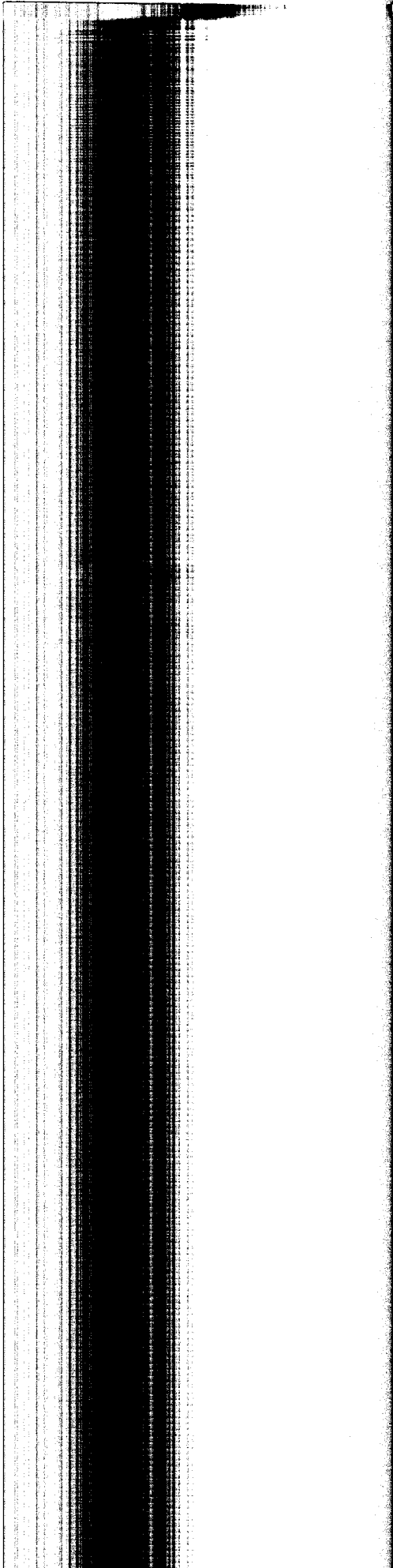


INDIFFERENT



Increased transmittal of ^{CIA} info to Cong. in recent yrs.

has eroded the Pres's longstanding advantage of a near monopoly of intell. on for. + int. sec. affairs. Pres. are not apt to applaud close ties bet. DCI + the Hill. The White House may see these friendly ties as CIA pandering to Cong. in a free-wheeling manner designed to benefit only CIA, regardless of the prob. This may cause the policymaker.

CONFIDENTIAL

Hearings before Investigations Subcomm, ^{Senate} Comm on Expenditures
in the Execu Depts, July 14, 1950 [^]

Hillenkoetter testifying on the employment of homosexuals in
the federal govt.

"we could not endorse or oppose any policy of the United
States because that will slant our own intell. So we take
no sides w/ any policy of what the United S does, but we do
gather facts, give them to the Pres, and interpret those."

Sen. McClellan asks if CIA draws conclusions in its analysis.

Hilley: "YES, sir, very definitely. I mean we will report
the conclusions, but we do not report any conclusions saying
that the United S should counter this thing by doing this
or that."

McClellan: "You do not follow your conclusions w/ recommenda-
tions as to what action should be taken?"

Hilley: "No, sir."

The chairman, Sen. Hoey: "You just interpret the facts you find?"

Hilley: "Yes, sir, and very definitely do not make any con-
clusion as to what action we should take, because then you get
into --"

McClellan: "Policy."

OVER

Hilley: "And then you decide on a course of action you think is right and then you slant your intell to make your own policy come out right...[S]ay in the case of Formosa, for a yr we would put in there whether Formosa can be defended or not. In no case do we say we ought to defend it or not. That is not our pigeon. Somebody else has to decide that."

Hilley: "We are not a policy-making agency. We merely supply the facts and our evaluations of these facts, so that appropriate officials of the Govt have the best available info upon which to base national policies. The reason we are not a policy-making agency is quite sound, for it has always been the case when an intell agency dabbles in policy, it commences to slant its intell in support of the policies it favors."

growth of staff

in 1947, Cong. had 400 committee staff aides. By 1970,
this no. had quadrupled to 1600.

p. C4

[see if I can verify this figure before using]

according to Joel Lister (chief counsel, Subcomm. on Security
& Terrorism, Senate Comm. of the Judiciary), total staff in Cong.
now numbers approx. 18,000 [hearings, Communist bloc intell. gathering
activities on Capitol Hill, p. 13]

over the yrs, CIA has often been considerably less alarmist
abt. Sov. capabilities than have the mil. services. One thinks of
the so-called ~~missile~~ bomber gap controversy. And again during debate
over the missile gap, CIA estimates drew fire from Symington & other
congressmen for being too low. Later in the 60s, CIA always more
skeptical of Sov. ABM capabilities than DIA + ~~some of the services~~ JCS,
& of Sov. MRU capabilities.

intell. officials formally met w/ cong. comms at least 175 times bet. 1955 and 1974.

[this book deals w/ substantive intell--I wonder if he is counting only these formal meetings. I also wonder where he came up w/ this no. It might be worth a letter of inquiry.]

p. xiii

The Congressional obligation to "provide for eht common Defence and the general Welfare" of the United States gives it a constitutional basis for interest in for. intell. matters.

And its power of the purpose gives it a handy and effective means to express that interest.

June 28, 1944--1st indep. appropriation for OSS--National War Agency Appropriations Act of 1945.

approved expenditures of the Esecutive branch "for objects of a confidential nature" plus accounteing by certificate of the Director of OSS.

p. 3

at some pt. after mid-50s, CIA changes its policy + allows
attribution of intell. info to CIA officers in published cong. hearings -
I will want to find out when this change occurred.

~~Article I, Section 9, Clause 7~~: "[A] regular Statement
and Account of the Receipts and Expenditures of all public
Money shall be published from time to time." The Statement
and Account Clause

CONFIDENTIAL

Sen. Russell once warned an Agency official: "There isn't a single member of this Senate that's so lowly that he can't make life unbearable for you fellows if he decides he wants to do it."

p. 5

CONFIDENTIAL

Maury, who is not unenlightened re the need for the Agency to play the public relations game w/ Cong and the Amer people, nonetheless expresses the following implicit in : "We are already the most open major intell service in the world. Even in some of the oldest democracies, such as the U.K. [sic] and the Scandinavian countries, neither the public, the press nor the politicians are supposed to know the identities of the chiefs of the local service or the location of its headquarters. References to its activities rarely appear in public. Because we are determined to play the game according to American standards, we are already so overt that we have two strikes against us before we start."

p. 9

as Fulbright noted: "The dilemma posed by the CIA is that, while we cannot do without secret intelligence activities in a world of armed powers, these activities can never wholly be reconciled w/ the values of our free society."

[chk in NYT Mag, 23 April 1967]

"Perpetual conflict amidst cooperation bet Cong and the Executive is the inevitable consequence of the Amer system of govt."

p. 160

UNCLASSIFIED

Although the specific task of oversight is nowhere given to Cong by the Constitutional, it is generally agreed that this task naturally falls to Cong by virtue of 2 other resp provided in 1787: the resp to provide a check on the executive and to ensure that actions being carried out by the White House are being done so legitimately; and the supervision of public expenditures, the famed "power of the purse."

p. 54

Indeed the principles of shared resp and diluted power form the very basis of the Constitutional arrangements hammered out in 1787.

Nowhere does the Comati. make any reference to the role
or function of a secret intell. agency - in this regard, Com. assumed the
duty of establishing guidelines for its conduct

CIA lives in a constant state of ambiguity:

a fine line bet analysis & advocacy
bet for. & domestic activities
bet legal & illegal operations

a secret agency in an open society

O/DCI/ER

IAC minutes, Nov. 11 + 16, 1950, IAC-M-5,-6-
Re aid to Yugo + sharing intell. w/ Cong.

UNCLASSIFIED

in U.S. v. Curtis-Wright Export Corp. et al (1936 or 39?), Sup Ct held that Pres perfectly justified in w/holding certain info from Cong in matters relating to for. affairs. Secrecy, it ruled, might be necessary, and the premature disclosure productive of harmful results.

John Jay, in Federalist 64, touched more directly on an issue which would be pertinent in the mid 20th cen. There are cases, he wrote, "where the most useful intelligence may be obtained, if the persons possessing it can be relieved from apprehensions of discovery." No doubt, he went on, there are many, operating both for mercenary and for friendly motives, "who would rely on the secrecy of the President, but who would not confide in that of the Senate, and still less in that of a large popular assembly." Jay then goes on to suggest that the authors of the Consti. had been wise to separate the treaty-negotiating from the treaty-ratifying functions, so that the Pres would "be able to manage the business of intelligence in such a manner as prudence would suggest."

[chk. before using and cite Federalist No. 64]

pp. 60-61