I have refreshed my memory as to the probable time of the meeting by checking the historical record of international developments. At that meeting, there was a discussion of developments of what was then the Congo, now Zaire.

At some time during that discussion President Eisenhower said something--I can no longer remember his words--that came across to me as an order for the assassination of Lumumba who was then at the center

TOP SECRET

of political conflict and controversy in the Congo. There was no discussion; the meeting simply moved on. I remember my sense of that moment quite clearly because the President's statement came as a great shock to me. I cannot, however, reconstruct the moment more specifically. (Robert Johnson testimony, June 18, pp. 5-6)

Concluding Remark

In his testimony before the Select Committee, Director Colby had this to say about U.S. involvement in the death of Patrice Lumumba:

Mr. Colby. There are a series of other charges, Mr. Chairman, about assassination that have been made about CIA in the past, of Mr. Lumumba. There is no question about it that at one point there was a low level discussion that maybe that would be something that should be done. There is an indication that a foreigner was recruited to go down there, but our records very clearly indicate that his function turned entirely into other activities [redacted] and things of that nature, and there is no indication of any attempt by us to engage in an assassination of Mr. Lumumba. He was actually assassinated by some Congolese forces. Clear, that we have absolutely nothing to do with, so the Lumumba case I think we can absolutely say we had nothing to do with the Lumumba case. (Colby testimony, May 15, p. 65)

TOP SECRET

October 6, 1961: McCone Cable Regarding Assassination

Mr. Kirbow. The record before the Committee indicates that [] reported that he had recommended to Ambassador Lodge that "We do not see ourselves irrevocably against the assassination plot since the other two alternatives mean either a bloodbath in Saigon or a protracted struggle which could rip the army and the country asunder."

Mr. McCone directed by cable to Saigon of 6 October--
"McCone directs that you withdraw recommendation to Ambassador concerning assassination plan under McCone instructions as we cannot be in position actively condoning such course of action and thereby engaging our responsibility therefor."

Senator Schweiker. Would you explain what that means?

Mr. Colby. What that means? It means we don't want to have anything to do with an assassination plan.

Senator Huddleston. You are eliminating that as an alternative?

Mr. Colby. That is part of our concept of what to do.

Senator Schweiker. Didn't that contradict what you were saying a few minutes ago? Didn't you say we were in essence--

Mr. Colby. We were looking to the overthrow of the government.

Senator Schweiker. I see what you are saying.

Mr. Colby. But not the assassination in this case of the brothers Nhu and Kahn.

Senator Schweiker. The other went forward?

Mr. Colby. The other program continued, yes.
(Colby testimony, June 20, pp. 12-14)

U.S. Involvement

President Diem was assassinated November 2, 1961. The CIA was not involved in the actual murder. Director McCone's directive against participation in any assassination attempts or plots, sent to

TOP SECRET

Mr. Colby. This is a memorandum written after a debriefing of our Ambassador there. And the debriefing apparently covered the conversation, which indicated that the dissidents did need guns and ammunition from the U.S., and particularly they needed a small number of high-powered rifles with telescopic lenses.

The Ambassador said he saw no problem in the purchase and delivery clandestinely of the arms for the dissidents, but he said, of course, this raises the question of whether the U.S. Government wants to engage in this activity.

And our officer said that this is, of course, a policy decision, the CIA could deliver the arms, if this is the group we want to support.

Mr. Schwarz. In June of 1960 did the government state that policy decision, and state that the government of the U.S. was prepared to participate in the overthrow of the Trujillo regime to the following extent:

"To provide a small number of sniper rifles or other devices for the removal of key Trujillo people from the scene?"

Mr. Colby. Yes.

Mr. Schwarz. And who made that decision on behalf of the U.S. Government?

Mr. Colby. Well, we have a memorandum that indicates that that was told to the Chief of our Western Hemisphere Division by [redacted]
[redacted]

Mr. Schwarz. Who was then [redacted]

Mr. Colby [redacted]

Mr. Schwarz. In July of 1960 did General Cabell, the Acting DCI, accept the recommendation made by the CIA staff and concurred in by Mr. Richard Helms, that 12 U.S. rifles, model 1903, with telescopic sights, be sent to underground opposition forces in the Dominican Republic?

Mr. Colby. Yes. The proposal was to procure and deliver them by air, parachuting them into the country.

TOP SECRET

If they could not be delivered by air, they were planning for a way in which those weapons could be delivered by sea. And there was a considerable discussion of ways to get it in.

Mr. Breckinridge. There was no delivery.

Mr. Colby. And there was never a delivery of those particular weapons.

Mr. Schwarz. Going back to the reference to the Assistant Secretary of State who authorized the delivery of the rifles on behalf of the U.S. Government, who authorized his making that statement?

Mr. Colby. I don't think we know.

The Chairman. Under your procedure, if you receive an order from the Assistant Secretary of State to send rifles into a Latin American country, or any other foreign country, for the purpose that we have discussed that the record discloses, is that a sufficient authority on which the CIA would then take action?

Mr. Colby. No, I don't believe it is. Certainly it is not under our present rules. And I think at that time it is really quite unlikely, in my opinion, that that approval could have been given by the Assistant Secretary acting alone unless he was acting under a general delegation of authority to approve details of a larger idea that had been discussed even orally at the senior levels.

Now, I don't think we have any record of those discussions.

Mr. Schwarz. Do you have any doubt that the policy question referred to and the question "Whether the U.S. Government wants to engage in this activity" refers to the use of such weapons for the purpose of killing people, assassinating people?

Mr. Colby. Killing people, yes. Assassinating is another word, unfortunately.

The Chairman. Killing is the better word.

TOP SECRET

Mr. Colby. Yes. But assassination has a slightly different meaning. But I think that in particular quotation of page 22 there is very clearly reflection of the thought process that I was explaining, that the CIA could do it if it had a policy approval to do it. And we don't know where that policy approval actually came, except from the Assistant Secretary. (Colby testimony, June 4, pp. 37-40)

January, 1961: Special Group Decision

Mr. Schwarz. In 1961, January 12, 1961, did the Special Group approve a recommendation made apparently by the Department of State that limited supplies of the small arms and other materials to be made available for dissidents inside the Dominican Republic?

Mr. Colby. Our records do indicate a memorandum that the Special Group did explain, did approve that on January 12th--

Mr. Schwarz. January 12, 1961, and January 24, 1961 confirmed?

Mr. Colby. The 24th, really, I think it was discussed on the 12th and--

Mr. Schwarz. They approved it on the 12th and confirmed it on the 24th?

Mr. Colby. Right.

The Chairman. The Special Group being--

Mr. Colby. The predecessor of the Forty Committee. I can't tell you exactly who was a member at that time.

Mr. Schwarz. Now, recognizing the difficulty you have been having with respect to what is an assassination as opposed to what is help to dissidents, are you capable from the records here of testifying whether the Special Group--testifying which branch of that Special Group thought they were approving? Or is that something that you cannot tell from these records?

Mr. Colby. This record merely says, limited amounts of small arms, a limited supply of small arms and related equipment. I do not know whether [] for instance, attended the Special Group meeting. It was the pattern at that time for the action officer of the CIA, the Division Chief of the area, and frequently the Assistant Secretary of that area, to attend that kind of a Forty Committee meeting when a subject in their area was being discussed.

TOP SECRET

Mr. Schwarz. Is it fair to say from the written record as presented in the 1961 Report that one cannot tell, up to this point, whether the Special Group approved merely the sending of arms to dissidents in a sort of general fashion, or approved the sending of arms to dissidents in a target fashion for use in an assassination?

Mr. Colby. No, you cannot tell, except by the knowledge of possibly the Assistant Secretary of State. (Colby testimony, June 4, pp. 41-43)

March, 1961: The Purpose of the Weapons

Mr. Schwarz. It is perfectly clear, is it not, from the written record that at least by March 17, 1961 that any weapons that were delivered were designed for the purpose of assassination?

Mr. Colby. That any weapons which would be delivered would probably be used by the dissident group in an attack on Trujillo

Mr. Schwarz. And that means the assassination of Trujillo does it not?

Mr. Colby. Yes.

Mr. Schwarz. It is clear, is it not, looking at the cable of March 17, that that weapon is for the purpose of an assassination, and the CIA headquarters was so informed?

Mr. Colby. Yes.

The whole discussion of the various kinds of weapons was aimed at providing the dissident group with the weapons that they could use against Trujillo and those around him. (Colby testimony, June 4, p. 67)

March, 1961: Weapons Provided

Mr. Schwarz. Following the initial turndown of delivery by the pouch, did the Agency in fact ship the revolvers sometime after March 25th and were authorized by Mr. Bissell to do so?

Mr. Colby. I don't think we shipped the revolvers. What we shipped, were carbines.