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The CIA's Dirty Tricks under Fire—at Last

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For the first time in more than two decades, Congress is beginning to take a hard look at the Central Intelligence Agency. In the wake of revelations of CIA complicity in the Watergate affair, a serious debate about the Agency is now taking shape, and it could develop into an historic battle over the role of clandestine operations in American foreign policy.

"Clandestine operations" (which should not be confused with the gathering of foreign intelligence) include a wide range of political, propaganda, economic, cultural, and paramilitary activities known within the CIA as "covert action" and "special operations," or, more generally, Dirty Tricks. These operations have included, over the years, such practices as:

- Hidden support and assistance to political parties in foreign election campaigns.
- The establishment of dummy foundations to provide funds for a number of private organizations engaged in scholarship, propaganda, labor, youth, and cultural affairs.
- Establishing ostensibly independent, private companies, including a number of airlines.
- Arranging *coups d'etat;* supporting, training, and leading private armies and air forces in foreign nations.
- Helping to establish security police organizations in a number of countries, and other Cold War ploys.

The CIA operations amount, in total, to a clandestine American foreign policy under the exclusive control of the President, insulated from public control and even from public scrutiny—not to mention Congress itself.

President Nixon has given a clear signal that he places a high value on covert operations. His new Director of Central Intelligence, William Egan Colby, fifty-three, spent his adult life in Dirty Tricks, beginning with OSS guerrilla operations in World War II and culminating in a twelve-year stint as one of the CIA officials most deeply involved in the Vietnam war.

Colby was CIA station chief in Saigon (and a staunch supporter of President Ngo Dinh Diem) from 1959 to 1961. From 1962 through 1967 he was chief of the Far East Division of the Clandestine Services, the formal title of the operating arm of the CIA. From 1968 to 1971 he was involved with the "pacification"

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program in Vietnam, first as deputy and later as ambassador in charge. In 1971-72 he was back in Washington again as Executive Director (number three man) at the Agency. When that post was abolished in a reorganization this year, he became head of the Directorate of Operations, which runs the Clandestine Services.

Colby is a quiet, undemonstrative man—"when he's really mad he's almost whispering," recalls a former employe—whose mild manner conceals the toughness and boldness of a behind-the-lines guerrilla fighter. He has the reputation of being one of the CIA's most resourceful managers of Dirty Tricks. He was responsible, as head of the pacification program, for American participation in the Phoenix program in which thousands of Vietnamese suspects were killed or jailed on suspicion that they worked for the Vietcong.

Senator William Proxmire, Wisconsin Democrat, complained during the recent debate on Colby's nomination that the Senate was being asked to cast a "blind vote." He observed: "We don't really know who Mr. Colby is. We are not allowed to go back into his personal employment history and judge his fitness. We do not know what jobs he has accomplished . . . And we will be confirming him for a blind position [about which] we know very little. . . ."

Although the Senate confirmed Colby August 1 by a vote of eighty-three to thirteen, the decisive battle will begin this fall. Senator John C. Stennis, Mississippi Democrat, has announced that his Senate Armed Services Committee will hold hearings on the CIA's basic legislative charter to determine whether the Agency exceeded its authority in waging war in Laos and in its involvement with the White House "plumbers" in the Watergate affair.

Stennis's Committee is the one whose CIA Oversight Subcommittee has failed to meet for several years, and whose members have rarely expressed any interest in supervising the secret and powerful Agency. But the hearings come amid a growing feeling in Washington—expressed even by Chairman Stennis—that the CIA's Cold War mission as the clandestine action arm of U.S. foreign policy no longer serves the national interest, if it ever did.

The man who founded the CIA in 1947, President Harry S Truman, reached this conclusion a full decade ago. In 1963, he wrote: "For some time I have been disturbed by the way the CIA has been diverted from its original assignment. It has become an operational and at times a policy-making arm of the Government . . . I never had any thought that when I set up the CIA it would be injected into peacetime cloak-and-dagger operations."

Other Presidents have had qualms about the CIA. John F. Kennedy, a former aide once said, wanted to "splinter it into a thousand pieces and scatter it to the winds" after the Bay of Pigs disaster, a CIA-planned operation which Kennedy had approved. Lyndon B. Johnson, hardly a shrinking violet when it came to U.S. exploits abroad, was appalled by the ramifications of some CIA operations. When he took office he learned, according to an account by Leo Janos in the July, 1973, *Atlantic*, that "we had been operating a damned Murder Inc. in the Caribbean." Even Richard M. Nixon, in a 1969 speech to CIA employes, acknowledged that "this organization has a mission that, by necessity, runs counter to some of the very deeply held traditions in the country, and feelings, high idealistic feelings, about what a free society ought to be."

But President Kennedy, like his successors, soon came to recognize the immense potential of an organization whose acts could be neither traced by the victims nor supervised by his political opponents in Congress. The Kennedy years, in the opinion of one former intelligence official, became "the heyday" for the CIA's covert political intervention in other countries. President Johnson followed by unleashing massive CIA operations in Laos and South Vietnam. And President Nixon, in the same 1969 speech, concluded that the CIA "is a necessary adjunct to the conduct of the Presidency."

What both troubled and attracted these Presidents was not the CIA's "quiet intelligence" activities, but its wide range of Dirty Tricks. In the decade since Harry Truman's warning, little has been done to curb the President's own Back Alley Boys. Except for a handful of progressives; Congress continued politely to look the other way and ask no embarrassing questions. Now, in the lurid light of Watergate, Congress can no longer refuse to take a closer look.

By their very nature, covert operations defy effective Congressional oversight. A handful of men in the House and Senate, senior members of the Armed Services and Appropriations Committees, are the only members of Congress allowed to ask the Agency what it is doing. Their meetings have always been secret, and their deliberations are never disclosed even to other members of Congress. Their recommendations to the Agency, if any, have never been tested in general debate or put to a vote of Congress.

From the time of its inception, the CIA's name has been synonymous with secrecy; no outsider can hope to obtain more than a rough map of its terrain. It is the Agency's practice neither to confirm nor to deny any allegations made about it. CIA employes take the most stringent secrecy oath administered by the Government. This oath has been interpreted by the Agency as prohibiting a present or former employe from revealing anything he has learned while working for the CIA—an interpretation that has won at least partial support in the Federal courts. Victor Marchetti, a former CIA official, is under court order to submit the manuscript of his forthcoming book about the Agency for review before publication, and the Agency has been

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authorized to make deletions, provided they are not arbitrary or capricious.

But the Agency has found it impossible to remain wholly invisible. The picture I present here was assembled from the public record (which grows longer almost daily), and from interviews conducted over a period of several years with a number of present and former CIA employes, intelligence officials from other U.S. agencies, foreign service officers, Congressional sources, and Administration aides. (While I had a limited contact with CIA intelligence analysts when I served as a member of the National Security Council staff in 1970-1971, I had no contact with the clandestine organization or activities of the CIA.)

The CIA has both a public and a secret charter. The public charter, on which Senator Stennis's hearings will focus, is found in the National Security Act of 1947 and its 1949 amendments (U.S. Code Chapter 50, Title 15, sections 403 ff.). It is the vaguest of charters, stating that the CIA shall "coordinate" intelligence activities undertaken in the interest of national security and shall:

- Advise the National Security Council regarding national security intelligence activities.
- Make recommendations to the NSC for coordination of intelligence activities.
- Correlate, evaluate, and disseminate national security intelligence.
- Perform "for the benefit of the existing intelligence agencies such additional services of common concern" as the NSC directs.
- "Perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

The last two provisions provide the official rationale for the CIA's clandestine activities, both in collecting intelligence and in performing covert operations. These duties are detailed in the Agency's "secret charter"—a series of top-secret Presidential orders known as National Security Council Intelligence Directives, or "N-Skids."

The Senate Armed Services Committee, which has jurisdiction over the National Security Act, apparently has never seen these documents, though they are essential to an understanding of the CIA's clandestine operations. Colby, the new director, recently promised to make the "N-Skids" available to the Committee, but there is no reason to assume that they will be disclosed to the public.

Section 403(d) also contains two seemingly contradictory provisos regarding CIA activities within the United States. One declares that "the Agency shall have no police, subpoena, law-enforcement powers, or internal security functions." The other states that "the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure."

The first proviso, which the CIA apparently violated in extending assistance to the White House "plumbers," was intended to protect the FBI's turf from CIA encroachment and to restrict the CIA to foreign intelligence activities. The second proviso, however, seems to give the Director scope for a broad range of domestic counter-intelligence activities. Whatever the justification, the CIA has not been reluctant to undertake clandestine operations within the United States.

The Act also permits the Agency to keep secret its budget, organization, personnel strength, identity of personnel, and other operational and administrative details, notwithstanding other provisions of law, and to spend money without regard for normal Government procedures.

Three points about the CIA's charter stand out:

First, the Agency is answerable directly to the President, and to the President alone. (The National Security Council is merely an advisory body made up of Presidential appointees—the Secretaries of State and Defense and the Director of the Office of Emergency Preparedness.)

Second, the CIA enjoys extraordinary freedom from public and even Congressional scrutiny.

Third, its duties encompass much more than the routine collection and evaluation of information. "The powers of the proposed Agency," warned Secretary of State George C. Marshall in a memorandum to President Truman in 1947, "seem almost unlimited and need clarification."

The CIA grew rapidly from its first days in 1947. ("Bigger than [the Department of] State by '48," was a common boast.) The Agency now has about 16,500 employes (after a seven per cent reduction in force put into effect earlier this year by Director James R. Schlesinger, now Secretary of Defense). In recent years its direct budget has hovered around $750 million, including funds for direct expenses and covert projects, but it may now be slightly lower as a result of the winding down of the wars in Vietnam and Laos.

Similar in size, budget, and overseas staff, the CIA rivals—if it does not surpass—the Department of State as an instrument of U.S. foreign policy. In *A Thousand Days*, Arthur Schlesinger, Jr. wrote that in 1961 the Agency "had almost as many people under official cover overseas (i.e., posing as employes of other Government agencies, such as the Foreign Service or AID) as State; in a number of countries CIA officers outnumbered those from State in the political sections (of the U.S. mission). Often the CIA station chief had been in the country longer than the ambassador, had more money at his disposal, and exerted more influence."

This situation seems to have changed little in the last twelve years. Some recent U.S. foreign policy officials believe that the CIA's overseas employes, both direct and indirect, U.S. nationals and foreign, includ-

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ing those operating under "deep cover"—that is, with no visible ties to the U.S. Government—far outnumber those of the State Department.

For a variety of reasons, the CIA's direct budget (including project money) does not begin to tell the full story of the Agency's size or role within the Government:

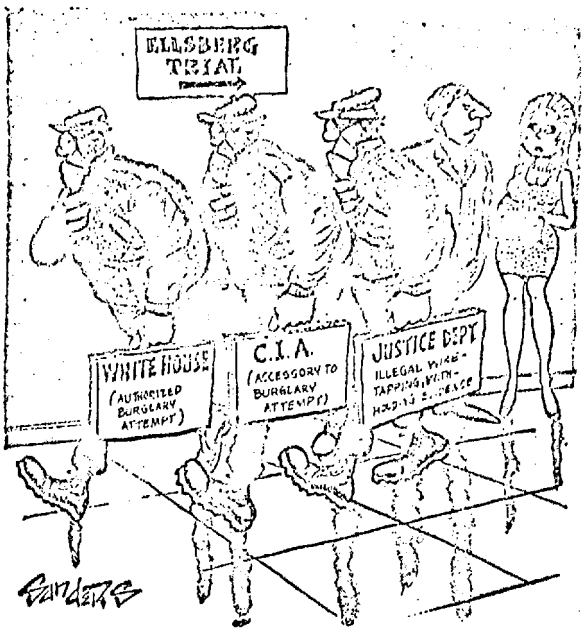
• In large overseas clandestine operations, such as the war in Laos, covert activities in Vietnam, and the Bay of Pigs invasion, direct Agency costs and project funds represent only a fraction of the total costs to the U.S. Government. The staff of the Senate Foreign Relations Committee found earlier this year, for instance, that of the $375 million ceiling set by legislation for spending in Laos (until recently a CIA operation) during the last fiscal year, only $5.5 million represented direct CIA expenditures, while another $60 million was distributed by the CIA as project money for support of Laos and Thai irregular troops. The rest of the funds were supplied from the budgets of the Agency for International Development and the Defense Department. (These Laos program figures exclude additional large costs for U.S. air operations in Laos, many of which have been in support of CIA-directed military operations.)

• The CIA has financed, and apparently controls, a number of private corporations which provide cover for covert activities overseas. Of these the largest and best known is Air America. Earnings from these activities are said to be available to the Agency in addition to the annual budget provided from general Federal revenues.

• The CIA has the use without cost, according to former officials, of U.S. military bases and "surplus" equipment, from which it is said to have built up a large worldwide supply and operational base network.

For these reasons alone, the CIA has been called a multi-billion annual operation. But, in addition, the Director of Central Intelligence, in his role as head of the U.S. foreign intelligence community, has responsibilities for coordinating the activities and reviewing the budgets of all U.S. foreign intelligence agencies and operations. In total, these activities—most of them under Defense Department auspices—cost between $3 billion and $4 billion a year, not counting the CIA.

These operations include the costly overhead reconnaissance activities of the Air Force (such as spy satellites, U-2s, SR-71 aircraft); communications and signals intelligence, which come under the direction of the $1-billion-a-year National Security Agency; the analytical staffs and operations of the Army, Navy, and Air Force intelligence agencies; the Defense Intelligence Agency; the minuscule State Department Bureau of Intelligence and Research; and such miscellaneous other organizations as the National Photo Interpretation Center and the Foreign Broadcast Information Service, the latter of which transcribes and translates overseas radio broadcasts. When the tactical military



SANDERS IN THE MILWAUKEE JOURNAL

"No, dear, they weren't on trial . . . they were the prosecuting team"

intelligence operations of the various military commands around the world are included, the annual cost may reach $6 billion, according to some sound estimates. In cost, personnel, and influence, the foreign intelligence "community" ranks with or above several Cabinet departments.

The CIA is organized into four main divisions, known as "directorates," each headed by a deputy director. Until recently, these men reported more or less formally to the Executive Director, nominally the Agency's number three man. Under Schlesinger's reorganization plan, the post of Executive Director was abolished early in 1973 and the incumbent, at that time William E. Colby, was made the head of the Agency's largest branch, the Directorate of Operations, which has responsibility for all clandestine activities and for the CIA's eighty-five overseas stations. In recent years this Directorate (formerly called "Plans") has had about 6,500 to 7,000 employes and a budget of about $350 million, or nearly half the Agency total.

The other directorates are:

• INTELLIGENCE, which collates, analyzes, and disseminates intelligence collected by all U.S. foreign intelligence agencies and also gathered from unclassified sources. The size of this directorate has been estimated to be roughly 3,000 persons; its budget, about $75 million.

• SCIENCE AND TECHNOLOGY, which oversees re-

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search and development of technical systems for collecting intelligence, such as spy satellites; analyzes scientific and technical data collected by all sources, and circulates reports on its findings. The personnel strength is estimated at about 1,500; its budget at about $125 million, not counting large additional amounts (perhaps $500 million to $1 billion) spent annually by the National Reconnaissance Office and the Air Force on technical collection systems.

• ADMINISTRATION, under which are lumped such functions as supply, finance, medical and personnel services, training, security, and communications. (Overseas communications appear to have been transferred to Operations under the Schlesinger reorganization.) In recent years, the personnel strength of this directorate has been estimated at roughly 4,500 and its budget at about $200 million a year.

Former intelligence officials calculate that when support costs are distributed, somewhere between two-thirds and three-quarters of the CIA's direct budget is allotted to clandestine operations. Of these funds, more than half are said to go to various types of covert foreign policy operations—Dirty Tricks—rather than to intelligence collection and reporting by overseas stations.

A separate staff known as the Office of National Estimates supervises the preparation of the intelligence community's principal long-range projections—the series of National Intelligence Estimates which cover such diverse subjects as the strength and organization of the Vietcong and the size, trends, and doctrine of the Soviet strategic nuclear forces. The office is under the direction of the Board of National Estimates, a dozen senior officials from CIA, State, and the military.

In addition, a number of smaller staff offices are attached to the office of the Director. These include the inspector general, general counsel, legislative counsel, cable secretariat, and an office of plans, programs, and budgets. Perhaps the most important of these offices is the Intelligence Community Staff (ICS), recently expanded by Schlesinger and given a stronger role in coordinating the programs and budgets of the entire intelligence community.

The Directorate of Operations constitutes the covert side of CIA, known as the Clandestine Services. Officers of the Clandestine Services generally pose as officials of some other U.S. Government agency or private organization, and sometimes use false names. Except for some minor modifications that may have been instituted in the Schlesinger reorganization, the Directorate is organized as follows:

A number of specialized, functional staffs oversee aspects of clandestine activity. Their names provide some notion of the range of CIA work: Foreign Intelligence (espionage and political reporting); Counter-intelligence (reporting the operations of the intelligence services of other nations); Covert Action and Political Action (secret financing of various youth, labor, cultural and academic groups, operating clandestine radio propaganda outlets, large-scale efforts to influence foreign elections); Special Operations (planning, supporting and directing paramilitary operations); and Technical Services (wiretapping, lie-detector operations, illegal entry, false identities, disguises, and the like).

Most work of the Clandestine Services is carried out by the large regional divisions and their field staffs abroad and in the United States. The major divisions, and some of their activities which have come to light, are:

DOMESTIC OPERATIONS DIVISION, which allegedly recruits agents among foreign students and U.S. residents with relatives in foreign countries. It also interviews Americans planning to travel abroad for pleasure or business and those who have recently returned. (The Domestic Contact Service, which carries out these interviews, was recently transferred from the "overt" side of the Agency, where it was under the Directorate of Intelligence, to the Clandestine Services.) This Division also apparently conducts counter-intelligence activities among East European, Cuban, and other emigré groups in the United States.

WESTERN HEMISPHERE DIVISION. Among the major known clandestine operations of the past twenty years are:

• Overthrowing the Guatemalan government of Jacobo Arbenz in 1954.

• Setting up and supporting a special anti-Communist police agency for the Batista regime in Cuba in 1956. The agency, known as BRAC, soon gained a reputation for brutality and oppression.

• Later backing anti-Castro Cuban exiles in a variety of political and paramilitary activities, culminating in the disastrous Bay of Pigs invasion in 1961.

• Helping to put down an attempted coup in Guatemala in 1961, in part to protect the base of operations for the planned invasion of Cuba.

• Mounting a major covert political campaign to deny leftist Brazilian President Goulart control of the Brazilian Congress in 1962.

• Advising and assisting the successful Bolivian effort to capture Che Guevara in 1966-67.

• Intervening with covert financial and other support for opponents of Salvador Allende in the Chilean Presidential elections of 1964 and 1971.

FAR EAST DIVISION. Largest of the regional divisions, this organization supervised:

• Large-scale clandestine operations by Nationalist Chinese and U.S. agents against mainland China from the Korean War period through the late 1960s. Agents were air-dropped into China—two, Richard G. Fecteau and John T. Downey, were captured in 1952 and freed after the U.S.-China rapprochement of 1971—and

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guerrillas and political agents were infiltrated into Tibet in the late 1950s.

- The Philippine campaign against Huk guerrillas in the 1950s.
- U.S. efforts to establish the South Vietnamese government of Ngo Dinh Diem after the Geneva settlement of 1954. CIA agents subsequently encouraged (at President Kennedy's direction) the generals' *coup* against Diem in 1963.
- An unsuccessful *coup* against President Sukarno of Indonesia in 1958, in which an American pilot, Allan Pope, was captured.
- The arming, training, and operations of an army of Meo tribesmen in Laos during the 1960s.
- Financing and directing a wide range of clandestine and special operations during the 1960s in Vietnam. These included cross-border operations into Laos and Cambodia to gather intelligence and harass North Vietnamese and Vietcong base areas, organizing and paying various mercenary groups, and setting up the Provincial Reconnaissance Units, special Vietnamese teams whose job was to locate and capture (or assassinate) Vietcong political agents. The latter effort, originally organized under the "Combined Studies Division" of the U.S. military command in Vietnam, later became known as the Phoenix program, which Colby headed.

NEAR EAST-SOUTH ASIA DIVISION, now reportedly becoming one of the more active branches of the CIA. The best known CIA exploit in this part of the world was the *coup* which overthrew Premier Mohammed Mossadegh of Iran in 1953 and returned political power to the Shah.

AFRICA DIVISION. Deeply involved in Congo affairs during the early and mid-1960s, when the CIA supplied pilots (Cuban veterans of the Bay of Pigs), mechanics, and aircraft to the government of Moise Tshombe.

- The EUROPE and SOVIET DIVISIONS. One of the first major clandestine operations of the postwar period was the massive infusion of funds to prevent a Communist victory in the 1947 Italian elections. According to reliable sources, CIA continued well into the 1960s to provide a large annual subsidy to the Italian Christian Democratic Party. In Greece, the Agency became deeply involved in internal politics in the late 1940s, and its role, according to sound speculation, is undiminished today.

The CIA and its predecessor organizations also helped organize anti-Communist labor unions in France and other West European nations during the period following World War II. The Washington office of the Clandestine Services provided funds to support an entirely independent underground network established under cover of the international division of the AFL-CIO.

For many years during the 1950s and 1960s the Covert Action staff in Washington ran one of the most remarkable CIA activities: the large-scale subsidization of a wide range of youth, academic, cultural, propaganda, and labor organizations in the United States and abroad. Among the long list of beneficiaries of the payments, which ran as high as $100 million a year, were the National Student Association, the Asia Foundation, the American Newspaper Guild, Radio Free Europe, and the Congress for Cultural Freedom (which sponsored *Encounter* magazine). The Covert Action staff, under Cord Meyer, Jr., now CIA station chief in London, set up numerous dummy foundations to distribute the money, using a wide number of legitimate charitable institutions as cooperating go-betweens. (One of the dummy foundations was named, by strange and, to me, annoying coincidence, the Andrew Hamilton Fund.)

These subsidies, exposed in 1967, were terminated, but the Covert Action staff remains in business. According to informed sources, its annual budget continued at about the $100 million level in 1971.

This list of operations is hardly comprehensive. It does not, for example, include such large-scale intelligence exploits as the U-2 project and the first spy satellites, both initiated by the covert side of CIA. But the list illustrates the wide range of political, propaganda, and paramilitary operations which the CIA has carried out, in deepest secrecy, at White House behest.

Two points stand out: These operations were often mounted not against hostile countries, *but against neutrals or allies*. And they frequently resulted in creating and sustaining repressive regimes. The CIA has been accused by well-informed U.S. officials of helping to establish "anti-subversive" police units in a number of countries which have then used them to repress all liberal political opposition.

Informed sources estimate that of the roughly $350 million annual budget of the Clandestine Services in recent years, perhaps $225 million—most of it project money—was allocated to covert action and special operations (including $80 million to $100 million for

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Vietnam and Laos). The remaining $125 million went to support the CIA's Clandestine Services in its espionage and counter-intelligence activities.

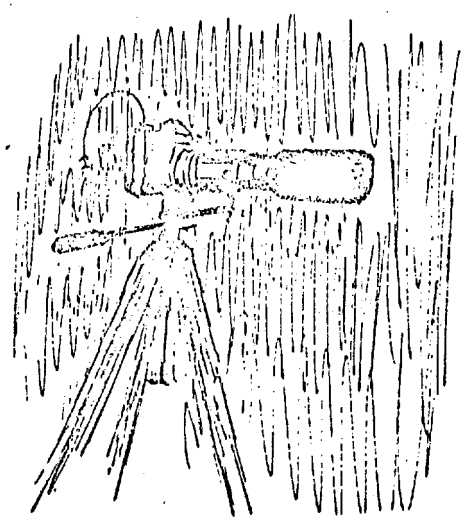
As the budgetary breakdown suggests, the road to glory and advancement in CIA is through operations—Dirty Tricks—rather than the patient and often grubby work of collecting foreign intelligence. A number of former high-ranking intelligence officials have complained over the years about the Agency's tendency to mount "operations for operations' sake."

In theory, CIA covert operations are tightly controlled, and can be engaged in only with the approval of the President, who delegates the task of reviewing suggested operations to a high-level NSC committee consisting of his assistant for National Security Affairs, Henry A. Kissinger; Deputy Defense Secretary William P. Clements, Jr.; Undersecretary of State for Political Affairs U. Alexis Johnson; and the CIA Director. But this group has no staff facilities for a proper review—the papers are handled at the White House by a single CIA official who acts as secretary to the committee—and, in any event, the committee would hardly be disposed to subject CIA plans to close scrutiny.

CIA station chiefs, moreover, enjoy considerable autonomy. An enterprising, empire-building station chief, as one source pointed out, will be on the constant lookout for an opportunity to mount a covert action, perhaps by bribing a foreign minister or a key legislator. With sufficient initiative, he can increase his budget and staff and enhance the standing of his station with Washington. In the process, the United States gradually becomes drawn more and more into the internal politics of that country.

"The Clandestine Services," says a former CIA official, "never developed a philosophy that 'our job is to spy.' They have always had the desire to manipulate events."

The CIA's predisposition toward operations has been influenced by the fact that for most of its life the Agency has been headed by men who made their reputations in that field. Allen W. Dulles (1953-61) and Richard C. Helms (1965-1973) were both operators; so was the new Director, Colby. Colby and Helms, before their respective appointments as Director, were both in charge of the Clandestine Services, a job which has generally been filled by forceful men who wielded great, if unobtrusive, influence in Washington. By contrast, the Agency's senior intelligence official, the Deputy Director for Intelligence (DDI), has seldom been a man of comparable stature or influence.



As long as the glory, power, promotion, influence, and White House attention fall on the Dirty Tricks operators at CIA rather than on the intelligence specialists, the inherently unmanageable predisposition of many CIA station chiefs toward operations rather than intelligence work is unlikely to come under control. And as long as operations are the principal source of his influence, the Director of Central Intelligence can hardly be faulted for taking a narrow view of his job. In theory, he wears at least three hats: He is the top operator; he is the nation's senior interpreter of foreign intelligence; and he heads the vast but amorphous community of U.S. foreign intelligence agencies. In practice, however, recent directors have not fulfilled all roles equally well.

For several years, White House foreign policy experts have sought improvements in intelligence analysis and management of intelligence budgets and activities. In November, 1971, President Nixon ordered a reorganization of the intelligence committees to address these problems. He gave the Director of Central Intelligence power to oversee the budgets and activities of all intelligence agencies, including those under the Defense Department. The Intelligence Community Staff was expanded and an Intelligence Resources Advisory Committee (IRAC) was established with the Director as chairman. At the same time the National Security Council set up an Intelligence Committee to review the quality of intelligence reports.

Director Helms, in the White House view, failed to make the reforms work. This was a factor in the decision to replace Helms (now Ambassador to Iran) with James Schlesinger, author of the 1971 reorganization plan.

Schlesinger's background seemed admirably suited to the broader concept of the Director's job. He was not only a management expert but also an economist and defense intellectual, with a background at Rand Corporation, where he had a reputation as a forceful analyst. But the Watergate scandal forced shuffles. Schlesinger became Defense Secretary. Colby, his successor, is not considered by intelligence experts to be as well-equipped to manage the intelligence community, or to improve the quality of analysis. His appointment appears to have shelved or diminished the ambitious reforms envisioned by Schlesinger. Instead the appointment of Colby put the spotlight back on operations.

When Congress confronts the CIA this fall, it should recognize that it is time for the United States to end all Dirty Tricks operations—by the CIA or any other

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organization. Such operations, a standard part of the U.S. foreign policy repertoire since World War II, have become more than occasional embarrassments: They are now a distinct liability to the nation's foreign relations. And they present a serious threat to constitutional government in the United States.

The reasons for ending clandestine operations are not just moral but practical as well. The moral objections to covert action are obvious. Intervening in another nation's internal politics violates the principles to which the United States professes to adhere when it establishes diplomatic relations. And covert intervention offends the general principle that nations, like individuals, should be accountable for their actions.

There are at least two practical objections. The first is that clandestine operations have a corrupting influence on American politics and foreign relations. They undermine the credibility of the Government at home and abroad. Their inherent secrecy violates the principles of accountability in the American political process. Available recourse to clandestine operations breeds contempt for more arduous—but legitimate—methods of achieving objectives. As Watergate has demonstrated, an easy familiarity with clandestine operations and a ready access to persons and techniques used in clandestine operations can become a direct threat to the American political and legal system.

It has been evident for some years that the American political establishment is deeply divided on the directions and the tools of foreign policy. Politics no longer stops at the water's edge. No more vivid demonstration of this division is needed than the recent votes in Congress to end the bombing of Cambodia and to limit the President's war-making powers. In these circumstances a clandestine foreign policy becomes a danger to domestic politics. To prevent leaks, the circle of people in the know is drawn ever smaller. In the process, the definition of the national interest becomes more narrow, and more directly associated with the political fortunes of the party in control of the Executive branch.

As the confusion between the national interest and political advantage spreads, distrust of the opposition grows to paranoid dimensions. Political operatives find it difficult to discriminate between domestic opponents and foreign agents. In this paranoid state, they have no difficulty justifying the resort to espionage and Dirty Tricks—originally developed to fight a clandestine war against alien enemies—against their domestic political opponents. The existence of occasional proof of similar skulduggery on the part of their opponents merely intensifies the psychosis. The result is an indiscriminate intermingling of domestic politics, foreign policy, and covert operations—a common theme in the Watergate affair and associated cases.

If the corrupting effect of clandestine operations is one practical objection, a second is that when they do not fail spectacularly, they are often ineffective. The

successes of the CIA in clandestine operations may be, as several Presidents have hinted, substantial. But these successes would have to be of phenomenal value to outweigh the general damage which results from the CIA's blunders, from the widespread assumption that the Agency meddles everywhere, and from the exposure of those operations which have come to light over the years.

An outright ban on the CIA's clandestine operations would result in a cut of as much as fifty per cent in the Agency's budget, an annual saving of perhaps $300-$400 million, not counting the savings of substantial additional funds diverted from other agencies for covert CIA activities. The more important effect, however, would be a much needed redirection of the efforts of the Agency's overseas staff (which could be greatly reduced in size) toward collection of intelligence.

Since many CIA operatives already work under diplomatic cover at U.S. embassies, it might prove feasible to transfer activities devoted to gathering intelligence—not to operations—to the State Department. (The far smaller British Secret Intelligence Services come under the control of the Foreign Office.)

Such steps would go a long way toward restoring the primacy of the Department of State in foreign relations, and toward putting clandestine activities under an official directly responsive to the Congressional committees responsible for foreign relations. Under the present system, decisions on the use of the Clandestine Services are made by the President, who is not directly answerable to any committee of Congress, and operations are the responsibility of the Director of Central Intelligence, who answers to the Armed Services and Appropriations Committees, neither of which has principal responsibility for oversight of foreign relations. Freed from his weighty operational responsibilities,

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the Director of Central Intelligence could begin to devote full time and attention to improving the management of the intelligence community and upgrading the quality of analysis.

Finally, it would be feasible to set up a more broadly representative system for Congressional oversight of intelligence activities by the CIA and other agencies, since the risk of compromising sensitive foreign policy operations would no longer exist. This could be accomplished by creating new House and Senate committees, as recommended by Senator Proxmire and others, or by setting up a joint committee on intelligence, along the lines of the existing joint committees on economic policy and atomic energy.

In sum, the Congress should:

- Repeal CIA's vague authority to carry out "other functions and duties related to intelligence," as directed by the National Security Council.
- Substitute, if necessary, language authorizing overseas and domestic activities strictly for collecting foreign intelligence, plus such counter-intelligence activities as are required overseas (leaving domestic counter-intelligence to the FBI).
- Consider placing the Clandestine Services under the operational control of the Secretary of State, either by requiring that he be responsible for reviewing and authorizing clandestine activities, or by transferring the CIA's intelligence collection functions to the State Department.
- Deny CIA all project funds for covert action or special operations, but allow limited secret funds for intelligence purposes only.
- Require the CIA to divest itself of ownership or control of such organizations as Air America.
- Clarify and strengthen the statutory powers of the Director of Central Intelligence by giving him explicit authority in law to review and make recommendations to the President on the budgets and programs of all U.S. foreign intelligence activities.
- Require disclosure of the overall expenditure of the CIA and other intelligence agencies, with reasonable accuracy allowing a little leeway for security purposes.
- Establish a committee or committees of Congress to oversee the programs and authorize the budgets of all U.S. foreign intelligence agencies, including the CIA. An effective oversight committee is essential to insure that a Congressional ban on clandestine operations is honored by the President. Given the fine line between some types of intelligence gathering and the clandestine manipulation of events, it will be impossible to draft a law which closes all loopholes through which small-scale operations will be undertaken. Thus vigorous oversight will provide the only reassurance that the spirit of the law banning Dirty Tricks operations is being observed. The committee should include, but not be restricted to, current members of the Foreign Relations and Armed Services Committees of the Senate, and Foreign Affairs and Armed Services Committees of the House.

  The committee or committees should have automatic access to all finished intelligence reports published by any intelligence agency, and these classified reports should be retained at the Committee for review by all members of Congress. This would provide Congress with an intelligence library, which it now lacks, and could considerably improve the quality of understanding and Congressional action on foreign policy and defense questions.

It is by no means certain that a majority of Congress is ready to bar all clandestine operations. Such a step would signal a major shift from the way the United States has conducted foreign policy since World War II, and opponents will no doubt argue that it would be tantamount to "tying the President's hands" or "unilateral disarmament." And it might also be argued that a clandestine action agency is more necessary in the 1970s than ever, given the decline of the Cold War with its clear-cut antagonisms, the emergence of a multi-polar world of shifting alliances, and the developing contest among the industrial nations of the world for access to oil and other raw materials. Nor is President Nixon likely to abandon without a struggle a tool which seems peculiarly suited to his approach to foreign (and domestic) antagonists.

Finally, the job of defining clandestine operations so they can be stopped without damaging the capability for intelligence-gathering activities or leaving large loopholes could prove difficult for legislative draftsmen.

These are all important practical considerations. Were the nation really in a state of siege, were *real politik* the only basis for conducting American foreign relations, were there a genuine consensus on the aims and methods of American foreign policy, and were clandestine operations compatible with American democratic institutions and processes, then such reasons might suffice to justify continuing such operations. In the real world, they do not.

The Administration's approach, and that of many influential members of Congress, will be to cope with the CIA's current crisis merely by making its covert operations even more truly clandestine, and by restricting them in size to reduce the risk of exposure. But the only way to clear the nation's reputation, restore credibility, and re-establish a basis for a foreign policy based on broad consensus—and the only way to create a real basis for effective Congressional participation in foreign policy—is to put a firm end to clandestine operations. The divorce must be clear and categorical, and ought to carry the force of legislation—an outright ban on Dirty Tricks. □