

TOP SECRET

29 February 1980

MEMORANDUM FOR THE RECORD

Staff Meeting Minutes of 29 February 1980

The Director chaired the meeting. [redacted]

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Lehman reported resistance from DIA re the current draft NIE 11-3/8 and [redacted] paper underway on "Soviet Policies in Southwest Asia." He said DIA is complaining that language in these documents does not hit the Soviets hard enough. He noted this has been somewhat traditional with DIA but has become more emotional this year. Lehman advised we brace ourselves for the possibility of this conflict finding its way into the public arena with probable press debate. [redacted] noted the current issue of Aviation Week reflects the same kind of problem which occurred in 1976 re NIE 11-3/8. Clarke said he has been in discussion with General Tighe but has not yet seen Tighe's suggested rewording of the draft summary. [redacted]

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Stein reported briefly on the following:

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[redacted]

--Thailand's Prime Minister Kriangsek's resignation amid widespread criticisms of his government's economic policies. Stein suggested it is likely this step by Kriangsek is an attempt to save himself for another day.

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[redacted]

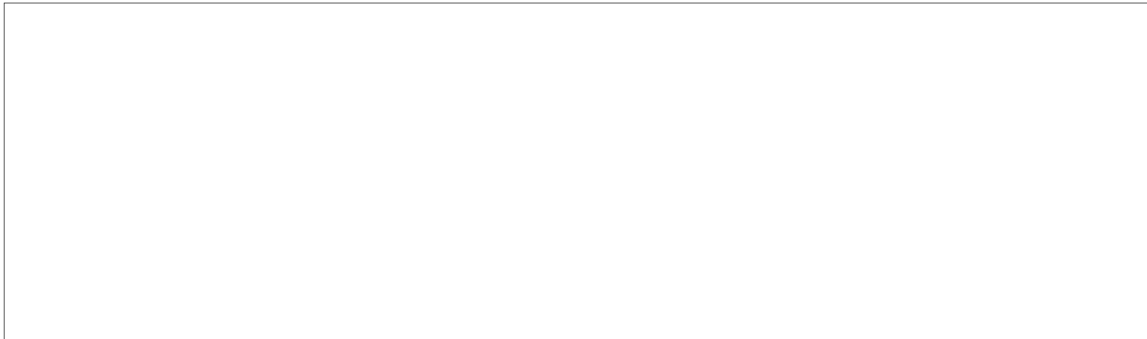
--Dissemination to the Intelligence Community of a compilation of Soviet activities in Iran including reports that (1) the Soviets believe U.S. military forces may enter Iran, and (2) increased Soviet subversion in Iran designed to permit Soviet military entry into that country when needed. [redacted]

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[redacted]

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Fitzwater reported [] retirements including [] supergrades for the month of February which raises the total since early December to []

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Hetu reported Newsweek's David Martin is preparing a feature article-- "What After Snepp?" Hetu said Martin queried him on our current status re Stockwell and Joe Smith and asked if the Agency would sue former Agency officials, e.g., Ray Kline, for not clearing their public speeches involving CIA. The Director advised Hetu to make difficult Martin's pursuits in these areas. []

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Hetu called attention to today's Executive Summary attachment on []

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[] the legality of his secrecy agreement re a large book manuscript he has submitted for Agency review. Hetu advised we give careful attention to this case where the ACLU is obviously hoping for decision conflicts from two different Courts of Appeal. Relatedly, the Director noted he has read that Snepp has a second book underway. In response to a query from the Director, Silver explained our current action with the Department of Justice re Stockwell. The Director advised we pursue a policy of "no comment" to the media while such cases are in the process of litigation.

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Clarke reported yesterday's SCC meeting on SALT II was inconclusive. He said discussions centered on how best to return to the pursuit of ratification noting the SCC was generally agreed the U.S. would be better off with a treaty than without one. He said it was also agreed that timing for action this year is made especially difficult by political conventions/elections and the likelihood of treaty renegotiations with the Soviets if ratification is delayed until 1981. It was noted at the SCC that in his European trip, Secretary Brown found indications that Europeans want SALT kept alive. In response to a query from the Director, Clarke said there was no discussion on how we might dissuade Soviet violations in the interim. The Director suggested to Clarke that the SALT Support Staff might examine ways to continue coordination with the Soviets, e.g., upcoming sea trials of their new Delta-class submarine and our launching of the nuclear submarine OHIO. []

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Clarke reported that SCC discussion focused also on the current situation in Cuba and that David Aaron would be chairing a follow-up meeting today to deal with the timing of reporting latest information to Congressional Committees--and by whom, State or CIA. He said yesterday's discussion leaned toward reporting by CIA. [REDACTED]

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[REDACTED] He said we should not let ourselves be stampeded on this when our confidence factor is only 75 percent pending further target coverage and analysis. He said he is not satisfied with our analysis and said he noted this to the task team last evening. Unless there is new information, he said our current analysis is not sufficient to make a convincing case to Congressional Committees. The Director discussed with Clarke the problems involved. [REDACTED]

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Hitz noted HPSCI is the only committee which has not yet given its final blessing [REDACTED] He said this could be handled simply by a phone call from Mr. Carlucci to Chairman Boland and advised against written correspondence in this regard. Hitz noted Boland's preference that we move slowly re Iran at this time. Mr. Carlucci suggested and Hitz agreed that the HPSCI delay reflects not Boland's but Representative Aspin's concerns on this matter. The Director said he had phoned Representative Aspin yesterday to complain about Aspin's reported statements in a recent Christian Science Monitor article dealing with CIA covert action and subversion, and Aspin's recent letter demanding answers re the use of DCI waivers relating to journalists, etc. [REDACTED]

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Hitz called attention to difficulties with the SSCI in resolving confusion re Charters Legislation dealing mainly with the matter of "prior notification" and "full access." Mr. Carlucci said Bill Miller will be meeting with him on this next Tuesday and that Cutler has prepared a piece designed to resolve the issue. Hitz advised we move slowly on this matter and the Director advised that the DDO be brought into this more deeply, i.e., to see if they can live with what Cutler has prepared. The Director suggested a piece be prepared which would grant generic and categorical authority for the Director re "prior notification" to Congress--this is to avoid the difficulty of having to go to the President for notification approval in every instance. Silver said he doesn't believe the Director's suggested approach matches what he thinks Cutler has in mind. Hitz again advised we move slowly on this to let things settle more clearly. [REDACTED]

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Silver said re Snepp and Stockwell that we are under no obligation to be consistent in our dealings with others of their sort in pursuing litigation. Noting his acute awareness of an unholy alliance among the media ready to pounce on us, he said we should be very selective--circumspect if necessary--in choosing cases for litigation. He advised we consider every case on its own merit to ensure attainment of our long-term objective in this regard. [redacted]

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Silver reported on the reorganization in OGC and said a notice would be circulated soon. He announced [redacted] as the new Deputy General Counsel and [redacted] as the Associate Deputy General Counsel. [redacted]

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In response to a query from Briggs, the Director briefly described his meeting yesterday with the IOB and said Governor Scranton was unable to attend because of illness. He noted the Board's concerns re questions of legality, propriety, and the Director's format for ensuring his consultation with OGC, DDO, DDS&T, et al., on certifications and sworn affidavits. He said Silver will follow up on these with IOB's new Counsel Jim Dick.

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[redacted] said he had nothing of particular importance to report for the DDA. The Director asked that the DDA provide him with an analysis of Washington Post columnist George Lardner's article today (attached) dealing with CIA's handling of FOIA. (Action: DDA) [redacted]

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Briggs reported on a bomb scare yesterday in ODP and suggested circulating information on the event when the Office of Security report is complete. [redacted]

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The Director briefly addressed the following:

--Press reporting that Secretary Brown has confirmed U.S. involvement in Afghanistan, e.g., U.S. arms being supplied via Pakistan to Afghanistan rebels. In response to a query from the Director, Hetu said he has not seen much press play on this item but will check it out.

--Noting continued disagreement within State on the Soviet troop count in Afghanistan, the Director called attention to State's Morning Summary today which reports another division being deployed from the Kiev Military District which adds to the count--and that this conflicts with any suggestions of Soviet withdrawal. Clarke said Community representatives are meeting every Tuesday to arrive at a commonly agreed figure for Soviet troop strength in Afghanistan.

--The Director asked that we check into reports the Soviets are using chemical warfare in Afghanistan. He noted reports include details of chemical cannisters. [redacted]

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CIA Asking Hill to Cut Back Public Access to Agency's Files

By George Lardner Jr.
Washington Post Staff Writer

On June 8, 1965, a CIA security officer met with an informant in the Hilton Hotel in downtown Washington to discuss the progress of his spying on the civil rights movement and especially on the Rev. Martin Luther King Jr.

The meeting, which lasted nearly four hours, dealt with "highly derogatory information" involving King and allegations of "communist-directed infiltration into the movement," according to a nine-page memo prepared the next day for the chief of CIA's Security Research Staff. The highly placed informant, who had "long provided information on the Negro civil rights movement and its leaders" to the CIA, promised to stay in touch. He emphasized he did not want to be "downgraded" by being asked to report to the FBI.

The CIA's spying on King, which produced a file including some of his haberdashery bills, Diners' Club receipts and notes listing phone calls and appointments, was never disclosed in the extensive congressional or executive branch investigations of the agency conducted in recent years. It has come to light solely as the result of litigation under the Freedom of Information Act (FOIA).

Thousands of documents on CIA activities—from reports on President Kennedy's assassination to controversial mind-control experiments and other excesses—have been made public under FOIA since the agency was effectively brought under the law five years ago.

Now the CIA is seeking to halt all but the most limited disclosures. Under a bill pending in both the House and the Senate, the agency has asked for an extraordinary exemption that would put its operational and technical files almost completely beyond reach of FOIA. Even illegal activities, it appears, could be legally covered up. Public inquiries could be rejected without any inspection of the documents sought. Lawsuits would be fruitless. The files would be immune from court action, except for individuals seeking records about themselves.

The CIA has described the proposal in more modest terms: According to CIA Deputy Director Frank Carlucci, the bill would provide only "a limited

exemption to protect our most sensitive information." He maintains that "the loss to the public from the removal of these files from the FOIA process would be minimal."

Despite such assurances, the law has forced the CIA to release a great deal of information that would still be buried in the agency's files if the bill it wants had been the prevailing rule.

Some documents that have been made public expand, or contradict, what the CIA reported in the 1975-76 investigations. Some deal with issues that the investigators never touched, such as the CIA's spying on Dr. King. (That was disclosed in an FOIA lawsuit brought by author-critic Harold Weisberg of Frederick, Md.)

Item: The Rockefeller Commission, appointed by President Ford in 1975 to investigate CIA activities in the United States, came across a program started in 1967 by the CIA's Office of Security "to identify threats to CIA personnel, projects and installations," especially those stemming from the antiwar movement on college campuses.

The commission was satisfied that the operation "used no infiltrators, penetrators or monitors" and relied primarily on press clippings, campus officials and police authorities.

Records later released under the Freedom of Information Act about the program, which the CIA styled "Project Resistance," show that it used confidential informants repeatedly in Texas, California, Washington, D.C., and elsewhere. The CIA file even included a blank "Confidential Informant Identification" form for Project Resistance.

Item: The Senate investigating committee headed by Frank Church (D-Idaho) said in its final report that Project Resistance, which lasted until 1973, eventually developed a nationwide index of 12,000 to 18,000 names.

But according to records later made public under FOIA, the CIA's Office of Security indexed 50,000 members of the California Peace and Freedom Party alone, primarily college students in just two counties.

Item: The CIA told the Church committee that the records for MKULTRA, the agency's premier mind control program, had been destroyed in 1973, reportedly with concurrence of then-director Richard Helms.

Some 16,000 pages of records dealing with MKULTRA and other CIA experiments with exotic drugs were subsequently unearthed and turned over to John Marks, a former State Department employe and frequent CIA critic, under the Freedom of Information Act.

Testifying about some of the newly discovered documents in 1977, CIA Director Stansfield Turner said they showed the CIA carried out 149 projects involving drug testing, behavior modification and secret administration of mind altering drugs at 80 American and Canadian universities, hospitals, research foundations and prisons. But he assured Congress that the mind control work had been almost completely phased out in the mid-1960s.

According to Marks, who kept pressing for more documents as he wrote a book on the subject, the CIA replaced MKULTRA with another wide-ranging, supersecret behavior control project that continued into the 1970s under the agency's Office of Research and Development. The CIA told Marks in June 1978 it had discovered "130 boxes" of mind control material, in response to his inquiry about the ORD project, but he is still waiting to find out what is in them beyond a few "trivial documents" that were released.

"They've been diddling me ever since," Marks says. "In effect, they've already repealed the FOIA, at least as far as mind control is concerned."

Item: The CIA's view of its once-secret war in Laos was reflected in still another release under FOIA: Its position was set down Oct. 30, 1969, in a memo from CIA General Counsel Lawrence R. Houston regarding congressional inquiries on the issue, especially from Sen. J. William Fulbright (D-Ark.).

"If Sen. Fulbright were right in saying that we are waging war in Laos, we would indeed have a constitutional question," Houston advised Helms. "I know of no definition, however, which would consider our activities in Laos as waging war except Sen. Fulbright's. We have no combatants as such, although the Air Force pilots doing the bombing come close. . . ."

Such documents will no longer be made public if the CIA has its way, at least not under the Freedom of Information Act.