

WEDNESDAY, SEPTEMBER 17, 1975

U.S. SENATE,  
SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS  
WITH RESPECT TO INTELLIGENCE ACTIVITIES,  
Washington, D.C.

The committee met pursuant to notice at 10 a.m. in room 318, Russell Senate Office Building, Senator Frank Church (chairman) presiding.

Present: Senators Church, Tower, Mondale, Huddleston, Morgan, Hart of Colorado, Baker, Mathias, and Schweiker.

Also present: William G. Miller, staff director; Frederick A. O. Schwarz, Jr., chief counsel; Curtis R. Smothers, counsel to the minority.

The CHAIRMAN. The hearing will please come to order.

Our first witnesses appearing today are Mr. Richard Helms, who was the Director of the CIA during the period in question, and Mr. Thomas Karamessines, who was the Deputy Director for Plans (operations) during that period.

They are appearing together at the witness table, and gentlemen, I ask you to stand now to take the oath. Do you solemnly swear that all the testimony you will give in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God?

Ambassador HELMS. I do.

Mr. KARAMESSINES. I do.

The CHAIRMAN. Before I ask counsel to commence with the questions, since I understand that you do not have an opening statement—

**TESTIMONY OF AMBASSADOR RICHARD HELMS, FORMER DIRECTOR  
OF CENTRAL INTELLIGENCE AGENCY, ACCOMPANIED BY THOMAS  
KARAMESSINES, FORMER DEPUTY DIRECTOR FOR PLANS, CENTRAL  
INTELLIGENCE AGENCY**

Ambassador HELMS. That is correct, Mr. Chairman.

The CHAIRMAN. I have a letter I would like to read that came to me this morning from Mr. Colby, the present Director of the CIA. It reads as follows:

Dear Mr. Chairman: At the proceedings of your Committee on the morning of 16 September 1975, I may have conveyed an impression which I did not intend. If by chance you, or other members of the Committee, got a similar impression, it is important that I clarify the record now, since it might affect your line of questioning of future witnesses.

When I was being questioned as to the destruction of certain CIA records I was thinking of the question in its broadest context; namely, drugs, bacteriological agents and chemical agents. I thus answered that there were indications of record destruction in November 1972.

I realize that most listeners might have inferred that I was indicating that records relating to the CIA-Fort Detrick relationship—in particular, records relating to Project MKNAOMI—were destroyed.

The facts are these: records relating to CIA's drug program in general were destroyed in January 1973, but there is no evidence that records of Project MKNAOMI or of the CIA-Fort Detrick relationship were destroyed, other than possibly as included in the general group in January 1973. I would appreciate it if you would advise the other members of the committee to this effect.

I also referred mistakenly to a memorandum between former DCI Helms and Dr. Gottlieb regarding the destruction of records. This was based on a misunderstanding which occurred during my hurried consultation with Dr. Stevens. We have no knowledge of any such memorandum.

And it is signed by William E. Colby.

Now Mr. Schwarz, would you please commence the questioning?

Mr. SCHWARZ. Mr. Helms, without going through your pedigree in the CIA, is it correct to say that you started at the OSS? You were with the CIA from its beginning?

You were at the covert side. You became head of the Deputy Directorate of Plans. You stayed in that position until approximately 1966 when you became Deputy Director of the Agency. You became Director of the Agency in 1967 until you left in 1973.

Ambassador HELMS. No, sir, that is not quite correct. The positions are correct, but I became Deputy Director in 1965, and Director, I believe around June 30, 1966.

Mr. SCHWARZ. All right.

And Mr. Karamessines, you were at the Agency in the covert side for your entire career, is that correct?

Mr. KARAMESSINES. That is correct, sir.

Mr. SCHWARZ. And in 1970 you were Deputy Director for Plans?

Mr. KARAMESSINES. Yes, I was.

Mr. SCHWARZ. Mr. Helms, were you aware that the CIA had a capability to use bacteriological and chemical weapons offensively?

Ambassador HELMS. Yes, I was aware of that. If one has in one's possession or under one's control bacteriological or chemical weapons, they can be used both defensively and offensively.

Mr. SCHWARZ. And Mr. Karamessines, you also were aware of that as of 1970 and before, were you not?

Mr. KARAMESSINES. Yes.

Mr. SCHWARZ. And by use offensively, we mean to include killing people, is that right?

Ambassador HELMS. Well, they have the capacity to kill people, if they were used in that way.

Mr. SCHWARZ. Did you connect the CIA's biological capability with the Fort Detrick Army facility?

Ambassador HELMS. I'm not certain I know what you mean by the word "connect," but the biological weapons, as you refer to them, which the Agency was experimenting with were kept at Fort Detrick. This was a joint program between the two organizations—the U.S. Army facility at Fort Detrick and the CIA. I believe we paid Fort Detrick for that part of the facility and that part of the materials which we used.

Mr. SCHWARZ. Did you know, Mr. Helms, one way or the other, whether the Agency also had in its possession and in its own facilities certain quantities of lethal biological or chemical materials?

Ambassador HELMS. It was always my impression that the bacteriological warfare agents and things of that kind were kept at Fort Detrick. I realize that the Agency had in its possession in Washington, and in some cases at overseas stations, things like L tablets and K tablets which certainly were lethal, but which had limited uses.

Mr. SCHWARZ. Recognizing it is difficult to be sure of a negative, let me ask you the question, nevertheless.

Did you know that the only location of CIA biological weapons was at Fort Detrick, or was the possibility in your mind that there were such weapons located within CIA facilities themselves?

Ambassador HELMS. I thought they were all at Fort Detrick.

Mr. SCHWARZ. Mr. Karamessines, did you have any different understanding?

Mr. KARAMESSINES. I also understood that they were at Fort Detrick with the modification that there might be a small amount of some of these chemicals within the custody of the Technical Services Division.

Mr. SCHWARZ. In a CIA facility?

Mr. KARAMESSINES. Yes.

Mr. SCHWARZ. Ambassador Helms, at some point did you learn that President Nixon had concluded that the United States should renounce biological warfare and should destroy stocks of biological weapons?

Ambassador HELMS. Yes, I was aware of this. In fact, I was aware that the matter was under study from the early days of President Nixon's administration, because I attended a National Security Council meeting at which he announced that he intended to have this study made.

Mr. SCHWARZ. And Mr. Karamessines, did you at some point become aware that President Nixon wished to have such materials destroyed?

Mr. KARAMESSINES. Yes.

Mr. SCHWARZ. What did either one of you do, if anything, to make sure that such material in the possession of the CIA—Mr. Karamessines—or in the possession of Fort Detrick—Mr. Helms—should be destroyed?

Ambassador HELMS. Are you directing the first question to Mr. Karamessines and the second one to me, or—

Mr. SCHWARZ. Why don't you take the first, Mr. Ambassador, and Mr. Karamessines the second?

Ambassador HELMS. My recollection is that, when the order was issued to do away with these bacteriological agents and toxins, that Mr. Karamessines and I agreed that we had no choice but to comply. And, in fact, when I say no choice, I do not mean to indicate that we wanted any other choice, I just meant that we had understood that this was an instruction that we were to abide by, and we agreed to terminate the program.

Mr. SCHWARZ. And by terminate the program, you mean terminate the program with Fort Detrick?

Ambassador HELMS. At Fort Detrick, yes.

Mr. SCHWARZ. What was your understanding of what was done, Mr. Karamessines?

Mr. KARAMESSINES. Precisely the same.

Mr. SCHWARZ. Now, Mr. Karamessines, with respect to your answer that you did know that TSD had in its own possession certain biological agents, did you do anything to have those destroyed?

Mr. KARAMESSINES. Yes. It was my understanding with Dr. Gottlieb that not only would our program be terminated, but whatever materials of this nature that might be in the custody of the Agency, or were in the custody of the Agency, would be returned to Fort Detrick for destruction.

Mr. SCHWARZ. Did you instruct Dr. Gottlieb to accomplish that?

Mr. KARAMESSINES. Yes, I did; but I want to elaborate on that comment, lest I leave the impression that there was some reservation on the part of Dr. Gottlieb. There is no question in my mind about the fact that Dr. Gottlieb, Mr. Helms, and I were of one mind as to what we should do with the program and the materials—they should be gotten rid of—and instructions were accordingly issued to Dr. Gottlieb.

Mr. SCHWARZ. In that conversation, was Mr. Helms made aware of the fact that there were materials in the possession of the CIA itself?

Mr. KARAMESSINES. I can't recall.

Mr. SCHWARZ. Would you both look at the document previously marked as exhibit 1,<sup>1</sup> which purports to be a draft memorandum from Mr. Karamessines to the Director of Central Intelligence?

Have you both seen that document previously?

Mr. KARAMESSINES. Yes; and I would like to make a comment with respect to that document if I may, Mr. Schwarz. The comment relates to a story in the Evening Star yesterday. It was a mistaken story, but it does say that the committee provided the Star—or made available—a copy of this memorandum, "written by me." Now, I did not write that memorandum.

The CHAIRMAN. I might say, Mr. Karamessines, that that memorandum was made available to all newspapers as a result of the public hearing which was featured yesterday.

Mr. KARAMESSINES. I'm sure it was. Thank you, Senator.

I never saw this memorandum; I never wrote the memorandum; I never signed such a memorandum; and I was unaware of the contents of the memorandum.

Mr. SCHWARZ. And, Ambassador Helms, you never saw such a memorandum?

Ambassador HELMS. No, Mr. Schwarz.

Mr. SCHWARZ. All right. Now, Mr. Ambassador, I want to follow one line with you and then my questioning will be finished.

Relating to your comment that you heard early that the President—that is, President Nixon—was interested in getting rid of biological weapons—

Ambassador HELMS. Biological weapons in war. I think we ought to appear pretty precise about this, because he was trying to do away with the use of bacteriological and chemical agents in wartime. In other words, to destroy populations and so forth, and this was the general thrust of this whole—of that whole investigation.

Mr. SCHWARZ. Are you trying to take the same position that Dr. Gordon did yesterday? That the President's order did not apply to the CIA?

Ambassador HELMS. No; I was just trying to correct what you were saying. You were far too general in your statement of what President Nixon had in mind, that is all.

<sup>1</sup> See p. 189.

Mr. SCHWARZ. Is it your understanding that the President's order did apply to the CIA?

Ambassador HELMS. Certainly.

Mr. SCHWARZ. After the subject was first raised by President Nixon, was there a study group formed up by the National Security Council?

Ambassador HELMS. I would have assumed so because when matters were taken under advisement at the National Security Council, some staff mechanism went into effect to draft the papers and the options and so forth so that the President could make a final decision.

Mr. SCHWARZ. Did you, yourself, disclose to such a body, such a group, the fact that the CIA had, and had had, stocks of biological weapons?

Ambassador HELMS. I do not recall having divulged to this group—in fact, I do not think that under normal circumstances we would have divulged a secret activity of this kind to this particular study group.

Mr. SCHWARZ. Did you divulge such activity to Mr. Kissinger, who was then the Secretary of the NSC?

Ambassador HELMS. I do not recall having discussed it with Dr. Kissinger.

Mr. SCHWARZ. Did you disclose such activity to President Nixon?

Ambassador HELMS. Well, the existence of the activity in the Agency, and similar activities, I am sure were known to proper authorities over a period of time.

In the particular context of this event that you are speaking about—in other words, that the President decided to make a study of this, I do not recall mentioning this to him, or conveying the information to him in that context.

Mr. SCHWARZ. Let's be quite precise in connection with that answer, Mr. Ambassador. Did you disclose to President Nixon, from the time he took office and thereafter, the fact that the CIA had a program which included the offensive use, capability to use offensively, biological devices in order to kill people?

Ambassador HELMS. I don't recall having briefed President Nixon on that, or several other programs, but you will recall, Mr. Schwarz, that he was once Vice President for 8 years and was privy to a lot of things that were going on in the Agency then which he carried over to the Presidency. So that the degree to which he was aware of this program, I simply do not know.

Mr. SCHWARZ. But that is the point. You do not know, do you, Mr. Helms, based upon his prior service as Vice President, whether or not he was aware of the Agency's program?

Ambassador HELMS. No; I don't.

Mr. SCHWARZ. I have no further questions, Mr. Chairman.

The CHAIRMAN. Mr. Smothers, do you have any supplementary questions at this time?

Mr. SMOTHERS. I have none at this time, Mr. Chairman.

The CHAIRMAN. Mr. Helms, I am puzzled somewhat. It has been established by your testimony that the CIA had in its possession biological toxins that were subject to the President's order that they should be destroyed.

You have testified that a special study group was set up by the NSC pursuant to that order, and that that study group was not notified of

the possession of these materials. And you have said that you did not think it was appropriate to give them that kind of information.

Since this was a study group of the NSC, and since, under the statute you are to take your directions from NSC in covert operations, why wasn't it appropriate to tell this study group of that particular capability?

Ambassador HELMS. Yes, sir, it is true that the statute reads that the Director of Central Intelligence reports to the National Security Council, which, in effect, is reporting to the President when they report National Security Council. They do not necessarily report to the National Security Council staff.

Many of these study groups that were put together on a whole variety of matters over the years would not have been made privy to secret intelligence information unless there was some specific request on the part of Dr. Kissinger, or someone, that they should be so briefed. So this was the custom, not an exception to the rule.

The CHAIRMAN. Was it also the custom not to inform the Secretary of State or the President who indicated his interest that these materials should be destroyed?

Ambassador HELMS. Well, sir, you know, I think that, in fairness, when the President indicated that he wanted this matter studied, he had not, at that time, made the decision. This National Security Council staff group studied the matter and then made a recommendation to him, and it was after that that he made the decision that they should be destroyed. He had not made it before.

The CHAIRMAN. Well when he made the decision that they should be destroyed, it was given great publicity. And then a memorandum, which appears in your notebook—would you please locate it?

Ambassador HELMS. This National Security Council Decision Memorandum.

The CHAIRMAN. Right. I call your attention to this Decision Memorandum 44, [exhibit 8<sup>1</sup>] which is dated February 20, 1970. It is directed to you, the Director of the Central Intelligence Agency, along with the others—the Vice President, Secretary of State, and the Secretary of Defense. The subject of the memorandum is U.S. Policy on Toxins. I read the first part to you:

Following a review of U.S. Military programs for toxins, the President has decided that, one, the United States will renounce the production for operational purposes, stockpiling and use in retaliation of toxins, produced either by bacteriological or biological processes, or by chemical synthesis.

Now, yesterday, when Dr. Gordon testified, he said that he had never received, at any time, any instructions from you or from Mr. Karamessines, or from any one of his superiors in the CIA, to carry out this order. He also testified that he had never seen the order, and, that had he been shown the order, he would have destroyed the toxins. I think that is a fair summation of his testimony.

He further testified that he read about the President's policy in the newspapers, and attempted to interpret the meaning of that policy from the way it was carried in the newspapers.

Now why wasn't this order given to him in the form of a directive to make certain that the President's policy was implemented?

<sup>1</sup> See p.210.

Ambassador HELMS. Well in the first place I was under the impression that when I had asked to have the program terminated and the President's instructions abided by, that Dr. Gottlieb would have issued the necessary orders to his people to see that this was done.

In the second place, since it was my understanding that these toxins and so forth were at Fort Detrick, that is the place they would have been destroyed.

And, third, as far as this document itself is concerned, I noticed that it is classified secret. And, under the requests of the White House at that time, top secret and secret documents were restricted in their dissemination in the Agency quite rigidly. These documents came to me in the first instance. This one I am sure I would have passed to Mr. Karamessines. Whether the document itself would have gone further than that I do not know, but I would not think so. So that explains the fact that Dr. Gordon never physically saw the document.

The CHAIRMAN. Certainly you are not testifying that a document of this character cannot go to the very people to whom it is directed, in effect, the people who had custody of the very toxins that the President had ordered destroyed?

Ambassador HELMS. Well, sir, I am sorry—

The CHAIRMAN. Some directive to implement the President's order based upon this memorandum—

Ambassador HELMS. Yes, sir, I agree.

The CHAIRMAN [continuing]. Should have been sent down to the people who had charge of the toxins.

Ambassador HELMS. And I thought Dr. Gottlieb had done this.

The CHAIRMAN. Did you follow up, since this was national policy that had been given worldwide publicity, to see that your order was complied with?

Ambassador HELMS. I never went and searched facilities, but I had been given to understand the program had been terminated, so I accepted that. These were employees with whom I had been associated with for many years. I had no reason to believe that they would mislead me or misguide me.

The CHAIRMAN. Who told you that the toxins had been destroyed?

Ambassador HELMS. I read about it in the newspapers, in addition to everything else. [General laughter.]

Mr. KARAMESSINES. May I make a comment on that Senator?

The CHAIRMAN. Yes, Mr. Karamessines.

Mr. KARAMESSINES. After the instructions were given to Dr. Gottlieb, instructions with which he was in full accord, he went off to carry them out. As I testified a week ago, he came back and reported to me that the instructions had been carried out and he was happy to be able to tell me further that, because Fort Detrick was going to be permitted to continue to do defensive research in these areas, he had established an arrangement with one of the scientists at Fort Detrick who would keep the Agency posted on the state of knowledge and developments in the defensive area. He was happy to tell me this and I was happy to hear it. And, that, as far as I was concerned—and I am sure as far as Mr. Helms was concerned, to whom I reported this—put a period to it.

The CHAIRMAN. Then aren't you shocked to discover 5 years later that your orders were not carried out and that not only were 5 grams

of shellfish toxin retained, but also additional quantities have been discovered in a CIA laboratory?

Mr. KARAMESSINES. Not shocked, no, sir. Disappointed, perhaps, but not shocked.

The CHAIRMAN. Disappointed that your orders were not carried out and that national policy was not implemented?

Mr. KARAMESSINES. That is correct.

The CHAIRMAN. But not shocked?

Mr. KARAMESSINES. No, not shocked.

The CHAIRMAN. Why not shocked?

Mr. KARAMESSINES. I think Dr. Gordon answered that in his testimony as I read it in the newspapers.

The CHAIRMAN. Well, Dr. Gordon's testimony was that he had great difficulty with the order and that he and his associates decided not to comply with it.

Mr. KARAMESSINES. Well, sir, you use the word shocked and it has been used many times in connection with many of the activities of the Agency and I think it is conveying a misleading impression and I would rather say that my own reaction when I heard of this was surprise and disappointment. But to tell you, since I am under oath, that I was shocked, I do not shock easily, sir.

The CHAIRMAN. Apparently not.

Senator Tower.

Senator TOWER. Thank you, Mr. Chairman.

Mr. Helms, it has been established that although you became aware of a Presidential directive to destroy biological and chemical weapons stockpiles, you did not issue a written directive to Agency personnel transmitting such instructions to subordinates. It has been shown, however, that compliance was directed orally and may have taken the form of a direction to Mr. Karamessines to veto suggestions for CIA maintenance of chemical and biological weapons after issuance of the order. Now, what is unclear is whether your order would have or could have been applicable to such substances stored for the CIA at Fort Detrick or other locations by the DOD, as well as any quantities, however small, of such agents, which may have been in possession of the CIA itself. Now, what should a reasonably prudent Director of the CIA have done under the circumstances?

Ambassador HELMS. Well, Senator Tower, I must say that I always regarded myself as a reasonably prudent Director of the CIA, at least I tried to behave in that regard and in that way.

Senator TOWER. I did not intend to infer otherwise.

Ambassador HELMS. I understand, but I had to start my statement somewhere.

Senator TOWER. Perhaps a little reconstruction would help you.

Ambassador HELMS. I was dealing here with Mr. Karamessines, and Dr. Gottlieb, both gentlemen and officers that I had known in the Agency for many years. I do not know of any more trustworthy individuals in the United States than these two individuals, at least based on my long experience with them, patriotic, trustworthy, and loyal, so when we had a discussion about this, this was as good as writing it in letters of blood as far as I was concerned. I have never known Mr. Karamessines to fail to do what I asked him to do or to come back and report to me why he was unable to do it. And I think that when the



Chairman a moment ago was referring to our surprise that these toxins showed up in a vault many years later, I share with Mr. Karamessines my own disappointment. Because, frankly, Senator Tower, we always regard the Agency as a very well disciplined group of people.

I remember that when Vice Admiral Rufus Taylor, who was my deputy for 2 or 3 years, left the Agency, he wrote a letter to President Johnson. And I remember in that letter he had words to the effect that he had never seen a more disciplined outfit in his life, including the United States Navy. After all, Admiral Taylor was a Naval Academy graduate and a career member of the Naval Service and once Director of Naval Intelligence. So, I felt that that was a compliment from an outsider, if you like, one who had not spent his life or his career with the Agency.

So, when we learned about this, or when I learned about it, I really was frankly surprised because it was one of the few instances I knew of in my 25 years where an order was disobeyed.

Senator TOWER. Was it the usual practice for you to give oral orders or instructions to your subordinates?

Ambassador HELMS. Constantly.

Senator TOWER. On extremely important matters or perhaps especially on very sensitive matters, is it policy not to transmit these things in writing?

Ambassador HELMS. Sir, when the day comes that in an intelligence organization, particularly a secret organization, everything has to be put in writing, it is going to come to a resounding halt, I am afraid.

Senator TOWER. Now, yesterday there was evidence produced regarding both the toxins and the delivery systems. And we were shown a device resembling a GI .45 pistol. In a staff interview on September 10, you were asked about these dart guns. I would like to read from your testimony of September 10, where we find the following comment. Mr. Michel asked the question :

Were you aware of something that could be fairly characterized as being a dart gun as having been among the devices developed in stockpiling in this program?

Mr. HELMS. I think over the years I have heard of dart guns in a variety of contexts. I do not recall particularly in connection with the toxins. I have heard of dart guns with poison on the end, you know. The natives use them in Latin America. I believe the Agency had things of that sort, you know. You fire them with rubber bands or something of this kind. I have no doubt you know, there was quite an arsenal of peculiar things developed by TSD over the years for use in one context or another.

Now, during your tenure as Director, did you ever consider employing this dart gun or similar weapons against a human target?

Ambassador HELMS. No, sir, I do not recall ever having considered it, let alone authorize it. It might interest you, Senator Tower, to know that when that gun was put on the table in front of the chairman yesterday, that was the first time I had ever seen it.

Senator TOWER. So these kinds of things actually remained within TSD and were not something that you were familiar with in detail.

Ambassador HELMS. I certainly could have seen them if I had chosen at any time. I never chose and they were never brought to me and so I simply state the simple fact that by chance I had never seen that dart gun until yesterday.

Senator TOWER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Senator Mondale.

Senator MONDALE. Mr. Helms, yesterday I believe you sat through the hearings at which Mr. Gordon and Mr. Colby testified and heard Mr. Gordon, in effect, defend the actions of his office in not destroying the toxins on two grounds. One, that they were not chemical or biological toxins, within the meaning of the Presidential order requiring destruction. And, two, in any event the order for destruction ran to the Department of Defense and not to the CIA. In your judgment, are either justifications valid?

Ambassador HELMS. Well, sir, I do not want to characterize Dr. Gordon's perceptions of things at the time and which was proper and which was improper. I did listen to him yesterday afternoon and I thought that he made a very articulate case of what he had in his mind at the time and I have no interest whatever in criticizing him.

I just simply want to say, in order to clarify this matter a little bit, that as I was listening to him yesterday, I realized that not being either a chemist or a biologist and having no competence in either of these areas, I would not have known how to write a directive that would have encompassed everything that he was talking about yesterday.

So, I simply cannot contribute to this except to say that it was my impression, and I say impression because I am not an expert, that we were supposed to get rid of those things and that is why I ordered the program terminated and these things were everything that I thought you could draw a circle around as applying to the President's directive. But when a scientist comes to draw in the circle, he would probably draw it differently than I would.

Senator MONDALE. In other words you are testifying that in your judgment there is doubt as to whether these were toxins within the meaning of the Presidential order.

Ambassador HELMS. Like I say, I do not know, sir.

Senator MONDALE. Even today do you have doubts?

Ambassador HELMS. I have heard no expert witness except Dr. Gordon. I do not know whether some other witness would support him or not. I understand that you have a distinguished witness here who developed these things in the first place and who is going to testify before you. And whatever he would say, I would be prepared to accept. That is the way I have had to do these things.

Senator MONDALE. What of the defense that the order to destroy toxins, if included within the order, did not run to the CIA?

Ambassador HELMS. Well, Senator Mondale, I do not think that I want to take refuge in that kind of an argument. My understanding of what the President wanted was that he wanted these things got rid of and whether they were in the Army or the CIA, he wanted them disposed of. I was not, in other words, taking a legalistic position on this, I was just trying to abide by what I thought were his wishes.

Senator MONDALE. But the other day when we had our off-the-record discussions, you indicated that what had happened was "a very serious breach of their instructions." Would you still stand with that description?

Ambassador HELMS. That is the way I felt, sir. But I had not, at the time I made that statement, heard Dr. Gordon's explanation. I have not communicated with Dr. Gordon in many, many years, if ever, so that I did not know what he had on his mind. I simply made that

statement because that is based on the facts as I knew them at that time. That was what I thought this was.

Senator MONDALE. In any event, at the time, it is your clear recollection that it was your understanding that the toxins within the control of the CIA were to be destroyed. You ordered, orally, their destruction through Mr. Karamessines, and later you were surprised to find out that they had not been destroyed.

Ambassador HELMS. Not only later, some 5 years later.

Senator MONDALE. That is correct. But in any event, this was a breach of your instructions to destroy the toxins.

Ambassador HELMS. It seems so to me.

Senator MONDALE. What authority does the CIA have for developing this chemical and toxic capability? I am now asking the question in the context of the pre-Presidential order. Where do you draw your authority to develop such a capability?

Ambassador HELMS. Sir, these activities, as I recall it, Senator Mondale, started back in the early fifties. I do not remember whether they started when General Smith was the Director or when Allen Dulles was the Director. Nor do I recall under what rubric at that time they made the decision to go ahead with these things. I must confess that when I became Director I do not recall going back into the legislative or legal history of it. I simply had accepted the fact over the years that the Agency was expected to maintain defensive capabilities and be in the vanguard of these exotic things for the simple reason that a good intelligence organization would be expected to know what his adversaries were doing and to be in a position to protect himself against the offensive acts of his adversaries.

During the fifties and sixties, there were occasional incidents which reminded us that we must be very careful and stay involved in this kind of activity. For example, I think it was in the year 1957, and I want to say here that I have been trying to refresh my memory in the last 24 hours about these events and, so if I get some dates wrong or some names wrong, I hope the committee will forgive me. I am not intending to mislead or falsify, but I think it was some time around 1957 a Russian KGB agent, named Stachinsky, came to Munich. And, using some kind of a poison spray or dart or weapon of this kind, killed one of the leaders of a Ukrainian dissident movement that was located at Munich, Germany, by the name of Leo Rebet. A couple of years later the leader of that Ukrainian movement, Bandera, was killed by a similar assault by the same man using poison materials, as I recall it. If it wasn't poison materials and there was a dart with poison on it, I am sure that the records of the West German Government will show this.

But, in any event, there were two people that were murdered. And it is not that we assume this. Mr. Stachinsky subsequently defected to the West German Government and confessed these things and I believe was convicted and served some kind of a sentence or other. So, it is in the public record that this occurred.

In the sixties, a West German Government technician, an audio technician, was sweeping. And for the benefit of those who are not technicians, there is a device whereby one can go over a room to find out if there are any listening or audio devices having been planted in the room. Having swept the West German Embassy in Moscow,

he came across various microphones and other audio installations in the Embassy and obviously they were pulled out and the work of the KGB or whoever put them in was obviously brought to naught.

This poor fellow one Sunday went on a train ride up to some monastery outside of Moscow and in the process of this holiday of his he was sprayed with mustard gas or some similar poison substance on the legs, the result of which he lost the use of his legs for the rest of his life.

These exotic matters are seldom in the hands of the ordinary citizen, so one would have to assume that this was a KGB or GRU operation.

With these things recurring constantly in life, the Agency obviously felt it had to keep up to speed on these, not only to protect our own people against such attacks, but, if worst came to worst, and we were ever asked by the proper authority to do something in this field, we would be prepared to do so.

Senator MONDALE. Mr. Karamessines, could you tell us what you think happened which resulted in the countermanding of your order to destroy the toxins?

Mr. KARAMESSINES. Sir, of my own knowledge, I do not know what happened which resulted in the countermanding of the order. I do not think there was a countermanding of the order, Senator Mondale. I think there was a failure on the part of someone to carry out an instruction that he had been given. At least that is the impression I get from what I have read in the newspapers of some of the testimony.

Senator MONDALE. However, it is defined, you issued an order to destroy the toxins, and in fact, they were not destroyed.

Mr. KARAMESSINES. Mr. Helms, I, and Dr. Gottlieb jointly agreed that this program had to come to an end, and Dr. Gottlieb took off with that instruction.

Senator MONDALE. And were you surprised, then, to find out that the toxins had not, in fact, been destroyed?

Mr. KARAMESSINES. Yes, sir.

Senator MONDALE. One final question—who or what is P600?

Mr. KARAMESSINES. I never heard of it before.

Senator MONDALE. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Mondale.

Senator Baker.

Senator BAKER. Thank you, Mr. Chairman.

Mr. Helms, I have reread now the letter from Director Colby to the chairman dated September 16, in which he indicates that he may have misspoken of the situation with respect to the destruction of records. It is my summary of Mr. Colby's letter that he says that when he was being questioned—and I assume that was my question to Mr. Colby—about the destruction of certain CIA records, he was thinking of the question in its broadest context, namely, drugs, bacteriologic agents, and chemical agents. "I thus answered that there were indications of record destruction in 1972." To me, that sentence says that there was a destruction in November of 1972, but it was not the records that you think, or that may have been inferred from my testimony.

You were Director of Central Intelligence at that time; were you not?

Answered the House To 1072 - yes, sir.

Senator BAKER. Yes, sir; in November of 1972. Can you give us any further information in that respect? What records might Mr. Colby be speaking of that were destroyed in November of 1972?

Ambassador HELMS. I do not know of any records that were destroyed in November of 1972. There were some records on the drug testing program, which have nothing to do with bacteriological or chemical agents. It was an entirely different thing, I think, in 1973, just before I left the Agency.

Senator BAKER. But there were none destroyed, that you know of, in 1972?

Ambassador HELMS. No, sir.

Senator BAKER. Mr. Chairman, I would ask either that Mr. Colby return or that he give us a further supplement to his letter in that respect, because the second paragraph of the letter would suggest to me that something was destroyed in November of 1972, and it is not clear from the record, what; and in view of this witness' testimony, I think that becomes important.

The CHAIRMAN. I think the committee will follow up in an appropriate way.

Senator BAKER. Thank you, sir.

In the third paragraph, Mr. Helms, Mr. Colby says that "I realize that most listeners might have inferred that I was indicating that records relating to the CIA-Fort Detrick relationship, in particular records relating to Project MKNAOMI, were destroyed," MKNAOMI being the code word for chemical, bacteriological warfare agents.

Ambassador HELMS. At Fort Detrick, that whole project.

Senator BAKER. Mr. Colby continues, "The facts are these: Records relating to CIA's drug program in general were destroyed in January of 1973, but there is no evidence that records of Project MKNAOMI or of the CIA-Fort Detrick relationship were destroyed, other than possibly as included in the general group in January of 1973." During the Watergate hearings, you and I jostled a little about what was destroyed in January of 1973, I'm sure you recall, as I do.

Ambassador HELMS. Yes; I do, Senator Baker.

Senator BAKER. I will not belabor that point, except to say that I would appreciate any further information you could give me about the documents that might have been destroyed relating in general to the drug program in January of 1973.

Ambassador HELMS. Sir, I do not understand Mr. Colby's wording there, quite frankly. I have testified before the committee members this week about what I understood has been destroyed in connection with an entirely separate drug testing program. I wish you would read my testimony. But as far as MKNAOMI is concerned, and this bacteriological and chemical business, I know of no destruction.

Senator BAKER. I think that probably is where we are going to end up in this line of questioning. Would you now testify, or do you now testify, Mr. Helms, that you have no knowledge of the destruction of any records at any time about MKNAOMI?

Ambassador HELMS. That is correct, Senator Baker. I have no recollection of any such.

Senator BAKER. Thank you, Mr. Chairman. I do not mean to press the point. In view of the implications of the letter, I do respectfully request that we ask for a further clarification of the point; that is to

say, what, if any records were destroyed by the CIA relating to their drug program, relating to MKNAOMI, with respect to the January 1973 destruction, and with respect to the November 1972 destruction. What I am after is to find out what records were destroyed, why, and on whose authority.

Ambassador HELMS. Senator Baker, may I ask your indulgence that when this information is acquired from the Agency, if there is anything about it that runs counter to my recollection, would you be kind enough to advise me?

Senator BAKER. I will, indeed, Mr. Helms, and I fully understand the difficulties that you have, not only in trying to recall with specificity the events of that period, but also to travel back and forth between here and Iran, where you are our Ambassador. I remarked to the chairman previously, it seems like every time we run out of something to do, we call Dick Helms back from Iran to testify. But if there is any conflict, most certainly I will see that you have an opportunity to elaborate on it.

Ambassador HELMS. Thank you very much, sir.

Senator BAKER. Thank you, sir.

The CHAIRMAN. Senator Baker, your request is a matter of record, and I instruct the staff of this committee to pursue this matter, so that the necessary answers and information is received by the committee.

Senator BAKER. Thank you.

The CHAIRMAN. I agree with you that that question of the destruction of records needs to be cleared up.

Senator BAKER. Thank you, Mr. Chairman. I do not allege that there was a destruction of records, but it seems to me that, in view of the testimony yesterday, the letter today, and the testimony of this witness, that the whole question needs to be clarified, and it can be done in a number of ways, and I appreciate your help in that respect.

The CHAIRMAN. Very well.

Senator Huddleston.

Ambassador HELMS. Good morning, Senator Huddleston.

Senator HUDDLESTON. Good morning, Ambassador; Mr. Karamessines; Mr. Chairman.

In reference to Senator Mondale's question to Mr. Karamessines about P600, Mr. Helms did not have an opportunity to respond to that. Have you ever heard of, or do you have any knowledge about P600?

Ambassador HELMS. No, Senator Huddleston, I do not. And when I was listening to the questioning of Dr. Gordon, I obviously was wondering about this, and then, suddenly, I realized—am I not correct, that label was written by somebody at Fort Detrick? In other words, by an employee of the U.S. Army, and not by an employee of the Agency, and therefore, it possibly did not have to do with the tricky words, rubrics, code words, and so forth that we use. But in any event, I have never heard of it.

Senator HUDDLESTON. It is quite possible. I do not believe we have established yet just who did place that label on this merchandise.

You said you were surprised, or that you had never before seen, the dart gun that was displayed here yesterday. You were surprised, but not shocked to find that this material had been retained, contrary to the President's order. Would you be surprised or shocked to learn that that gun, or one like it, had been used by agents against either watchdogs or human beings?

Ambassador HELMS. I would be surprised if it had been used against human beings, but I'm not surprised it would have been used against watchdogs. I believe there were various experiments conducted in an effort to find out how one could either tranquilize or kill guard dogs in foreign countries. That does not surprise me at all.

Senator HUDDLESTON. Do you know whether or not it was used, in fact, against watchdogs?

Ambassador HELMS. I believe there were experiments conducted against dogs. Whether it was ever used in a live operational situation against dogs, I do not recall.

Senator HUDDLESTON. Mr. Karamessines, what is your knowledge?

Mr. KARAMESSINES. I have no recollection of the actual use of any of the materials we have been discussing, sir, operational use, I mean. I was never asked to approve an operational use of any of these materials, to my very best recollection.

I want to add this. In fairness, I am not sure I would have been asked, if it were a question of putting out a watchdog in connection with a border-crossing operation in Southeast Asia or somewhere. I am not sure I would have been asked, but in any case, I have no recollection of having been asked, and I have no knowledge whatever of the actual use of any of these materials against a human being.

Senator HUDDLESTON. Let me put it this way, then. How low in the echelon of command within the CIA would an individual be that would have the ability to give permission for use of any of these weapons in any kind of circumstance?

Mr. KARAMESSINES. They would have to come to me, and needless to say, I would not feel justified in giving a yes or a no on my own authority. I would take it to Mr. Helms.

You are speaking now about using one of these operationally against a human being—is that correct, Senator?

Senator HUDDLESTON. That is correct; yes, sir.

Mr. KARAMESSINES. Well, I would take it, without any question, to Mr. Helms, if I entertained it at all. I would recommend against it. And my guess is that Mr. Helms would take it further, but that is a guess.

I want to add one thing. Mr. Helms and my other associates at the Agency have known—my close associates have known for years that I would not continue in the Agency if there were a requirement for the killing of a human being.

Senator HUDDLESTON. Just to set the record straight, was there ever, at any time, a discussion between you two gentlemen, or between you, either of you with Dr. Gottlieb, or any other person in the organization, a question of whether or not shellfish toxin did, in fact, come under the jurisdiction of the President's order?

Ambassador HELMS. Sir, if I may answer the question first. I do not remember any discussion of shellfish toxin, as such, and I certainly do not remember a discussion of whether or not it came under the President's order. And as I, Senator Huddleston, was saying when I was addressing myself to Senator Mondale's question, I am not a technician, so I would not have even been able to debate the matter.

Senator HUDDLESTON. But you never discussed it?

Ambassador HELMS. No, not that I recall.

Senator HUDDLESTON. Mr. Karamessines.

Mr. KARAMESSINES. Well, sir, if discussion—if you are including in the word discussion the fact that we agreed to get rid of this program—if that is what you mean by discussion, well, we agreed to get rid of the program.

Senator HUDDLESTON. But in that agreement, arriving at that agreement, did you ever consider whether or not shellfish toxin, or any other material that you had, might not be included in the order?

Mr. KARAMESSINES. No material was identified to me by that name, sir. It was a question, really, of dangerous chemicals.

Senator HUDDLESTON. Now, we have had a great deal of testimony from you gentlemen and from others in the organization that referred “to my understanding that certain orders were given”, or “my understanding that the orders were carried out,” or “I had an understanding that we had approval from higher authority to do certain things.” This has come up a number of times, in other phases of our inquiry. Mr. Helms, you said that it was not unusual for you to give verbal orders, presumably to be transmitted on down the line. Are we to infer that that not only is not unusual but that was a standard operating procedure, regardless of the nature of the order?

Ambassador HELMS. Well, it was certainly, Senator Huddleston, a standard operating procedure to give oral instructions. The question of the sensitivity of the matter might have something to do with it. If it was inordinately sensitive, there was every chance that the discussion would have been entirely oral.

Senator HUDDLESTON. Looking at this particular matter—and I recognize we are looking at it in hindsight—does it not have a certain sensitivity in reverse? That is to say that, recognizing that this was a policy of the U.S. Government, which was being enunciated by the President for consumption around the world, and that at some future date, when some foreign country might have cause to question whether or not the United States was sincere in this order, and whether it did, in fact, carry it out, would it not be very helpful under those circumstances, to have written instructions from an agency such as the CIA and all of the Government agencies that did, in fact, implement that order?

Ambassador HELMS. Yes, I think it would have been helpful, sir. As a matter of fact, I noticed in this National Security Council Decision Memorandum that the Secretary of Defense was given the charge of carrying out this affair. I do not recall any correspondence from him with regard to it.

I think that maybe several other memorandums from various people might have been helpful in this situation, including a definition of exactly what a toxin was, if Dr. Gordon was as bothered about it as he indicated yesterday.

Senator HUDDLESTON. Let me say that also in our inquiry there have been at least indications that in other instances in which the CIA was involved, and in which the various embassies of various countries were very much concerned, and also our National Security Council, great pains have been taken to prepare minutes and instructions in writing, and that those minutes and instructions be very carefully devised so that they would indicate precisely what the actions were, what the American position was—now, why, in a matter this important, that involved a change in policy of the U.S. Government, was it not felt



that here, again, it would be important to have incontrovertible evidence—that can only be done in writing, and even then, there is often some question—that your Agency did, in fact, implement the instructions of the President of the United States?

Ambassador HELMS. Senator Huddleston, I cannot help saying that if I had various things to do over again, I would have done them differently, and I think in light of what has transpired here, if I had known then what I know now, I certainly would have issued a directive in writing.

Senator HUDDLESTON. In light, too, sir, of your present position as Ambassador to Iran, how serious would you judge this kind of action if it were discovered that an agency of the Federal Government had, in fact, contravened, or failed to carry out, an instruction of the President on a matter of international concern?

Ambassador HELMS. Well, sir, I agree that when it is isolated as a particular instance in time, that it can be made to assume large and significant proportions. I would like to remind you that the Agency activity was a very modest one. It had nothing to do with vast bacteriological and chemical substances, large in quantity and large in scope. In addition, I have to say that all of us in the Federal Government, for better or for worse, have many decisions on many things that we are obliged to do every day, and I cannot say at the time that this particular Presidential order, of which there were many every week, loomed as large as you make it seem to loom. That is all I can say.

Senator HUDDLESTON. But the President went to great lengths, this country went to great lengths, if I recall correctly, to make quite a public relations display of this fact, and even to the extent of publicizing the destruction of some of this material.

Ambassador HELMS. I realize that, sir. And I testified earlier, I thought the material had been destroyed, and did not give it another thought. And I must say that when it showed up, as I understand it, some days later, its existence in the Agency vault was unknown to me, and it is a little bit hard to look for something that you do not expect to find.

Senator HUDDLESTON. Just one more question. In the matter of oral instructions versus written instructions, was it assumed that when an oral instruction was given by you as head of the Agency to Mr. Karamessines, who in turn would give the instruction, in this case, presumably to Dr. Gottlieb, that this would prevail all the way down the line; that all of the communication would be simply by words?

Ambassador HELMS. Yes, sir, and this happened constantly.

Senator HUDDLESTON. And it was always carried out, but in spite of this discipline that the organization has—and I have no reason to question it—Dr. Gordon testified yesterday that he had never seen any instructions within the CIA for him to dispose of these lethal weapons.

Ambassador HELMS. I believe that was his testimony.

Senator HUDDLESTON. That is correct. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Huddleston. Senator Mathias?

Senator MATHIAS. Thank you, Mr. Chairman.

A few minutes ago, Senator Baker commented on the very heavy demands that we have put on Mr. Helms; the number of times we have asked him to come back from Iran, and I think that is certainly

true. And the committee owes him a debt for the cooperative way in which he has attempted to assist us. But I might offer him, in consolation, what we might call a Bicentennial thought on that subject.

James Madison, in contemplating the kind of structure of Government that was set up 200 years ago, said of these hearings that the right of freely examining public characters and measures is the only effective guardian of every other right. And I think that puts the testimony which Ambassador Helms gives this morning, and that which Mr. Colby and others gave yesterday, in the kind of context in which it ought to be. This is a very important process of Government, and I think it underscores the suggestion made by Senator Baker yesterday that we need to have more public hearings which help to inform the public as to exactly what this is all about. This is no secret rite which is conducted by high priests behind the screen. This is everybody's business, and I think it is important that everybody understand exactly what it is all about.

Mr. Helms, you know, I think, that I feel that the case that we are considering is an illustrative one. I think it is more important in what it tells us about how the CIA works than perhaps on its own merits. With that thought in mind, I wonder if you could tell us exactly how, in a mechanical way—just a pedestrian, mechanical way—orders from the President of the United States are received by the CIA and how they are carried out by the CIA.

Ambassador HELMS. Well, sir, I will do my best.

Formalistically, Presidential orders are sometimes received in the form of National Security Decision Memoranda.

Senator MATHIAS. These would come from the National Security Council?

Ambassador HELMS. That's right, and they would be signed by the Executive Secretary of the National Security Council. I would like to point out that the terminology I'm using is the terminology that derives from President Nixon's administration. These were not called National Security Council Decision Memorandum in President Johnson or President Kennedy's administration. They were called something else. But it is a written directive promulgating, if you like, the decision of the National Security Council.

Those normally came to me, particularly if they were highly classified, in my capacity as the Director. And I made a decision as to which ones of my colleagues should be informed about the contents of the decision. There were times when we met together to decide how the decisions ought to be carried out.

There was another kind of Presidential order, and that is the kind that would be issued via his Assistant for National Security Affairs, be it Dr. Kissinger or be it McGeorge Bundy, or whoever was acting in that capacity. He might call on the telephone, on the secure phone, and give an instruction that the President wanted carried out, a request for information.

Obviously, I would then do whatever I thought was appropriate to either get the answer to the question or to pass the order down the line.

Obviously, there was a third kind, in which the President himself might request something. He might call on the telephone himself, or he might call one into his office, and he would decide upon what you were supposed to do. And then, the Director would go back to the

Senator MATHIAS. Would that third kind of category be in the crisis situation, the Cuban missile crisis, that kind of—

Ambassador HELMS. It might be in a crisis situation, or interestingly enough, it might be in a dead calm situation. I do not think that the President, at least in my experience, particularly calculated whether they were putting the request in writing, or whether they were making it orally. It just was the fact that on a certain day, they wanted something done, and took whatever measure there might be to see that it was done.

I want to say that generally, at least Presidents Kennedy, Johnson and Nixon, for whom I worked most closely, usually left it to me as to how the order was to be carried out within the Agency. I do not think that any of them have ever gone to the pains to find out exactly what the Agency hierarchy was, or who would be the next fellow to learn about it. So they left that judgment to me. But these did come in at least these three ways.

Senator MATHIAS. And then what would you do to transmit these orders into action within the Agency?

Ambassador HELMS. Well, I like to think that I was an orderly executive, and I would normally call in the Deputy Director who was in charge of the particular activity, where I thought this request fitted. If it involved two of the Deputy Directors, I would call the two of them in. In other words, I would get into my office all of those individuals that, it seemed to me, would be helpful in carrying out whatever instruction we had been given.

Senator MATHIAS. Now, you say you would call in the ones who were involved in the execution of the policy that the President had directed?

Ambassador HELMS. Senator Mathias, may I—maybe not for your benefit, certainly, because I realize you know these things, but maybe for the benefit of others—the Agency was divided into directorates, and there were four of them, and they had rather specific functions. There was a support directorate which had within it the various elements that supported the operations and the existence of the administration of the Agency.

There was a Directorate for Intelligence, which did the collation and analysis on the various intelligence studies, current and otherwise. There was a Deputy Director for Plans in my time, who was in charge of covert operations, and there was a Deputy Director for Science and Technology who had both operational and analytic capabilities in the science and technology field. So, I would have to judge exactly into which one of these categories the instruction fell, or under which two or three categories it fell.

Senator MATHIAS. Now, were these Directorates segregated very carefully from each other, or was there intercommunication between them?

Ambassador HELMS. The Deputy Director of Plans is segregated in the building from other Directorates. In fact, there are signs in the halls indicating when you got into that part of the building. As for the rest of it, they were not so particularly segregated. There was a lot of visiting back and forth.

Senator MATHIAS. So that that was a watertight compartment. But there might be intercommunication elsewhere.

Ambassador HELMS. In Navy terms, sir, far from watertight integrity, I want to tell you. But nevertheless, there was effort made to segregate it.

Senator MATHIAS. Well, if there was this compartmentation, did that inhibit understanding of a Presidential directive which came down through you, through whoever was Director? Was it desirable that knowledge of a Presidential directive or direction was widespread throughout the Agency, or was it desirable to have it only known by the people who were immediately involved in executing it?

Ambassador HELMS. Well, it was generally, sir, the latter, particularly if it was on a sensitive matter. But I do not think in this particular case that would have entered our minds. I think that in the case of the toxins and the bacteriological weapons that we would have gone to the man who had this under his aegis, in this case Dr. Gottlieb, and ask him to carry out the instruction.

I must say that, in hindsight—I say even in hindsight—this looks like a fairly simple matter. And the fact that it has been so complicated with the passage of time is a great surprise to me.

Senator MATHIAS. How did you normally carry out the oversight in the execution of a Presidential order?

Ambassador HELMS. I suppose that there is no good, clear-cut answer to that, because Presidential orders and instructions were of such variety. If the instruction, for example, were to produce some evidence or a document, then that was the answer, and that was the follow-through. In certain other categories of things, we had an inspector general system that ran various checks through all elements of the Agency, or almost all elements of the Agency, periodically, in an effort to find out if there was compliance with directives, and arrangements for covert agents and all kinds of things of that sort.

In other words, we thought it was what was an orderly procedure; to make sure, in these farflung field stations, for example, people were doing what they were supposed to be doing in keeping with the regulations.

I want to say that, in this particular case, I realize that there was no followup that found these toxins. But I have been scratching my head ever since I heard about this as to what would have been a normal practice in a situation where you did not know that something existed. I mean, I had genuinely thought these things had been destroyed at Fort Detrick.

Senator MATHIAS. If, just as a matter of organization, and I am thinking now of the kind of recommendations this committee will ultimately have to make—if, as a matter of organization, there had been less compartmentation, more sharing of information, might a situation of this sort have come to light?

Ambassador HELMS. I do not want to seek refuge in that, Senator Mathias. I do not think so. I do not think that compartmentation in this case was at fault. Maybe human communication was at fault, but not compartmentation.

Senator MATHIAS. Of course, if there is greater communication, then you have a wider participation, wider knowledge, wider sharing of an oversight capacity, rather than falling into the kind of trap that is described by the old saw: Who is taking care of the caretaker's daughter when the caretaker is busy taking care?

Thank you, Mr. Chairman.

The CHAIRMAN. All right, Senator Mathias. Thank you.

Senator HART?

Senator HART of Colorado. Gentlemen, you both testified that you were generally aware that the CIA had some relationship with Fort Detrick's Special Operations Division to investigate toxic capabilities. Is that correct?

Ambassador HELMS. Well, I knew that we had an arrangement with Fort Detrick in this general field, yes, sir.

Senator HART of Colorado. That is my question.

In connection with this investigation, I would like to cite three experiments or studies that were conducted, to see or to test your recollection and knowledge of those experiments. First of all, I will quote from a June 1, 1969, study report done by Fort Detrick on this toxic experimentation. Quoting from that report, one study that was conducted:

The General Services Administration and Fort Detrick entered into a cooperative project to investigate the vulnerability of drinking water in Federal buildings to covert biological attack. After consultation with the design engineers in the GSA, the Food and Drug Administration Building in Washington, D.C., was selected for investigation. The engineers assured us that the drinking water system is typical of that installed in modern multistory buildings.

They then proceeded to conduct two tests, one to eliminate chlorine in the water. The second test was a simulated covert test. A colipheed was introduced into the system by back pressure . . ."

Ambassador HELMS. A what?

Senator HART of Colorado. C-o-l-i-p-h-e-e-d. I think it is a non-toxic chemical of some kind. I am just laying out the background so you will understand the nature of the question.

. . . was introduced into the system by a back pressure technique at a drinking fountain. This is a technique a saboteur might use. Neither the building occupants nor operating personnel were advised that such a test was planned. We were not challenged, and apparently undetected.

The final quotation from the study:

From limited consultation with design engineers, it should be possible to develop simple guidelines for planning an attack on a group of people that work in a building constructed with the circulating chilled drinking water system.

The question to both of you is, were you aware of this experiment?

Ambassador HELMS. Senator Hart, I was not.

Mr. KARAMESSINES. I never heard of it. This is the Department of Defense and GSA, did you say, sir?

Senator HART of Colorado. That is right, at Detrick; Special Operations.

Mr. KARAMESSINES. Well, whoever it was, I never heard of it.

Senator HART of Colorado. Do you know whether or not CIA personnel were involved in this study?

Ambassador HELMS. I did not hear of the study, sir, so I do not know whether they were involved.

Senator HART of Colorado. But you have no knowledge as to this experiment or vulnerability study that your personnel were involved?

Ambassador HELMS. Not that particular one.

Senator HART of Colorado. Let me cite another, with the same questions. This is quoting from an internal CIA document, which is dated October 18, 1967, Technical Services Division.

In anticipation of a future need for information, and to establish a capability, a study on the vulnerability of subway systems to covert attack and development of a method to carry out such an attack was conducted. The suitability of the system was assessed and evaluated covertly, utilizing the New York City subways as the trial model. The result provided information on distribution and concentrations of organisms which are obtained. I do not know what that means.

The data provided the means of assessing the threat of infection to subway passengers. The study provided a threat model and information on ease of dissemination and methods of delivery which could be used offensively.

Now, because of the fact that this is a memorandum originating in the CIA, I would ask if either of you were aware of this vulnerability study for the development of this defensive capability.

Ambassador HELMS. Excuse me, Senator Hart. Did you say who had written the memorandum to whom?

Senator HART of Colorado. It is my understanding we have been requested by the CIA not to divulge the name of the individual. It was a middle-level officer in the Technical Services Division of the CIA, and the date was October 18, 1967.

Ambassador HELMS. I do not recall the study.

The CHAIRMAN. I would suggest, Mr. Helms, that you take a look at this memorandum. It might be placed before you.

Ambassador HELMS. That would be helpful.

The CHAIRMAN. It is exhibit 6.<sup>1</sup> So you can examine the document itself before replying.

Ambassador HELMS. Thank you, Mr. Chairman.

Senator HART of Colorado. Now, to repeat the question, were either or both of you aware that this study or experiment was conducted?

Ambassador HELMS. I was not, sir.

Mr. KARAMESSINES. I was not.

Senator HART of Colorado. Would it be your assumption, based upon this memorandum, that CIA personnel were involved in this study?

Ambassador HELMS. I cannot tell from the wording of the memorandum whether these CIA people were involved, or whether it was other people involved, and we were riding piggyback.

Senator HART of Colorado. Quoting from the same document, page 2, paragraph 7:

Three methods and systems for carrying out a covert attack against crops and causing severe crop loss have been developed and evaluated under field conditions. This was accomplished in anticipation of a requirement which later developed but was subsequently scrubbed just prior to putting into action.

Were you aware of this study or experimentation?

Ambassador HELMS. Well, I do not know whether I was aware of this particular one, Senator Hart. But I know that at one time in this Government—and it was not only in the CIA; it was other places as well—there was a great deal of attention given to what wheat rust or rice rust would do to crops in various parts of the world. And I know there were studies undertaken by someone to try to ascertain how destructive this particular disease was.

It is my distinct recollection that nothing was ever done about it, but I know there were studies being conducted, and I would not have been at all surprised if the Agency was involved in those studies.

<sup>1</sup> See p. 204.

Senator HART of Colorado. Would you accept that answer, Mr. Karamessines?

Mr. KARAMESSINES. Yes. I am not sure we were involved in the studies, but it would be my guess that we received the benefit of such studies. In other words, we were kept posted through the liaison that is reflected in this memorandum.

Senator HART of Colorado. Now, gentlemen, I apologize for pursuing this at some length, but the record we have developed so far has to do largely with a defensive capability. That is, a lot of this toxic experimentation was going on so that we could be prepared to counter any threat posed by any other country and that we had to conduct these experiments just to be on the safe side, to know whatever we could find out about them. But in each of the cases I have cited, there is strong reason to believe—in fact, the language in two of the passages that I have cited specifically states that we were preparing in these areas offensive capabilities.

Now, my question, to conclude this line of interrogation, is, if we were preparing that kind of offensive capability, why did not individuals of your stature in the Agency know about this?

Ambassador HELMS. Well, Senator Hart, I would have said, in connection with the Fort Detrick study, there was no reason why we should have known about it. And in connection with the other matters, the ongoing responsibilities of these various elements were to make such studies.

The question that I think is most important, however, is that we never gave any authorization for any offensive use of these things. And I think that, in the end, is the important question.

Mr. KARAMESSINES. I would simply add, Senator Hart, that one of these is described, in part at least, as a vulnerability study. That would suggest that the idea here was to—from those who are conducting the experiments or studies, their purpose, at least in part, was to see what effect the use of these methods against us would have and how we could counter the use of such methods.

Senator HART of Colorado. I understand that.

Mr. KARAMESSINES. And this is a recurring theme, as a matter of fact, throughout all of the work of the Technical Services Directorate. When letter bombs became fashionable 3 or 4 years ago and were popping off in various offices here and abroad, it was the TSD and the kind of work that is reflected in the matters we have been discussing, that was in a position to provide the rest of the Government, including the FBI, with the solution of the proper defusing of letter bombs. It was they who analyzed the letter bombs and found how to deal with it. This is the kind of work we expected TSD to be carrying on constantly, to be in a position to use the method to counter it if called upon.

Senator HART of Colorado. Was it also within their mandate, and would you expect it to be within their mandate, to go ahead and prepare offensive operating capabilities without instructions from above?

Mr. KARAMESSINES. Well, that depends on what you mean by offensive operating capabilities.

Senator HART of Colorado. I think the language in the passages that I have cited clearly indicate that we were preparing, in the case of

sabotaging the drinking supply of buildings, of subway systems, and crops, to be able to do this to somebody else.

Mr. KARAMESSINES. Yes; I think it would have been within TSD's purview to be in a position to do this if they were directed to do so by proper authority, and I would assume that could only be the President. And I cannot describe the circumstances under which that would happen, because I do not know.

Senator HART of Colorado. Well, both of you gentlemen have already testified that you were surprised, although not shocked, that your understanding and direction was not followed in the matter of the destruction of the toxic materials. Is it a possibility that those same midlevel people who disobeyed the understanding of the highest levels in the Agency might also have taken it upon themselves to implement these operating capabilities under some circumstances?

Ambassador HELMS. Do you know of any case, Senator Hart?

Senator HART of Colorado. We have been studying that subject for 8 months.

Ambassador HELMS. I think you are drawing a very long bow and, may I say, an unfair one.

Senator HART of Colorado. I am asking a question. I am asking a question.

Ambassador HELMS. Would you rephrase the question?

Senator HART of Colorado. The question is, based upon your surprise that your understanding and what you thought were your orders were not carried out as to destruction of these toxic materials, what guarantees would you have that the capabilities being developed in the studies and experiments that I have described might not be carried out by some people without proper authorization?

Ambassador HELMS. I think in human life it is always possible that something may happen that one does not expect, but I know of no cases in this category.

Senator HART of Colorado. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you Senator Hart.

Senator Schweiker.

Senator SCHWEIKER. Thank you, Mr. Chairman.

Mr. Karamessines, when you were at the Agency and running your operation and critical or dangerous materials came to your charge, either directly or through one of your subordinates, would it have been normal procedure under your administrative procedures to log them in?

Mr. KARAMESSINES. To log them in.

Senator SCHWEIKER. Yes. In other words, if you received critical or dangerous materials—

Mr. KARAMESSINES. I did not receive critical or dangerous materials. A component under my overall jurisdiction, one component out of a considerable number, would have received these dangerous materials, and that was the Technical Services Division.

Senator SCHWEIKER. Would it have been normal procedure, forgetting this particular case now, to log them in?

Mr. KARAMESSINES. Probably, but I am not sure they did. I do not know that they did, how they handled them. They were the best judges. I could not try to tell a technician, a specialist in a certain field, how to do his job.



Senator SCHWEIKER. How about taking inventory? Did you periodically take inventory of whatever assets you had under your control and command?

Mr. KARAMESSINES. No; I did not.

Senator SCHWEIKER. You did not?

Mr. KARAMESSINES. I personally did not, sir. I assumed, however, that this was in the records of the Technical Services Division.

Senator SCHWEIKER. Did you sign spending vouchers or authorizations for money spent through you?

Mr. KARAMESSINES. I would either sign—I might have signed. I more probably recommended the signature, but I might have signed, too. I do not recall that.

Senator SCHWEIKER. I was under the impression that, lacking oversight by Congress, that there was a very tight internal auditing procedure where each department head and agency head within CIA had to put his name on the line, because we lacked these controls. Is that not correct?

Mr. KARAMESSINES. It is correct.

Senator SCHWEIKER. Well, then, in terms of spending money for shellfish toxin, this normally would have come under your purview as the job you held, even though it might have been two or three levels below you. Is that not correct?

Mr. KARAMESSINES. Yes; that is correct.

Senator SCHWEIKER. Now, we were trying to identify yesterday from where some 6 grams, which was 60 percent of the whole supply that was found there, came. Can you shed any light on this at all?

Mr. KARAMESSINES. No, sir, none at all.

Senator SCHWEIKER. Overnight, I found out that instead of being one Public Health Service laboratory involved, which, at that point, was Narragansett, R.I., the other can also come from a Public Health Service lab, which name was not clear on the can but was clear on the label itself, the Taft Center at Cincinnati, Ohio. Were you aware that money was going from your department to the Public Health Service in both cases for shellfish toxin research?

Mr. KARAMESSINES. I am not aware of that; no, sir, as I sit here today. That is not to say that I was not aware of it at the time in recommending approval or signing off on expenditures for these activities.

Senator SCHWEIKER. But somebody did have to sign for it. Normally, it would have been you. You are just saying you do not recollect that it occurred?

Mr. KARAMESSINES. Well, these approvals for expenditures of funds were based on the written record.

Ambassador HELMS. Senator Schweiker, may I—

Mr. KARAMESSINES. And the written record should show what the story is. You are asking me something now that my memory simply cannot throw light on.

Ambassador HELMS. Senator Schweiker, may I interrupt to ask a question of fact? Has it been ascertained that the Agency paid for the research that was going on in the Public Health Service at Narragansett and Cincinnati?

Senator SCHWEIKER. You are anticipating my next question, Mr. Helms. That is exactly my next question. I was going to direct it to

either one of you, whether in fact the Public Health research labs were paid from the CIA directly, or whether contracts were issued from the Army to the Public Health Service stations involved.

Mr. KARAMESSINES. The only one I was aware of was the Fort Detrick arrangement. I did not know about the others that you have mentioned.

Senator SCHWEIKER. So you are not certain whether or not the CIA contracted directly or whether only indirectly, with the Army being the prime contractor?

Mr. KARAMESSINES. That is correct.

Senator SCHWEIKER. I do have knowledge now that there was a \$194,000 contract on at least one of the instances between the Army and the Taft Center at Cincinnati, Ohio.

Mr. KARAMESSINES. How does that relate to the CIA, sir?

Senator SCHWEIKER. Well, because that produced some of the toxin that you ended up with at the CIA laboratory. So that was the point I was making yesterday; that somewhere along the line, we used the Public Health Service to produce deadly biological toxins and weapons.

Mr. KARAMESSINES. Are they biological or chemical, sir?

Senator SCHWEIKER. They are toxins. You can argue it either way.

Mr. KARAMESSINES. Biological sounds so terrible. Chemical sounds a little better.

Senator SCHWEIKER. Would you think that is a normal——

The CHAIRMAN. No matter how you describe shellfish toxin, it does not sound good.

Mr. KARAMESSINES. It's deadly, no question about it, sir.

Senator SCHWEIKER. As it came up the other day, 10 seconds and the dog is dead. I do not think it is much of a question whether it is a chemical or a biological weapon, sir.

Mr. KARAMESSINES. It is not as bad as the atom bomb, sir, and we have quite a few of those around here.

Senator SCHWEIKER. Going back to the issue at hand, you are completely unaware, then——

The CHAIRMAN. Mr. Karamessines—excuse me, Senator.

Senator SCHWEIKER. Yes.

The CHAIRMAN. I just think we ought not to begin to get flippant in this hearing. Obviously, we have atom bombs. Obviously, the President has not ordered them destroyed. We are discussing a failure to carry out a Presidential order on a matter of national policy that was widely publicized to the world. So let us not get off the subject.

Senator SCHWEIKER. I think it means an evasion, obviously, of the question at hand, and it to me indicates a little bit of the attitude in this situation.

Going back to the case at hand, the slips that were on top of the two cans that came into the CIA lab indicated that they were both stored in the same safe at Fort Detrick, in room 202. So both cans, the 5-gram can, which corresponds to the CIA inventory, and the 6-gram can, of which we do not know the origin, were both stored in the same safe at Fort Detrick. During the course of your discussions about destroying materials and about the question of whether you would retain stocks, was any mention made at all of additional material, possibly, that was in this same safe up at Fort Detrick?

Mr. KARAMESSINES. No, sir.

Senator SCHWEIKER. You had no discussion at all about Army surplus stocks or other surplus stocks that might be commingled with yours in the same safe up at Fort Detrick?

Mr. KARAMESSINES. No, sir.

Senator SCHWEIKER. Would you think, Mr. Karamessines, that this is a proper and appropriate use of the Public Health Service, as far as the CIA and Army are concerned? What is your professional opinion, as a retired CIA officer, whether in fact the Public Health Service should be utilized for this kind of chemical research, if you want to call it that, but deadly toxin research?

Mr. KARAMESSINES. I would assume, sir, that the Public Health Service would have a very vital interest in keeping abreast of developments in the field of toxins. And if the Public Health Service was participating in such an activity, I would not find that unusual, because it is part of their job to protect the country, isn't it, against this type of thing? So I would not find that unusual.

Senator SCHWEIKER. Well, it is part of their job, certainly, to protect the people. I am not sure that making poison that kills tens of thousands of people is protecting anybody, and I think, really, that may be a normal judgment of yours, but I happen to think this is a perversion of the U.S. Public Health Service to use it for this purpose. And I guess that is what this hearing is all about; is it not, the difference of opinion here?

Ambassador HELMS. Senator Schweiker, may I interrupt just a moment, please? I am not aware of any relationship between the CIA and the Public Health Service in this matter. If you say it is so, I will accept your word, but I have never been told before this morning.

And, second, I believe that I have read in the paper that a scientist had said that shellfish toxin has a very real value in development of immunization and possibly in the treatment of disease. So I think that it is rather difficult for me to accept the fact that we are being cavalier and that the Public Health Service is being cavalier and various people are being subverted and suborned here, when I do not think that is the case at all. And I am sorry, but I just feel I must speak this way.

Senator SCHWEIKER. I think there are two points, Mr. Helms, to keep in mind. No. 1, we do now know there was a contract, at least from the Army, to the Taft Center in Cincinnati, Ohio. That is a very direct, specific relationship with the biological arm of our intelligence agencies to the Public Health Service.

Ambassador HELMS. I believe the biological arm belongs to the Department of Defense, not to the Central Intelligence Agency.

Senator SCHWEIKER. By the same token, you folks financed it. You knew, whether the money went from A to B to C or A to C is immaterial. You were financing that program, so I think it is a very—

Ambassador HELMS. We were financing a part of that program which applied to the Agency, but not the entire program.

Senator SCHWEIKER. And the second thing I question is that this is a normal occurrence for the U.S. Public Health Service to spend \$3 million of Government money to get all of these toxins. Obviously, this was not just an offshoot or byproduct of research going on at Public Health Service's laboratories or you would not have had to spend

\$3 million. You had to distill it, you had to compile it, you had to separate it, and the Public Health Service was doing this.

And I think it gets to the heart of the question of whose service some of the Government services are serving. And I think it is a very direct issue, and I realize that you differ with me on it. But that is what this is all about. That is why we are here, that is why we got to this state of debate between the intelligence community and the rest of the Government and the people.

That is all I have, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Schweiker. I believe Senator Morgan is now to get a chance to ask questions.

Ambassador HELMS. Good morning, Senator Morgan.

Senator MORGAN. Mr. Chairman, Mr. Helms, I apologize for not being here earlier but I had a hearing on a bill that I had introduced that was in the Banking Committee.

Mr. Helms, yesterday I asked Mr. Colby whether or not the CIA had ever received any instructions from the President or the National Security Council with regard to disposing of the toxins in carrying out the President's announced orders on February 1970 and in November, I believe, 1969. Do you recall ever receiving any instructions from the National Security Council or the President with regard to the toxins?

Ambassador HELMS. Sir, we received the National Security Council Decision Memorandum on the subject of toxins and the Presidential policy to include those in the ban that he had issued earlier in November.

Senator MORGAN. You say now you received those memorandums. Is that the memorandum of February 20?

Ambassador HELMS. May I check, sir, to see?

Senator MORGAN. Yes.

Ambassador HELMS. February 20, yes, sir.

Senator MORGAN. Also the one on November 5, 1969?

Ambassador HELMS. Yes, sir, I believe that is the one just in front, yes, sir.

Senator MORGAN. Now, in both those memorandums, the Secretary of Defense was instructed to submit recommendations concerning the disposal of existing stocks of toxin weapons and/or agents. Now, as of yesterday, I have not been able to find any report to the National Security Council that that had been done. As a matter of fact, I introduced into the record yesterday parts of a memorandum from a committee of the National Security Council to the President, dated January 25, 1973, in which it was reported that the destruction of chemical weapons was being carried out and then it made this statement.

All research and development on biological weapons has been terminated. Programs for disposing of stocks of these weapons are now virtually complete.

Now this clearly indicates to me that they were reporting to the President as late as January of 1973, that they were still working on the program for how to go about disposing of the toxins. And the next sentence is, "laboratory quantities of agents will be retained to support defensive research."

Now, to your knowledge, was the CIA ever requested to give an inventory to the National Security Council of any toxins that it held?

Ambassador HELMS. No, sir, and I do not recall, Senator Morgan, ever having received any communication from the Secretary of Defense as such or the Department of Defense on this subject.

Senator MORGAN. It is clear to me, Mr. Helms, from the memorandum of the National Security Council that it was intended that the Department of Defense would devise methods and ways of destroying these toxins and also to determine the amounts to be retained for laboratory purposes. And I find no evidence that it was ever promulgated to any agency other than interdepartmental agencies.

This morning I have been handed a memorandum from the Secretary of Defense addressed to the Deputy Secretaries and to the Chairman of the Joint Chiefs of Staff, to various other officials within the Defense Department on the subject of implementation of the President's decision on chemical warfare and the biological research programs. It was not addressed to the CIA or any other agency outside of the Defense Department. Did you ever have any knowledge of this having come up in the National Security Council?

Ambassador HELMS. I have no recollection of this memorandum and I do not think I have ever seen it, Senator Morgan. It is not familiar to me as I sit here now.

Senator MORGAN. Well, in all fairness to you, Mr. Helms, I find no reason why you should have seen it. It was not addressed or directed to you. Now, in this same package of materials, and I quite frankly have not had the time to go through all of them, at various places it designates the amount or quantities that are to be retained or deemed necessary to complete current research in support of public health requirements and for future work in the defensive research department. There they list 1.53 milligrams of shellfish toxin. Under another section that lists, for commodity development and engineering laboratory, 2 grams of shellfish toxin: shellfish toxin A redried, 1 gram; shellfish toxin A clam, 1 gram; and in another place I have noticed or observed where the Secretary of Defense apparently was saying what was deemed necessary. You never had any indication whatsoever with regard to any shellfish toxin you may have had?

Ambassador HELMS. Not that I recall, Senator Morgan. May I, sir, ask you a question since you seem to be most familiar with this whole problem? I read somewhere recently that the end of this year was the terminal date for the destruction of all of these materials. Is that correct? In other words, was there a period of 5 years during which they were all to be got rid of?

Senator MORGAN. Mr. Helms, I do not know and I am quite frankly afraid and I doubt that we have—

The CHAIRMAN. May I just respond to that, Senator Morgan?

Our next witness is Ambassador James Leonard and he will describe for the committee the particular provisions of the convention and I believe that that will answer the point that you have raised.

Ambassador HELMS. Thank you, thank you, Mr. Chairman.

Senator MONDALE. I think the situation is this. The President ordered the immediate destruction of our toxins, but under the international agreement, all countries, including the United States, must have destroyed their toxins by the end of this year.

Ambassador HELMS. I see, thank you, Senator Mondale.

The CHAIRMAN. Yes; I believe that is the situation.

Senator MORGAN. I think, Mr. Helms, as I read the President's memorandum to the National Security Council of February 20, 1970, it looks to a further directive as to how to destroy these and I think any logical reading of it would lead to that interpretation. And quite frankly, I have found no followup. It seems to me somewhere along the way someone did not follow up and surely from this National Security Council memorandum to the President, or from a committee to the President, as late as January 25, 1973, the President himself was advised or should have been advised that programs for the disposal had not then been completed.

Ambassador HELMS. Yes, sir.

The CHAIRMAN. Any further questions?

Senator Mondale?

Senator MONDALE. Mr. Helms, you have spent your whole life virtually, all of your adult life, in OSS intelligence services. There is absolutely no one, I think, who is better equipped by experience at all levels to help this committee understand what this evidence means and what policy implications it might have for the Congress and for future command and control directions, restrictions, and the rest affecting these kinds of matters.

As I try to piece together what we have heard, it seems to me the evidence is somewhat as follows. First, in late 1969 we had a Presidential decree ordering the destruction of biological weapons and substances. Then, because there was confusion as to whether toxins of all kinds were included within that order, a followup order was issued on February 14, 1970, specifically directing the destruction of all forms of toxins, whether biologically or chemically created. And that order was issued on February 14. There seems to be no evidence to contradict what you and Mr. Karamessines have said; namely, that the two of you orally ordered the destruction of those toxins in pursuance of the President's order.

But what seems to have happened is that once that February 14 order came out, there was a good deal of activity and discussion at the lower level where these toxins were held and controlled. Among other things, a proposed memorandum was developed for Mr. Karamessines which he apparently never saw, suggesting that these toxins should not be destroyed, but in effect, what you might call lateralled into a private warehouse to be leased. As a result of the need for public funds, that was turned down. Then the fact of what happened was that these toxins were transferred, both those owned by the CIA at Fort Detrick and those owned by the Department of Defense at Fort Detrick, except for a modest amount retained for research. They were all transferred to a warehouse in Washington under the control of the CIA. And higher authorities were not alerted to this transfer because the day they were transferred or thereabout, an inventory was prepared that went up, that did not list the toxins, as Senator Morgan has pointed out.

I would not say that that inventory is a fraud, but I think it comes close to it because they waited until the toxins were gone and then they prepared an inventory which said they were not there. So, on the basis of that, these memorandums were then prepared to the President, to the National Security Council, for the head of the CIA, and

When in fact all he did wa

So we are at this point where a formal and profound, much debated public policy was determined by the President of the United States and by the National Security Council to get rid of poisonous toxins, except for modest amounts needed for research, but instead, lower level employees in the Department of Defense, possibly the CIA or both, decided to keep them.

Now I suppose we could get personal about it, but I had some sympathy for Dr. Gordon because he seemed to be saying he spent his whole life developing these things. He had spent all of this money on it. He thought we might need it sometime later and therefore, because of his interest in serving this country, kept them anyway. Now, what do we do about it?

Ambassador HELMS. Senator Mondale, I do not know. I think that your understanding of Dr. Gordon's position is very decent because, as I listened yesterday afternoon, it seemed clear that not only Dr. Gordon but several other scientists who had been familiar with the work on shellfish toxin had rather conspired, if you like, or colluded or whatever the most pleasant legal word is, to find someplace that they could put this material where it would be safe, secure, would not hurt anybody but would be there in case it were ever needed. I can only assume that the reason that they came to this conclusion was that they had enormous difficulty acquiring the clams, or whatever it is in the first place, and that the process of extracting the toxin is extraordinarily difficult and that maybe some of them had thoughts about immunization and other things, or treatment of disease where it might be useful.

And I think that they were yielding to that human impulse of the greater good. That is the only way I can explain this because, as I listened to Dr. Gordon yesterday, I did not listen to a man, it seemed to me, who was doing something criminal or dirty or anything else. He seemed to be inspired by perfectly decent motives.

Senator MONDALE. And we can understand that. But in fact, what he was doing was deliberately disobeying a serious Presidential order which had profound implications in terms of international relations and which raises questions about the whole process of command and control in an institution which, I think, must be secret but which, I think, cannot be unaccountable. So, what do you believe are the public policy implications of this record?

Ambassador HELMS. Sir, I find it enormously difficult to suggest a solution to an aberration, something that happened once to my knowledge and I realize that the point you make about the command and the control over the employees and so forth. I have attempted to say that I thought we were an extraordinarily well disciplined organization and I just do not know how you legislate against the odd mistake or the odd disobeying of orders or the odd aberration.

Senator MONDALE. We have been through many other issues, not in public, and we always seem to end up with the same kind of fuzzy record. Something happened and nobody did it. And I want to see a secret agency. But, in order to have one that is accountable to the public and to the President, it must be an agency that first of all obeys orders, whether oral or written, and second, that is accountable in case we want to find out what happened. And that is what bothers me, Helms.

Ambassador HELMS. Senator Mondale, I have no problem with your statement. I think you state the case accurately and I think in 1975 there are new national perceptions of these matters, if I may say so, at least they are different than they were 10 years ago or 20 years ago. I do not know how different. I am not here enough to know what exactly all the shifts have been, but I would certainly agree that in view of the statements made by all of you distinguished gentlemen, that some result from this has got to bring about a system of accountability that is going to be satisfactory to the U.S. Congress and to the American people.

Now, exactly how you work out that accountability in a secret intelligence organization, I think, is obviously going to take a good deal of thought and a good deal of work and I do not have any easy ready answer to it because I assure you it is not an easy answer. In other words, there is no quick fix.

Senator MONDALE. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Morgan has a final question.

Senator MORGAN. Mr. Chairman, I would like to make this observation that I think this very clearly points up the dilemma in which we find ourselves, as Senator Mondale has pointed out, and that is the unaccountability of anyone in the CIA. Now, as I heard Dr. Gordon yesterday afternoon, I heard him distinctly say that had he had an order from the Director to destroy the toxins, he would have carried that order out. And I think I heard him say he did not have an order and as I understand it this morning, you have testified and so has Mr. Karamessines that both of you orally directed him to destroy it.

The dilemma in which we find ourselves is that the manner in which the Agency has been conducted is such that we cannot find the truth. We have conflicting testimony. Senator Mondale is perfectly reasonable in drawing the conclusion that he drew. I could draw the same conclusion. I could draw another conclusion that Dr. Gordon did not know and would have carried out the orders had they been given him. It seems to me that this points out very clearly an area which should be looked into so that in the future there will be an area of accountability or a degree of accountability and it seems to me, Mr. Chairman, this may be another area where we find plausible denial coming in.

The CHAIRMAN. Senator Morgan, I concur in your observations and in those that Senator Mondale has made. And I simply want to underscore the fact that this is not the first time that this dilemma has faced the committee. We have faced it again and again in the course of our deliberations, investigations of the whole assassination issue. And that will become clear when the committee issues its report in which the evidence taken will be laid out in careful detail. But it goes to the heart of the reason for this investigation and I hope that we conduct it in such a way that by the time we are finished we will have found some answers.

Are there any further questions of these two witnesses?

Senator MONDALE. I have a comment. I think we found out what P600 is.

Ambassador HELMS. Good.

The CHAIRMAN. If you found out, let us hear it.

Senator MONDALE. We are told by Robert Andrews, a Defense Department official, who is with us today, that he thinks it is a working



fund number, work relating to CIA funds, and he thinks it is a reference to an account number.

The CHAIRMAN. We will pursue that further because, as I recall the labels on the containers, "Do not use, unless directed by P600." That does not sound like a system of accounts or an account ledger.

Senator MONDALE. I know it but—

The CHAIRMAN. Well, we will track that down.

Senator MONDALE. Could we ask them to give a full report?

The CHAIRMAN. Yes; of course we will track it down. If there are no further questions of these two witnesses I would like to move on to Ambassador Leonard.

Thank you, gentlemen.

Ambassador HELMS. Thank you, Mr. Chairman. Thank you, gentlemen.

Mr. KARAMESSINES. Thank you.

The CHAIRMAN. Ambassador Leonard, if you would please come forward at this time. Because of the confusion here, we will take a 5 minute recess so we can get back to order. Mr. Ambassador, if you would come forward and take your place at the witness stand during the recess I would appreciate it.

[A brief recess was taken.]

The CHAIRMAN. The hearing will please come back to order.

Mr. Ambassador, would you stand and take the oath, please.

Do you solemnly swear that all the testimony you will give in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEONARD. I do.

The CHAIRMAN. Thank you.

I understand that you have some opening remarks you would like to make, and I invite you to make them now.

#### TESTIMONY OF JAMES LEONARD, PRESIDENT, U.S. UNITED NATIONS ASSOCIATION

Mr. LEONARD. Thank you, Mr. Chairman.

This is not a prepared statement; I simply would like to state briefly for the record, my relationship to this question which you are looking at.

My name is James Leonard. I am, at the present time, the President of the United Nations Association in New York. I left the U.S. Government in 1973, after 25 years in the State Department, and for the last 4 of those years, I was on loan from the State Department to the Arms Control and Disarmament Agency as an Assistant Director, and I wore a second hat during that period.

I was also the head of the U.S. delegation to the Disarmament Conference in Geneva, known as the CCD—the Conference of Committee on Disarmament. That was in 1969, 1970, and 1971. And in 1971, basically between March and September, we negotiated at that conference, the Treaty on Biological Weapons.

That convention was then discussed in the General Assembly in the fall of 1971, and it was commended by the General Assembly by a vote of 110 to nothing. There was one delegation that abstained, and one that did not participate in the voting.