

III. ASSASSINATION PLANNING AND THE PLOTS

A. CONGO

1. INTRODUCTION

The Committee has received solid evidence of a plot to assassinate Patrice Lumumba. Strong hostility to Lumumba, voiced at the very highest levels of government may have been intended to initiate an assassination operation; at the least it engendered such an operation. The evidence indicates that it is likely that President Eisenhower's expression of strong concern about Lumumba at a meeting of the National Security Council on August 18, 1960, was taken by Allen Dulles as authority to assassinate Lumumba.¹ There is, however, testimony by Eisenhower Administration officials, and ambiguity and lack of clarity in the records of high-level policy meetings, which tends to contradict the evidence that the President intended an assassination effort against Lumumba.

The week after the August 18 NSC meeting, a presidential advisor reminded the Special Group of the "necessity for very straight-forward action" against Lumumba and prompted a decision not to rule out consideration of "any particular kind of activity which might contribute to getting rid of Lumumba." The following day, Dulles cabled a CIA Station Officer in Leopoldville, Republic of the Congo,² that "in high quarters" the "removal" of Lumumba was "an urgent and prime objective." Shortly thereafter the CIA's clandestine service formulated a plot to assassinate Lumumba. The plot proceeded to the point that lethal substances and instruments specifically intended for use in an assassination were delivered by the CIA to the Congo Station. There is no evidence that these instruments of assassination were actually used against Lumumba.

A thread of historical background is necessary to weave these broad questions together with the documents and testimony received by the Committee.

In the summer of 1960, there was great concern at the highest levels in the United States government about the role of Patrice Lumumba in the Congo. Lumumba, who served briefly as Premier of the newly independent nation, was viewed with alarm by United States policymakers because of what they perceived as his magnetic public appeal and his leanings toward the Soviet Union.

Under the leadership of Lumumba and the new President, Joseph Kasavubu, the Congo declared its independence from Belgium on June 30, 1960.³ In the turbulent month that followed, Lumumba

¹ Indeed, one NSC staff member present at the August 18 meeting, believed that he witnessed a presidential order to assassinate Lumumba.

² Since the period in which the events under examination occurred, the names of many geographical units and governmental institutions have changed. For instance, the nation formerly known as the Republic of the Congo is now the Republic of Zaire and the present capital city, Kinshasa, was known then as Leopoldville. For the sake of clarity in dealing with many of the documents involved in this section, the names used in this report are those which applied in the early 1960's.

³ For detailed reporting of the events in the Congo during this period, see the *New York Times*, especially July 7, 1960, 7:3; July 14, 1960, 1:1; July 16, 1960, 1:1 and 3:2; July 28, 1960, 3:7; September 3, 1960, 3:2; September 6, 1960, 1:8; December 3, 1960, 1:8; January 18, 1961, 3:1; February 14, 1961, 1:1.

threatened to invite Soviet troops to hasten the withdrawal of Belgian armed forces. The United Nations Security Council requested Belgium's withdrawal and dispatched a neutral force to the Congo to preserve order. In late July, Lumumba visited Washington and received pledges of economic aid from Secretary of State Christian Herter. By the beginning of September, Soviet airplanes, trucks, and technicians were arriving in the province where Lumumba's support was strongest.

In mid-September, after losing a struggle for the leadership of the government to Kasavubu and Joseph Mobutu, Chief of Staff of the Congolese armed forces, Lumumba sought protection from the United Nations forces in Leopoldville. Early in December, Mobutu's troops captured Lumumba while he was traveling toward his stronghold at Stanleyville and imprisoned him. On January 17, 1961, the central government of the Congo transferred Lumumba to the custody of authorities in Katanga province, which was then asserting its own independence from the Congo. Several weeks later, Katanga authorities announced Lumumba's death.

Accounts of the circumstances and timing of Lumumba's death vary. The United Nations investigation concluded that Lumumba was killed on January 17, 1961.¹

2. DULLES CABLE TO LEOPOLDVILLE: AUGUST 26, 1960

The Congo declared its independence from Belgium on June 30, 1960. Shortly thereafter, the CIA assigned a new officer to its Leopoldville Station. The "Station Officer"² said that assassinating Lumumba was not discussed during his CIA briefings prior to departing for the Congo, nor during his brief return to Headquarters in connection with Lumumba's visit to Washington in late July. (Hedgman, 8/21/75, pp. 8-9)

During August, there was increasing concern about Lumumba's political strength in the Congo among the national security policymakers of the Eisenhower Administration.³ This concern was nurtured by intelligence reports such as that cabled to CIA Headquarters by the Station Officer:

EMBASSY AND STATION BELIEVE CONGO EXPERIENCING CLASSIC COMMUNIST EFFORT TAKEOVER GOVERNMENT. MANY FORCES AT WORK HERE: SOVIETS * * * COMMUNIST PARTY, ETC. ALTHOUGH DIFFICULT DETERMINE MAJOR INFLUENCING FACTORS TO PREDICT OUTCOME STRUGGLE FOR POWER, DECISIVE PERIOD NOT FAR OFF. WHETHER OR NOT LUMUMBA ACTUALLY COMMIE OR JUST PLAYING COMMIE GAME TO ASSIST HIS SOLIDIFYING POWER. ANTI-WEST FORCES RAPIDLY INCREASING POWER CONGO AND THERE MAY BE LITTLE TIME LEFT IN WHICH TAKE ACTION TO AVOID ANOTHER CUBA. (CIA Cable, Leopoldville to Director, 8/18/60)

¹ Report of the Commission of Investigation, U.N. Security Council, Official Records, Supplement for October, November, and December, 11/11/61, p. 117. (Cited hereinafter as "U.N. Report, 11/11/61.")

² Victor Hedgman was one of the CIA officers in Leopoldville attached to the Congo Station and will be referred to hereinafter as "Station Officer."

³ See Section 7, *infra*, for a full discussion of the prevailing anti-Lumumba attitude in the United States government as shown by minutes of the National Security Council and Special Group and the testimony of high Administration officials.

This cable stated the Station's operational "objective [of] replacing Lumumba with pro Western Group." Bronson Tweedy, who was Chief of the Africa Division of CIA's clandestine services, replied that he was seeking State Department approval for the proposed operation based upon "your and our belief Lumumba must be removed if possible." (CIA Cable, Tweedy to Leopoldville, 8/18/60) On August 19, DDP Richard Bissell, Director of CIA's covert operations branch, signed a follow-up cable to Leopoldville, saying: "You are authorized proceed with operation." (CIA Cable, Director to Leopoldville, 8/19/60)

Several days later, the Station Officer reported :

ANTI-LUMUMBA LEADERS APPROACHED KASAVUBU WITH PLAN ASSASSINATE LUMUMBA * * * KASAVUBU REFUSED AGREE SAYING HE RELUCTANT RESORT VIOLENCE AND NO OTHER LEADER SUFFICIENT STATURE REPLACE LUMUMBA. (CIA Cable, Leopoldville to Director, 8/24/60)

On August 25, Director of Central Intelligence, Allen Dulles attended a meeting of the Special Group—the National Security Council subcommittee responsible for the planning of covert operations.¹ In response to the outline of some CIA plans for political actions against Lumumba, such as arranging a vote of no confidence by the Congolese Parliament, Gordon Gray, the Special Assistant to the President for National Security Affairs reported that the President "had expressed extremely strong feelings on the necessity for very straightforward action in this situation, and he wondered whether the plans as outlined were sufficient to accomplish this." (Special Group Minutes, 8/25/60) The Special Group "finally agreed that planning for the Congo would not necessarily rule out 'consideration' of any particular kind of activity which might contribute to getting rid of Lumumba." (Special Group Minutes, 8/25/60)

The next day, Allen Dulles signed a cable² to the Leopoldville Station Officer stating:

IN HIGH QUARTERS HERE IT IS THE CLEAR-CUT CONCLUSION THAT IF [LUMUMBA] CONTINUES TO HOLD HIGH OFFICE, THE INEVITABLE RESULT WILL AT BEST BE CHAOS AND AT WORST PAVE THE WAY TO COMMUNIST TAKEOVER OF THE CONGO WITH DISASTROUS CONSEQUENCES FOR THE PRESTIGE OF THE UN AND FOR THE INTERESTS OF THE FREE WORLD GENERALLY. CONSEQUENTLY WE CONCLUDE THAT HIS REMOVAL MUST BE AN URGENT AND PRIME OBJECTIVE AND THAT UNDER EXISTING CONDITIONS THIS SHOULD BE A HIGH PRIORITY OF OUR COVERT ACTION. (CIA Cable, Dulles to Station Officer, 8/26/60)³

¹ The August 25th Special Group meeting and the testimony about its significance for the issue of authorization is discussed in detail in Section 7(a)(iii), *infra*.

That meeting was preceded by an NSC meeting on August 18, at which an NSC staff executive heard the President make a statement that impressed him as an order for the assassination of Lumumba. (Johnson, 6/18/75, pp. 6-7) The testimony about this NSC meeting is set forth in detail at Section 7(a)(ii), *infra*.

² Cables issued under the personal signature of the DCI are a relative rarity in CIA communications and call attention to the importance and sensitivity of the matter discussed. By contrast, cable traffic to and from CIA field stations routinely refers to the sender or recipient as "Director" which simply denotes "CIA Headquarters."

³ The bracketed words in cables throughout this section signify that a cryptonym, pseudonym, or other coded reference has been translated in order to maintain the security of CIA communications and to render the cable traffic comprehensible. The translations were provided to the Committee by the CIA Review Staff and by various witnesses.

The cable said that the Station Officer was to be given "wider authority"—along the lines of the previously authorized operation to replace Lumumba with a pro-Western group—"including even more aggressive action if it can remain covert . . . we realize that targets of opportunity may present themselves to you." Dulles' cable also authorized the expenditure of up to \$100,000 "to carry out any crash programs on which you do not have the opportunity to consult HQS," and assured the Station Officer that the message had been "seen and approved at competent level" in the State Department. (CIA Cable, 8/26/60) The cable continued:

TO THE EXTENT THAT AMBASSADOR MAY DESIRE TO BE CONSULTED, YOU SHOULD SEEK HIS CONCURRENCE. IF IN ANY PARTICULAR CASE, HE DOES NOT WISH TO BE CONSULTED YOU CAN ACT ON YOUR OWN AUTHORITY WHERE TIME DOES NOT PERMIT REFERRAL HERE.

This cable raises the question of whether the DCI was contemplating action against Lumumba for which the United States would want to be in a position to "plausibly deny" responsibility. On its face, the cable could have been read as authorizing only the "removal" of Lumumba from office. DDP Richard Bissell was "almost certain" that he was informed about the Dulles cable shortly after its transmission. He testified that it was his "belief" that the cable was a circumlocutious means of indicating that the President wanted Lumumba killed.¹ (Bissell, 9/10/75, pp. 12, 33, 64-65)

Bronson Tweedy testified that he may have seen Dulles' cable of August 26, before it was transmitted and that he "might even have drafted it." Tweedy called this cable the "most authoritative statement" on the "policy consensus in Washington about the need for the removal of Lumumba" by any means, including assassination. He said that he "never knew" specifically who was involved in formulating this policy. But he believed that the cable indicated that Dulles had received authorization at the "policy level" which "certainly * * * would have involved the National Security Council." Tweedy testified that the \$100,000 was probably intended for "political operations against Lumumba * * * not assassination-type programs." (Tweedy, 10/9/75 I, p. 5, II, pp. 5-7, 24, 26)

3. CIA ENCOURAGEMENT OF CONGOLESE EFFORTS TO "ELIMINATE" LUMUMBA

On September 5, 1960, President Kasavubu dismissed Premier Lumumba from the government despite the strong support for Lumumba in the Congolese Parliament. After losing the ensuing power struggle with Kasavubu and Mobutu, who seized power by a military coup on September 14, Lumumba asked the United Nations peace-keeping force for protection.

The evidence indicates that the ouster of Lumumba did not alleviate the concern about him in the United States government. Rather, CIA and high Administration officials² continued to view him as a threat.

¹ See Section 7(c), *infra* for additional testimony by Bissell on the question of authorization for the assassination effort against Lumumba. Bissell testified, *inter alia*, that Dulles would have used the phrase "highest quarters" to refer to the President.

² A detailed treatment of the expressions of continued concern over Lumumba at the National Security Council level is set forth in Section 7, *infra*.

During this period, CIA officers in the Congo advised and aided Congolese contacts known to have an intent to assassinate Lumumba. The officers also urged the "permanent disposal" of Lumumba by some of these Congolese contacts. Moreover, the CIA opposed reopening Parliament after the coup because of the likelihood that Parliament would return Lumumba to power.

The day after Kasavubu deposed Lumumba, two CIA officers met with a high-level Congolese politician who was in close contact with the Leopoldville Station. The Station reported to CIA Headquarters:

TO [STATION OFFICER] COMMENT THAT LUMUMBA IN OPPOSITION IS ALMOST AS DANGEROUS AS IN OFFICE, [THE CONGOLESE, POLITICIAN] INDICATED UNDERSTOOD AND IMPLIED MIGHT PHYSICALLY ELIMINATE LUMUMBA. (CIA Cable, Leopoldville to Director, 9/7/60)

The cable also stated that the Station Officer had offered to assist this politician "in preparation new government program" and assured him that the United States would supply technicians. (CIA Cable, 9/7/60)

As the struggle for power raged, Bronson Tweedy summarized the prevalent apprehension of the United States about Lumumba's ability to influence events in the Congo by virtue of his personality, irrespective of his official position:

LUMUMBA TALENTS AND DYNAMISM APPEAR OVERRIDING FACTOR IN REESTABLISHING HIS POSITION EACH TIME IT SEEMS HALF LOST. IN OTHER WORDS EACH TIME LUMUMBA HAS OPPORTUNITY HAVE LAST WORD HE CAN SWAY EVENTS TO HIS ADVANTAGE. (CIA Cable, Director to Leopoldville, 9/13/60)

The day after Mobutu's coup, the Station Officer reported that he was serving as an advisor to a Congolese effort to "eliminate" Lumumba due to his "fear" that Lumumba might, in fact, have been strengthened by placing himself in U.N. custody, which afforded a safe base of operations. Hedgman concluded: "Only solution is remove him from scene soonest." (CIA Cable, Leopoldville to Director, 9/15/60)

On September 17, another CIA operative in the Congo met with a leading Congolese senator. The cable to CIA Headquarters concerning the meeting reported:

[CONGOLESE SENATOR] REQUESTED CLANDESTINE SUPPLY SMALL ARMS TO EQUIP * * * TROOPS RECENTLY ARRIVED [LEOPOLDVILLE] AREA * * * [THE SENATOR] SAYS THIS WOULD PROVIDE CORE ARMED MEN WILLING AND ABLE TAKE DIRECT ACTION * * * [SENATOR] RELUCTANTLY AGREES LUMUMBA MUST GO PERMANENTLY. DISTRUSTS [ANOTHER CONGOLESE LEADER] BUT WILLING MAKE PEACE WITH HIM FOR PURPOSES ELIMINATION LUMUMBA. (CIA Cable, Leopoldville to Director, 9/17/60)

The CIA operative told the Congolese senator that "he would explore possibility obtaining arms" and he recommended to CIA headquarters that they should:

HAVE [ARMS] SUPPLIES READY TO GO AT NEAREST BASE PEND-

ING [UNITED STATES] DECISION THAT SUPPLY WARRANTED AND NECESSARY. (CIA Cable, 9/17/60)¹

Several days later, the Station Officer warned a key Congolese leader about coup plots led by Lumumba and two of his supporters, and: "Urged arrest or other more permanent disposal of Lumumba, Gizenga, and Mulele." (CIA Cable, Leopoldville to Director, 9/20/61) Gizenga and Mulele were Lumumba's lieutenants who led his supporters while Lumumba was in U.N. custody.

Throughout the fall of 1960, while Lumumba remained in U.N. protective custody,² the CIA continued to view him as a serious political threat. One concern was that if Parliament were re-opened and the moderates failed to obtain a majority vote, the "pressures for [Lumumba's] return will be almost irresistible." (CIA Cable, Leopoldville to Director, 10/26/60).³ Another concern at CIA Headquarters was that foreign powers would intervene in the Congo and bring Lumumba to power. (CIA Cable, Director to Leopoldville, 10/17/60) Lumumba was also viewed by the CIA and the Administration as a stalking horse for "what appeared to be a Soviet effort to take over the Congo." (Hedgman, 8/21/75, pp. 10, 45)⁴

After Lumumba was in U.N. custody, the Leopoldville Station continued to maintain close contact with Congolese who expressed a desire to assassinate Lumumba.⁵ CIA officers encouraged and offered to aid these Congolese in their efforts against Lumumba, although there is

¹ This recommendation proved to be in line with large scale planning at CIA Headquarters for clandestine paramilitary support to anti-Lumumba elements. On October 6, 1960, Richard Bissell and Bronson Tweedy signed a cable concerning plans which the Station Officer was instructed not to discuss with State Department representatives or operational contacts:

[IN] VIEW UNCERTAIN OUTCOME CURRENT DEVELOPMENTS [CIA] CONDUCTING CONTINGENCY PLANNING FOR CONGO AT REQUEST POLICY ECHOLONS. THIS PLANNING DESIGNED TO PREPARE FOR SITUATION IN WAY [UNITED STATES] WOULD PROVIDE CLANDESTINE SUPPORT TO ELEMENTS IN ARMED OPPOSITION TO LUMUMBA. CONTEMPLATED ACTION INCLUDES PROVISION ARMS, SUPPLIES AND PERHAPS SOME TRAINING TO ANTI-LUMUMBA RESISTANCE GROUPS. (CIA Cable, Director in Leopoldville, 10/6/60)

² Both Richard Bissell and Bronson Tweedy confirmed that the CIA continued to view Lumumba as a threat even after he placed himself in U.N. custody. (Bissell, 9/10/75, pp. 68-69, 79; Tweedy, 9/9/75, pp. 48-50) Two factors were mentioned consistently in testimony by government officials to substantiate this view: first, Lumumba was a spellbinding orator with the ability to stir masses of people to action; and second, the U.N. forces did not restrain Lumumba's freedom of movement and the Congolese army surrounding them were often lax in maintaining their vigil. (Mulrone, 9/11/75, pp. 22-24; Dillon, 9/2/75, p. 49) As CIA officer Michael J. Mulrone put it, the fact that Lumumba was in United Nations custody "did not result in a cessation of his political activity." (Mulrone, 9/11/75, p. 23)

³ A CIA Cable from Leopoldville to the Director on November 3, 1960 returned to this theme: the opening of the Congolese Parliament by the United Nations is opposed because it "WOULD PROBABLY RETURN LUMUMBA TO POWER."

⁴ See Section 7, *infra*, for a treatment of the expression of this viewpoint at high-level policy meetings.

Tweedy expressed an even broader "domino theory" about the impact of Lumumba's leadership in the Congo upon events in the rest of Africa:

"The concern with Lumumba was not really the concern with Lumumba as a person. It was concern at this very pregnant point in the new African development [with] the effect on the balance of the Continent of a disintegration of the Congo. [I]t was the general feeling that Lumumba had it within his power to bring about this dissolution, and this was the fear that it would merely be the start—the Congo, after all, was the largest geographical expression. Contained in it were enormously important mineral resources * * *. The Congo itself is adjacent to Nigeria, which at that point was considered to be one of the main hopes of the future stability of Africa. [I]f the Congo had fallen, then the chances were Nigeria would be seized with the same infection.

"This was why Washington * * * was so concerned about Lumumba, not because there was something unique about Lumumba, but it was the Congo." (Tweedy, 10/9/75 II, p. 42)

⁵ A Congolese in contact with the CIA "IMPLIED HE TRYING HAVE [LUMUMBA] KILLED BUT ADDED THIS MOST DIFFICULT AS JOB WOULD HAVE BE DONE BY AFRICAN WITH NO APPARENT INVOLVEMENT WHITE MAN." (CIA Cable, Leopoldville to Director, 10/28/60)

no evidence that aid was ever provided for the specific purpose of assassination.

4. THE PLOT TO ASSASSINATE LUMUMBA

Summary

In the Summer of 1960, DDP Richard Bissell asked the Chief of the Africa Division, Bronson Tweedy, to explore the feasibility of assassinating Patrice Lumumba. Bissell also asked a CIA scientist, Joseph Scheider, to make preparations to assassinate or incapacitate an unspecified "African leader." According to Scheider, Bissell said that the assignment had the "highest authority." Scheider procured toxic biological materials in response to Bissell's request, and was then ordered by Tweedy to take these materials to the Station Officer in Leopoldville. According to Scheider, there was no explicit requirement that the Station check back with Headquarters for final approval before proceeding to assassinate Lumumba. Tweedy maintained, however, that whether or not he had explicitly levied such a requirement, the Station Officer was not authorized to move from exploring means of assassination to actually attempting to kill Lumumba without referring the matter to Headquarters for a policy decision.

In late September, Scheider delivered the lethal substances to the Station Officer in Leopoldville and instructed him to assassinate Patrice Lumumba. The Station Officer testified that after requesting and receiving confirmation from CIA Headquarters that he was to carry out Scheider's instructions, he proceeded to take "exploratory steps" in furtherance of the assassination plot. The Station Officer also testified that he was told by Scheider that President Eisenhower had ordered the assassination of Lumumba. Scheider's testimony generally substantiated this account, although he acknowledged that his meetings with Bissell and Tweedy were the only bases for his impression about Presidential authorization. Scheider's mission to the Congo was preceded and followed by cables from Headquarters urging the "elimination" of Lumumba transmitted through an extraordinarily restricted "Eyes Only" channel—including two messages bearing the personal signature of Allen Dulles.

The toxic substances were never used. But there is no evidence that the assassination operation was terminated before Lumumba's death. There is, however, no suggestion of a connection between the assassination plot and the events which actually led to Lumumba's death.¹

(a) Bissell/Tweedy Meetings on Feasibility of Assassinating Lumumba

Bronson Tweedy testified that Richard Bissell initiated a discussion with him in the summer of 1960 about the feasibility of assassinating Patrice Lumumba, and that they discussed the subject "more than once" during the following fall. Tweedy said the first such conversation probably took place shortly before Dulles' cable of August 26, instructing the Station Officer that Lumumba's "removal" was a "high priority of our covert action."² Whether his talk with Bissell was

¹ See Section 6, *infra*, for a discussion of the evidence about the circumstances surrounding Lumumba's death in Katanga.

² See Section 2, *supra*.

"shortly before or shortly after" the Dulles cable, it was clear to Tweedy that the two events "were totally in tandem." (Tweedy, 9/9/75, pp. 14-15; 10/9/75 II, p. 6)

Tweedy testified that he did not recall the exact exchange but the point of the conversation was clear:

What Mr. Bissell was saying to me was that there was agreement, policy agreement, in Washington that Lumumba must be removed from the position of control and influence in the Congo * * * and that among the possibilities of that elimination was indeed assassination.

* * * The purpose of his conversation with me was to initiate correspondence with the Station for them to explore with Headquarters the possibility of * * * assassination, or indeed any other means of removing Lumumba from power * * * to have the Station start reviewing possibilities, assets, and discussing them with Headquarters in detail in the same way we would with any operation. (Tweedy, 10/9/75 II, pp. 6, 8)

Tweedy was "sure" that in his discussions with Bissell poisoning "must have" been mentioned as one means of assassination that was being considered and which the Station Officer should explore. (Tweedy, 9/9/75, pp. 26-27)

Tweedy testified that Bissell assigned him the task of working out the "operational details," such as assessing possible agents and the security of the operation, and of finding "some solution that looked as if it made sense, and had a promise of success." Tweedy stated that Bissell "never said * * * go ahead and do it in your own good time without any further reference to me." Rather, Tweedy operated under the impression that if a feasible means of assassinating Lumumba were developed, the decision on proceeding with an assassination attempt was to be referred to Bissell. (Tweedy, 10/9/75 I, pp. 7, 17-18)

Tweedy stated that he did not know whether Bissell had consulted with any "higher authority" about exploring the possibilities for assassinating Lumumba. Tweedy said, that generally, when he received an instruction from Bissell:

I would proceed with it on the basis that he was authorized to give me instructions and it was up to him to bloody well know what he was empowered to tell me to do. (Tweedy, 9/9/75, p. 13)¹

(b) *Bissell/Scheider Meetings on Preparations for Assassinating "An African Leader"*

Joseph Scheider² testified that he had "two or three conversations" with Richard Bissell in 1960 about the Agency's technical capability to assassinate foreign leaders. In the late spring or early summer, Bissell asked Scheider generally about technical means of assassination or incapacitation that could be developed or procured by the CIA.

¹ When asked whether he considered declining Bissell's assignment to move toward the assassination of Lumumba, Tweedy responded:

TWEEDY: I certainly did not attempt to decline it, and I felt, in view of the position of the government on the thing, that at least the exploration of this, or possibility of removing Lumumba from power in the Congo was an objective worth pursuing.

Q: Including killing him?

TWEEDY: Yes, I suspect I was ready to consider this * * * Getting rid of him was an objective worth pursuing, and if the government and my betters wished to pursue it, professionally, I was perfectly willing to play my role in it, yes * * *. Having to do it all over again, it would be my strong recommendation that we not get into it. (Tweedy, 10/9/75, II, pp. 39-41)

² During the events discussed in the Lumumba case, Joseph Scheider served as Special Assistant to the DDP (Bissell) for Scientific Matters. Scheider holds a degree in bio-organic chemistry. (Scheider, 10/7/75, pp. 13, 25-29)

Scheider informed Bissell that the CIA had access to lethal or potentially lethal biological materials that could be used in this manner. Following their initial "general discussion," Scheider said he discussed assassination capabilities with Bissell in the context of "one or two meetings about Africa." (Scheider, 10/7/75, pp. 6-7, 41)

Scheider testified that in the late summer or early fall, Bissell asked him to make all preparations necessary for having biological materials ready on short notice for use in the assassination of an unspecified African leader, "in case the decision was to go ahead."¹ Scheider testified that Bissell told him that "he had direction from the highest authority * * * for getting into that kind of operation." Scheider stated that the reference to "highest authority" by Bissell "signified to me that he meant the President."² (Scheider, 10/7/75, pp. 51-55, 58; 10/9/75, p. 8)

Scheider said that he "must have" outlined to Bissell the steps he planned to take to execute Bissell's orders. (Scheider, 10/7/75, p. 58) After the meeting, Scheider reviewed a list of biological materials available at the Army Chemical Corps installation at Fort Detrick, Maryland which would produce diseases that would "either kill the individual or incapacitate him so severely that he would be out of action." (Scheider, 10/7/75, pp. 63-64; 10/9/75, pp. 8-9, 12)³ Scheider selected one material from the list which "was supposed to produce a disease that was * * * indigenous to that area [of Africa] and that could be fatal." (Scheider, 10/7/75, p. 63) Scheider testified that he obtained this material and made preparation for its use:

We had to get it bottled and packaged in a way that it could pass for something else and I needed to have a second material that could absolutely inactivate it in case that is what I desired to do for some contingency. (Scheider, 10/7/75, p. 64)

Scheider also "prepared a packet of * * * accessory materials," such as hypodermic needles, rubber gloves, and gauze masks, "that would be used in the handling of this pretty dangerous material." (Scheider, 10/7/75, p. 59)

(c) *Scheider Mission to the Congo on an Assassination Operation*

Scheider testified that he remembered "very clearly" a conversation with Tweedy and the Deputy Chief of the Africa Division in September 1960 which "triggered" his trip to the Congo after he had prepared toxic biological materials and accessories for use in an assassination operation. (Scheider, 10/7/75, pp. 41, 65) According to Scheider, Tweedy and his Deputy asked him to take the toxic materials to the Congo and deliver instructions from Headquarters to the Station Officer: "to mount an operation, if he could do it securely * * * to either seriously incapacitate or eliminate Lumumba." (Scheider, 10/7/75, p. 66)

¹ Scheider said it was possible that Bissell subsequently gave him the "go signal" for his trip to the Congo and specified Lumumba as the target of the assassination operation. (Scheider, 10/7/75, pp. 65, 113-114; 10/7/75, p. 8) Scheider had a clearer memory, however, of another meeting, where the top officers of CIA's Africa Division, acting under Bissell's authority, actually dispatched to the Congo. (See Section 4(c), *infra*)

² See Section 7(d), *infra* for additional testimony by Scheider about the question of Presidential authorization for the assassination of Lumumba.

³ Scheider said that there were "seven or eight materials" on the list, including tularemia ("rabbit fever"), brucellosis (undulant fever), tuberculosis, anthrax, smallpox, and Venezuelan equine encephalitis ("sleeping sickness"). (Scheider, 10/7/75, p. 64; 10/9/75, p. 9)

Scheider said that he was directed to provide technical support to the Station Officer's attempt to find a feasible means of carrying out the assassination operation:

They urged me to be sure that * * * if these technical materials were used * * * I was to make the technical judgments if there were any reasons the things shouldn't go, that was my responsibility. (Scheider, 10/7/75, p. 68)¹

According to Scheider, the Station Officer was to be responsible for "the operations aspects, what assets to use and other non-technical considerations." Scheider said that in the course of directing him to carry instructions to the Station Officer in the Congo, Tweedy and his Deputy "referred to the previous conversation I had with Bissell," and left Scheider with, "the impression that Bissell's statements to me in our previous meeting held and that they were carrying this message from Bissell to me." (Scheider, 10/9/75, pp. 13, 15, 69)

Although he did not have a specific recollection, Scheider stated that it was "probable" that he would have "checked with Bissell" to validate the extraordinary assignment he received from Tweedy and his Deputy, if indeed he had not actually received the initial assignment itself from Bissell. (Scheider, 10/7/75, pp. 113-114)

After being informed of Scheider's testimony about their meeting, and reviewing the contemporaneous cable traffic, Tweedy stated that it was "perfectly clear" that he had met with Scheider. He assumed that he had ordered Scheider to deliver lethal materials to the Leopoldville Station Officer and to serve as a technical adviser to the Station Officer's attempts to find a feasible means of assassinating Lumumba. (Tweedy, 10/9/75 I, pp. 18-21; 10/9/75 II, p. 9)

Tweedy said that his Deputy Chief was the only other person in the Africa Division who would have known that the assassination of Lumumba was being considered. (Tweedy, 9/9/75, p. 64) Tweedy assumed Scheider had "already been given his marching orders to go to the Congo by Mr. Bissell, not by me." (Tweedy, 10/9/75 II, p. 11)

Scheider testified that he departed for the Congo within a week of his meeting with Tweedy and his Deputy (Scheider, 10/9/75, p. 15)

(d) Congo Station Officer Told To Expect Scheider: Dulles Cables About "Elimination" of Lumumba

On September 19, 1960, several days after Lumumba placed himself in the protective custody of the United Nations peacekeeping force in Leopoldville, Richard Bissell and Bronson Tweedy sent a cryptic cable to Leopoldville to arrange a clandestine meeting between the Station Officer and "Joseph Braun," who was traveling to the Congo

¹ When asked if he had considered declining to undertake the assignment to provide technical support to an assassination operation, Scheider stated:

"I think that my view of the job at the time and the responsibilities I had was in the context of a silent war that was being waged, although I realize that one of my stances could have been * * * as a conscientious objector to this war. That was not my view. I felt that a decision had been made * * * at the highest level that this be done and that as unpleasant a responsibility as it was, it was my responsibility to carry out my part of that." (Scheider, 10/9/75, p. 63)

on an unspecified assignment. Joseph Scheider testified that "Joseph Braun" was his alias and was used because this was "an extremely sensitive operation." (Scheider, 10/7/75, pp. 78, 80) The cable informed the Station Officer :

["JOE"] SHOULD ARRIVE APPROX 27 SEPT * * * WILL ANNOUNCE HIMSELF AS "JOE FROM PARIS" * * * IT URGENT YOU SHOULD SEE ["JOE"] SOONEST POSSIBLE AFTER HE PHONES YOU. HE WILL FULLY IDENTIFY HIMSELF AND EXPLAIN HIS ASSIGNMENT TO YOU. (CIA Cable, Bissell, Tweedy to the Station Officer, 9/19/60)

The cable bore the codeword "PROP," which indicated extraordinary sensitivity and restricted circulation at CIA headquarters to Dulles, Bissell, Tweedy, and Tweedy's Deputy. The PROP designator restricted circulation in the Congo to the Station Officer. (Tweedy, 10/9/75 I, pp. 14-15; II, pp. 9, 37)

Tweedy testified that the PROP channel was established and used exclusively for the assassination operation. (Tweedy, 10/9/75 II, p. 37; 10/9/75 I, pp. 48-49) The Bissell/Tweedy cable informed the Station Officer that the PROP channel was to be used for :

ALL [CABLE] TRAFFIC THIS OP, WHICH YOU INSTRUCTED HOLD ENTIRELY TO YOURSELF. (CIA Cable, 9/19/60)

Tweedy testified that the fact that he and Bissell both signed the cable indicated that authorization for Scheider's trip to the Congo had come from Bissell. Tweedy stated that Bissell "signed off" on cables originated by a Division Chief "on matters of particular sensitivity or so important that the DDP wished to be constantly informed about correspondence." Tweedy said that Bissell read much of the cable traffic on this operation and was "generally briefed on the progress of the planning." (Tweedy, 10/9/75 I, pp. 14, 54)

The Station Officer, Victor Hedgman testified to a clear, independent recollection of receiving the Tweedy/Bissell cable. He stated that in September of 1960 he received a "most unusual" cable from CIA Headquarters which advised that :

someone who I would have recognized would arrive with instructions for me * * * I believe the message was also marked for my eyes only * * * and contained instructions that I was not to discuss the message with anyone. He said that the cable did not specify the kind of instructions he was to receive, and it "did not refer to Lumumba in any way." (Hedgman, 8/21/75, pp. 11-13, 43)

Three days after the Bissell/Tweedy cable, Tweedy sent another cable through the PROP channel which stated that if it was decided that "support for prop objectives [was] essential" a third country national should be used as an agent in the assassination operation to completely conceal the American role.¹ (CIA Cable, 9/22/60) Tweedy testified that "PROP objectives" referred to an assassination attempt. (Tweedy, 10/9/75 I, p. 30) Tweedy also indicated to the Station Officer and his "colleague" Scheider :

¹ Tweedy also expressed reservations about two agents that the Station Officer was considering for this operation and said "WE ARE CONSIDERING A THIRD NATIONAL CUTOFF CONTACT CANDIDATE AVAILABLE HERE WHO MIGHT FILL BILL." (CIA Cable, 9/22/60) This is probably a reference to agent OJ/WIN, who was later dispatched to the Congo. His mission is discussed in Sections 5(b)-5(c), *infra*.

YOU AND COLLEAGUE¹ UNDERSTAND WE CANNOT READ OVER YOUR SHOULDER AS YOU PLAN AND ASSESS OPPORTUNITIES. OUR PRIMARY CONCERN MUST BE CONCEALMENT [AMERICAN] ROLE. UNLESS OUTSTANDING OPPORTUNITY EMERGES WHICH MAKES CALCULATED RISK FIRST CLASS BET. READY ENTERTAIN ANY SERIOUS PROPOSALS YOU MAKE BASED OUR HIGH REGARD BOTH YOUR PROFESSIONAL JUDGMENTS. (CIA Cable, 9/22/60)

On September 24, the DCI personally sent a cable to Leopoldville stating:

WE WISH GIVE EVERY POSSIBLE SUPPORT IN ELIMINATING LUMUMBA FROM ANY POSSIBILITY RESUMING GOVERNMENTAL POSITION OR IF HE FAILS IN LEOPOLDVILLE, SETTING HIMSELF IN STANLEYVILLE OR ELSEWHERE. (CIA Cable, Dulles to Leopoldville, 9/24/60)

Dulles had expressed a similar view three days before in President Eisenhower's presence at an NSC meeting.²

Scheider recalled that Tweedy and his Deputy had told him that the Station Officer would receive a communication assuring him that there was support at CIA Headquarters for the assignment Scheider was to give him. (Scheider, 10/7/75, pp. 88-90)

(e) *Assassination Instructions Issued to Station Officer and Lethal Substances Delivered: September 26, 1960*

Station Officer Hedgman reported through the PROP channel that he had contacted Scheider on September 26. (CIA Cable, Leopoldville to Tweedy, 9/27/60)

According to Hedgman:

HEDGMAN: It is my recollection that he advised me, or my instructions were, to eliminate Lumumba.

Q: By eliminate, do you mean assassinate?

HEDGMAN: Yes, I would say that was * * * my understanding of the primary means. I don't think it was probably limited to that, if there was some other way of * * * removing him from a position of political threat. (Hedgman, 8/21/75, pp. 17-18)

Hedgman said that he and Scheider also may have discussed non-lethal means of removing Lumumba as a "political threat", but he could not "recall with certainty on that." (Hedgman, 8/21/75, p. 28)

Scheider testified:

I explained to him [Station Officer] what Tweedy and his Deputy had told me, that Headquarters wanted him to see if he could use this [biological] capability I brought against Lumumba [and] to caution him that it had to be done * * * without attribution to the USA. (Scheider, 10/9/75, p. 16)

The Station Officer testified that he received "rubber gloves, a mask, and a syringe" along with lethal biological material from Scheider, who also instructed him in their use.³ Hedgman indicated that this

¹ Tweedy identified Scheider as the "colleague" referred to in this cable. (Tweedy, 10/9/75 I, p. 32) Scheider was en route to the Congo at this point.

² Dulles' statement at the NSC meeting of September 21, 1960 is discussed in detail at Section 7(a)(v), *infra*.

³ Scheider testified that he sent the medical paraphernalia via diplomatic pouch. (Scheider, 10/7/75, pp. 59, 99)

paraphernalia was for administering the poison to Lumumba for the purpose of assassination. (Hedgman, 8/21/75, pp. 18-21, 24) Scheider explained that the toxic material was to be injected into some substance that Lumumba would ingest: "it had to do with anything he could get to his mouth, whether it was food or a toothbrush, * * * [so] that some of the material could get to his mouth." (Scheider, 10/7/75, p. 100)

Hedgman said that the means of assassination was not restricted to use of the toxic material provided by Scheider. (Hedgman, 8/21/75, p. 19)

He testified that he may have "suggested" shooting Lumumba to Scheider as an alternative to poisoning. (Hedgman, 8/21/75, pp. 19, 27-29) Scheider said it was his "impression" that Tweedy and his Deputy empowered him to tell the Station Officer that he could pursue other means of assassination. (Scheider, 10/7/75, pp. 100-101) Station Officer Hedgman testified that, although the selection of a mode of assassination was left to his judgment, there was a firm requirement that:

[I]f I implemented these instructions * * * it had to be a way which could not be traced back * * * either to an American or the United States government. (Hedgman, 8/21/75, p. 19)

Hedgman said Scheider assured him that the poisons were produced to: [leave] normal traces found in people that die of certain diseases." (Hedgman, 8/21/75, p. 23.)

Hedgman said that he had an "emotional reaction of great surprise" when it first became clear that Scheider had come to discuss an assassination plan. (Hedgman, 8/21/75, p. 30) He told Scheider he "would explore this." (Hedgman, 8/21/75, p. 46) and left Scheider with the impression "that I was going to look into it and try and figure if there was a way * * * I believe I stressed the difficulty of trying to carry out such an operation." (Hedgman, 8/21/75, p. 47) Scheider said that the Station Officer was "sober [and] grim" but willing to proceed with the operation. (Scheider, 10/7/75, pp. 98, 121)

The Station Officer's report of his initial contact with Scheider was clearly an affirmative response to the assignment, and said that he and Scheider were "on same wavelength." (CIA Cable, Leopoldville to Tweedy, 9/27/60) Hedgman was "afraid" that the central government was "weakening under" foreign pressure to effect a reconciliation with Lumumba, and said:

HENCE BELIEVE MOST RAPID ACTION CONSISTENT WITH SECURITY INDICATED. (CIA Cable, 9/27/60)¹

(f) *Hedgman's Impression That President Eisenhower Ordered Lumumba's Assassination*

Station Officer Hedgman testified that Scheider indicated to him that President Eisenhower had authorized the assassination of Lumumba.²

¹ Scheider interpreted this cable to mean that Hedgman was informing Headquarters: "that he has talked to me and that he is going to go ahead and see if he could mount the operation * * * [H]e believes we ought to do it, if it is going to be done, as quickly as we can." (Scheider, 10/7/75, p. 121)

² See Section 7(d), *infra*, for a more detailed treatment of the testimony of the Station Officer and Scheider on the question of Presidential authorization for the assassination of Lumumba.

Hedgman had a "quite strong recollection" of asking about the source of authority for the assignment:

HEDGMAN: I must have * * * pointed out that this was not a common or usual Agency tactic * * * never in my training or previous work in the Agency had I ever heard any references to such methods. And it is my recollection I asked on whose authority these instructions were issued.

Q: And what did Mr. Scheider reply?

HEDGMAN: It is my recollection that he identified the President * * * and I cannot recall whether he said "the President," or whether he identified him by name. (Hedgman, 8/21/75, pp. 30-31)

Hedgman explained that Scheider told him "something to the effect that the President had instructed the Director" to assassinate Lumumba. (Hedgman, 8/21/75, pp. 32, 34)

Scheider stated that he had an "independent recollection" of telling the Station Officer about his meetings with Bissell, Tweedy, and Tweedy's Deputy, including Bissell's reference to "the highest authority." (Scheider, 10/7/75, p. 102) Scheider believed that he left the Station Officer with the impression that there was presidential authorization for an assassination attempt against Lumumba. (Scheider, 10/7/75, pp. 90, 102-103)

(g) *Steps in Furtherance of the Assassination Operation*

(i) Hedgman's Testimony About Confirmation From Headquarters of the Assassination Plan.

Hedgman's testimony, taken fifteen years after the events in question and without the benefit of reviewing the cables discussed above, was compatible with the picture presented by the cables of a fully authorized and tightly restricted assassination operation. The only variance is that the cables portray Hedgman as taking an affirmative, aggressive attitude toward the assignment, while he testified that his pursuit of the operation was less vigorous.

The Station Officer testified that soon after cabling his request for confirmation that he was to carry out the assassination assignment, he received a reply from Headquarters, which he characterized as follows:

I believe I received a reply which I interpreted to mean yes, that he was the messenger and his instructions were * * * duly authorized. (Hedgman, 8/21/75, pp. 37-38)

Despite the cryptic nature of the cables, Hedgman said "I was convinced that yes, it was right," but he had no "desire to carry out these instructions." (Hedgman, 8/21/75, pp. 44, 50, 106) Hedgman stated:

"I think probably that I would have gone back and advised that I intended to carry out and sought final approval before carrying it out had I been going to do it, had there been a way to do it. I did not see it as * * * a matter which could be accomplished practically, certainly. (Hedgman, 8/21/75, pp. 51-52)

Hedgman said that his reason for seeking a final approval would have been to receive assurances about the practicality of the specific mode of assassination that he planned to use. (Hedgman, 8/21/75, p. 53)

All CIA officers involved in the plot to kill Lumumba testified that, by virtue of the standard operating procedure of the clandestine services, there was an implicit requirement that a field officer check back

with Headquarters for approval of any major operational plan.¹ Moreover, Hedgman's cable communications with Headquarters indicate that he consistently informed Tweedy of each significant step in the formulation of assassination plans, thus allowing Headquarters the opportunity to amend or disapprove the plans. The personal cable from Dulles to the Station Officer on August 26, made it clear, however, that if Lumumba appeared as a "target of opportunity" in a situation where time did not permit referral to headquarters, Hedgman was authorized to proceed with the assassination.

The Station Officer testified that for several months after receiving Scheider's instructions he took "exploratory steps in furtherance of the assassination plot." He sent several cables to CIA Headquarters which "probably reflected further steps I had taken," and stated that his cables to Headquarters were essentially "progress reports" on his attempts to find access to Lumumba. (Hedgman, 8/21/75, pp. 50, 59-60)

The cable traffic conforms to the Station Officer's recollection. For two months after Scheider's arrival in the Congo, a regular stream of messages assessing prospects for the assassination operation flowed through the PROP channel between Headquarters and Leopoldville.

(ii) "Exploratory Steps"

On the basis of his talks with Scheider, Station Officer Hedgman listed a number of "possibilities" for covert action against Lumumba. At the top of the list was the suggestion that a particular agent be used in the following manner:

HAVE HIM TAKE REFUGE WITH BIG BROTHER. WOULD THUS ACT AS INSIDE MAN TO BRUSH UP DETAILS TO RAZOR EDGE. (CIA Cable, 9/27/60)

Tweedy testified that "Big Brother" referred to Lumumba. (Tweedy, 10/9/75 II, p. 13) Tweedy and Scheider both said that this cable indicated that Hedgman's top priority plan was to instruct his agent to infiltrate Lumumba's entourage to explore means of poisoning Lumumba. (Tweedy, 10/9/75 I, p. 38, II, pp. 13-14; Scheider, 10/7/75, pp. 124-125) The Station Officer reported that he would begin to follow this course by recalling the agent to Leopoldville, and informed Headquarters:

BELIEVE MOST RAPID ACTION CONSISTENT WITH SECURITY INDICATED * * * PLAN PROCEED ON BASIS PRIORITIES AS LISTED ABOVE, UNLESS INSTRUCTED TO CONTRARY. (CIA Cable, 9/27/60)

Scheider testified that at this point the Station Officer was reporting to Headquarters that he was proceeding to "go ahead" to carry out Scheider's instructions as quickly as possible. (Scheider, 10/7/75, pp. 121-123) Tweedy's Deputy stated that the form of the Station Officer's request would have satisfied the standard requirement for confirmation of an operational plan:

* * * it is my professional opinion that, under normal operational procedure at that time, the Station Officer would have been expected to advise Headquarters that he was preparing to implement the plan unless advised to the contrary. (Deputy Chief, Africa Division, affidavit, 10/17/75, p. 5)

¹ See Tweedy, 10/9/75, I, pp. 10, 24-27; Hedgman, 8/21/75, pp. 39, 51-53; Scheider, 10/7/75, p. 92; Deputy Chief, Africa Division, affidavit, 10/17/75, p. 5.

On September 30, the Station Officer specifically urged Headquarters to authorize "exploratory conversations" to launch his top priority plan:

NO REALLY AIRTIGHT OP POSSIBLE WITH ASSETS NOW AVAILABLE. MUST CHOOSE BETWEEN CANCELLING OP OR ACCEPTING CALCULATED RISKS OF VARYING DEGREES.

* * * [IN] VIEW NECESSITY ACT IMMEDIATELY, IF AT ALL, URGE HQS AUTHORIZE EXPLORATORY CONVERSATIONS TO DETERMINE IF [AGENT] WILLING TAKE ROLE AS ACTIVE AGENT OR CUT-OUT THIS OP. (WOULD APPROACH ON HYPOTHETICAL BASIS AND NOT REVEAL PLANS.) IF HE APPEARS WILLING ACCEPT ROLE, WE BELIEVE IT NECESSARY REVEAL OBJECTIVE OP TO HIM.

* * * REQUEST HQS REPLY [IMMEDIATELY]. (CIA Cable, Leopoldville to Tweedy, 9/30/60)

Headquarters replied:

YOU ARE AUTHORIZED HAVE EXPLORATORY TALKS WITH [AGENT] TO ASSESS HIS ATTITUDE TOWARD POSSIBLE ACTIVE AGENT OR CUTOUT ROLE * * *. IT DOES APPEAR FROM HERE THAT OF POSSIBILITIES AVAILABLE [THIS AGENT] IS BEST * * * WE WILL WEIGH VERY CAREFULLY YOUR INITIAL ASSESSMENT HIS ATTITUDE AS WELL AS ANY SPECIFIC APPROACHES THAT MAY EMERGE * * * APPRECIATE MANNER YOUR APPROACH TO PROBLEM. "HOPE * * * FOR MODERATE HASTE" (CIA Cable, Deputy Chief, Africa Division to Leopoldville, 9/30/60)

Tweedy and his Deputy made it clear that the agent was being viewed as a potential assassin. (Tweedy, 10/9/75 I, p. 41; Deputy Chief, Africa Division, affidavit, 10/17/75, p. 4) Tweedy stated that it would have been proper for his Deputy to issue this cable authorizing the Station Officer to take the assassination operation "one step further" and it was "quite possible" that Richard Bissell was informed of this directive. (Tweedy, 10/9/75 I, pp. 42-43)

On October 7, the Station Officer reported to Headquarters on his meeting with the agent who was his best candidate for gaining access to Lumumba:

CONDUCTED EXPLORATORY CONVERSATION WITH [AGENT] * * * AFTER EXPLORING ALL POSSIBILITIES [AGENT] SUGGESTED SOLUTION RECOMMENDED BY HQS. ALTHOUGH DID NOT PICK UP BALL, BELIEVE HE PREPARED TAKE ANY ROLE NECESSARY WITHIN LIMITS SECURITY ACCOMPLISH OBJECTIVE. (CIA Cable, Station Officer to Tweedy, 10/7/60)

The Station Officer testified that the subject "explored" was the agent's ability to find a means to inject the toxic material into Lumumba's food or toothpaste:

I believe that I queried the agent who had access to Lumumba, and his entourage, in detail about just what access he actually had, as opposed to speaking to people. In other words, did he have access to the bathroom, did he have access to the kitchen, things of that sort.

I have a recollection of having queried him on that without specifying why I wanted to know this. (Hedgman, 8/21/75, pp. 48, 60)

The Station Officer said that he was left with doubts about the wisdom or practicality of the assassination plot:

[C]ertainly I looked on it as a pretty wild scheme professionally. I did not think that it * * * was practical professionally, certainly, in a short time, if you

were going to keep the U.S. out of it * * * I explored it, but I doubt that I ever really expected to carry it out. (Hedgman, 8/21/75, p. 11)

(iii) The Assassination Operation Moves Forward After Scheider's Return to Headquarters: October 5-7, 1960

Despite the Station Officer's testimony about the dubious practicality of the assassination operation, the cables indicate that he planned to continue his efforts to implement the operation and sought the resources to do so successfully. For example, he urged Headquarters to send an alternate agent:

IF HQS BELIEVE [AGENT'S CIRCUMSTANCES] BAR HIS PARTICIPATION, WISH STRESS NECESSITY PROVIDE STATION WITH QUALIFIED THIRD COUNTRY NATIONAL. (CIA Cable, Leopoldville to Tweedy, 10/7/60)

Tweedy cabled the Station Officer that he "had good discussion your colleague 7 Oct"—referring to a debriefing of Scheider upon his return to the United States. Tweedy indicated that he continued to support the assassination operation and advised (Tweedy, 10/9/75 II, pp. 48-49):

BE ASSURED DID NOT EXPECT PROP OBJECTIVES BE REACHED IN SHORT PERIOD * * * CONSIDERING DISPATCHING THIRD COUNTRY NATIONAL OPERATIVE WHO, WHEN HE ARRIVES, SHOULD BE ASSESSED BY YOU OVER PERIOD TO SEE WHETHER HE MIGHT PLAY ACTIVE OR CUTOUT ROLE ON FULL TIME BASIS. IF YOU CONCLUDE HE SUITABLE AND BEARING IN MIND HEAVY EXTRA LOAD THIS PLACES ON YOU, WOULD EXPECT DISPATCH [TEMPORARY DUTY] SENIOR CASE OFFICER RUN THIS OP * * * UNDER YOUR DIRECTION. (CIA Cable, Tweedy to Station Officer, 10/7/60)¹

According to the report of the Station Officer, Joseph Scheider left the Congo to return to Headquarters on October 5 in view of the "expiration date his material" (CIA Cable, Leopoldville to Tweedy, 10/7/60)—a reference to the date beyond which the substances would no longer have lethal strength. (Scheider, 10/7/75, pp. 132-133) The cable from the Station Officer further stated that:

[JOE] LEFT CERTAIN ITEMS OF CONTINUING USEFULNESS. [STATION OFFICER] PLANS CONTINUE TRY IMPLEMENT OP. (CIA Cable, Leopoldville to Tweedy, 10/7/60)

Notwithstanding the influence of the Station Officer's October 7 cable that some toxic substances were left with Hedgman, Scheider specifically recalled that he had "destroyed the viability" of the biological material and disposed of it in the Congo River before he departed for the United States on October 5, 1960. (Scheider, 10/7/75, pp. 133, 117, 135-136; 10/9/75, p. 20) In the only real conflict between his testimony and Schieder's, Hedgman testified that the toxic material was

¹ See Sections 5(b)-5(c), *infra*, for a detailed account of the activities in the Congo of two "third country national" agents: QJ/WIN and WI/ROGUE. See Section 5(a), *infra*, for discussion of the temporary duty assignment in the Congo of senior case officer" Michael Mulronev.

not disposed of until after Lumumba was imprisoned by the Congolese in early December. (Hedgman, 8/21/75, pp. 85-86) ¹

The central point remains that the Station Officer planned to continue the assassination effort, by whatever means, even after Scheider's departure. (Scheider, 10/7/75, p. 143) Scheider was under the impression that the Station Officer was still authorized to move ahead with an assassination attempt against Lumumba at that point, although he would have continued to submit his plans to Headquarters. (Scheider, 10/7/75, p. 135; 10/9/75, pp. 20-21) ²

(iv) Headquarters Continues to Place "Highest Priority" on the Assassination Operation

SUMMARY

The cable traffic during this period demonstrates that there was a clear intent at Headquarters to authorize and support rapid progress of the assassination operation. Even after Lumumba placed himself in the protective custody of the United Nations, CIA Headquarters continued to regard his assassination as the "highest priority" of covert action in the Congo. The cables also show an intent at Headquarters to severely restrict knowledge of the assassination operation among officers in CIA's Africa Division and among United States diplomatic personnel in the Congo, excluding even those who were aware of, and involved in, other covert activities.

The Station Officer, despite the burden of his other operational responsibilities, was actively exploring, evaluating, and reporting on the means and agents that might be used in an attempt to assassinate Lumumba. When his implementation of the assassination operation was thwarted by the failure of his prime candidate to gain access to Lumumba, Hedgman requested additional operational and supervisory personnel to help him carry out the assignment, which he apparently pursued until Lumumba was imprisoned by Congolese authorities.

¹ Scheider said he destroyed and disposed of the toxic materials: "for the reason that it didn't look like on this trip he could mount the operational * * * assets to do the job and * * * the material was not refrigerated and unstable." He said that he and the Station Officer "both felt that we shouldn't go ahead with this until there were no doubts." (Scheider, 10/7/75, p. 116) The Station Officer had been unable "to find a secure enough agent with the right access" to Lumumba before the potency of the biological material was "no longer reliable." (Scheider, 10/9/75, p. 28; 10/7/75, pp. 132-133) Scheider speculated that the Station Officer's reference to retaining "items of continuing usefulness" may have meant the gloves, mask, and hypodermic syringe left with Hedgman. Scheider said: "perhaps he is talking about leaving these accessory materials in case there will be a round two of this, and someone brings more material." (Scheider, 10/7/75, p. 135)

In support of his position the Station Officer speculated that it was "possible" that he had preserved the poisons in his safe until after Lumumba's death. (Hedgman, 8/21/75, p. 85) He said that after Scheider's visit, he locked the toxic material in the bottom drawer of his safe, "probably" sealed in an envelope marked "Eyes Only" with his name on it. (Hedgman, 8/21/75, pp. 48-49) He did not recall taking the materials out of his safe except when he disposed of them months later. (Hedgman, 8/21/75, p. 84)

Both Scheider and the Station Officer specifically recalled disposing of the toxic material in the Congo River and each recalled performing the act alone. (Scheider, 10/7/75, pp. 117-118; Hedgman, 8/21/75, p. 84)

The Station Officer's testimony is bolstered by Michael Malrone's account that when he arrived in the Congo nearly a month after Scheider had returned to Headquarters, Hedgman informed him that there was a lethal virus in the station safe. (See Section 5(a)(iii), *infra*.) Moreover, the Station Officer distinctly remembered disposing of the medical paraphernalia. (Hedgman, 8/21/75, p. 84) This would indicate that, at the least, the operation had not been "stood down" to the point of disposing of all traces of the plot until long after Scheider's departure from the Congo.

² For Tweedy's testimony about the operational authority possessed by the Station Officer on October 7, see Section 4(h), *infra*.

On October 15, 1960, shortly after Tweedy offered additional manpower for the assassination operation, a significant pair of cables were sent from CIA Headquarters to Leopoldville.

One cable was issued by a desk officer in CIA's Africa Division, released under Bronson Tweedy's signature, and transmitted through standard CIA channels, thus permitting distribution of the message to appropriate personnel in the CIA Station and the United States Embassy. (Tweedy, 10/9/75 I, pp. 60-62) The cable discussed the possibility of covertly supplying certain Congolese leaders with funds and military aid and advised:

ONLY DIRECT ACTION WE CAN NOW STAND BEHIND IS TO SUPPORT IMMOBILIZING OR ARRESTING [LUMUMBA], DESIRABLE AS MORE DEFINITIVE ACTION MIGHT BE. ANY ACTION TAKEN WOULD HAVE TO BE ENTIRELY CONGOLESE. (CIA Cable, Director to Leopoldville, 10/15/60)

On the same day Tweedy dispatched, a second cable, via the PROP channel for Hedgman's "Eyes Only," which prevented the message from being distributed to anyone else, including the Ambassador.¹ Tweedy's Deputy stated that "the cable which carried the PROP indicator would have controlling authority as between the two cables." (Deputy Chief, Africa Division affidavit, 10/17/75, p. 4) The second cable stated:

YOU WILL NOTE FROM CABLE THROUGH NORMAL CHANNEL CURRENTLY BEING TRANSMITTED A PARA[GRAPH] ON PROP TYPE SUGGESTIONS. YOU WILL PROBABLY RECEIVE MORE ALONG THESE LINES AS STUMBLING BLOC [LUMUMBA] REPRESENTS INCREASINGLY APPARENT ALL STUDYING CONGO SITUATION CLOSELY AND HIS DISPOSITION SPONTANEOUSLY BECOMES NUMBER ONE CONSIDERATION.

RAISE ABOVE SO YOU NOT CONFUSED BY ANY APPARENT DUPLICATION. THIS CHANNEL REMAINS FOR SPECIFIC PURPOSE YOU DISCUSSED WITH COLLEAGUE AND ALSO REMAINS HIGHEST PRIORITY. (CIA Cable, Tweedy to Station Officer, 10/15/60)

Tweedy testified that the "specific purpose discussed with colleague" referred to the Station Officer's discussion of "assassination with Scheider." He stated that the premise of his message was that "there is no solution to the Congo as long as Lumumba stays in a position of power or influence there." (Tweedy, 10/9/75 I, pp. 59, 60)²

Tweedy went on to request the Station Officer's reaction to the prospect of sending a senior CIA case officer to the Congo on a "direct assignment * * * to concentrate entirely this aspect" (CIA Cable, Tweedy to Station Officer, 10/15/60).³

¹ Hedgman testified that he did not discuss the assassination operation with anyone at the United States embassy in Leopoldville. Moreover, he testified that he never discussed the prospect of assassinating Lumumba with Clare H. T. Timberlake, who was the Ambassador to the Congo at that time. (Hedgman, 8/21/75, p. 91)

² See Section 4(h), *infra*, for Tweedy's testimony on the conditions under which he believed the operation was authorized to proceed.

³ This referred to CIA officer Michael Mulroney (Tweedy, 10/9/75 I, p. 56), who testified that in late October he was asked by Richard Bissell to undertake the mission of assassinating Lumumba.

⁴ For a full account of the meeting between Bissell and Mulroney and Mulroney's subsequent activities in the Congo, see Section 5(a), *infra*.

The cable also provided an insight into why the assassination operation had not progressed more rapidly under the Station Officer:

SEEMS TO US YOUR OTHER COMMITMENTS TOO HEAVY GIVE NECESSARY CONCENTRATION PROP.

In contradiction of the limitations on anti-Lumumba activity outlined in the cable sent through normal channels, Tweedy's cable suggested:

POSSIBILITY USE COMMANDO TYPE GROUP FOR ABDUCTION [LUMUMBA], EITHER VIA ASSAULT ON HOUSE UP CLIFF FROM RIVER OR, MORE PROBABLY, IF [LUMUMBA] ATTEMPTS ANOTHER BREAKOUT INTO TOWN * * * REQUEST YOUR VIEWS. (CIA Cable, Tweedy to Station Officer, 10/15/60)

Two days later the Station Officer made a number of points in a reply to Tweedy. First, the agent he had picked for the assassination operation had difficulty infiltrating Lumumba's inner circle:¹

HAS NOT BEEN ABLE PENETRATE ENTOURAGE. THUS HE HAS NOT BEEN ABLE PROVIDE OPS INTEL NEEDED THIS JOB. * * * ALTHOUGH MAINTAINING PRIORITY INTEREST THIS OP, ABLE DEVOTE ONLY LIMITED AMOUNT TIME, VIEW MULTIPLE OPS COMMITMENTS. * * * BELIEVE EARLY ASSIGNMENT SENIOR CASE OFFICER HANDLE PROP OPS EXCELLENT IDEA * * * IF CASE OFFICER AVAILABLE [STATION OFFICER] WOULD DEVOTE AS MUCH TIME AS POSSIBLE TO ASSISTING AND DIRECTING HIS EFFORTS, (CIA Cable, 10/17/60)

The Station Officer concluded this cable with the following cryptic recommendation, reminiscent of his testimony that he may have "suggested" shooting Lumumba to Scheider as an alternative to poisoning (Hedgman, 8/21/75, pp. 27-29):

IF CASE OFFICER SENT, RECOMMEND HQS POUCH SOONEST HIGH POWERED FOREIGN MAKE RIFLE WITH TELESCOPIC SCOPE AND SILENCER. HUNTING GOOD HERE WHEN LIGHTS RIGHT. HOWEVER AS HUNTING RIFLES NOW FORBIDDEN, WOULD KEEP RIFLE IN OFFICE PENDING OPENING OF HUNTING SEASON. (CIA Cable, 10/17/60)

Tweedy testified that the Station Officer's recommendation clearly referred to sending to the Congo via diplomatic pouch a weapon suited for assassinating Lumumba. (Tweedy, 10/9/75 I, p. 64) Senior case officer Mulronev stated that he never heard discussion at Headquarters of sending a sniper-type weapon to the Congo, nor did he have any knowledge that such a weapon had been "pouched" to the Congo. (Mulronev affidavit, 11/7/75)

The oblique suggestion of shooting Lumumba at the "opening of hunting season" could be interpreted as a plan to assassinate Lumumba as soon as he was seen outside the residence where he remained in U.N. protective custody. Tweedy interpreted the cable to mean that "an operational plan involving a rifle" had not yet been formulated by the Station Officer and that the "opening of hunting season" would depend upon approval of such a plan by CIA headquarters. (Tweedy, 10/9/75 I, pp. 64-65)

¹ This agent left Leopoldville "sometime in October" and their discussions terminated. (Hedgman, 8/21/75, p. 61)

A report sent the next month by the Station Officer through the PROP channel for Tweedy's "Eyes Alone" indicated that, whatever the intention about moving forward with a plan for assassination by rifle fire, Lumumba was being viewed as a "target" and his movements were under close surveillance. Hedgman's cable described the stalemate which prevailed from mid-September until Lumumba's departure for Stanleyville on November 27; Lumumba was virtually a prisoner in U.N. custody, and inaccessible to CIA agents and the Congolese:

TARGET HAS NOT LEFT BUILDING IN SEVERAL WEEKS. HOUSE GUARDED DAY AND NIGHT BY CONGOLESE AND UN TROOPS * * *. CONGOLESE TROOPS ARE THERE TO PREVENT TARGET'S ESCAPE AND TO ARREST HIM IF HE ATTEMPTS. UN TROOPS THERE TO PREVENT STORMING OF PALACE BY CONGOLESE. CONCENTRIC RINGS OF DEFENSE MAKE ESTABLISHMENT OF OBSERVATION POST IMPOSSIBLE. ATTEMPTING GET COVERAGE OF ANY MOVEMENT INTO OR OUT OF HOUSE BY CONGOLESE * * *. TARGET HAS DISMISSED MOST OF SERVANTS SO ENTRY THIS MEANS SEEMS REMOTE. (CIA Cable, Station Officer to Tweedy, 11/14/60)

(h) Tweedy/Bissell Testimony: Extent of Implementation; Extent of Authorization

SUMMARY

The testimony of Richard Bissell and Bronson Tweedy is at some variance from the picture of the assassination plot presented by the Station Officer and by the cable traffic from the period.

The cables demonstrate that CIA Headquarters placed the "highest priority" on the effort to assassinate Lumumba. They also show that the assassination operation involving Scheider and the Station Officer was initiated by a cable signed personally by Bissell and Tweedy and transmitted in a specially restricted cable channel established solely for communications about this operation. Bissell and Tweedy both testified to an absence of independent recollection of Scheider's assignment in the Congo and of any specific operation to poison Lumumba.

The cables appear to indicate that the Station Officer was authorized to proceed with an assassination attempt if he determined it to be a feasible, secure operation and if time did not permit referral to Headquarters for approval. Tweedy alone testified that the Station Officer was empowered only to explore and assess the means of assassinating Lumumba and not to proceed with an assassination attempt even when "time did not permit" referral to Headquarters.

(i) Tweedy's Testimony About the Scope of the Assassination Operation

As Chief of the Africa Division, Bronson Tweedy had the principal supervisory responsibility at CIA Headquarters for the operations of the Station Officer Hedgman in Leopoldville. Most of the reports and recommendations cabled by Hedgman on the assassination operation were marked for Tweedy's "Eyes Only." Through Tweedy, instruc-

tions were issued, plans were approved, and progress reports were assessed concerning the effort to assassinate Lumumba.¹

Before reviewing all of the cables, Tweedy testified that he had no knowledge of the plot to poison Lumumba. (Tweedy, 9/9/75, pp. 30-31) He stated that if Scheider went to the Congo as a courier carrying lethal biological material, "I will bet I knew it, but I don't recall it." (Tweedy, 9/9/75, p. 35)

Tweedy commented that rather than questioning the truth of the Station Officer's testimony,² the discrepancies between their testimony could be attributed to his own lack of recall.³

Even after he reviewed the cables on the PROP operation, Tweedy said that he did not recall talking to Scheider about an assignment to the Congo, although he assumed he had done so. Tweedy's review enabled him to "recall the circumstances in which these things occurred; and there's no question that Mr. Scheider went to the Congo." (Tweedy, 10/9/75 I, p. 13; II, pp. 5-6)⁴

Despite Tweedy's lack of recollection about the actual plot to poison Lumumba, he recalled discussing the feasibility of an assassination attempt against Lumumba with Bissell and communicating with the Station Officer about gaining access to Lumumba for this purpose. (Tweedy, 9/9/75, pp. 14-15, 19-21)

Tweedy characterized his discussions with Bissell about assassinating Lumumba as "contingency planning" (Tweedy, 9/9/75, p. 28) :

TWEEDY. * * * I think it came up in the sense that Dick would have said we probably better be thinking about whether it might ever be necessary or desirable to get rid of Lumumba, in which case we presumably should be in position to assess whether we could do it or not successfully.

Q. Do it, meaning carry off an assassination?

TWEEDY. Yes, but it was never discussed with him in any other sense but a planning exercise. * * * never were we instructed to do anything of this kind. We were instructed to ask whether such a thing would be feasible and to have the Station Officer thinking along those lines as well. (Tweedy, 9/9/75, pp. 15, 28)

Tweedy testified that Bissell never authorized him to proceed beyond the planning stage to move forward with an assassination attempt. (Tweedy, 10/9/75 I, p. 17)

¹ Tweedy personally signed both the cable which initially informed the Station Officer that "JOE" would arrive in Leopoldville with an assignment (CIA Cable, Bissell, Tweedy to Station Officer, 9/19/60) and the cable of October 7 indicating that he had debriefed Scheider upon his return from the Congo. (CIA Cable, Tweedy to Station Officer, 10/7/60) Tweedy was also the "Eyes Only" recipient of Hedgman's reports on Scheider's arrival in the Congo (CIA Cable, Station Officer to Tweedy, 9/27/60) and of subsequent communications about the top priority plan that emerged from the discussions between Scheider and Hedgman: i.e., infiltrating an agent into Lumumba's entourage to administer a lethal poison to the Congolese leader. (CIA Cable, Station Officer to Tweedy, 9/30/60; CIA Cable, Station Officer to Tweedy, 10/7/60; CIA Cable, Station Officer to Tweedy, 10/17/60) See Sections 4(a)-4(e) *supra* for a full treatment of the cables sent in the PROP channel between Tweedy and the Station Officer in Leopoldville.

² Tweedy expressed a high regard for the credibility of the Station Officer. Tweedy said that he never had occasion to doubt Hedgman's veracity or integrity, adding, "I would trust his memory and I certainly trust his integrity." (Tweedy, 9/9/75, p. 36)

³ Tweedy explained his difficulty in recalling the assassination operation:

"[T]he things that I recall the most vividly about all my African experiences were * * * the things I was basically concerned with all the time, which was putting this Division together and the rest of it. When it comes to operational detail I start getting fuzzy and you would have thought with something like thinking about Mr. Lumumba in these terms that I would have gone to bed and got up thinking about Lumumba, I can assure you this wasn't the case." (Tweedy, 9/9/75, p. 34)

⁴ For a detailed treatment of Tweedy's testimony on Scheider's assignment to the Congo and the assassination operation against Lumumba, see Sections 4(a)-(g), *supra*.

Tweedy characterized the entire assassination operation as "exploratory":

This involved the launching of the idea with the field so they could make the proper operational explorations into the feasibility of this, reporting back to Headquarters for guidance. At no point was the field given carte blanche if they thought they had found a way to do the job, just to carry it out with no further reference. (Tweedy, 10/9/75 II, p. 22)

He testified that the period of exploration of access to Lumumba remained "a planning interval and at no point can I recall that I ever felt it was imminent that somebody would say 'go'." (Tweedy, 9/9/75, pp. 18-19)

Tweedy stated that, despite his inability to specifically recall his directive to Scheider, he would not have given the Station Officer an instruction "to use this [toxic] material and go ahead and assassinate Lumumba, as if * * * that is all the authority that was necessary." He said that:

Under no circumstances would that instruction have been given by me without reference to higher authority up through the chain of command * * * my higher authority, in the first instance, would be Mr. Bissell * * * and I know Mr. Bissell would have talked to Mr. Dulles. (Tweedy, 10/9/75 I, pp. 17-18; 10/9/75 II, pp. 25, 33)

It is difficult to reconcile some of the cables and the testimony of Scheider and Hedgman with Tweedy's testimony that there was "no misunderstanding" that the PROP operation was purely exploratory "contingency planning" and that no authorization was granted for attempting an assassination without checking back with headquarters. For example, Dulles' August 26 directive appeared to indicate wide latitude for making operational decisions in the field "where time does not permit referral" to Headquarters.

Tweedy testified that sending a potentially lethal biological material with a short period of toxicity to the Congo did not mean that the Station Officer was empowered to take action without seeking final approval from Headquarters.

TWEEDY: If, as a result of the Station focusing on the problem for the first time, as a result of Headquarters' request, they had come up with a plan that they thought was exceedingly solid and which Headquarters approved, it is not surprising, perhaps, that we wanted the materials there to take advantage of such * * * an unlikely event.

Q: Because Scheider took lethal materials to the Congo with him that had such a short period of lethality, were you not contemplating at that time that the operation might well move from the exploration phase to the implementation phase just as soon as Scheider and Hedgman determined that it was feasible?

TWEEDY: I think I would put it quite differently. I think that I would say that we would have been remiss in not being in a position to exploit, if we reached the point where we all agreed that the thing was possible. (Tweedy, 10/9/75 I, pp. 49-50)

The dispatch of toxic material and medical paraphernalia to the Congo certainly demonstrates that the "exploration" of the feasibility of assassinating Lumumba had progressed beyond mere "assessment" and "contingency planning."

Tweedy further disagreed that the Station Officer's October 7 message that he would "continue try implement op[eration]" signified

that the Officer was prepared to proceed to "implement" an assassination attempt:

He would continue to explore the possibilities of this operation and continue to report to Headquarters. That is all this means. It does not mean that * * * he would try to pull off the operation without further reference to Headquarters * * * [H]e was to continue to explore it to determine whether or not there was a feasible means. (Tweedy, 10/9/75 II, pp. 14-15)

Finally, Tweedy's recollection that a "go ahead" on the assassination operation was never imminent is brought into question by the cable he sent for Hedgman's "Eyes Only" on October 15 to assure him that there was a policy-level consensus that Lumumba's "disposition spontaneously becomes number one consideration" and that the PROP operation "remains highest priority." (CIA Cable, Tweedy to Station, 10/15/60)

(ii) Bissell's Testimony About Moving the Assassination Operation From Planning to Implementation

Richard Bissell testified that he did not remember discussing the feasibility of assassinating Lumumba with Bronson Tweedy, but it seemed "entirely probable" to him that such discussions took place. Bissell, who did not review the cable traffic, said he "may have" given Tweedy specific instructions about steps to further an assassination plan, but he did not remember doing so. He said that seeking information from the Station Officer about access for poisoning or assassinating Lumumba by other means would "almost certainly" have been a "major part" of his "planning and preparatory activity" but he had no specific recollection of cable communications on this subject. He did recall that the Station Officer had an agent who supposedly had direct access to Lumumba. (Bissell, 9/10/75, pp. 3, 4, 6-8, 80)

Bissell testified that he "most certainly" approved any cables that Tweedy sent to the Station Officer seeking information about gaining access to Lumumba because in "a matter of this sensitivity," Tweedy probably would have referred cables to him for final dispatch. But Bissell added:

I think Mr. Tweedy, on the basis of an oral authorization from me, would have had the authority to send such a cable without my signing off on it. (Bissell, 9/10/75, p. 8)

Bissell's failure to recall discussing his assignment to Michael Mulrone¹ with Tweedy provided a basis for his speculation that Tweedy might also have been unaware of the true purpose of Scheider's visit. (Bissell, 9/10/75, pp. 20-22)

Bissell did not recall cables concerning Scheider's mission, and confirming that Scheider's instructions were to be followed; but he said "this sounds highly likely * * * I would expect, given the background, that the confirmation would have been forthcoming." (Bissell, 9/10/75, p. 43)

Bissell said that it was "very probable" that he discussed the assassination of Lumumba with Scheider, who was then his science advisor. On a number of occasions he and Scheider had discussed "the availability of means of incapacitation, including assassination." Although he had no "specific recollection," Bissell assumed that, if

¹ Bissell's assignment to Mulrone is discussed in Sections 5(a)(1) and 5(a)(II), *infra*.

Scheider went to the Congo, Bissell would have approved the mission, which "might very well" have dealt with the assassination of Lumumba. (Bissell, 9/10/75, pp. 14, 60, 18, 20, 44)

Bissell testified that it would not have been against CIA policy in the fall of 1960 to send poisons to the Congo. He characterized "the act of taking the kit to the Congo * * * as still in the planning stage." (Bissell, 9/10/75, pp. 35, 49). He acknowledged, however, that:

It would indeed have been rather unusual to send such materials—a specific kit * * * of this sort—out to a relatively small Station, unless planning for their use was quite far along. (Bissell, 9/10/7, p. 37)

Nonetheless, Bissell said that he "probably believed" that he had sufficient authority at that point to direct CIA officers to move from the stage of planning to implementation. (Bissell, 9/10/75, pp. 60–61) Although he did not have a specific recollection, Bissell assumed that if Scheider had instructed Hedgman to assassinate Lumumba, Scheider would not have been acting beyond the mandate given to him by Bissell and the assassination plot would then have "passed into an implementation phase." (Bissell, 9/10/75, pp. 39, 41, 49)

5. THE QUESTION OF A CONNECTION BETWEEN THE ASSASSINATION PLOT AND OTHER ACTIONS OF CIA OFFICERS AND THEIR AGENTS IN THE CONGO

SUMMARY

Michael Mulroney, a senior CIA officer in the Directorate for Plans, testified that in October 1960 he had been asked by Richard Bissell to go to the Congo to carry out the assassination of Lumumba. Mulroney said that he refused to participate in an assassination operation, but proceeded to the Congo to attempt to draw Lumumba away from the protective custody of the U.N. guard and place him in the hands of Congolese authorities. (Mulroney, 6/9/75, pp. 11–14)

Shortly after Mulroney's arrival in the Congo, he was joined by QJ/WIN, a CIA agent with a criminal background.¹ Late in 1960, WI/ROGUE, one of Hedgman's operatives approached QJ/WIN with a proposition to join an "execution squad." (CIA Cable, Leopoldville to Director, 12/7/60)

It is unlikely that Mulroney was actually involved in implementing the assassination assignment. Whether there was any connection between the assassination plot and either of the two operatives—QJ/WIN and WI/ROGUE—is less clear.

(a) *Mulroney's Assignment in the Congo*

(i) *Mulroney's Testimony That He Went to the Congo After Refusing an Assassination Assignment From Bissell*

In early October, 1960, several PROP cables discussed a plan to send a "senior case officer" to the Congo to aid the overburdened Station Officer with the assassination operation.² Shortly after the Sta-

¹ See Part III, Section c, of this Report for a discussion of the CIA's use of QJ/WIN in developing a stand-by assassination capability in the Executive Action project.

² See Section 4(g), *supra*, for full treatment of these cables.

tion Officer's request on October 17, for a senior case officer to concentrate on the assassination operation. Bissell broached the subject with Mulroney. At the time, Mulroney was the Deputy Chief of an extraordinarily secret unit within the Directorate of Plans. (Mulroney, 6/9/75, p. 8)

Mulroney testified that in October of 1960, Bissell asked him to undertake the mission of assassinating Patrice Lumumba:

MULRONEY: He called me in and told me he wanted to go down to the Belgian Congo, the former Belgian Congo, and to eliminate Lumumba * * *.

Q: What did you understand him to mean by eliminate?

MULRONEY: To kill him and thereby eliminate his influence.

Q: What was the basis for your interpreting his remarks, whatever his precise language, as meaning that he was talking about assassination rather than merely neutralizing him through some other means?

MULRONEY: It was not neutralization * * * clearly the context of our talk was to kill him. (Mulroney, 6/9/75, pp. 11-12, 19, 43)

Mulroney testified:

I told him that I would absolutely not have any part of killing Lumumba. He said, I want you to go over and talk to Joseph Scheider. (Mulroney, 6/9/75, p. 12)

Mulroney said that it was "inconceivable that Bissell would direct such a mission without the personal permission of Allen Dulles":

I assumed that he had authority from Mr. Dulles in such an important issue, but it was not discussed [with me], nor did he purport to have higher authority to do it. (Mulroney, 9/9/75, pp. 15, 44)

Mulroney then met promptly with Scheider and testified that he was "sure that Mr. Bissell had called Scheider and told him I was coming over" to his office. Scheider told Mulroney "that there were four or five * * * lethal means of disposing of Lumumba * * *. One of the methods was a virus and the others included poison." Mulroney said that Scheider "didn't even hint * * * that he had been in the Congo and that he had transported any lethal agent to the Congo." (Mulroney, 6/9/75, pp. 12-13; 9/11/75, pp. 7-7A)

Mulroney testified that after speaking with Scheider:

I then left his office, and I went back to Mr. Bissell's office, and I told him in no way would I have any part in the assassination of Lumumba * * * and reasserted in absolute terms that I would not be involved in a murder attempt. (Mulroney, 9/11/75, p. 43)¹

Mulroney said that in one of his two conversations with Bissell about Lumumba, he raised the prospect "that conspiracy to commit murder being done in the District of Columbia might be in violation

¹ When asked at the conclusion of his testimony to add anything to the record that he felt was necessary to present a full picture of the operation against Lumumba, Mulroney volunteered a statement about the moral climate in which it took place:

"All the people that I knew acted in good faith. I think they acted in the light of * * * maybe not their consciences, but in the light of their concept of patriotism. [T]hey felt that this was in the best interests of the U.S. I think that we have to much of the 'good German' in us, in that we do something because the boss says it is okay. And they are not essentially evil people. But you can do an awful lot of wrong in this.

"* * * This is such a dishonest business that only honest people can be in it. That is the only thing that will save the Agency and make you trust the integrity of what they report * * *. An intelligence officer * * * must be scrupulous and he must be moral * * * he must have personal integrity * * *. They must be particularly conscious of the moral element in intelligence operations." (Mulroney, 9/11/75, pp. 57, 61)

Earlier in his testimony, Mulroney succinctly summarized his philosophical opposition to assassinating Lumumba: "murder corrupts." (Mulroney, 9/11/75, p. 9)

of federal law." He said that Bissell "airily dismissed" this prospect. (Mulroney, 6/9/75, p. 14)

Although he refused to participate in assassination, Mulroney agreed to go to the Congo on a general mission to "neutralize" Lumumba "as a political factor" (Mulroney, 9/11/75, pp. 43-44) :

I said I would go down and I would have no compunction about operating to draw Lumumba out [of UN custody], to run an operation to neutralize his operations which were against Western interests, against, I thought, American interests. (Mulroney, 6/9/75, p. 13)¹

Although Mulroney did not formulate a precise plan until he reached the Congo, he discussed a general strategy with Bissell:

MULRONEY: I told Mr. Bissell that I would be willing to go down to neutralize his activities and operations and try to bring him out [of UN custody] and turn him over to the Congolese authorities.

Senator MONDALE: Was it discussed then that his life might be taken by the Congolese authorities?

MULRONEY: It was, I think, considered * * * not to have him killed, but then it would have been a Congolese being judged by Congolese for Congolese crimes. Yes, I think it was discussed. (Mulroney, 6/9/75, p. 38)

According to Mulroney there was a "very, very high probability" that Lumumba would receive capital punishment at the hands of the Congolese authorities. But he "had no compunction about bringing him out and then having him tried by a jury of his peers." (Mulroney, 6/9/75, pp. 24, 14)

Despite Mulroney's expressed aversion to assassination and his agreement to undertake a more general mission to "neutralize" Lumumba's influence, Bissell continued pressing him to consider an assassination operation :

In leaving at the conclusion of our second discussion * * * he said, well, I wouldn't rule out that possibility—meaning the possibility of the elimination or the killing of Lumumba * * *. In other words, even though you have said this, don't rule it out * * *. There is no question about it, he said, I wouldn't rule this other out, meaning the elimination or the assassination. (Mulroney, 9/11/75, p. 45)

Mulroney distinctly recalled that after his second discussion with Bissell, he met with Richard Helms, who was then Deputy to the DDP and Chief of Operations in the clandestine services division, in order to make his opposition to assassinating Lumumba a matter of record (Mulroney, 9/11/75, pp. 44-45) :

[I]n the Agency, since you don't have documents, you have to be awfully canny and you have to get things on record, and I went into Mr. Helms' office, and I said, Dick, here is what Mr. Bissell proposed to me, and I told him that I would under no conditions do it, and Helms said, 'you're absolutely right.' (Mulroney 6/9/75, pp. 15-16)

Helms testified that it was "likely" that he had such a conversation with Mulroney and he assumed that Mulroney's version of their conversation was correct. (Helms, 9/16/75, pp. 22-23)²

¹ Bissell also recalled that, after discussing assassination with Mulroney, Mulroney went to the Congo "with the assignment * * * of looking at other ways of neutralizing Lumumba." (Bissell, 9/10/75, p. 53)

² Helms testified that he did not inquire further into the subject of this conversation in any way. He did not recall why Mulroney had gone to the Congo or what his mission was. (Helms, 9/16/75, pp. 32-33)

William Harvey was Mulronev's immediate superior at that time¹ He testified :

Mr. Mulronev came to me and said that he had been approached by Richard Bissell * * * to undertake an operation in the Congo, one of the objectives of which was the elimination of Patrice Lumumba. He also told me that he had declined to undertake this assignment. (Harvey, 6/25/75, p. 9)

Harvey said that in a later conversation with Bissell, Bissell told him that he had asked Mulronev to undertake such an operation. (Harvey, 6/25/75, p. 9)

Tweedy's Deputy, who aided in making preparations for Mulronev's trip to the Congo, recalled that Mulronev had "reacted negatively" to Bissell's request to undertake an assassination operation. (Deputy Chief, Africa Division affidavit, 10/17/75, p. 2) He stated :

Despite the fact that Mulronev had expressed a negative reaction to this assignment, it was clear to me that when Mulronev went to the Congo, exploration of the feasibility of assassinating Lumumba was part of his assignment from Bissell. As far as I know, Mulronev was not under assignment to attempt to assassinate Lumumba, but rather merely to make plans for such an operation. (Deputy Chief, Africa Division affidavit, 10/17/75, p. 2)

In Tweedy's mind, Mulronev's eventual mission to the Congo was also linked to assessing the possibility for assassinating Lumumba rather than to a general plan to draw Lumumba out of U.N. custody. (Tweedy, 9/9/75, pp. 24, 26)

Mulronev testified, however, that because he was "morally opposed to assassination" he would "absolutely not" have explored the means by which such access could be gained, nor would he have undertaken a mission to the Congo to assess an assassination operation even if it were directed by someone else. (Mulronev, 9/11/75, p. 26)

Mulronev said that he departed for the Congo within forty-eight hours of his second discussion with Bissell. (Mulronev, 9/11/75, pp. 45-46)

(ii) Bissell's Testimony About the Assignment to Mulronev

Bissell remembered "very clearly" that he and Mulronev discussed the assassination of Lumumba in the fall of 1960 (Bissell, 6/9/75, pp. 74-75) and that Mulronev reacted negatively. (Bissell, 9/11/75, p. 18) Accordingly to Bissell, Mulronev said that assassination "was an inappropriate action and that the desired object could be accomplished better in other ways." (Bissell, 6/11/75, p. 54)

Bissell's testimony differs from Mulronev's account on only one important point—the degree to which Bissell's initial assignment to Mulronev contemplated the mounting of an operation as opposed to contingency planning. Mulronev flatly testified that Bissell requested him to attempt to kill Lumumba. In his first testimony on the subject, Bissell said that he asked Mulronev "to investigate the possibility of killing Lumumba." (Bissell, 6/11/75, p. 54; see also pp. 55, 75) In a later appearance, however, Bissell stated that Mulronev "had been asked to plan and prepare for" the assassination of Lumumba. (Bissell, 9/10/75, p. 24)

¹ Harvey was later centrally involved in the Castro case and the Executive Action project. See Parts III(B) and Part III(C), *infra*.

Bissell said that after his conversations with Mulroney, he considered "postponing" the assassination operation :

I seem to recollect that after this conversation with him, I wanted this put very much on the back burner and inactivated for quite some time. Now that doesn't rule out the possibility that some action through completely different channels might have gone forward. But the best of my recollection is, I viewed this not only as terminating the assignment for him, but also as reason for at least postponing anything further along that line. (Bissell, 9/10/75, pp. 25-26)

(iii) Mulroney Informed of Virus in Station Safe Upon Arriving in Congo: November 3, 1960

On October 29, the Station Officer was informed that Michael Mulroney would soon arrive in Leopoldville "in furtherance this project." (CIA Cable, Deputy Chief, Africa Division, to Station Officer 10/29/60) On November 3, Mulroney arrived in Leopoldville. (CIA Cable, Leopoldville to Director, 11/4/60) Hedgman said it was "very possible" that he regarded the dispatch to the Congo of a senior officer as a signal that CIA Headquarters was "dissatisfied with my handling" of Scheider's instructions. (Hedgman, 8/21/75, p. 42)

Hedgman had only a general picture of Mulroney's assignment :

I understood it to be that—similar to mine, that is, the removal or neutralization of Lumumba * * * I have no clear recollection of his discussing the assassination. (Hedgman, 8/21/75, p. 54)

Station Officer Hedgman said that he did not recall if Mulroney indicated whether he was considering assassination as a means of "neutralizing" Lumumba. Hedgman said, "in view of my instructions, I may have assumed that he was" considering assassination. Generally, however, the Station Officer perceived Mulroney as unenthusiastic about his assignment. (Hedgman, 8/21/75, pp. 55, 56, 88-89)

When Mulroney arrived in the Congo, he met with the Station Officer, who informed him that there was "a virus in the safe." (Mulroney, 9/11/75, p. 7-A; 6/9/75, p. 16) Mulroney said he assumed it was a "lethal agent," although the Station Officer was not explicit :

I knew it wasn't for somebody to get his polio shot up to date. (Mulroney, 6/9/75, pp. 16, 37)¹

Mulroney said that he did not recall the Station Officer's mentioning the source of the virus, but :

It would have had to have come from Washington, in my estimation, and I would think, since it had been discussed with Scheider that it probably would have emanated from his office. (Mulroney, 6/9/75, p. 28)²

Hedgman did not recall discussing Scheider's trip to the Congo with Mulroney, but "assumed" that he did so. (Hedgman, 8/21/75, pp. 60-61)

¹ Mulroney added that if the virus was to be used for medical purposes. "It would have been in the custody of the State Department" personnel, not the CIA Station. (Mulroney, 6/9/75, p. 36)

² When Mulroney was informed about Hedgman's testimony concerning Scheider's trip to the Congo and the plot to poison Lumumba, he said, "I believe absolutely in its credibility. Mulroney found nothing in the facts as he knew them, nor in Hedgman's character, to raise a question about that testimony. He regarded Hedgman as "an honest and a decent man—a totally truthful man." (Mulroney, 9/11/75, pp. 19, 53, 56)

Mulroney was "certain" that the virus had arrived before he did. (Mulroney, 6/9/75, p. 24) He was surprised to learn that such a virus was at the Leopoldville Station because he had refused an assassination mission before departing for the Congo. (Mulroney, 6/9/75, p. 17)

Mulroney stated that he knew of no other instance where a CIA Station had possessed lethal biological substances. He assumed that its purpose was assassination, probably targeted against Lumumba (Mulroney, 9/11/75, p. 50) :

My feeling definitely is that it was for a specific purpose, and was just not an all-purpose capability there, being held for targets of opportunity, unspecified targets. (Mulroney, 9/11/75, p. 49)

Mulroney said that the Station Officer never indicated that Mulroney was to employ the virus, that he "never discussed his assassination effort, he never even indicated that this was one." (Mulroney, 9/11/75, pp. 52, 54)

While Station Officer Hedgman had no direct recollection of discussing the assassination operation with Mulroney, he "assumed" that he had at least mentioned the problem of gaining access to Lumumba for the purpose of assassinating him. (Hedgman, 8/21/75, pp. 55, 60)

Mulroney was "sure" that he "related everything" to Hedgman about his conversations with Bissell concerning the assassination of Lumumba. (Mulroney, 9/11/75, p. 46) Hedgman, however, did not recall learning this from Mulroney. (Hedgman, 8/21/75, p. 56)

Mulroney said that his discussions of assassination with Hedgman were general and philosophical, dealing with "the morality of assassinations." (Mulroney, 9/11/75, pp. 46, 54) :

From my point of view I told him I had moral objections to it, not just qualms, but objections. I didn't think it was the right thing to do. (Mulroney, 9/11/75, p. 9)

When asked to characterize Hedgman's attitude toward assassination based on those discussions, Mulroney said :

He would not have been opposed in principle to assassination in the interests of national security * * *. I know that he is a man of great moral perception and decency and honor * * *. And that it would disturb him to be engaged in something like that. But I think I would have to say that in our conversations, my memory of those, at no time would he rule it out as being a possibility. (Mulroney, 9/11/75, p. 18)

(iv) Mulroney's Plan to "Neutralize" Lumumba

After Mulroney arrived in the Congo, he formulated a plan for "neutralizing" Lumumba by drawing him away from the custody of the U.N. force which was guarding his residence :

Mulroney: [W]hat I wanted to do was to get him out, to trick him out, if I could, and then turn him over * * * to the legal authorities and let him stand trial. Because he had atrocity attributed to him for which he could very well stand trial.

Q: And for which he could very well have received capital punishment?

Mulroney: Yes. And I am not opposed to capital punishment. (Mulroney, 9/11/75, pp. 20-21)¹

¹ When Mulroney's mission to draw Lumumba out of the hands of the U.N. was described to C. Douglas Dillon, who was Undersecretary of State at that time, Dillon testified that it conformed to United States policy toward Lumumba. (Dillon, 9/21/75, p. 50)

According to an earlier report from the Station Officer, it was the view of the Special Representative of the Secretary General of the United Nations that arrest by Congolese authorities was "JUST A TRICK TO ASSASSINATE LUMUMBA." (CIA Cable, Station Officer to Director, 10/11/60) The Station Officer proceeded to recommend Lumumba's arrest in the same cable :

STATION HAS CONSISTENTLY URGED [CONGOLESE] LEADERS ARREST LUMUMBA IN BELIEF LUMUMBA WILL CONTINUE BE THREAT TO STABILITY CONGO UNTIL REMOVED FROM SCENE.

To implement his plan, Mulroney made arrangements to rent "an observation post over the palace in which Lumumba was safely ensconced." He also made the acquaintance of a U.N. guard to recruit him for an attempt to lure Lumumba outside U.N. protective custody. (Mulroney, 6/9/75, p. 20; 9/11/75, p. 21) Mulroney said that he cabled progress reports to CIA Headquarters, and kept the Station Officer informed about his activities. (Mulroney, 9/11/75, pp. 26-27, 56)

Mulroney arranged for CIA agent QJ/WIN, to come to the Congo to work with him:

What I wanted to use him for was * * * counter-espionage. * * * I had to screen the U.S. participation in this * * * by using a foreign national whom we knew, trusted, and had worked with * * * the idea was for me to use him as an alter ego. (Mulroney, 6/9/75, pp. 19-20)

In mid-November, two cables from Leopoldville urged CIA Headquarters to send QJ/WIN:

LOCAL OPERATIONAL CIRCUMSTANCES REQUIRE IMMEDIATE EXPEDITION OF QJ/WIN TRAVEL TO LEOPOLDVILLE. (CIA Cable, Leopoldville to Director, 11/13/60; see also 11/11/60)

The cables did not explain the "operational circumstances."

(b) *QJ/WIN's Mission in the Congo: November-December 1960*

QJ/WIN was a foreign citizen with a criminal background, recruited in Europe. (Memo to CIA Finance Division, Re: Payments to QJ/WIN, 1/31/61) In November 1960, agent QJ/WIN was dispatched to the Congo to undertake a mission that "might involve a large element of personal risk." (CIA Cable, 11/2/60)¹

A cable from Headquarters to Leopoldville stated:

In view of the extreme sensitivity of the objective for which we want [QJ/WIN] to perform his task, he was not told precisely what we want him to do * * *. Instead, he was told * * * that we would like to have him spot, assess, and recommend some dependable, quick-witted persons for our use * * *. It was thought best to withhold our true, specific requirements pending the final decision to use [him]. (CIA Cable, 11/2/60)

This message itself was deemed too sensitive to be retained at the station: "this dispatch should be reduced to cryptic necessary notes and destroyed after the first reading." (CIA Cable, 11/2/60)

QJ/WIN arrived in Leopoldville on November 21, 1960, and returned to Europe in late December 1960. (CIA Cable, 11/29/60; CIA Cable, Director to Leopoldville, 12/9/60)

Mulroney described QJ/WIN as follows:

MULRONEY: * * * I would say that he would not be a man of many scruples.

Q: So he was a man capable of doing anything?

MULRONEY: I would think so, yes.

Q: And that would include assassination?

MULRONEY: I would think so. (Mulroney, 9/11/75, pp. 35-36)

But Mulroney had no knowledge that QJ/WIN was ever used for an assassination operation. (Mulroney, 9/11/75, pp. 36, 42)

¹ An additional purpose in dispatching QJ/WIN was to send him from the Congo to another African country for an unspecified mission. QJ/WIN's mission to this country is not explained in the cable traffic between CIA Headquarters and the various stations that dealt with him.

There is no indication in CIA files as to whether QJ/WIN completed this operation. Mulroney said he had no knowledge of any assignment that would have taken QJ/WIN to this other country. (Mulroney, 9/11/75, pp. 32-33) William Harvey stated that he recalled that QJ/WIN might have been sent to an African country other than the Congo, but Harvey was "almost certain that this was not connected in any way to an assassination mission." (Harvey affidavit, 9/14/75, p. 5)

Mulroney said that, as far as he knew, he was the only CIA officer with supervisory responsibility for QJ/WIN, and QJ/WIN did not report independently to anyone else. When asked if it was possible that QJ/WIN had an assignment independent of his operations for Mulroney, he said:

Yes, that is possible—or it could have been that somebody contacted him after he got down there, that they wanted him to do something along the lines of assassination. I don't know. (Mulroney, 9/11/75, pp. 28, 29)

Mulroney discounted this possibility as "highly unlikely" because it would be a departure from standard CIA practice by placing an agent in a position of knowledge superior to that of his supervising officer. (Mulroney, 9/11/75, p. 29)

Despite Mulroney's doubt that QJ/WIN had an independent line of responsibility to Station Officer Hedgman, Hedgman's November 29 cable to Tweedy reported that QJ/WIN had begun implementing a plan to "pierce both Congolese and U.N. guards" to enter Lumumba's residence and "provide escort out of residence." (CIA Cable, Station Officer to Tweedy, 11/29/60) Mulroney said that he had directed QJ/WIN to make the acquaintance of the member of U.N. force. (Mulroney, 9/11/75, p. 21) By this point, Lumumba had already left U.N. custody to travel toward his stronghold at Stanleyville. This did not deter QJ/WIN:

VIEW CHANGE IN LOCATION TARGET, QJ/WIN ANXIOUS GO STANLEYVILLE AND EXPRESSED DESIRE EXECUTE PLAN BY HIMSELF WITHOUT USING ANY APPARAT. (CIA Cable, 11/29/60)

It is unclear whether this latter "plan" contemplated assassination as well as abduction. Headquarters replied affirmatively the next day in language which could have been interpreted as an assassination order:

CONCUR QJ/WIN GO STANLEYVILLE * * *. WE ARE PREPARED CONSIDER DIRECT ACTION BY QJ/WIN BUT WOULD LIKE YOUR READING ON SECURITY FACTORS. HOW CLOSE WOULD THIS PLACE [UNITED STATES] TO THE ACTION? (CIA Cable, Chief of Africa Division to Station Officer, 11/30/60)

Mulroney said that QJ/WIN's stay in the Congo was "coextensive with my own, allowing for the fact that he came after I did." (Mulroney, 6/9/75, p. 19)

In a memorandum to arrange the accounting for QJ/WIN's activities in the Congo, William Harvey, Mulroney's immediate superior in the Directorate of Plans, noted: "QJ/WIN was sent on this trip for a specific, highly sensitive operational purpose which has been completed." (Memo for Finance Division from Harvey, 1/11/61) Mulroney explained Harvey's reference by saying that once Lumumba was in the hands of the Congolese authorities "the reason for the mounting of the project * * * had become moot." When asked if he and QJ/WIN were responsible for Lumumba's departure from U.N. custody and subsequent capture, Mulroney replied: "Absolutely not." (Mulroney, 9/11/75, p. 35)¹

¹ Harvey did not recall the meaning of the memorandum, but he assumed that the mere fact that Mulroney had returned from the Congo would have constituted the "completion" of QJ/WIN's mission. (Harvey affidavit, 9/14/75, p. 2)

Despite the suggestive language of the cables at the end of November about the prospect of "direct action" by QJ/WIN and an indication in the Inspector General's Report that QJ/WIN may have been recruited initially for an assassination mission¹ there is no clear evidence that QJ/WIN was actually involved in any assassination plan or attempt. The Inspector General's Report may have accurately reported a plan for the use of QJ/WIN which predated Mulroneys refusal to accept the assassination assignment from Bissell. But there is no evidence from which to conclude that QJ/WIN was actually used for such an operation.

Station Officer Hedgman had a "vague recollection" that QJ/WIN was in the Congo working for Mulroneys. But Hedgman did not recall why QJ/WIN was in the Congo and said that QJ/WIN was not one of his major operatives. (Hedgman, 8/21/75, p. 95) Bissell and Tweedy did not recall anything about QJ/WIN's activities in the Congo. (Bissell, 9/10/75, pp. 54-57; Tweedy, 9/9/75, pp. 54, 61)

Harvey, whose division "loaned" QJ/WIN to the Congo Station, testified:

I was kept informed of the arrangements for QJ/WIN's trip to the Congo and, subsequently, of his presence in the Congo. I do not know specifically what QJ/WIN did in the Congo. I do not think that I ever had such knowledge * * *. If QJ/WIN were to be used on an assassination mission, it would have been cleared with me. I was never informed that he was to be used for such a mission. (Harvey affidavit, 9/14/75, pp. 3-4)²

A 1962 CIA cable indicates the value the CIA accorded QJ/WIN and the inherent difficulty for an intelligence agency in employing criminals. The CIA had learned that QJ/WIN was about to go on trial in Europe on smuggling charges and Headquarters suggested:

IF * * * INFOR[MATION] TRUE WE MAY WISH ATTEMPT QUASH CHARGES OR ARRANGE SOMEHOW SALVAGE QJ/WIN FOR OUR PURPOSES. (CIA Cable, 1962)

(c) *WI/ROGUE Asks QJ/WIN to Join "Execution Squad": December 1960*

The only suggestion that QJ/WIN had any connection with assassination was a report that WI/ROGUE, another asset of the Congo Station, once asked QJ/WIN to join an "execution squad."

WI/ROGUE was an "essentially stateless" soldier of fortune, "a forger and former bank robber." (Inspector General Memo, 3/14/75)³

¹ The CIA Inspector General's Report said that QJ/WIN "had been recruited earlier * * * for use in a special operation in the Congo (the assassination of Patrice Lumumba) to be run by Michael Mulroneys." (I.G. Report, p. 38)

² As explained above, Bissell and Mulroneys testified that Mulroneys had refused to be associated with an assassination operation. See sections 5(a) (ii) and (iii).

³ Harvey stated that the memoranda concerning QJ/WIN were probably written for his signature by the officer who supervised QJ/WIN's activities in Europe. (Harvey affidavit, 9/14/75, pp. 1, 4)

Harvey said that in later discussions he held with Schelder concerning the development of a general assassination capability, Schelder never mentioned QJ/WIN's activities in the Congo, nor did Schelder refer to his own trip to Leopoldville. Harvey also stated that before the formation of that project, QJ/WIN's case officer had not previously used him "as an assassination capability or even viewed him as such." (Harvey affidavit, 9/14/75, pp. 7, 8) See discussion in Part III, Section C.

⁴ This information was derived from a report on WI/ROGUE's assignment to the Congo prepared by a former Africa Division officer on March 14, 1975 at the request of the CIA Office of the Inspector General.

The CIA sent him to the Congo after providing him with plastic surgery and a toupee so that Europeans traveling in the Congo would not recognize him. (I.G. Memo, 3/14/75) The CIA characterized WI/ROGUE as a man who "learns quickly and carries out any assignment without regard for danger." (CIA Cable, Africa Division to Leopoldville, 10/27/60) CIA's Africa Division recommended WI/ROGUE as an agent in the following terms:

He is indeed aware of the precepts of right and wrong, but if he is given an assignment which may be morally wrong in the eyes of the world, but necessary because his case officer ordered him to carry it out, then it is right, and he will dutifully undertake appropriate action for its execution without pangs of conscience. In a word, he can rationalize all actions.

Station Officer Hedgman described WI/ROGUE as "a man with a rather unsavory reputation, who would try anything once, at least." Hedgman used him as "a general utility agent" because "I felt we needed surveillance capability, developing new contacts, various things." Hedgman supervised WI/ROGUE directly and did not put him in touch with Mulronev. (Hedgman, 8/21/75, pp. 96-97)

A report on agent WI/ROGUE, prepared for the CIA Inspector General's Office in 1975, described the training he received:

On 19 September 1960 two members of Africa Division met with him to discuss "an operational assignment in Africa Division." In connection with this assignment, WI/ROGUE was to be trained in demolitions, small arms, and medical immunization. (I.G. Memo, 3/14/75)¹

The report also outlined WI/ROGUE's assignment to the Congo and recorded no mention of the use to which WI/ROGUE's "medical immunization" training would be put:

In October 1960 a cable to Leopoldville stated that * * * Headquarters [had] * * * intent to use him as utility agent in order to "(a) organize and conduct a surveillance team; (b) intercept packages; (c) blow up bridges; and (d) execute other assignments requiring positive action. His utilization is not to be restricted to Leopoldville." (I.G. Memo, 3/14/75)

WI/ROGUE made his initial contact with Hedgman in Leopoldville on December 2, 1960. Hedgman instructed him to "build cover during initial period;" and to "spot persons for [a] surveillance team" of intelligence agents in the province where Lumumba's support was strongest. (CIA Cable, 12/17/60)

Soon thereafter Hedgman cabled Headquarters:

QJ/WIN WHO RESIDES SAME HOTEL AS WI/ROGUE REPORTED * * * WI/ROGUE SMELLED AS THOUGH HE IN INTEL BUSINESS. STATION DENIED ANY INFO ON WI/ROGUE. 14 DEC QJ/WIN REPORTED WI/ROGUE HAD OFFERED HIM THREE HUNDRED DOLLARS PER MONTH TO PARTICIPATE IN INTEL NET AND BE MEMBER "EXECUTION SQUAD." WHEN QJ/WIN SAID HE NOT INTERESTED, WI/ROGUE ADDED THERE WOULD BE BONUSSES FOR SPECIAL JOBS. UNDER QJ/WIN QUESTIONING, WI/ROGUE LATER SAID HE WORKING FOR [AMERICAN] SERVICE.

* * * IN DISCUSSING LOCAL CONTACTS, WI/ROGUE MENTIONED QJ/WIN BUT DID NOT ADMIT TO HAVING TRIED RECRUIT HIM. WHEN [STATION OFFICER] TRIED LEARN WHETHER WI/ROGUE

¹ A case officer who prepared WI/ROGUE for his mission in the Congo stated that he had no knowledge that WI/ROGUE received any training in "medical immunization." The case officer assumed that an unclear cable reference to the fact that WI/ROGUE received inoculations before his journey was misinterpreted in the memorandum prepared for the Inspector General's Office on March 14, 1975. (WI/ROGUE Case Officer affidavit, 11/14/75)

HAD MADE APPROACH LATTER CLAIMED HAD TAKEN NO STEPS. [STATION OFFICER] WAS UNABLE CONTRADICT, AS DID NOT WISH REVEAL QJ/WIN CONNECTION [WITH CIA]. (CIA Cable, Leopoldville to Director, 12/17/60)

The cable also expressed Hedgman's concern about WI/ROGUE's actions:

*** LEOP CONCERNED BY WI/ROGUE FREE WHEELING AND LACK SECURITY. STATION HAS ENOUGH HEADACHES WITHOUT WORRYING ABOUT AGENT WHO NOT ABLE HANDLE FINANCES AND WHO NOT WILLING FOLLOW INSTRUCTIONS. IF HQS DESIRES, WILLING KEEP HIM ON PROBATION, BUT IF CONTINUE HAVE DIFFICULTIES, BELIEVE WI/ROGUE RECALL BEST SOLUTION. (CIA Cable, Leopoldville to Director, 12/17/60)

Hedgman explained WI/ROGUE's attempt to recruit QJ/WIN for an execution squad as an unauthorized unexpected contact. He testified that he had not instructed WI/ROGUE to make this kind of proposition to QJ/WIN or anyone else:

I would like to stress that I don't know what WI/ROGUE was talking about as an "execution squad," and I am sure he was never asked to go out and execute anyone. (Hedgman, 8/21/75, p. 100)

Hedgman suggested that WI/ROGUE had concocted the idea of an execution squad:

His idea of what an intelligence operative should do, I think, had been gathered by reading a few novels or something of the sort. (Hedgman, 8/21/75, p. 100)

Mulroney said he knew of no attempt by anyone connected with the CIA to recruit an execution squad and he did not remember WI/ROGUE. (Mulroney 9/11/75, pp. 39-42) He stated that QJ/WIN was considered for use on "strong arm squad[s]," unrelated to assassinations:

Surveillance teams where you have to go into crime areas * * * where you need a fellow that if he gets in a box can fight his way out of it. (Mulroney, 9/11/75, p. 36)

Richard Bissell recalled nothing about WI/ROGUE's approach to QJ/WIN. (Bissell, 9/11/75, p. 71) Bronson Tweedy remembered that WI/ROGUE was "dispatched on a general purpose mission" to the Congo. But Tweedy testified that WI/ROGUE would "absolutely not" have been used on an assassination mission against Lumumba because "he was basically dispatched, assessed and dealt with by the balance of the Division" rather than by the two people in the Africa Division, Tweedy and his Deputy, who would have known that the assassination of Lumumba was being considered. (Tweedy, 9/9/75, pp. 63-65)

The Station Officer said that if WI/ROGUE had been involved in an actual assassination plan, he would have transmitted messages concerning WI/ROGUE in the PROP channel. Instead, he limited distribution of the cable about WI/ROGUE in a routine manner—as a CIA officer would "normally do * * * when you speak in a derogatory manner of an asset." (Hedgman, 8/21/75, pp. 101-102)

Hedgman maintained that WI/ROGUE's proposition to QJ/WIN to join an "execution squad" could be attributed to WI/ROGUE's "freewheeling" nature:

I had difficulty controlling him in that he was not a professional intelligence officer as such. He seemed to act on his own without seeking guidance or author-

ity * * * I found he was rather an unguided missile * * * the kind of man that could get you in trouble before you knew you were in trouble. (Hedgman, 8/21/75, pp. 96-97)

But Hedgman did not disavow all responsibility for WI/ROGUE's actions:

[I]f you give a man an order and he carries it out and causes a problem for the Station, then you accept responsibility. (Hedgman, 8/21/75, p. 97)

In sum, the testimony of the CIA officers involved in the PROP operation and the concern about WI/ROGUE's "freewheeling" in Hedgman's cable suggests that agent WI/ROGUE's attempt to form an "execution squad" was an unauthorized, maverick action, unconnected to any CIA operation. However, the fact that WI/ROGUE was to be trained in "medical immunization" (I.G. Report Memo, 3/14/75) precludes a definitive conclusion to that effect.

6. THE QUESTION OF WHETHER THE CIA WAS INVOLVED IN BRINGING ABOUT LUMUMBA'S DEATH IN KATANGA PROVINCE

The CIA officers most closely connected with the plot to poison Lumumba testified uniformly that they knew of no CIA involvement in Lumumba's death. The Congo Station had advance knowledge of the central government's plan to transport Lumumba into the hands of his bitterest enemies, where he was likely to be killed. But there is no evidentiary basis for concluding that the CIA conspired in this plan or was connected to the events in Katanga that resulted in Lumumba's death.

(a) *Lumumba's Imprisonment After Leaving U.N. Custody: November 27-December 3, 1960*

The only suggestion that the CIA may have been involved in the capture of Lumumba by Mobutu's troops after Lumumba left U.N. custody on November 27, is a PROP cable from the Station Officer to Tweedy on November 14. The cable stated that a CIA agent had learned that Lumumba's

POLITICAL FOLLOWERS IN STANLEYVILLE DESIRE THAT HE BREAK OUT OF HIS CONFINEMENT AND PROCEED TO THAT CITY BY CAR TO ENGAGE IN POLITICAL ACTIVITY. * * * DECISION ON BREAKOUT WILL PROBABLY BE MADE SHORTLY. STATION EXPECTS TO BE ADVISED BY [AGENT] OF DECISION WAS MADE. * * * STATION HAS SEVERAL POSSIBLE ASSETS TO USE IN EVENT OF BREAKOUT AND STUDYING SEVERAL PLANS OF ACTION. (CIA Cable, Station Officer to Tweedy, 11/14/60)

There is no other evidence that the CIA actually learned in advance of Lumumba's plan to depart for Stanleyville. In fact, a cable from Leopoldville on the day after Lumumba's escape evidenced the Station's complete ignorance about the circumstances of Lumumba's departure. (CIA Cable, Leopoldville to Director, 11/28/60) However, the same cable raises a question concerning whether the CIA was involved in Lumumba's subsequent capture en route by Congolese troops:

[STATION] WORKING WITH [CONGOLESE GOVERNMENT] TO GET ROADS BLOCKED AND TROOPS ALERTED [BLOCK] POSSIBLE ESCAPE ROUTE. (CIA Cable, 11/28/60)

Station Officer Hedgman testified that he was "quite certain that there was no Agency involvement in any way" in Lumumba's depar-

ture from U.N. custody and that he had no advance knowledge of Lumumba's plan. He stated that he consulted with Congolese officers about the possible routes Lumumba might take to Stanleyville, but he was "not a major assistance" in tracking down Lumumba prior to his capture. (Hedgman, 8/21/75, pp. 63-65)

Mulroney, who had planned to draw Lumumba out of U.N. custody and turn him over to Congolese authorities, testified that Lumumba escaped by his own devices and was not tricked by the CIA. (Mulroney, 9/11/75, p. 22)

(b) *Lumumba's Death*

The contemporaneous cable traffic shows that the CIA was kept informed of Lumumba's condition and movements in January of 1961 by the Congolese and that the CIA continued to consider Lumumba a serious political threat. Despite the fact that the Station Officer knew of a plan to deliver Lumumba into the hands of his enemies at a time when the CIA was convinced that "drastic steps" were necessary to prevent Lumumba's return to power, there is no evidence of CIA involvement in this plan or in bringing about the death of Lumumba in Katanga.

There is no doubt that the CIA and the Congolese government shared a concern in January 1961 that Lumumba might return to power, particularly since the Congolese army and police were threatening to mutiny if they were not given substantial pay raises. Station Officer Hedgman reported that a mutiny "almost certainly would * * * bring about [Lumumba] return power" and said he had advised the Congolese government of his opinion that the army garrison at Leopoldville

WILL MUTINY WITHIN TWO OR THREE DAYS UNLESS DRASTIC ACTION TAKEN SATISFY COMPLAINTS. (CIA Cable, Leopoldville to Director, 1/12/61)

Hedgman urged Headquarters to consider an immediate reaction to the crisis. (CIA Cable, 1/12/61) This cable, which was sent through the ordinary channel, made no reference, even indirectly, to assassination, and instead recommended a different course of action.

The next day, Hedgman cabled Headquarters:

STATION AND EMBASSY BELIEVE PRESENT GOVERNMENT MAY FALL WITHIN FEW DAYS. RESULT WOULD ALMOST CERTAINLY BE CHAOS AND RETURN [LUMUMBA] TO POWER. (CIA Cable, Leopoldville to Director, 1/13/61)

Hedgman advised that reopening the Congolese Parliament under United Nations supervision was unacceptable because:

THE COMBINATION OF [LUMUMBA'S] POWERS AS DEMAGOGUE, HIS ABLE USE OF GOON SQUADS AND PROPAGANDA AND SPIRIT OF DEFEAT WITHIN [GOVERNMENT] COALITION WHICH WOULD INCREASE RAPIDLY UNDER SUCH CONDITIONS WOULD ALMOST CERTAINLY INSURE [LUMUMBA] VICTORY IN PARLIAMENT. * * * REFUSAL TAKE DRASTIC STEPS AT THIS TIME WILL LEAD TO DEFEAT OF [UNITED STATES] POLICY IN CONGO. (CIA Cable, Leopoldville to Director, 1/13/61)

On January 14, Hedgman was advised by a Congolese government leader that Lumumba was to be transferred from the Thysville military camp, where he had been held since shortly after Mobutu's troops captured him, to a prison in Bakwanga, the capital of another Congolese province reported to be the "home territory of * * * Lumumba's

sworn enemy." (CIA Cable, Leopoldville to Director, 1/17/61; CIA Information Report, 1/17/61)

On January 17, authorities in Leopoldville placed Lumumba and two of his leading supporters, Maurice Mpolo and Joseph Okito, aboard an airplane bound for Bakwanga. Apparently the aircraft was redirected in midflight to Elisabethville in Katanga Province "when it was learned that United Nations troops were at Bakwanga airport." On February 13, the government of Katanga reported that Lumumba and his two companions escaped the previous day and died at the hands of hostile villagers. (U.N. Report, 11/12/61, pp. 98-100, 109)

The United Nations Commission on Investigation was "not convinced by the version of the facts given by the provincial government of Katanga." The Commission concluded instead, that Lumumba was killed on January 17, almost immediately after his arrival in Katanga, probably with the knowledge of the central government and at the behest of the Katanga authorities. (U.N. Report, 11/11/61, pp. 100, 117) :

The Commission wishes to put on record its view that President Kasavubu and his aides, on the one hand, and the provincial government of Katanga headed by Mr. Tshombe on the other, should not escape responsibility for the death of Mr. Lumumba, Mr. Okito, and Mr. Mpolo. For Mr. Kasavubu and his aides had handed over Mr. Lumumba and his colleagues to the Katanga authorities knowing full well, in doing so, that they were throwing them into the hands of their bitterest political enemies. The government of the province of Katanga in turn not only failed to safeguard the lives of the three prisoners but also had, by its action, contributed, directly or indirectly, to the murder of the prisoners. (U.N. Report, 11/11/61, p. 118)

Cables from the Station Officer demonstrated no CIA involvement in the plan, to transport Lumumba to Bakwanga. But the Station Officer clearly had prior knowledge of the plan to transfer Lumumba to a state where it was probable that he would be killed. Other supporters of Lumumba who had been sent to Bakwanga earlier by Leopoldville authorities

Were killed there in horrible circumstances, and the place was known as the 'slaughterhouse.' It was therefore improbable that Mr. Lumumba and his companions would have met a different fate at Bakwanga if they had been taken there. (U.N. Report, 11/11/61, p. 109)

After learning that Lumumba was to be flown to Bakwanga, the Station Officer cabled:

IT NOW MORE IMPORTANT THAN EVER SUPPORT THOSE SINGLE ELEMENTS WHICH CAN STRENGTHEN FABRIC OVERALL * * * OPPOSITION [LUMUMBA]. WISH ASSURE HQS WE TRYING SHORE UP * * * DEFENSES ONLY IN TERMS OUR OWN OBJECTIVES DENY CONGO GOVT CONTROL [LUMUMBA]. (CIA Cable, Leopoldville to Director, 1/16/61)

Despite his perception of an urgent need to prevent Lumumba's return to power at this time, the Station Officer testified that the CIA was not involved in bringing about Lumumba's death in Katanga and that he did not have any first-hand knowledge of the circumstances of Lumumba's death. (Hedgman, 8/25/75, pp. 31, 33)¹

¹ Hedgman also testified that he had no discussions with the Congolese central government, after Lumumba was in its custody, about executing Lumumba or sending him to Katanga. Hedgman said:

To the best of my knowledge, neither the Station nor the Embassy had any input in the decision to send him to Katanga * * * I think there was a general assumption, once we learned he had been sent to Katanga, that his goose was cooked, because Tshombe hated him and looked on him as a danger and rival. (Hedgman, 8/21/75, p. 78)

In late November, Hedgman attended a meeting of CIA officers from African Stations with Bissell and Tweedy. Hedgman testified that he briefed Bissell and Tweedy on developments in the Congo, including Lumumba's flight from Leopoldville, but he could not recall any discussion at the meeting of the possibility of assassinating Lumumba. (Hedgman, 8/21/75, pp. 66, 68)

Two days after Lumumba was flown to Katanga, the CIA Base Chief in Elisabethville sent an unusual message to headquarters:

THANKS FOR PATRICE. IF WE HAD KNOWN HE WAS COMING WE WOULD HAVE BAKED A SNAKE.

The cable also reported that the Base's sources had provided "no advance word whatsoever" of Lumumba's flight to Katanga and that the Congolese central government "does not plan to liquidate Lumumba." (CIA Cable, Elisabethville to Director, 1/19/61)

This cable indicates that the CIA did not have knowledge of the central government's decision to transfer Lumumba from Thysville military camp to a place where he would be in the hands of his avowed enemies. This cable indicates that the CIA was not kept informed of Lumumba's treatment after he arrived in Katanga because, according to the report of the United Nations Commission, Lumumba had already been killed when the cable was sent.¹

On February 10, several weeks after Lumumba died, but before his death was announced by the Katanga government, the Elisabethville Base cabled Headquarters that "Lumumba fate is best kept secret in Katanga." (CIA Cable, Elisabethville to Director, 2/10/61) The cable gave different versions from several sources about Lumumba's death. Hedgman testified that the cable conformed to his recollection that the CIA "did not have any hard information" as of that date about Lumumba's fate after arrival in Katanga. (Hedgman, 8/25/75, p. 34)

Hedgman acknowledged that the CIA was in close contact with some Congolese officials who "quite clearly knew" that Lumumba was to be shipped to Katanga "because they were involved." But Hedgman said that these Congolese contacts "were not acting under CIA instructions if and when they did this." (Hedgman, 8/21/75, p. 35)

Tweedy and Mulronev agreed with Hedgman's account that the CIA was not involved in the events that led to Lumumba's death.²

7. THE QUESTION OF THE LEVEL AT WHICH THE ASSASSINATION PLOT WAS AUTHORIZED

Summary

The chain of events revealed by the documents and testimony is strong enough to permit a reasonable inference that the plot to assassinate Lumumba was authorized by President Eisenhower. Neverthe-

¹ Hedgman testified that neither he nor the Elisabethville Base knew of a Congolese plan to send Lumumba to Katanga. (Hedgman, 8/25/75, pp. 25-26)

² When asked if there was any CIA involvement, Tweedy replied that there was "none whatsoever." Tweedy stated that "the fate of Lumumba in the end was purely an African event." (Tweedy, 9/9/75, p. 53) Mulronev testified "CIA had absolutely no connection, to my certain knowledge, with the death of Patrice Lumumba." (Mulronev, 6/9/75, p. 20)

During his tenure as DCI, several years after Lumumba's death, Richard Helms was told by CIA investigators that "it was clear that the Agency had not murdered Lumumba," and that "the Agency had no involvement" in the events that led to Lumumba's death. (Helms, 9/16/75, p. 26)

less, there is enough countervailing testimony by Eisenhower Administration officials and enough ambiguity and lack of clarity in the records of high-level policy meetings to preclude the Committee from making a finding that the President intended an assassination effort against Lumumba.

It is clear that the Director of Central Intelligence, Allen Dulles, authorized an assassination plot. There is, however, no evidence of United States involvement in bringing about the death of Lumumba at the hands of Congolese authorities in Katanga.

Strong expressions of hostility toward Lumumba from the President and his national security assistant, followed immediately by CIA steps in furtherance of an assassination operation against Lumumba, are part of a sequence of events that, at the least, make it appear that Dulles believed assassination was a permissible means of complying with pressure from the President to remove Lumumba from the political scene.

The chain of significant events in the Lumumba case begins with the testimony that President Eisenhower made a statement at a meeting of the National Security Council in the summer or early fall of 1960 that came across to one staff member in attendance as an order for the assassination of Patrice Lumumba. The next link is a memorandum of the Special Group meeting of August 25, 1960, which indicated that when the President's "extremely strong feelings on the necessity for very straightforward action" were conveyed, the Special Group

*** agreed that planning for the Congo would not necessarily rule out "consideration" of any particular kind of activity which might contribute to getting rid of Lumumba. (Special Group Minutes, 8/25/60)

The following day, CIA Director Allen Dulles, who had attended the Special Group meeting, personally cabled to the Station Officer in Leopoldville that Lumumba's

REMOVAL MUST BE AN URGENT AND PRIME OBJECTIVE * * * A HIGH PRIORITY OF OUR COVERT ACTION. YOU CAN ACT ON YOUR OWN AUTHORITY WHERE TIME DOES NOT PERMIT REFERRAL HERE. (CIA Cable, Dulles to Station Officer, 8/26/60)

Although the Dulles cable does not explicitly mention assassination, Richard Bissell—the CIA official under whose aegis the assassination effort against Lumumba took place—testified that, in his opinion, this cable was a direct outgrowth of the Special Group meeting and signaled to him that the President had authorized assassination as one means of effecting Lumumba's "removal." (Bissell, 9/10/75, pp. 33-34., 61-62; see Section 7(c), *infra*) Bronson Tweedy, who had direct operational responsibility at Headquarters for activities against Lumumba, testified that the Dulles cable confirmed the policy that no measure, including assassination, was to be overlooked in the attempt to remove Lumumba from a position of influence. (Tweedy, 10/9/75, pp. 4-5)

On September 19, 1960, Bissell and Tweedy cabled Station Officer Hedgman to expect a messenger from CIA Headquarters. Two days later, in the presence of the President at a meeting of the National Security Council, Allen Dulles stated that Lumumba "would remain

a grave danger as long as he was not yet disposed of." (Memorandum, 460th NSC Meeting, 9/21/60) Five days after this meeting, CIA scientist, Joseph Scheider, arrived in Leopoldville and provided the Station Officer with toxic biological substances, instructed him to assassinate Lumumba, and informed him that the President had authorized this operation.

Two mitigating factors weaken this chain just enough so that it will not support an absolute finding of Presidential authorization for the assassination effort against Lumumba.

First, the two officials of the Eisenhower Administration responsible to the President for national security affairs and present at the NSC meetings in question testified that they knew of no Presidential approval for, or knowledge of, an assassination operation.

Second, the minutes of discussions at meetings of the National Security Council and its Special Group do not record an explicit Presidential order for the assassination of Lumumba. The Secretary of the Special Group maintained that his memoranda reflected the actual language used at the meetings without omission or euphemism for extremely sensitive statements. (Parrott, 7/10/75, p. 19) All other NSC staff executives stated however, that there was a strong possibility that a statement as sensitive as an assassination order would have been omitted from the record or handled by means of euphemism. Several high Government officials involved in policymaking and planning for covert operations testified that the language in these minutes clearly indicated that assassination was contemplated at the NSC as one means of eliminating Lumumba as a political threat; other officials testified to the contrary.

(a) *High-Level Meetings at which "Getting Rid of Lumumba" Was Discussed*

(i) Dillon's Testimony About Pentagon Meeting: Summer 1960

In late July 1960, Patrice Lumumba visited the United States and met with Secretary of State Christian Herter and Undersecretary of State C. Douglas Dillon. While Lumumba was in Washington, D.C., Secretary Herter pledged aid to the newly formed Government of the Republic of the Congo.

According to Dillon, Lumumba impressed American officials as an irrational, almost "psychotic" personality:

When he was in the State Department meeting, either with me or with the Secretary in my presence * * * he would never look you in the eye. He looked up at the sky. And a tremendous flow of words came out. He spoke in French, and he spoke it very fluently. And his words didn't ever have any relation to the particular things that we wanted to discuss * * *. You had a feeling that he was a person that was gripped by this fervor that I can only characterize as messianic * * *. [H]e was just not a rational being. (Dillon, 9/2/75, p. 24)

Dillon said that the willingness of the United States government to work with Lumumba vanished after these meetings:

[T]he impression that was left was * * * very bad, that this was an individual whom it was impossible to deal with. And the feelings of the Government as a result of this sharpened very considerably at that time * * *. We [had] hoped to see him and see what we could do to come to a better understanding with him. (Dillon, 9/2/75, pp. 23-24)

Dillon testified that shortly after Lumumba's visit in late July or August, he was present at a meeting at the Pentagon attended by

representatives of the State Department, Defense Department, Joint Chiefs of Staff and the CIA. (Dillon, 9/2/75, pp. 17-20, 25-26)¹ According to Dillon, "a question regarding the possibility of an assassination attempt against Lumumba was briefly raised. Dillon did not recall anything about the language used in raising the question. Dillon assumed that when the subject of Lumumba's assassination was raised, "it was turned off by the CIA" because "the CIA people, whoever they were, were negative to any such action." This opposition "wasn't moral," according to Dillon, but rather an objection on the grounds that it was "not a possible thing." Dillon said the CIA reaction "might have been" made out of the feeling that the group was too large for such a sensitive discussion. (Dillon, 9/2/75, pp. 15-17, 25, 30, 60)

Dillon did not remember who lodged the negative reaction to the assassination question although he thought it "would have to have been either Allen Dulles, or possibly [General] Cabell * * * most likely Cabell."² (Dillon, 9/2/75, pp. 22, 25) Dillon thought it was "very likely" that Richard Bissell attended the meeting. (Dillon, 9/2/75, p. 21)

Dillon stated that this discussion could not have served as authorization for an actual assassination effort against Lumumba, but he believed that the CIA:

Could have decided they wanted to develop the capability * * * just by knowing the concern that everyone had about Lumumba. * * * They wouldn't have had to tell anyone about that. That is just developing their own internal capability, and then they would have to come and get permission. (Dillon, 9/2/75, pp. 30, 31)

Dillon testified that he had never heard any mention of the plot to poison Lumumba nor, even a hint that the CIA asked permission to mount such an operation. (Dillon, 9/2/75, p. 50) But after he was informed of the poison plot, Dillon made the following comment about the Pentagon meeting:

I think it is * * * likely that it might have been the beginning of this whole idea on the CIA's part that they should develop such a capacity. And maybe they didn't have it then and went to work to develop it beginning in August. (Dillon, 9/2/75, p. 61)

Dillon said that it was unlikely that formal notes were taken at the meeting or preserved because it was a small "ad hoc" group rather than an official body. Such interdepartmental meetings were "not unusual," according to Dillon. (Dillon, 9/2/75, p. 18)

The only officials Dillon named as probable participants other than the CIA representatives were Deputy Secretary of Defense James Douglas and Assistant Secretary of Defense John N. Irwin II. (Dillon, 9/2/75, pp. 19, 21) Douglas stated that it was possible that he attended such a meeting at the Pentagon, but he did not recall it. Nor did he recall the question of Lumumba's assassination ever being raised in his presence. (Douglas affidavit, 9/5/75) Irwin stated that it was

¹ Dillon was unable to recall the precise date of this meeting. (Dillon, 9/2/75, pp. 25-26)

² General Cabell was Allen Dulles' Deputy DCI at this time.

“likely” that he attended the meeting to which Dillon referred, but he did not remember whether he was present “at any meeting at the Pentagon where the question of assassinating Patrice Lumumba was raised.” (Irwin affidavit, 9/22/75, p. 3)

(ii) Robert Johnson’s Testimony That He Understood the President to Order Lumumba’s Assassination at an NSC Meeting

Robert H. Johnson, a member of the National Security Council staff from 1951 to January 1962, offered what he termed a “clue” to the extent of Presidential involvement in the decision to assassinate Lumumba. (Johnson, 6/18/75, pp. 4-5)¹ Johnson recounted the following occurrence at an NSC meeting, in the summer of 1960, which began with a briefing on world developments by the DCI :

At some time during that discussion, President Eisenhower said something—I can no longer remember his words—that came across to me as an order for the assassination of Lumumba who was then at the center of political conflict and controversy in the Congo. There was no discussion; the meeting simply moved on. I remember my sense of that moment quite clearly because the President’s statement came as a great shock to me. I cannot, however, reconstruct the moment more specifically.

Although I was convinced at the time—and remained convinced when I thought about it later—that the President’s statement was intended as an order for the assassination of Lumumba, I must confess that in thinking about the incident more recently I have had some doubts. As is well known, it was quite uncharacteristic of President Eisenhower to make or announce policy decisions in NSC meetings. Certainly, it was strange if he departed from that normal pattern on a subject so sensitive as this. Moreover, it was not long after this, I believe, that Lumumba was dismissed as premier by Kasavubu in an action that was a quasi-coup. I have come to wonder whether what I really heard was only an order for some such political action. All I can tell you with any certainty at the present moment is my sense of that moment in the Cabinet Room of the White House. (Johnson, 6/18/75, pp. 6-7)

Johnson “presumed” that the President made his statement while “looking toward the Director of Central Intelligence.” (Johnson, 6/18/75, p. 11) He was unable to recall with any greater specificity the words used by the President. (Johnson, 9/13/75, p. 10) Johnson was asked :

Q: * * * Would it be fair to say that although you allow for the possibility that a coup or some more general political action was being discussed, it is your clear impression that you had heard an order for the assassination of Lumumba?

JOHNSON : It was my clear impression at the time.

Q: And it remains your impression now?

¹ Robert Johnson introduced his testimony before the Committee with the following statement :

“* * * I would like to preface my remarks by pointing out that my decision to offer testimony to this committee has involved for me a profound personal, moral dilemma. In my role as a member of the NSC Staff for ten and one-half years, I was privy to a great deal of information that involved relationships of confidentiality with high officials of the United States government. I have always taken very seriously the responsibilities implied in such relationships.

“These responsibilities extend, in my view, far beyond questions of security classification or other legal or foreign policy concerns. They relate to the very basis of human society and government—to the relationships of trust without which no free society can long survive and no government can operate.

“I have been forced by recent developments, however to weigh against these considerable responsibilities, my broader responsibilities as a citizen on an issue that involves major questions of public morality, as well as questions of sound policy. Having done so, I have concluded, not without a great deal of reluctance, to come to your committee with information bearing upon your inquiry into government decisions relating to the assassination of foreign leaders.” (Johnson, 6/18/75, pp. 4-5)

After his tenure on the staff of the National Security Council, Robert Johnson served from 1962 to 1967 on the Policy Planning Council at the Department of State.

JOHNSON: It remains my impression now. I have reflected on this other kind of possibility; but that is the sense * * * that persists. (Johnson, 9/13/75, pp. 24-25)¹

Johnson stated that the incident provoked a strong reaction from him:

I was surprised * * * that I would ever hear a President say anything like this in my presence or the presence of a group of people. I was startled. (Johnson, 6/18/75, p. 13)

A succinct summary of Johnson's testimony was elicited by Senator Mathias in the following exchange:

Senator MATHIAS: * * * What comes across is that you do have a memory, if not of exact words, but of your own reaction really to a Presidential order which you considered to be an order for an assassination.

JOHNSON: That is correct.

Senator MATHIAS: And that although precise words have escaped you in the passage of fifteen years, that sense of shock remains?

JOHNSON: Right. Yes, sir. (Johnson, 6/18/75, p. 8)

After the meeting, Johnson, who was responsible for writing the memorandum of the discussion, consulted with a senior official on the NSC staff to determine how to handle the President's statement in the memorandum and in the debriefing of the NSC Planning Board that followed each meeting:

I suspect—but no longer have an exact recollection—that I omitted it from the debriefing. I also do not recall how I handled the subject in the memo of the meeting, though I suspect that some kind of reference to the President's statement was made. (Johnson, 6/18/75, p. 7)

In his second appearance before the Committee, Johnson stated that it was "quite likely that it [the President's statement] was handled through some kind of euphemism or may have been omitted altogether." (Johnson, 9/13/75, p. 21)²

¹ Johnson further explained that his allowance for the possibility that he had heard an order for a coup did not disturb his recollection of hearing an assassination order:

"It was a retrospective reflection on what I had heard, and since this coup did occur, it occurred to me that it was possible that that is what I heard, but that would not change my sense of the moment when I heard the President speak, which I felt then, and I continue to feel, was a statement designed to direct the disposal, assassination, of Lumumba." (Johnson, 9/13/75, p. 12)

² In 1960, Johnson was Director of the Planning Board Secretariat—third in command on the NSC staff. He attended NSC meetings to take notes on the discussions whenever one of the two senior NSC officials was absent.

Johnson testified that the person with whom he consulted about the manner of recording the President's statement in the minutes was one of the two top NSC staff officials at that time: NCS Executive Secretary James Lay or Deputy Executive Secretary Marion Boggs. (Johnson, 9/13/75, pp. 12-13) Johnson could not recall which of the two officials he had consulted, but he "inferred" that it must have been the "top career NSC staff person present" at the meeting where he heard the President's statement. (Johnson, 9/13/75, p. 12) At both of the NSC meetings where the President and Johnson were present for a discussion of Lumumba—August 18 and September 7—James Lay was absent and Marion Boggs served as Acting Executive Secretary.

Marion Boggs's statement about his method of handling the situation described by Johnson is in accord with Johnson's testimony.

"I have no independent recollection of being consulted by Mr. Johnson about how to handle in the memorandum of discussion any sensitive statement regarding Lumumba. I am not saying I was not consulted; merely that I do not remember such an incident. If I had been consulted, I would almost certainly have directed Mr. Johnson to omit the matter from the memorandum of discussion." (Boggs affidavit, 10/10/75, p. 2)

James Lay, who attended other NSC meetings where Lumumba was discussed (e.g., September 21, 1960), also confirmed the fact that NSC minutes would not be likely to record a statement as sensitive as a Presidential order for an assassination, if such an order were given:

"If extremely sensitive matters were discussed at an NSC meeting, it was sometimes the practice that the official NSC minutes would record only the general subject discussed without identifying the specially sensitive subject of the discussion. In highly sensitive cases, no reference to the subject would be made in the NSC minutes." (Lay affidavit, 9/8/75, p. 2)

As Johnson stated, his testimony standing alone is "a clue, rather than precise evidence of Presidential involvement in decision making with respect to assassinations." (Johnson, 6/18/75, p. 5) To determine the significance of this "clue," it must be placed in the context of the records of the NSC meetings attended by Johnson, testimony about those meetings, and the series of events that preceded the dispatch of poisons to the Congo for Lumumba's assassination.

In the summer of 1960, Robert Johnson attended four NSC meetings at which developments in the Congo were discussed. The President was not in attendance on two of those occasions—July 15 and July 21. (NSC Minutes, 7/15/60; NSC Minutes, 7/21/60) The attitude toward Lumumba at these first two meetings was vehement:

Mr. Dulles said that in Lumumba we were faced with a person who was a Castro or worse * * * Mr. Dulles went on to describe Mr. Lumumba's background which he described as "harrowing" * * * It is safe to go on the assumption that Lumumba has been bought by the Communists; this also, however, fits with his own orientation. (NSC Minutes, 7/21/60)

The President presided over the other two NSC meetings—on August 18 and September 7. After looking at the records of those meetings, Johnson was unable to determine with certainty at which meeting he heard the President's statement.¹ (Johnson, 9/13/75, p. 16)

The chronology of meetings, cables, and events in the Congo during this period makes it most likely that Johnson's testimony refers to the NSC meeting of August 18, 1960.

The meeting of August 18 took place at the beginning of the series of events that preceded the dispatch of Scheider to Leopoldville with poisons for assassinating Lumumba.² The September 7 meeting took place in the midst of these events.

The NSC meeting of August 18, 1960 was held three weeks before Lumumba's dismissal by Kasavubu, which Johnson remembers as taking place "not long after" he heard the President's statement. The only other meeting at which Johnson could have heard the statement by the President was held two days after this event, on September 7.³

Robert Johnson's memorandum of the meeting of August 18, 1960 indicates that Acting Secretary of State C. Douglas Dillon⁴ intro-

¹ Johnson testified without benefit of review of the complete Memorandum of Discussion of the meeting of September 7 because the Committee had not received it at that point. Instead, he reviewed the Record of Action which summarized the decisions made at that meeting. As discussed at Section 7(a)(iv), *infra*, when the complete minutes of the meetings of August 18 and September 7 are compared, it is clear that the subject of Lumumba's role in the Congo received far more attention at the meeting of August 18.

² Each of the major events in this series is discussed in detail in other sections of the report and summarized at the beginning of section 7, *supra*.

³ See Section 7(a)(iv), *infra*, for an analysis of the substance of the NSC discussion on September 7, 1960.

⁴ In 1960, Dillon served as Undersecretary of State, the "number two position in the State Department." The title was subsequently changed to Deputy Secretary of State. In this post, Dillon frequently served as Acting Secretary of State and either attended or was kept informed about NSC and Special Group meetings. Dillon later served as Secretary of the Treasury under President Kennedy. (Dillon, 9/2/75, pp. 2-4)

duced the discussion of United States policy toward the Congo. In the course of his remarks, Dillon maintained that the presence of United Nations troops in the Congo was necessary to prevent Soviet intervention at Lumumba's request:

If * * * Lumumba carried out his threat to force the U.N. out, he might then offer to accept help from anyone. * * * The elimination of the U.N. would be a disaster which, Secretary Dillon stated, we should do everything we could to prevent. If the U.N. were forced out, we might be faced by a situation where the Soviets intervened by invitation of the Congo.

* * * Secretary Dillon said that he [Lumumba] was working to serve the purposes of the Soviets and Mr. Dulles pointed out that Lumumba was in Soviet pay. (NSC Minutes, 8/18/60)

Dillon's remarks prompted the only statements about Lumumba attributed to the President in the Memorandum of the August 18 meeting:

The President said that the possibility that the U.N. would be forced out was simply inconceivable. We should keep the U.N. in the Congo even if we had to ask for European troops to do it. We should do so even if such action was used by the Soviets as the basis for starting a fight. Mr. Dillon indicated that this was State's feeling but that the Secretary General and Mr. Lodge doubted whether, if the Congo put up really determined opposition to the U.N., the U.N. could stay in. In response, the President stated that Mr. Lodge was wrong to this extent—we were talking of one man forcing us out of the Congo; of Lumumba supported by the Soviets. There was no indication, the President stated, that the Congolese did not want U.N. support and the maintenance of order. Secretary Dillon reiterated that this was State's feeling about the matter. The situation that would be created by a U.N. withdrawal was altogether too ghastly to contemplate. (NSC Minutes, 8/18/60)

As reported, this statement clearly does not contain an order for the assassination of Lumumba. But the statement does indicate extreme Presidential concern focused on Lumumba: the President was so disturbed by the situation in the Congo that he was willing to risk a fight with the Soviet Union and he felt that Lumumba was the "one man" who was responsible for this situation, a man who did not represent the sentiment of the Congolese people in the President's estimation.

After reviewing NSC documents and being informed of Robert Johnson's testimony, Douglas Dillon stated his "opinion that it is most likely that the NSC meeting of August 18, 1960 is the meeting referred to by Mr. Johnson." (Dillon affidavit, 9/15/75, p. 2) However, Dillon testified that he did not "remember such a thing" as a "clearcut order" from the President for the assassination of Lumumba. (Dillon, 9/2/75, pp. 32-33) Dillon explained how he thought the President may have expressed himself about Lumumba:

DILLON: It could have been in view of this feeling of everybody that Lumumba was [a] very difficult if not impossible person to deal with, and was dangerous to the peace and safety of the world, that the President expressed himself, we will have to do whatever is necessary to get rid of him. I don't know that I would have taken that as a clearcut order as Mr. Johnson apparently did. And I think perhaps others present may have interpreted it other ways. (Dillon, 9/2/75, pp. 32-33)

Q: Did you ever hear the President make such a remark about Lumumba, let's get rid of him, or let's take action right away on this?

DILLON: I don't remember that. But certainly this was the general feeling of Government at that time, and it wouldn't have been if the President hadn't agreed with it. (Dillon, 9/2/75, p. 33)

Dillon said that he would have thought that such a statement "was not a direct order to have an assassination." But he testified that it was "perfectly possible" that Allen Dulles would have translated such strong Presidential language about "getting rid of" Lumumba into authorization for an assassination effort. (Dillon, 9/2/75, pp. 33, 34-35):

I think that Allen Dulles would have been quite responsive to what he considered implicit authorization, because he felt very strongly that we should not involve the President directly in things of this nature. And he was perfectly willing to take the responsibility personally that maybe some of his successors wouldn't have been. And so I think that this is a perfectly plausible thing, knowing Allen Dulles. (Dillon, 9/2/75, p. 34)

According to President Eisenhower's national security advisor, Gordon Gray, Dulles would have placed the CIA in a questionable position if he mounted an assassination operation on the basis of such "implicit authorization." Gray testified that the CIA would have been acting beyond its authority if it undertook an assassination operation without a specific order to do so. (Gray, 9/9/75, p. 18)

Marion Boggs, who attended the meeting of August 18, as Acting Executive Secretary of the NSC, stated after reviewing the Memorandum of Discussion at that Meeting:

I recall the discussion at that meeting, but have no independent recollection of any statements or discussion not summarized in the memorandum. Specifically, I have no recollection of any statement, order or reference by the President (or anyone else present at the meeting) which could be interpreted as favoring action by the United States to bring about the assassination of Lumumba.¹ (Boggs affidavit, 10/10/75, pp. 1-2)

There are at least four possible explanations of the failure of NSC records to reveal whether the President ordered the assassination of Lumumba at one of the meetings where Robert Johnson was present.

First, an assassination order could have been issued but omitted from the records. Johnson testified that it was "very likely" that the Presidential statement he heard would have been handled by means of a euphemistic reference or by complete omission "rather than given as [a] * * * direct quotation" in the Memorandum of Discussion. (Johnson, 9/13/75, p. 14) NSC staff executives Marion Boggs and James Lay substantiated Johnson's testimony about the manner of handling such a statement in the records.

Second, as illustrated by Douglas Dillon's testimony, the President could have made a general statement about "getting rid of" Lumumba with the intent to convey to Allen Dulles implicit authorization for an assassination effort.

Third, despite general discussions about removing Lumumba, the President may not have intended to order the assassination of Lumumba even though Allen Dulles may have thought it had been authorized. The three White House staff members responsible to the President for national security affairs testified that there was no such order.²

¹ Boggs added:

"Based on my whole experience with the NSC, I would have considered it highly unusual if a matter of this nature had been referred to in a Council meeting where a number of persons with no 'need to know' were present." (Boggs affidavit, 10/10/75, p. 2.)

² See Section 7 (b), *infra*, for a general treatment of the testimony of Gray, Goodpaster, and Eisenhower.

Fourth, whatever language he used, the President may have intended to authorize "contingency planning" for an assassination effort against Lumumba, while reserving decision on whether to authorize an actual assassination attempt. This interpretation can be supported by a strict construction of the decision of the Special Group on August 25, in response to the "strong feelings" of the President, not to rule out "'consideration' of any particular kind of activity which might contribute to getting rid of Lumumba" and by the testimony of Bronson Tweedy that the assassination operation was limited to "exploratory activity."¹

(iii) Special Group Agrees to Consider Anything That Might Get Rid of Lumumba : August 25, 1960

On August 25, 1960, five men² attended a meeting of the Special Group, the subcommittee of the National Security Council responsible for planning covert operations. Thomas Parrott, a CIA officer who served as Secretary to the Group, began the meeting by outlining the CIA operations that had been undertaken in "mounting an anti-Lumumba campaign in the Congo." (Special Group Minutes, 8/25/60) This campaign involved covert operations through certain labor groups and "the planned attempt * * * to arrange a vote of no confidence in Lumumba" in the Congolese Senate. (Special Group Minutes, 8/25/60) The outline of this campaign evoked the following dialogue:

The Group agreed that the action contemplated is very much in order. Mr. Gray commented, however, that his associates had expressed extremely strong feelings on the necessity for very straightforward action in this situation, and he wondered whether the plans as outlined were sufficient to accomplish this. Mr. Dulles replied that he had taken the comments referred to seriously and had every intention of proceeding as vigorously as the situation permits or requires, but added that he must necessarily put himself in a position of interpreting instructions of this kind within the bounds of necessity and capability. It was finally agreed that planning for the Congo would not necessarily rule out "consideration" of any particular kind of activity which might contribute to getting rid of Lumumba. (Special Group Minutes, 8/25/60, p. 1)

Both Gordon Gray and Thomas Parrott testified that the reference to Gray's "associates" was a euphemism for President Eisenhower which was employed to preserve "plausible deniability" by the President of discussion of covert operations memorialized in Special Group Minutes. (Gray, 7/9/75, p. 27; Parrott, 7/10/75, pp. 8-9)

The four living participants at the meeting have all stated that they do not recall any discussion of or planning for the assassination of Lumumba. Gray said that he did not consider the President's desire for "very straightforward action" to include "any thought in his mind of assassination." Parrott testified to the same effect, maintaining that he would have recorded a discussion of assassination in explicit terms in the Special Group Minutes if such a discussion had taken place. (Gray, 7/9/75, pp. 27, 32; Parrott, 7/10/75, pp. 25-26; Merchant

¹ This interpretation of the Special Group minutes must be posed against the testimony of other witnesses who construed the minutes as authorizing action, as well as planning an assassination operation. (Special Group Minutes, 8/25/60, p. 1; see Section 7(a) (H) *infra*) See Section 4(h) (ii), *supra*, for a detailed discussion of Tweedy's testimony.

² The four standing members of the Special Group were in attendance: Allen Dulles, Director of Central Intelligence; Gordon Gray, Special Assistant to the President for National Security Affairs; Livingston Merchant, Undersecretary of State for Political Affairs; and John N. Irwin II, Assistant Secretary of Defense. Also in attendance was Thomas A. Parrott, Secretary to the Special Group.

affidavit, 9/8/75, p. 1; Irwin affidavit, 9/22/75, pp. 1-2) John N. Irwin II acknowledged, however, that while he did not have "any direct recollection of the substance of that meeting," the reference in the minutes to the planning for "getting rid of Lumumba" was "broad enough to cover a discussion of assassination." (Irwin affidavit, 9/22/75, p. 2)

Irwin's interpretation was shared by Douglas Dillon and Richard Bissell who were not participants at this Special Group meeting but were involved in the planning and policymaking for covert operations in the Congo during this period.

As a participant in NSC meetings of this period, Dillon said that he would read the Special Group minutes of August 25 to indicate that assassination was within the bounds of the kind of activity that might be used to "get rid of" Lumumba. Dillon noted that the reference in the minutes to Dulles' statement that he "had taken the comments referred to seriously" probably pointed to the President's statement at the NSC meeting on August 18. (Dillon, 9/2/75, pp. 39-42) When asked whether the CIA would have the authority to mount an assassination effort against Lumumba on the basis of the discussion at the Special Group, Dillon said:

They would certainly have the authority to plan. It is a close question whether this would be enough to actually go ahead with it. But certainly the way this thing worked, as far as I know, they didn't do anything just on their own. I think they would have checked back at least with the senior people in the State Department or the Defense Department. (Dillon, 9/2/75, p. 43)

Dillon said that if the CIA checked with the State Department, it might have done so in a way that would not appear on any record. (Dillon, 9/2/75, p. 43) Dillon added that "to protect the President as the public representative of the U.S. from any bad publicity in connection with this," Allen Dulles "wouldn't return to the President" to seek further approval if an assassination operation were mounted. (Dillon, 9/2/75, pp. 42-43)

Bissell stated that in his opinion the language of the August 25 Special Group Minutes indicated that the assassination of Lumumba was part of a general NSC strategy and was within the CIA's mandate for removing Lumumba from the political scene. (Bissell, 9/10/75, pp. 29, 32) He added:

The Agency had put a top priority, probably, on a range of different methods of getting rid of Lumumba in the sense of either destroying him physically, incapacitating him, or eliminating his political influence. (Bissell, 9/10/75, p. 29)

Bissell pointed to the Special Group Minutes of August 25 as a "prime example" of the circumlocutious manner in which a topic like assassination would be discussed by high government officials:

BISSELL: When you use the language that no particular means were ruled out, that is obviously what it meant, and it meant that to everybody in the room. * * * Meant that if it had to be assassination, that that was a permissible means.

You don't use language of that kind except to mean in effect, the Director is being told, get rid of the guy, and if you have to use extreme means up to and including assassination, go ahead. (Bissell, 9/10/75, pp. 32-33)

Bissell added that this message was, "in effect," being given to Dulles by the President through his representative, Gordon Gray. (Bissell, 9/10/75, p. 33)

(iv) Dulles Reminded by Gray of "Top-Level Feeling" That "Vigorous Action" Was Necessary in the Congo: September 7-8, 1960

The Memorandum of Discussion from the NSC meeting of September 7, 1960—the only other meeting at which Johnson could have heard the President's statement—records only a brief, general discussion of developments in the Congo. As part of Allen Dulles' introductory intelligence briefing on world events, the Memorandum contained his remarks on the situation in the Congo following Kasavubu's dismissal of Lumumba from the government. Neither the length nor the substance of the record of this discussion indicates that Lumumba's role in the Congo received the same intense consideration as the NSC had given it on August 18.¹ There is no record of any statement by the President during the September 7 discussion. (NSC Minutes, 9/7/60, pp. 4-5)

In the course of Dulles' briefing, he expressed his continuing concern over the amount of personnel and equipment that was being sent to the Congo by the Soviet Union, primarily to aid Lumumba. Dulles concluded this part of his briefing with an observation that demonstrated that Lumumba's dismissal from the government had not lessened the extent to which he was regarded at the NSC as a potent political threat in any power struggle in the Congo:

Mr. Dulles stated that Lumumba always seemed to come out on top in each of these struggles. (NSC Minutes, 9/7/60, p. 5)

At a Special Group Meeting the next day, Gordon Gray made a pointed reminder to Allen Dulles of the President's concern about the Congo:

Mr. Gray said that he hoped that Agency people in the field are fully aware of the top-level feeling in Washington that vigorous action would not be amiss. (Special Group Minutes, 9/8/60)

(v) Dulles Tells NSC That Lumumba Remains a Grave Danger Until "Disposed of": September 21, 1960

In the course of his intelligence briefing to the NSC on September 21, 1960, Allen Dulles stressed the danger of Soviet influence in the Congo. Despite the fact that Lumumba had been deposed as Premier and was in U.N. custody, Dulles continued to regard him as a threat, especially in light of reports of an impending reconciliation between Lumumba and the post-coup Congolese government. In the presence of the President, Dulles concluded:

Mobutu appeared to be the effective power in the Congo for the moment but Lumumba was not yet disposed of and remained a grave danger as long as he was not disposed of. (NSC Minutes, 9/21/60)

Three days after this NSC meeting, Dulles sent a personal cable to the Station Officer in Leopoldville which included the following message:

WE WISH GIVE EVERY POSSIBLE SUPPORT IN ELIMINATING LUMUMBA FROM ANY POSSIBILITY RESUMING GOVERNMENTAL POSITION OR IF HE FAILS IN LEOP[OLDVILLE], SETTING HIMSELF IN STANLEYVILLE OR ELSEWHERE (CIA Cable, Dulles, Tweedy to Leopoldville, 9/24/60)

¹ The NSC minutes of the meeting of September 7 deal with the discussion of the Congo in two pages. (NSC Minutes, 9/7/60, pp. 4-5). By comparison, the August 18 meeting required an extraordinarily lengthy (fifteen pages) summary of discussion on the Congo and related policy problems in Africa, indicating that this topic was the focal point of the meeting. (NSC Minutes, 8/18/60, pp. 1-15)

On September 26, Joseph Scheider, under assignment from CIA Headquarters, arrived in Leopoldville, provided the Station Officer with poisons, conveyed Headquarters' instruction to assassinate Lumumba, and assured him that there was Presidential authorization for this mission.¹

Marion Boggs, the NSC Deputy Executive Secretary, who wrote the Memorandum of Discussion of September 21, did not interpret Dulles' remark as referring to assassination:

I have examined the memorandum (which I prepared) summarizing the discussion of the Congo at the September 21, 1960 meeting of the NSC. I recall the discussion and believe it is accurately and adequately summarized in the memorandum. I have no recollection of any discussion of a possible assassination of Lumumba at this meeting. With specific reference to the statement of the Director of Central Intelligence * * * I believe this is almost a literal rendering of what Mr. Dulles said. My own interpretation of this statement * * * was that Mr. Dulles was speaking in the context of efforts being made within the Congolese government to force Lumumba from power. I did not interpret it as referring to assassination.² (Boggs affidavit, 10/10/75, pp. 2-3)

Boggs, however, was not in a position to analyze Dulles' remark in the context of the actual planning for covert operations that took place during this period because Boggs was not privy to most such discussions. (Boggs affidavit, 10/10/75, p. 2)

Dillon, who attended this NSC meeting as Acting Secretary of State, did not recall the discussion. Dillon said that the minutes "could mean that" assassination would have been one acceptable means of "disposing of" Lumumba, although he felt that "getting him out [of the Congo] or locking him up" would have been a preferable disposition of Lumumba at that point since he was already out of office. (Dillon, 9/2/75, pp. 47-48)³ When reminded of the fact that Lumumba's movement and communications were not restricted by the U.N. force and that the Congolese army continued to seek his arrest after the September 21 meeting, Dillon acknowledged that during this period Lumumba continued to be viewed by the United States as a potential threat and a volatile force in the Congo:

* * *. He had this tremendous ability to stir up a crowd or a group. And if he could have gotten out and started to talk to a battalion of the Congolese Army, he probably would have had them in the palm of his hand in five minutes. (Dillon, 9/20/75, p. 49)

Irwin, who attended the NSC meeting as Assistant Secretary of Defense, stated that although he had no recollection of the discussion, the language of these minutes, like that of the August 25 minutes, was "broad enough to cover a discussion of assassination." (Irwin affidavit, 9/22/75, p. 2)

Bissell testified that, based upon his understanding of the policy of the NSC toward Lumumba even after Lumumba was in U.N. custody, he would read the minutes of September 21 to indicate that assassination was contemplated "as one possible means" of "disposing of" Lumumba⁴ (Bissell, 9/10/75, p. 70)

¹ See Sections 4(e)-4(f), *supra*.

² NSC Executive Secretary James Lay, who was also present at the meeting of September 21, 1960, stated: "I cannot recall whether there was any discussion of assassinating Lumumba at any NSC meetings." (Lay affidavit, 9/8/75, p. 1)

³ See Section 3, *supra*, for discussion of CIA cable traffic indicating that Lumumba continued to be regarded as capable of taking over the government after he was deposed and that pressure to "eliminate" him did not cease until his death.

⁴ Bissell was not present at the NSC meeting. (NSC Minutes, 9/21/60)

Bissell's opinion stands in opposition to Gordon Gray's testimony. Gray stated that he could not remember the NSC discussion, but he interpreted the reference to "disposing of" Lumumba as "in the same category as 'get rid of', 'eliminate'." (Gray, 7/9/75, p. 59) He said: "It was not my impression that we had in mind the assassination of Lumumba." (Gray, 7/9/75, p. 60)¹

(b) *Testimony of Eisenhower White House Officials*

Gordon Gray and Andrew Goodpaster—the two members of President Eisenhower's staff who were responsible for national security affairs—both testified that they had no knowledge of any Presidential consideration of assassination during their tenure.²

Gray served as Special Assistant to the President for National Security Affairs, in which capacity he coordinated the National Security Council and represented the President at Special Group meetings. Gray testified that, despite the prevalent attitude of hostility toward Lumumba in the Administration, he did not recall President Eisenhower "ever saying anything that contemplated killing Lumumba." (Gray, 7/9/75, p. 28)³ When asked to interpret phrases such as "getting rid of" or "disposing of" Lumumba, from the minutes of particular NSC and Special Group Meetings, Gray stated:

It is the intent of the user of the expression or the phrase that is controlling and there may well have been in the Central Intelligence Agency plans and/or discussions of assassinations, but * * * at the level of the Forty Committee [Special Group] or a higher level than that, the National Security Council, there was no active discussion in any way planning assassination.

* * * I agree that assassination could have been on the minds of some people when they used these words 'eliminate' or 'get rid of' * * * I am just trying to say it was not seriously considered as a program of action by the President or even the Forty [Special] Group. (Gray, 7/9/75, pp. 16-17)

Goodpaster, the White House Staff Secretary to President Eisenhower, said that he and Gray were the "principal channels" between the President and the CIA, outside of NSC meetings. Goodpaster was responsible for "handling with the President all matters of day-to-day operations in the general fields of international affairs and security affairs." He regularly attended NSC meetings and was listed among the participants at the NSC meetings of August 18, 1960 and September 21, 1960. (Goodpaster, 7/17/75, pp. 3, 4)

When asked if he ever heard about any assassination effort during the Eisenhower Administration, Goodpaster replied unequivocally:

* * * at no time and in no way did I ever know of or hear about any proposal, any mention of such an activity. * * * [I]t is my belief that had such a thing been raised with the President other than in my presence, I would have known about it, and * * * it would have been a matter of such significance and sensitivity that I am confident that * * * I would have recalled it had such a thing happened. (Goodpaster, 7/17/75, p. 5)

¹ John Eisenhower, the President's son, who attended the NSC meeting as Assistant White House Staff Secretary, said that he had no "direct recollection" of the discussion but he found the minutes of the meeting consonant with his "recollection of the atmosphere" at the time: "The U.S. position was very much anti-Lumumba." He said:

"I would not conjecture that the words 'disposed of' meant an assassination, if for no other reason than if I had something as nasty as this to plot, I wouldn't do it in front of 21 people * * * the number present [at] the meeting." (Eisenhower, 7/18/75, pp. 9-10)

² For a more detailed treatment of the testimony of Gray, Goodpaster, and other Eisenhower Administration officials on the general question of discussion of assassination by the President, see Part 3, Section B(3) (a), *infra*.

³ At the outset of his testimony on the subject, Gordon Gray acknowledged that he did not have a clear, independent recollection of Lumumba's role in the Congo. (Gray, 7/9/75, pp. 25-26)

John Eisenhower, the President's son who served under Goodpaster as Assistant White House Staff Secretary, stated that the use of assassination was contrary to the President's philosophy that "no man is indispensable." As a participant at NSC meetings who frequently attended Oval Office discussions relating to national security affairs, John Eisenhower testified that nothing that came to his attention in his experience at the White House "can be construed in my mind in the remotest way to mean any Presidential knowledge of our concurrence in any assassination plots or plans." (Eisenhower, 7/18/75, pp. 4, 14)

Each of the other Eisenhower Administration officials who was active in the Special Group in late 1960—Assistant Secretary of Defense John N. Irwin II, Undersecretary of State for Political Affairs Livingston Merchant, and Deputy Secretary of Defense James Douglas—stated that he did not recall any discussion about assassinating Lumumba. (Irwin affidavit, 9/22/75; Merchant affidavit, 9/8/75; Douglas affidavit, 9/5/75)¹

Even if the documentary record is read to indicate that there was consideration of assassination at high-level policy meetings, there is no evidence that any officials of the Eisenhower Administration outside the CIA were aware of the specific operational details of the plot to poison Lumumba.²

(c) Bissell's Assumptions About Authorization by President Eisenhower and Allen Dulles

Richard Bissell's testimony on the question of high-level authorization for the effort to assassinate Lumumba is problematic. Bissell stated that he had no direct recollection of receiving such authorization and that all of his testimony on this subject "has to be described as inference." (Bissell, 9/10/75, p. 48)

Bissell began his testimony on the subject by asserting that on his own initiative he instructed Michael Mulroney to plan the assassination of Lumumba. (Bissell, 6/11/75, pp. 54-55)³ Nevertheless, Bissell's conclusion—based on his inferences from the totality of circumstances relating to the entire assassination effort against Lumumba—was that an assassination attempt had been authorized at the highest levels of the government. (Bissell, 9/10/75, pp. 32-33, 47-49, 60-62, 65)

¹ Douglas Dillon testified that the subject of assassination never arose in his "direct dealings with either President Eisenhower or President Kennedy." (Dillon, 9/2/75, p. 22) He was asked by a member of the Committee, however, to speculate upon the general philosophical approach that Presidents Eisenhower and Kennedy would have taken to decision-making on the question of using assassination as a tool of foreign policy:

"Senator HARR (Colorado): I would invite your speculation at this point as a sub-Cabinet officer under President Eisenhower, and as a Cabinet Officer under President Kennedy, I think the Committee would be interested in your view as to the attitude of each of them toward this subject, that is to say, the elimination, violent elimination of foreign leaders.

"DILLON: Well, that is a difficult thing to speculate on in a totally different atmosphere. But I think probably both of them would have approached it in a very pragmatic way, most likely, simply weighed the process and consequence rather than in a way that was primarily of a moral principle. That is what would probably have been their attitude in a few cases. Certainly the idea that this was going to be a policy of the U.S., generally both of them were very much opposed to it." (Dillon, 9/2/75, pp. 22-23)

Dillon served as Undersecretary of State in the Eisenhower Administration and as Secretary of the Treasury under Kennedy.

² Although several CIA officers involved in the PROP operation to poison Lumumba testified that the operation was within the scope of actions authorized by the NSC and Special Group, there is no testimony that any official of the Eisenhower Administration outside the CIA had specific knowledge of the operational planning and progress.

³ See Sections 5(a)(1) and 5(a)(11), *supra*.

As discussed above, Bissell testified that the minutes of meetings of the Special Group on August 25, 1960 and the NSC on September 21, 1960 indicate that assassination was contemplated at the Presidential level as one acceptable means of "getting rid of Lumumba."¹

There was "no question," according to Bissell, that the cable from Allen Dulles to the Station Officer in Leopoldville on August 26—which called for Lumumba's "removal" and authorized Hedgman to take action without consulting Headquarters if time did not permit—was a direct outgrowth of the Special Group meeting Dulles had attended the previous day. (Bissell, 9/10/75, pp. 31-32) Bissell was "almost certain" that he had been informed about the Dulles cable shortly after its transmission. (Bissell, 9/10/75, p. 12) Bissell said that he assumed that assassination was one of the means of removing Lumumba from the scene that was contemplated by Dulles' cable, despite the fact that it was not explicitly mentioned. (Bissell, 9/10/75, p. 32) :

It is my belief on the basis of the cable drafted by Allen Dulles that he regarded the action of the Special Group as authorizing implementation [of an assassination] if favorable circumstances presented themselves, if it could be done covertly. (Bissell, 9/10/75, pp. 64-65)²

Dulles' cable signaled to Bissell that there was Presidential authorization for him to order action to assassinate Lumumba. (Bissell, 9/10/75, pp. 61-62) :

Q : Did Mr. Dulles tell you that President Eisenhower wanted Lumumba killed?
Mr. BISSELL : I am sure he didn't.

Q : Did he ever tell you even circumlocutiously through this kind of cable?
Mr. BISSELL : Yes, I think his cable says it in effect. (Bissell, 9/10/75, p. 33)

As for discussions with Dulles about the source of the authorization for an assassination effort against Lumumba, Bissell stated :

I think it is probably unlikely that Allen Dulles would have said either the President or President Eisenhower even to me. I think he would have said, this is authorized in the highest quarters, and I would have known what he meant. (Bissell, 9/10/75, p. 48)

When asked if he had sufficient authority to move beyond the consideration or planning of assassination to order implementation of a plan, Bissell said, "I probably did think I had [such] authority." (Bissell, 9/10/75, pp. 61-62)

When informed of the Station Officer's testimony about the instructions he received from Scheider, Bissell said that despite his absence of a specific recollection :

I would strongly infer in this case that such an authorization did pass through me, as it were, if Joe Scheider gave that firm instruction to the Station Officer. (Bissell, 9/10/75, p. 40)³

Bissell said that the DCI would have been the source of this authorization. (Bissell, 9/10/75, p. 40)

¹ See Sections 7(a)(iii) and 7(a)(v).

² Joseph Scheider also testified that, in the context of the Dulles cable, "removal" would signify to someone familiar with "intelligence terminology" a "range of things, from just getting him out of office to killing him." (Scheider, 10/9/75, pp. 45-48)

³ See Section 7(d), *infra*, for Scheider's testimony on his impression that Bissell had authorized his assignment to the Congo.

Bissell did not recall being informed by Scheider that Scheider had represented to the Station Officer that Lumumba's assassination had been authorized by the President. But he said that assuming he had instructed Scheider to carry poison to the Congo, "there was no possibility" that he would have issued such an instruction without authorization from Dulles. Likewise Bissell said he "probably did" tell Scheider that the mission had the approval of President Eisenhower. (Bissell, 9/10/75, pp. 46, 47) This led to Bissell's conclusion that if, in fact, the testimony of the Station Officer about Scheider's actions was accurate, then Scheider's actions were fully authorized.¹ Bissell further stated:

Knowing Mr. Scheider, it is literally inconceivable to me that we would have acted beyond his instructions. (Bissell, 9/10/75, p. 41)

Bronson Tweedy functioned as a conduit between Bissell and Scheider for instructions relating to the PROP operation. Scheider's impression about the extent of authorization for the assassination operation stemmed ultimately from his conversation with Bissell which was referred to by Tweedy during the meeting in which Scheider was ordered to the Congo.²

Tweedy testified that Bissell never referred to the President as the source of authorization for the assassination operation. Tweedy said, however, that the "impression" he derived from his meetings with Bissell and from the Dulles cable of August 26 was that the Agency had authorization at the highest level of the government. But Tweedy found it "very difficult * * * to judge whether the President *per se* had been in contact with the Agency" because he was not involved in decisionmaking at "the policy level." (Tweedy, 10/9/75 I, pp. 9, 10)

Concerning the assignment of Mulroney to "plan and prepare for" the assassination of Lumumba, Bissell testified that "it was my own idea to give Mulroney this assignment." But he said that this assignment was made only after an assassination mission against Lumumba already had authorization above the level of DDP. (Bissell, 9/10/75, pp. 24, 50; see also pp. 32-33, 47-48, 60-62)

(d) *The Impression of Scheider and Hedgman That the Assassination Operation had Presidential Authorization*

The Station Officer and Scheider shared the impression that the President authorized an assassination effort against Lumumba.³ This impression was derived solely from conversations Scheider had with Bissell and Tweedy. Thus, the testimony of Scheider and the Station Officer does not, in itself, establish Presidential authorization. Neither Scheider nor the Station Officer had first-hand knowledge of any statements by Allen Dulles about Presidential authorization—statements which Bissell assumed he had heard, although he had no specific recollection. Moreover, Scheider may have misconstrued Bissell's reference to "highest authority."

¹ Q: In light of the entire atmosphere at the Agency and the policy at the Agency at the time Mr. Scheider's representation to the Station Officer that the President had instructed the DCI to carry out this mission would not have been beyond the pale of Mr. Scheider's authority, at that point?

BISSELL. No, it would not. (Bissell, 9/10/75, p. 65)

² See Section 7(d), *infra*.

³ See Section 4(f), *infra*, for additional testimony of the Station Officer and Scheider on this issue.

Station Officer Hedgman testified that Scheider indicated to him that President Eisenhower had authorized the assassination of Lumumba by an order to Dulles. Hedgman stated that Scheider initially conveyed this account of Presidential authorization when Hedgman asked him about the source of authority for the Lumumba assassination assignment. (Hedgman, 8/21/75, pp. 30-34)

Hedgman was under the clear impression that the President was the ultimate source of the assassination operation:

Q: Your understanding then was that these instructions were instructions coming to you from the office of the President?

HEDGMAN: That's correct.

Q: Or that he had instructed the Agency, and they were passed on to you?

HEDGMAN: That's right.

Q: You are not the least unclear whether * * * the President's name had been invoked in some fashion?

HEDGMAN: At the time, I certainly felt that I was under instructions from the President, yes. (Hedgman, 8/21/75, pp 32-33)

Hedgman cautioned:

[A]fter fifteen years, I cannot be 100 percent certain, but I have always, since that date, had the impression in my mind that these orders had come from the President. (Hedgman, 8/21/75, p. 34; *accord*, p. 102)

Hedgman testified that he was under the impression that a "policy decision" had been made—that assassination had been "approved" as "one means" of eliminating Lumumba as a political threat (Hedgman 8/21/75, p. 52):

I thought the policy decision had been made in the White House, not in the Agency, and that the Agency had been selected as the Executive agent if you will, to carry out a political decision. (Hedgman, 8/21/75, p. 52.)

Although Hedgman assumed that the President had not personally selected the means of assassination, he testified that he was under the impression that the President had authorized the CIA to proceed to take action:

HEDGMAN: * * * I doubt that I thought the President had said, you use this system. But my understanding is the President had made a decision that an act should take place, but then put that into the hands of the Agency to carry out his decision.

Q: Whatever that act was to be, it was clearly to be assassination or the death of the foreign political leader?

HEDGMAN: Yes. (Hedgman, 8/21/75, p. 104)

The Station Officer's impression about Presidential authorization stemmed from his conversations with Scheider in the Congo and from his reading of the cable traffic from CIA Headquarters which, in fact, never explicitly mentioned the President although it referred to "high quarters."¹

Joseph Scheider's testimony about these discussions is compatible with Hedgman's account. (Scheider, 10/7/75, pp. 107-108) Despite the fact that he did not recall mentioning the President by name to Hedgman, Scheider believed that he left Hedgman with the impression that there was Presidential authorization for an assassination attempt against Lumumba. (Scheider, 10/7/75, pp. 103-104, 110; 10/9/75, p. 17) However, Scheider made it clear that the basis for his own knowledge about Presidential authorization for the assassination

¹ See Section 7(c) for Bissell's interpretation of the reference to "high quarters" in the Dulles cable of August 26, 1960.

of Lumumba were the statements to him by Bissell, Tweedy, and Tweedy's Deputy. (Scheider, 10/9/75, pp. 10;/7/75, p. 90)

Scheider testified that in the late summer or early fall of 1960, Richard Bissell asked him to make all the preparations necessary for toxic materials to be ready on short notice for use in the assassination of an unspecified African leader, "in case the decision was to go ahead."¹ (Scheider, 10/7/75, pp. 51-55; 10/9/75, p. 8) Scheider had a specific recollection that Bissell told him that "he had direction from the highest authority" for undertaking an assassination operation. (Scheider, 10/7/75, pp. 51-52, 58) :

SCHIEDER: The memory I carry was that he indicated that he had the highest authority for getting into that kind of an operation.

Q: Getting into an operation which would result in the death or incapacitation of a foreign leader?

SCHIEDER: Yes, yes, yes. (Scheider, 10/7/75, p. 52)

Scheider acknowledged the possibility that he "may have been wrong" in his assumptions of Presidential authorization which he based on Bissell's words:

The specific words, as best I can recollect them, [were] "on the highest authority." (Scheider, 10/9/75, p. 11).

Scheider testified that there was a basis of experience for his assumption that "highest authority" signified the President. He said he "had heard it before" at the CIA and had always interpreted it to denote the President. (Scheider, 10/9/75, p. 51) Likewise, Bronson Tweedy testified that "'highest authority' was a term that we used in the Agency and it was generally recognized as meaning 'the President.'" (Tweedy, 10/9/75 II, p. 20)

According to Scheider, Allen Dulles would have approved the assassination operation before Bissell broached the subject with other CIA officers:

I would have assumed that Bissell would never have told me that it was to be undertaken under the highest authority until his line ran through Dulles and until Dulles was in on it. (Scheider, 10/7/75, p. 76)

Scheider said that he left the meeting with Bissell under the impression that the Presidential authorization extended only to making preparations to carry out an assassination mission and that the implementation of such a plan might require a separate "go ahead." (Scheider, 10/7/75, pp. 53, 56-8) As far as Scheider was concerned, the "go ahead" on the assassination operation was given to him shortly thereafter by Tweedy and his Deputy.² When they instructed him on his Congo trip, Scheider said Tweedy and his Deputy "referred to the previous conversation I had with Bissell" and they conveyed to Scheider the impression that Bissell "felt the operation had Presidential authority." (Scheider, 10/7/75, pp. 65, 69, 71; 10/9/75, p. 13)³ Scheider interpreted the statements by Tweedy and his Deputy to mean that Bissell's reference to "highest authority" for the operation had carried over from planning to the implementation stage. (Scheider, 10/7/75, p. 90)

¹ See section 4(b), *infra*, for a full treatment of Scheider's meetings with Bissell and his preparation of toxic biological materials and medical paraphernalia pursuant to Bissell's directive.

² See Section 4(c), *infra*, for a detailed account of the testimony about the meeting of Tweedy, his Deputy, and Scheider.

³ Tweedy was unable to shed much light on the discussion of authorization at his meeting with Scheider:

"I do not recall that Scheider and I ever discussed higher authority and approval. I do not say that it did not occur." (Tweedy, 10/9/75 I, p. 65)

Scheider's impression that there was Presidential authorization for the assassination operation clearly had a powerful influence on the Station Officer's attitude toward undertaking such an assignment.

Hedgman had severe doubts about the wisdom of a policy of assassination in the Congo. At the conclusion of his testimony about the assassination plot, he was asked to give a general characterization of the advisability of the plot and the tenor of the times in which it took place. His response indicated that although he was willing to carry out what he considered a duly authorized order, he was not convinced of the necessity of assassinating Lumumba :

I looked upon the Agency as an executive arm of the Presidency * * *. Therefore, I suppose I thought that it was an order issued in due form from an authorized authority.

On the other hand, I looked at it as a kind of operation that I could do without, that I thought that probably the Agency and the U.S. government could get along without. I didn't regard Lumumba as the kind of person who was going to bring on World War III.

I might have had a somewhat different attitude if I thought that one man could bring on World War III and result in the deaths of millions of people or something, but I didn't see him in that light. I saw him as a danger to the political position of the United States in Africa, but nothing more than that. (Hedgman, 8/21/75, pp. 110-111)